

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: August 19, 2024

RE: **VARIANCE CASE V24-065**
3465 Creatwood Trail – Reduce the front setback from 35 feet to 10 feet

BACKGROUND

On behalf of the City of Smyrna's Parks and Recreation Department, the applicant is requesting a variance to reduce the front setback from 35 feet to 10 feet to construct a new a new pavilion at Creatwood Park. Section 501 regulates the front setback requirements in the R-15 zoning district.

ANALYSIS

The subject parcel is a 0.25-acre neighborhood pocket park located on the north side of Creatwood Trail (see Figure 1). The subject parcel and adjacent parcels to the east, west, and south are zoned R-15 whereas the adjacent parcel to the north is zoned RDA. All are occupied by single-family homes with the exception of the subject property, which is occupied by Creatwood Park.

The City of Smyrna's Parks and Recreation Department is proposing a full renovation of the existing neighborhood pocket park known as Creatwood Park. The existing park is comprised of a small, mulched play area with two swing sets, a small rock-climbing wall, and a handful of picnic benches. A stormwater pipe runs the length of the property along Creatwood Trail and then pivots north along the eastern side of the park. The Parks and Recreation Director met with surrounding neighbors in March 2024 to discuss the potential opportunities in the park. During the meeting, the neighborhood expressed the desire to expand the play area and provide a structure for use by both children and adults. The park renovation will include replacing the existing swing structure area with a new, larger mulch area and a range of age-diverse playground equipment complete with a new 480 square foot timber pavilion at the entrance to the park. The pavilion will also cover additional picnic tables so the park can be used in inclement weather if desired. Due to the expansion of the playground and existing stormwater pipes on the eastern side of the park, the applicant is proposing to move the pavilion closer to Creatwood Trail, into the required 35-foot front setback by 25 feet.

The playground is well used since it is in the middle of a subdivision but is not currently suitable for all ages nor accessibilities. The added pavilion and playground equipment will offer more amenities to the residents including improved accessibility. The subject property is unique in

that it is a public park with residential property setbacks, which necessitates the front setback variance to accommodate a usable building; the hardship is not self-created as the property is an existing lot of record. The setback variance requested is the minimum variance needed to build a new pavilion on the subject property while maintaining an adequate play area. At the time of this report, Community Development has not received any calls in opposition to this request.

STAFF COMMENTS

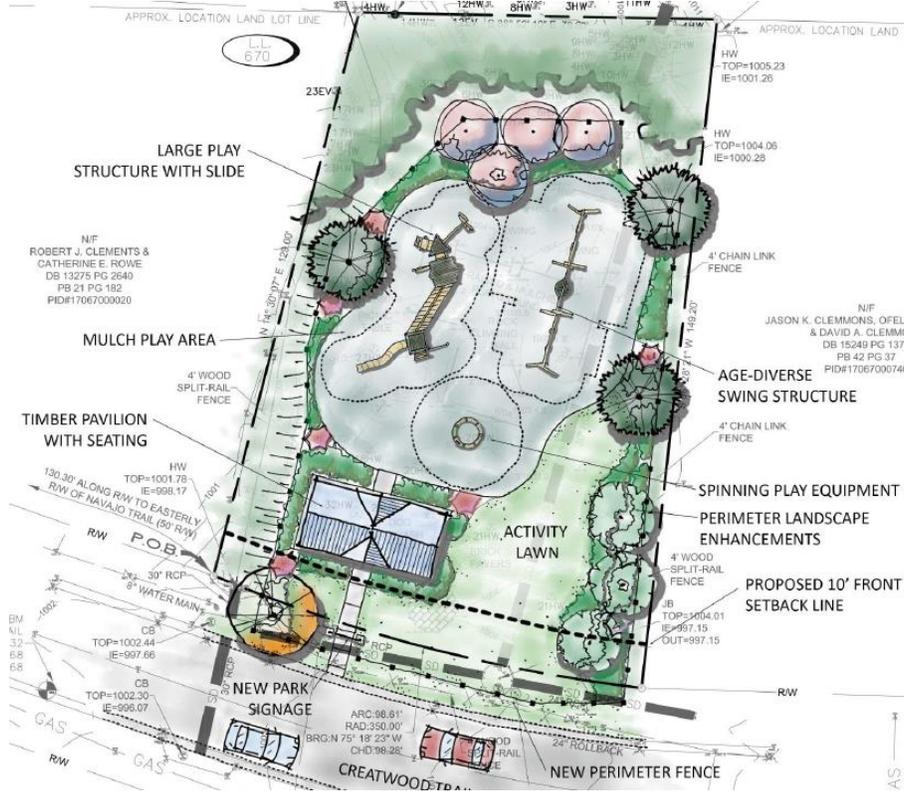
The applicant is requesting to deviate from the City's required R-15 front setback requirements. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (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 variance with the following conditions:

1. Approval of the requested variance shall be conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. The routing of the stormwater on and throughout the site shall be addressed and reviewed by the City Engineer prior to land disturbance permit issuance.
3. The park's program features for the Title II Park shall meet ADA requirements to be reviewed by the Fire Marshal's Office prior to building permit issuance.

Figure - 1



**Figure – 2
Site Plan**



**Figure – 3
Building Elevation**



Figure – 4
Subject Property



Figure – 5
Adjacent Property to the West



Figure – 6
Adjacent Property to the East



Figure – 7
Adjacent Property across Creatwood Trail

