

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: November 20, 2023

RE: **VARIANCE CASE V23-079**
2270 Belmont Circle – Allow a gravel parking surface

BACKGROUND

The applicant is requesting a variance to retain a gravel driveway at 2270 Belmont Circle. The applicant needs a variance from 905 of the City's Zoning Ordinance which requires all parking in single-family residential districts to be on a hard surface.

ANALYSIS

The subject parcel is a 0.70-acre lot located on the north side Belmont Circle, near the intersection of Belmont Circle and Woodland Trail (see Figure 1). The subject parcel and adjacent parcels to the south are occupied by detached single-family homes while the adjacent parcels to the east and west are vacant; all are zoned R-15. The adjacent parcel to the north is zoned RM-12 and is occupied by the Woodland Arms apartment complex.

In October 2023, the applicant was given two Notices of Violation for accessory structures in the front yard and a gravel parking surface without the appropriate permits or variances. Once notified of the violations, the applicant immediately began working with City staff to correct the violations.

The applicant is proposing to retain a gravel driveway leading to the single-family home and detached garage. Per the applicant, the gravel driveway has existed since the home was built in 1930. Section 905 in reference to the City's parking standards reads, "Within all single-family residential zoning districts (R-30, R-20, R-15 and RDA), the parking or storage of motor vehicles shall be prohibited within the required front yard except upon a hard-surface driveway which serves a dwelling structure located on the property." The City's parking standards do not provide any exemptions from this requirement for specific uses or zoning districts. Therefore, the applicant is requesting a variance to retain the gravel driveway.

The gravel driveway has existed prior to the City's Zoning Ordinance, so the variance is not self-created. Additionally, a concrete driveway apron was poured in 2016 prior to the start of the gravel drive to keep any gravel from entering the right-of-way. Community Development is supportive of the proposed variance due to the concrete apron and does not foresee any

negative impacts to the surrounding neighbors. At the time of this report, Community Development has not received any opposition to the request.

STAFF COMMENTS

The applicant is requesting to deviate from the City's single-family parking requirements, which are established in Section 905 of the Zoning Ordinance. 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 variance will not adversely affect surrounding properties and therefore, recommends approval of the requested variance with the following condition:

1. Approval of the requested variance is conditioned upon the substantial compliance with the site plan submitted with the variance application.

Figure – 1



Figure – 2
Proposed Site Plan



Figure – 3
Subject Property



Figure – 4
Existing Gravel Driveway



Figure – 5
Adjacent Property to the West



Figure – 6
Adjacent Property to the East



Figure – 7
Adjacent Property across Belmont Circle

