



City of Smyrna

Issue Sheet

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

File Number:

Agenda Date: 12/13/2023

In Control: License and Variance Board

File Type: Variance Item

Agenda Section:
Formal Business

Agenda Number: {{item.number}}

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V23-095 - Reduce the side setback from 15 feet to 4.4 feet for a dumpster enclosure - Land Lot 734 - 1800 Lake Park Drive - Depew Holdings, LLC

Ward 1 Councilmember - Glenn Pickens

ISSUE AND BACKGROUND:

The applicant is requesting four variances to redevelop the existing office park into an education facility at 1800 and 1850 Lake Park Drive: to allow for a 6-foot privacy fence in the front yard, allow for additional accessory structures, allow accessory structures within the front yard, and reduce the side setback for a dumpster enclosure. The accessory structure requirements are regulated by Section 501 of the Zoning Ordinance whereas Section 503-A controls the location and height of fences.

RECOMMENDATION / REQUESTED ACTION:

The applicant has requested variances to allow for a 6-foot fence in the front yard, allow for additional accessory structures, allow accessory structures within the front yard, and reduce the side setback for a dumpster enclosure for the redevelopment of 1800 and 1850 Lake Park Drive. 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 properties; therefore, staff recommends approval of the requested variances with the following condition:

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