

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director
Caitlin Crowe, Planner I

Date: June 3, 2025

RE: VARIANCE CASE V25-054
2721 Fraser Street – Increase the maximum impervious surface area from 35% to 48.6%

VARIANCE CASE V25-055
2721 Fraser Street – Reduce the northern side setback from 10 feet to 5.1 feet

VARIANCE CASE V25-060
2721 Fraser Street – Reduce the southern side setback from 10 feet to 5 feet for an accessory structure

VARIANCE CASE V25-061
2721 Fraser Street – Increase the accessory structure size from 25% to 30.2% of the primary dwelling

VARIANCE CASE V25-062
2721 Fraser Street – Eliminate the driveway setback

BACKGROUND

The applicant is seeking five variances to build an addition and replace a detached garage in the rear of 2721 Fraser Street: increase the maximum impervious surface area from 35% to 46.7%, reduce the northern side setback from 10 feet to 5.1 feet, reduce the southern side setback from 10 feet to 5 feet for an accessory structure, increase the accessory structure size from 25% to 30.2% of the primary dwelling, and eliminate the driveway setback. The side setbacks, driveway setback, and the maximum impervious surface area are associated with Section 801 of the Zoning Code whereas the maximum accessory structure size is required per Section 501 of the Zoning Code.

ANALYSIS

The subject parcel is a 0.22-acre lot located on the east side of Fraser Street in the Hillsdale Homes subdivision (see Figure 1). The subject parcel and all adjacent parcels are zoned R-15 and are all occupied by single-family detached residences.

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The property is currently occupied by a one-story 1,507 square foot single-family home with a 360 square foot detached garage in the rear. A 10-foot maintenance easement spans the length of the northern property line per the plat recorded in 1954. The applicant is proposing to replace the existing 165 square foot rear deck with a 933 square foot addition and replace the existing detached structure with a new 503 square foot detached two-car garage. The addition will consist of a new sunroom, living space, and bathroom; when completed, the home will be 2,275 square feet with 4 bedrooms and 3 bathrooms, bringing the home into compliance with the R-15 floor area requirement of 2,000 square feet.

The existing home, originally built in 1954 (prior to the current Zoning Code of 1974), currently encroaches into the 10-foot northern side setback line by 5 feet. The addition will continue the encroachment into the side setback, but no more than what exists on the property today. Due to the existing encroachment, any rear expansion in line with the existing home would create a variance; thus, the hardship is not self-created.

As part of the renovation to the property, the applicant is removing the existing 360 square foot accessory structure and replacing it with an expanded 503 square foot two-car garage and 183 square foot attached covered patio for a total of 689 square feet. The garage will be accessed off the existing driveway, which will be partially replaced and expanded to provide the turning radius needed to enter and exit the garage. The existing driveway abuts the property line, which will continue with the replacement. This condition has existed on the property since at least 2003 per Cobb County GIS aerials with no detriment to surrounding neighbors. Many of the driveways in the area are up to the side property line due to the age of the properties (most having been erected in the 1950s), thus the location of the driveway would not be out of character in the neighborhood.

Due to the existing concrete driveway, the most logical area to construct the detached garage is within the southern side setback to decrease disturbance to the subject property and surrounding neighbors. Thus, the applicant is requesting a variance to reduce the southern side setback from 10 feet to 5 feet. Since the existing home encroaches on both side setbacks already, there is no additional room to add any type of garage space within the side setbacks without moving the structure to the middle of the lot and drastically increasing the amount of driveway required.

Once the renovations are complete, the home will be 2,275 square feet, which would allow for a 569 square foot accessory structure, the maximum allowed at 25% of the primary dwelling size. The proposed accessory structure is 686 square feet, which is 30.2% of the primary dwelling size (or an increase of 117 square feet).

After the addition of the detached garage, additional driveway, and building addition, the impervious surface area will be above the allowable 35% by 13.6% (or 1,282 square feet). To offset the additional increase in impervious surface area, the applicant is adding a 144 square foot infiltration swale to the rear of the property. The Engineering Department has reviewed the application and is supportive of the proposed mitigation method with the stipulation that a Stormwater Inspection & Maintenance Agreement be recorded prior to building permit issuance.

Community Development believes the variances are the minimum variances needed to provide additional living space and amenities on the subject property. Similar variances were approved

for a detached garage at 1015 Hillsdale Street in 2023 (V23-081-084) so there is a precedence for these types of variances in the area. At the time of this report, Community Development has not received any opposition to the requests.

STAFF COMMENTS

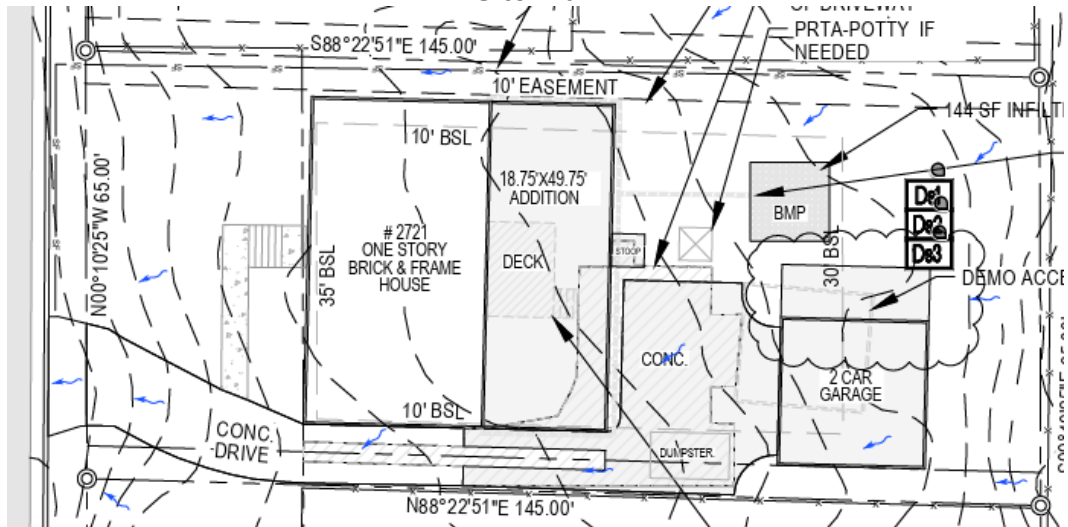
The applicant is requesting to deviate from the development standards established by the City for the side setbacks, maximum size of accessory structures, driveway setbacks, and maximum impervious surface area. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following 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 variances will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following conditions:

1. Approval of the requested variances is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. A Stormwater Inspection and Maintenance Agreement shall be completed and recorded with the Cobb County Superior Court prior to issuance of the building permit.
3. A stormwater as-built certification statement shall be submitted to Community Development for approval prior to issuance of the building permit Certificate of Completion.
4. Any damaged or broken curb caused during construction shall be replaced prior to issuance of the building permit Certificate of Completion.

Figure – 1



**Figure – 2
Site Plan**



**Figure – 3
Subject Property**



Figure – 4
Adjacent Property to the North



Figure – 5
Adjacent Property to the South



Figure – 6
Adjacent Property across Fraser Street

