



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: V25-056

Agenda Date: 3/12/2025

In Control: License and Variance Board

File Type: Variance Item

Agenda Section:

Formal Business

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V25-025 - Reduce the streetside setback from 10 feet to 6.3 feet - Land Lot 486 - 3050 Nichols Street - Marc McAfee

Ward 3 Councilmember - Travis Lindley

ISSUE AND BACKGROUND:

The applicant is requesting to reduce the streetside setback for an addition at 3050 Nichols Street. The streetside setback of 20 feet is regulated by the Medlin Place at Smyrna Heights plat, recorded in 2007. Note that during rezoning (Z06-003) and subsequent platting, the developer was required to dedicate 10-feet of right-of-way along Medlin Street. Due to this dedication, the 20-foot streetside setback is from the street as opposed to the property line. Thus, the applicant's request for the streetside setback reduction will take into account the original dedication and be a reduction from the existing setback of 10 feet.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting to reduce the streetside setback to renovate the existing property at 3050 Nichols Street. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following conditions:

1. Approval of the requested variance shall be conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. The bonus suite shall not be rented or occupied for gain, except as permitted in Article IX of Chapter 22 as it pertains to the operation of short-term rental units.
3. These conditions shall run in perpetuity with the property and as such are also applicable to any future owner.



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