

# **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: May 13, 2024

**RE: VARIANCE CASE V24-031  
1461 Veterans Memorial Highway – Allow additional accessory structure**

**VARIANCE CASE V24-032  
1461 Veterans Memorial Highway – Increase the accessory structure height from  
15 feet to 20 feet**

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## **BACKGROUND**

The applicant is proposing to add an EV Charger canopy station to the existing RaceTrac gas station at 1461 Veterans Memorial Highway. The proposed canopy will necessitate two variance requests: to allow a second accessory structure and increase the accessory structure height from 15 feet to 20 feet. Section 501 controls the number and height of accessory structures.

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## **ANALYSIS**

The subject parcel is a 1.91-acre lot located on the northeast corner of the intersection of Veterans Memorial Highway and Oakdale Road (see Figure 1). The subject parcel and the adjacent parcel to the east are zoned NS (Neighborhood Shopping) and are occupied by the RaceTrac gas station and a vacant lot, respectively. The adjacent properties to the north, south, and west are in the City of Mableton and are occupied by various commercial uses.

The subject property is currently occupied by a 4,997 square foot building that serves as the RaceTrac service station and a 7,200 square foot canopy over the fuel pumps. The applicant is proposing an additional 1,305 square foot canopy in the northwestern section of the existing parking lot to house four electric vehicle (EV) charging stations. The new canopy will match the existing fuel pump canopy with the RaceTrac red, white, and navy color scheme with EV signage in blue.

The canopy over the existing fuel pumps, the canopy over the proposed EV charging area and the existing enclosed dumpster are all separated from the main service station structure. This means that there are three accessory structures on the parcel, which is not permissible under Section 501.11 of the Zoning Ordinance. However, both of the canopies and the dumpster are essential for business operations and have little to no effect on the surrounding parcels.

## VARIANCES V24-031 & V24-032

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To maintain consistency on the subject property, the applicant is proposing the canopy height to be 20 feet rather than the required 15 feet. This will keep the new canopy in line with the existing fuel pump canopy as well as allow for lifted vehicles to access the EV charging stations. This will allow for a broader range of vehicles access to the charging stations as well as maintain the aesthetics across the property.

Community Development believes the variances requested are the minimum variances needed to allow for the installation of EV chargers at the location. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved since the business has been in operation on the subject property since 2010. At the time of this report, Community Development has not received any calls in opposition to these requests.

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### STAFF COMMENTS

The applicant is requesting to deviate from the City's accessory structure maximums and height. 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. Community Development believes that the requested variances will not adversely affect surrounding properties. Therefore, Community Development recommends **approval** of the requested variances with the following condition:

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

Figure – 1



Figure – 2  
Site Plan

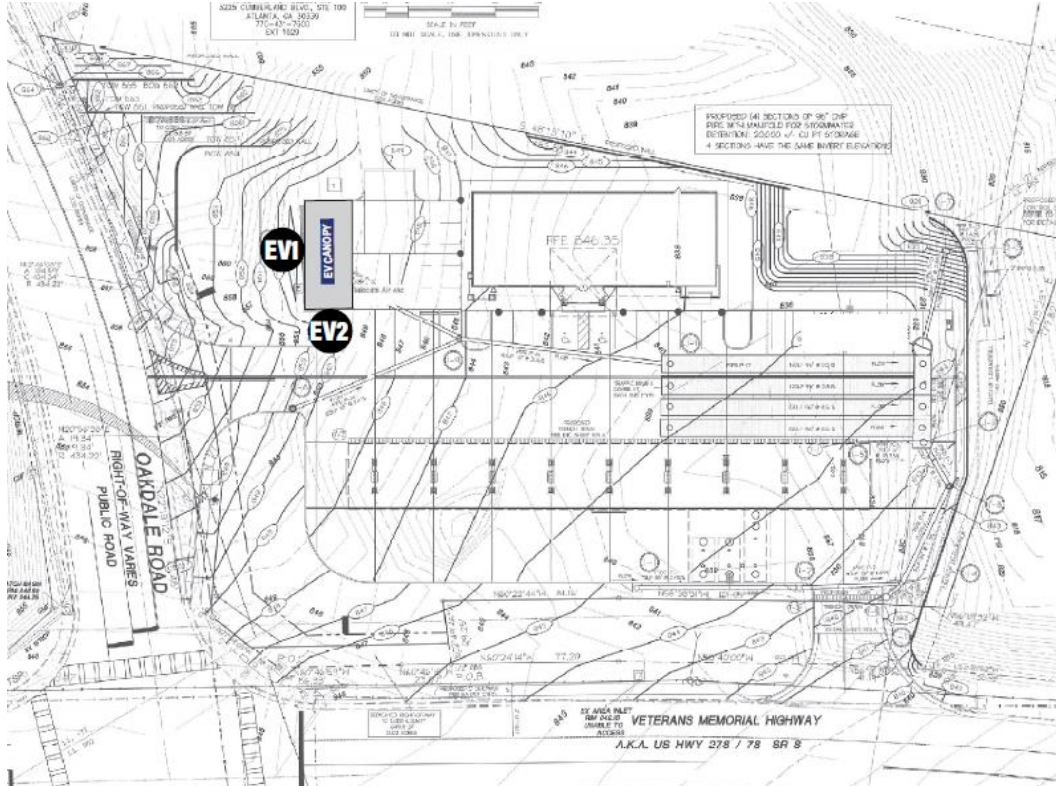
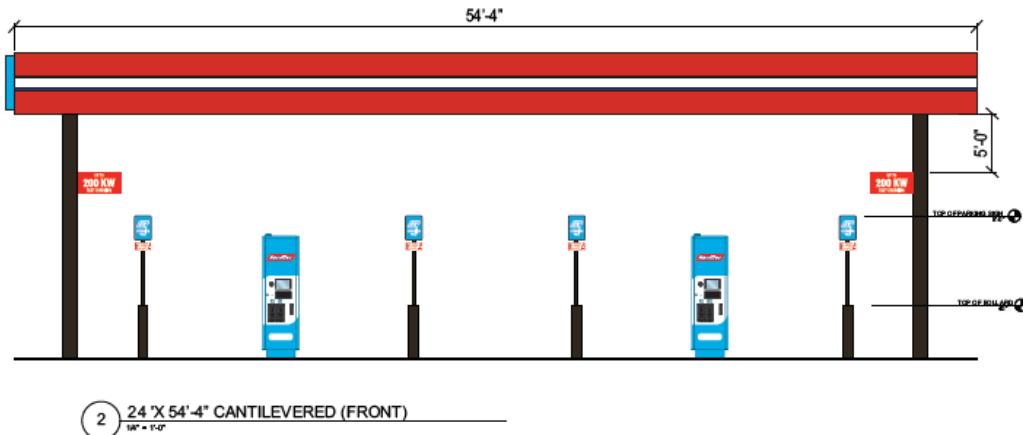


Figure – 3  
Front Elevation from South Cobb Drive





**Figure – 4**  
**Subject Property from Veterans Memorial Parkway**



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





**Figure – 6**  
**Location of Proposed EV Charger Canopy**



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





**Figure – 8**  
**Adjacent Property to the East**



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



**Figure – 10**  
**Adjacent Property across Veterans Memorial Highway**

