

# **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: April 23, 2024

**RE: VARIANCE CASE V24-025**  
**1453 Collier Drive – Increase the accessory structure height from 15 feet to 23.1 feet**

**VARIANCE CASE V24-026**  
**1453 Collier Drive – Increase the accessory building size from 25% to 74% of the primary dwelling**

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## **BACKGROUND**

The applicant is seeking two variances to construct a two-story detached accessory structure in the rear of 1453 Collier Drive: increase the maximum accessory structure height from 15 feet to 23.1 feet and increase the maximum accessory building size from 25% to 74% of the primary dwelling. The maximum accessory structure size and height is regulated by Section 501 of the Zoning Code.

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## **ANALYSIS**

The subject parcel is a 0.44-acre lot located on the north side of Collier Drive at the termination of Pinetree Drive (see Figure 1). The subject parcel and all adjacent parcels are zoned R-20 and are all occupied by single-family detached residences.

The property is currently occupied by a one-story 2,600 square foot single-family home. The applicant is proposing a two-story 1,935 square foot detached accessory structure in the rear of the property, accessed via an extension of the existing driveway. The proposed structure will have two levels: a garage and office on the first floor and a living area complete with bedroom, kitchenette, and living room on the second floor, which will be accessed by an interior staircase. Per the applicant, the addition is to be used by the applicant's family members and guests who are visiting. Since all nearby buildings exceed the minimum 10 feet of separation from the subject structure, no fire suppression system is required.

Originally built in 1950, the home does not currently have any covered parking on the property. Since the existing house footprint sits with each side roughly 12 feet from the side setbacks, the applicant does not have enough room to erect a standard two-car garage on the side of the existing home without encroaching into the side setback. In fact, to try and minimize the

## VARIANCE CASE V23-025 & 026

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variances, the new structure foundation will be shifted over several feet from the existing driveway to remove any side setback encroachments.

In conjunction with the addition of covered parking, the applicant is proposing additional living space for their growing family's needs. However, the existing two-story home is 2,600 square feet, which means that the 1,935 square foot proposed accessory structure exceeds the allowable accessory structure size by 49% based off the primary structure's gross square footage. Although the footprint of the structure is 845 square feet, the area calculations are almost doubled since the structure has a second level and covered porch. Rather than expanding the existing structure's footprint for the living area addition, the applicant added the second story to minimize land disturbance and impervious surface area.

The applicant has proposed to increase the accessory structure height of the detached garage from 15 feet to 23.1 feet to provide the required clearance on the second floor as well as architectural cohesion with the surrounding neighborhood.

Due to the existing driveway, the most logical area to construct the new structure is in line with the existing driveway location to decrease disturbance to the subject property. Community Development believes the variance is the minimum variance needed to provide both covered parking and additional living space in the smallest impervious footprint. Similar variance requests have been approved in the neighborhood at 3127 Wills Street in 2015 (V15-013-018), 3272 Pinetree Drive in 2016 (V16-073-074), 3393 Pretty Branch Drive in 2023 (V23-070-072). At the time of this report, Community Development has not received any opposition to the requests.

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### STAFF COMMENTS

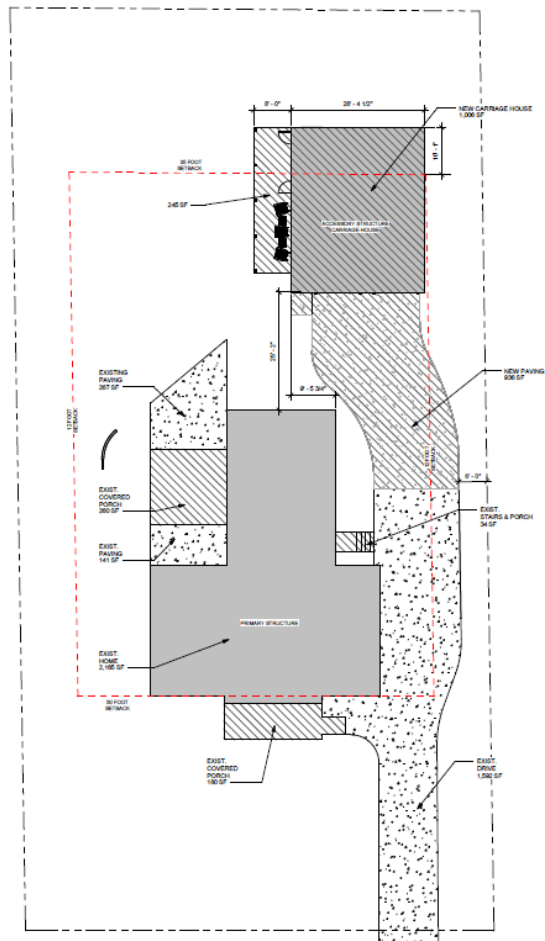
The applicant is requesting to deviate from the development standards established by the City for the maximum accessory structure size of 25% of the main structure and the maximum accessory structure height of 15 feet. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under 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 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. The proposed accessory structure 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.

Figure – 1



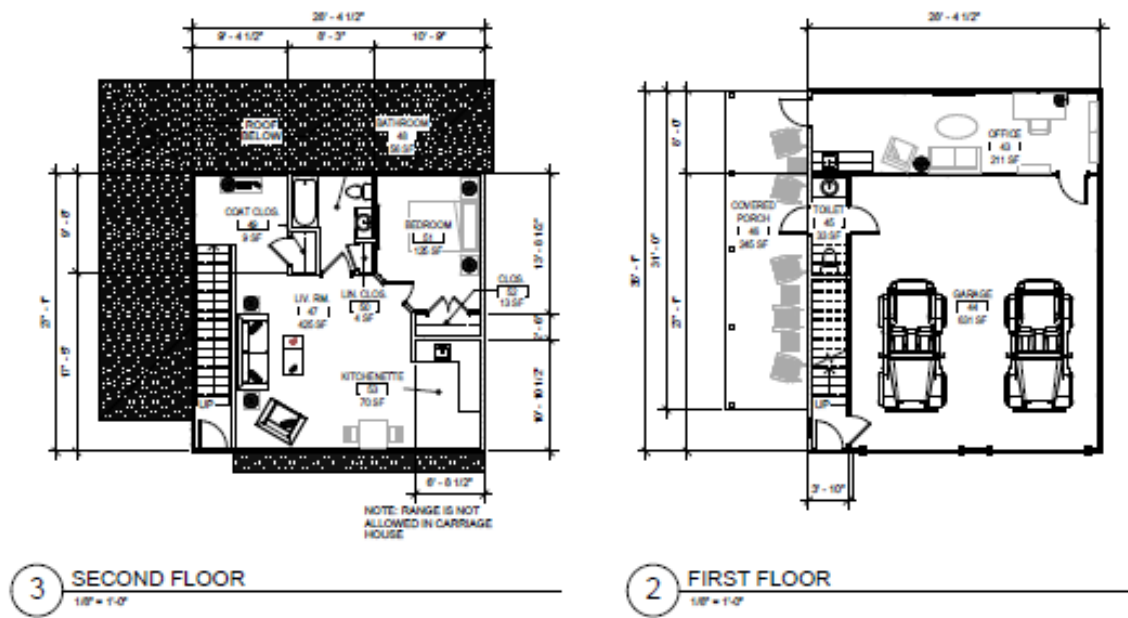
Figure – 2  
Site Plan



**Figure – 3**  
**Proposed Front Elevation**



**Figure – 4**  
**Proposed Floor Plans**





**Figure – 5**  
**Subject Property**



**Figure – 6**  
**Adjacent Property to the West**





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



**Figure – 8**  
**Adjacent Property across Collier Drive**

