



City of Smyrna

Issue Sheet

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

File Number: V24-141

Agenda Date: 9/11/2024

In Control: .

File Type: Variance Item

Agenda Section:

Formal Business

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V24-076 - Allow an increase in impervious coverage from 35% to 40.7% - Land Lot 523 - 0.48 acres - 3036 Lee Street - Andrew Pepiot

Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

ISSUE AND BACKGROUND:

The applicant is seeking a variance to increase the impervious surface area from 35% to 40.7% to build a new deck and accompanying patio on the side of the single-family home located at 3036 Lee Street. Section 801 sets the maximum impervious surface area of the R-15 zoning district.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a maximum impervious area of 35%. 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 impervious surface increase will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following conditions:

1. Approval of the variance is conditioned upon substantial compliance with the mitigation 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 Certificate of Completion.