



City of Smyrna

Issue Sheet

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

File Number: V24-123

Agenda Date: 9/11/2024

In Control: .

File Type: Variance Item

Agenda Section:

Formal Business

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V24-067 - Allow rear setback reduction from 20 feet to 13.4 feet - Land Lot 487 - 0.70 acres - 3020 Trae Court - Ari Kowalsky

Ward 3 Councilmember - Travis Lindley

ISSUE AND BACKGROUND:

The applicant is requesting a variance to reduce the rear setback from 20 feet to 13.4 feet to build a deck on the rear of 3020 Trae Court. The subject property was approved in 2020 (zoning case Z20-004) with conditions, one of which required a rear setback of 20 feet.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting to deviate from the development standards established by zoning case Z20-004 for the rear setback of 20 feet to erect a deck on the rear of a new home in the Trae Court subdivision. 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 encroachment will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following condition:

1. Approval is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.