

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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To: License and Variance Board

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

Date: November 5, 2024

RE: **VARIANCE CASE V24-089**  
**4900 Chimney Oaks Drive – Reduce the streetside setback from 35 feet to 31.2 feet**

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#### BACKGROUND

The applicant is requesting a variance to reduce the streetside setback from 35 feet to 31.2 feet to allow for the construction of an addition on a single-family residence at 4900 Chimney Oaks Drive. The minimum streetside setback of 35 feet is required per the development standards associated with the subdivision plat for Chimney Oaks, recorded in 2000.

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#### ANALYSIS

The subject parcel is a 0.41-acre lot located at the southeast intersection of Civitania Road and Chimney Oaks Drive (see Figure 1). The subject parcel and all adjoining parcels are zoned R-15, with the exception of the parcel to the south, which is located in the city limits of Mableton; all are occupied by detached single-family homes.

The subject property currently consists of a 3,259 square foot home with newly finished basement. The buildable area of the lot is limited by an existing 20-foot monument sign easement along Civitania Road and a 20-foot drainage easement along the rear. The applicant is requesting a variance to encroach into the streetside setback to build a 478 square foot garage addition on the west side of the existing home, adjacent to the existing two-car garage. (The addition will be located outside the monument sign easement by 11.2 feet.) The addition will consist of a new one-car garage, storage space, and a new laundry room. The addition will have a brick façade facing Chimney Oaks Drive and cement siding facing Civitania Road, which is an extension of what exists today. To access the new garage, the existing driveway will be extended by 483 square feet.

The applicant formerly had his tools and woodworking materials stored in the unfinished basement. Now that the basement has been converted into additional living space, he is looking to store the tools elsewhere. In order to avoid the need for an additional workshop/storage structure, the applicant has combined the uses into one garage addition to limit land disturbance and make the space as efficient as possible.

Due to the existing garage location on the western side of the home, the most logical area to construct the addition is within the streetside setback to decrease disturbance to the subject

property and surrounding neighbors. No other variances are required since the property is below the impervious coverage of 35%. At the time of this report, Community Development has not received any calls in opposition to the request.

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## STAFF COMMENTS

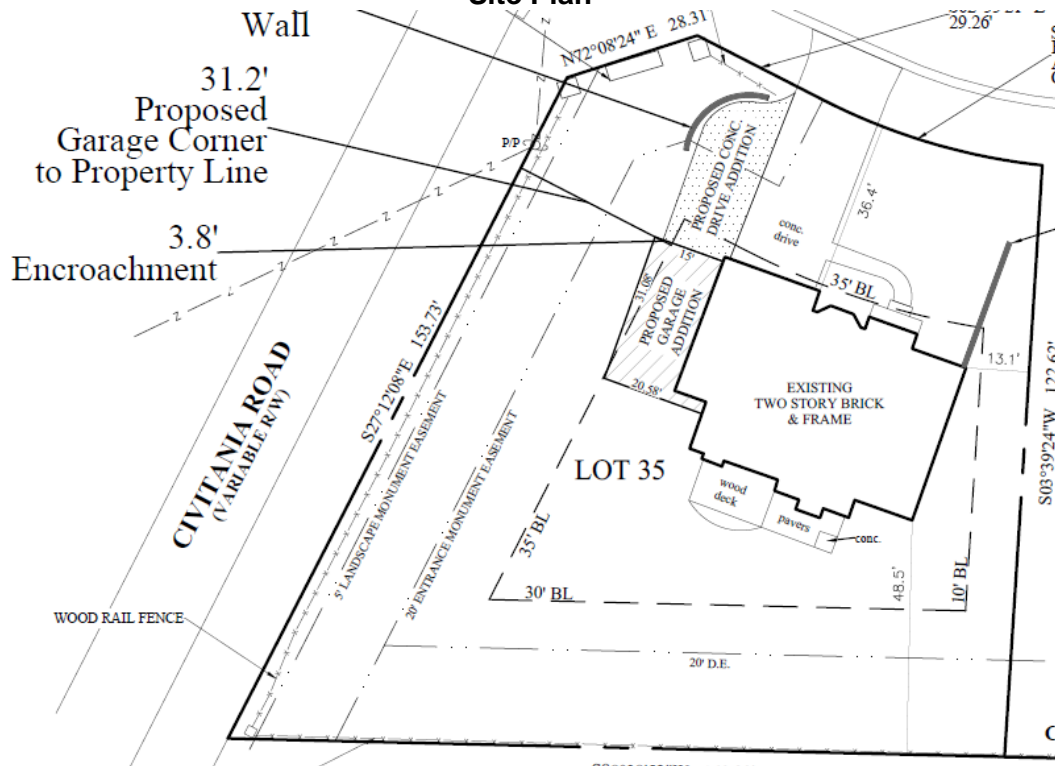
The applicant is requesting to deviate from the development standards established by the Chimney Oaks plat, which requires a minimum streetside setback of 35 feet. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique 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 condition:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Figure – 1



**Figure – 2  
Site Plan**



**Figure – 3  
Front Elevation from Chimney Oaks Drive**





**Figure – 4**  
**Subject Property from Chimney Oaks Drive**



**Figure – 5**  
**Subject Property from Civitania Road**





**Figure – 6**  
**Existing Garage Location**



**Figure – 7**  
**Adjacent Property to the East**





**Figure – 8**  
**Adjoining Property across Chimney Oaks Drive**



**Figure – 9**  
**Adjacent Property across Civitania Road**

