



# City of Smyrna

## Issue Sheet

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

File Number: Z25-052

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**Agenda Date:** 6/11/2025

**In Control:** License and Variance Board

**File Type:** Variance Item

**Agenda Section:**

Formal Business

**Department:** Community Development

**Agenda Title:**

Public Hearing - Variance Request - V25-052 - Allow encroachment into the City's 50-foot undisturbed stream buffer - Land Lot 527 - 1241 Kingsview Drive - Davin Harris

***Ward 6 Mayor Pro Tem / Councilmember - Tim Gould***

**ISSUE AND BACKGROUND:**

The applicant is seeking two stream buffer variances to allow for the construction of a new single-family home at 1241 Kingsview Drive. The City's stream buffers are controlled by Chapter 46, Article VI in the Code of Ordinances.

**RECOMMENDATION / REQUESTED ACTION:**

According to Section 46-160 of the Stream Buffer Protection Ordinance, stream buffer variances must be reviewed under the following standards: (1) The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property; (2) The locations of all streams on the property, including along property boundaries; (3) The location and extent of the proposed buffer or setback intrusion; (4) Whether alternative designs are possible which require less intrusion or no intrusion; (5) The long-term and construction water-quality impacts of the proposed variance; (6) Whether as a result of an exchange of buffer area the net buffer area is not reduced; and (7) Whether issuance of the variance is at least as protective of natural resources and the environment. After a review of the standards above, Community Development and the Engineering Department believe that the encroachments will not adversely affect surrounding residents nor the existing stream; therefore, staff recommends approval of the requested variances with the following conditions:

1. Approval is conditioned upon substantial compliance with the elevation and site plan submitted with the variance application.
2. A Stormwater Inspection and Maintenance Agreement shall be completed and recorded with the Cobb County Superior Court prior to issuance of the building permit.
3. A stormwater as-built certification statement shall be submitted to Community Development for approval prior to issuance of the building permit Certificate of Completion.
4. Any damaged or broken curb caused during construction shall be replaced prior to issuance of the building permit Certificate of Completion.