

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 V23-073
2009 Glenroy Drive – Reduce the front setback from 35 feet to 28 feet

BACKGROUND

The applicant is requesting a variance to reduce the front setback from 35 feet to 28 feet for an addition at 2009 Glenroy Drive. The existing home is currently non-conforming with a 7-foot encroachment into the front setback. Section 801 requires a front setback of 35 feet in the R-15 zoning district and Section 1102 sets the requirements for extending non-conforming uses.

ANALYSIS

The subject parcel is a 0.35-acre lot located on the north side of Glenroy Drive (see Figure 1). The subject parcel and all adjacent parcels are zoned R-15 and are occupied by detached single-family homes, with the exception of the northern parcels, which are zoned RM-12 and are vacant.

The applicant is proposing to remodel the existing 1,201 square foot one-story home by adding a 494 square foot two-car garage addition on the eastern side of the home and a 322 square foot sunroom in the rear. The garage will be erected over the existing driveway and both the garage and sunroom will have a brick façade to match the existing home.

The existing home was constructed in 1959, prior to the adoption of the Zoning Ordinance and has an existing non-conforming front setback of 28 feet due to the covered walkway in the front of the home. The foundation of the home is also nonconforming, at 33 feet from the front property line. The applicant is proposing to extend the line of the existing home with a 2-foot encroachment into the front setback. However, due to the 7-foot front setback encroachment for the existing covered walkway to the home, the variance is to reduce the front setback to 28 feet to bring the entire home into compliance.

Additionally, the existing house is 1,201 square feet, while the minimum house size of R-15 is 2,000 square feet. With all the renovations, the home will be 2,017 square feet, bringing the home into compliance with the R-15 floor area requirement.

Due to the existing location of the existing home and driveway on the subject property, the proposed garage addition will minimize disturbance to the subject property and surrounding

neighbors. Strict application of the ordinance would require the foundation be moved on the existing home to conform to the current code. The variance proposed is the minimum variance needed to construct the garage in line with the current home. The hardship is not self-imposed, as the original home was built prior to the adoption of the Zoning Ordinance. Community Development does not foresee any negative impacts to adjacent properties should the variance be approved. At the time of this report, Community Development has not received any calls in opposition to this request.

STAFF COMMENTS

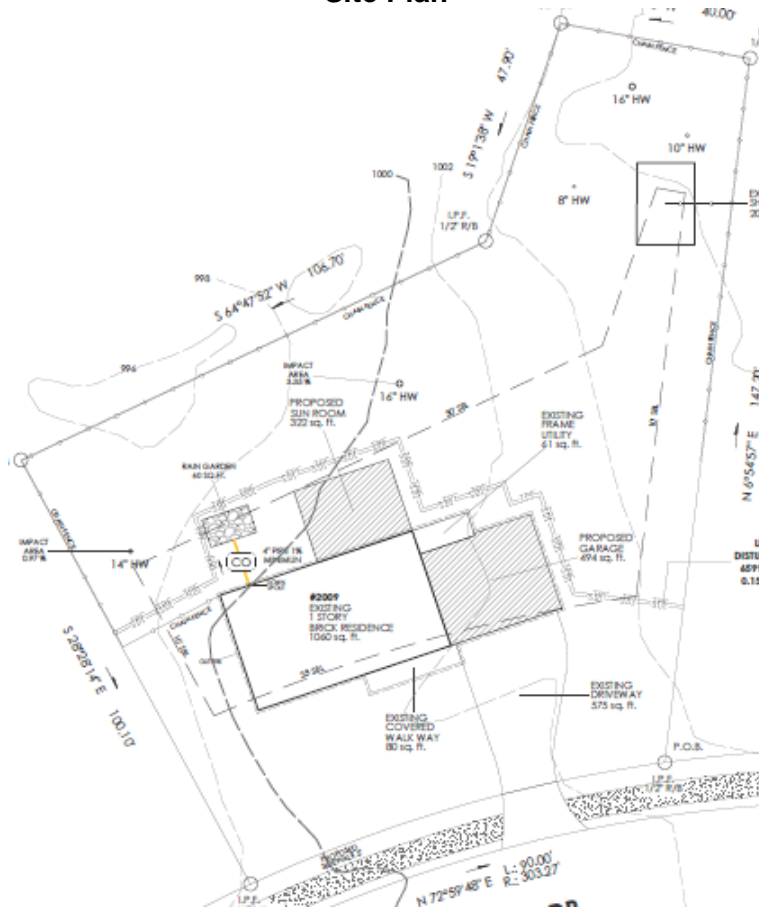
The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a front setback of 35 feet. The applicant is requesting to construct the garage in the front setback, 28 feet from the front property line. According to Section 1403 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 placing the garage in the front setback will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variance with the following condition:

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

Figure – 1



Figure – 2 Site Plan



**Figure – 3
Front Elevation**

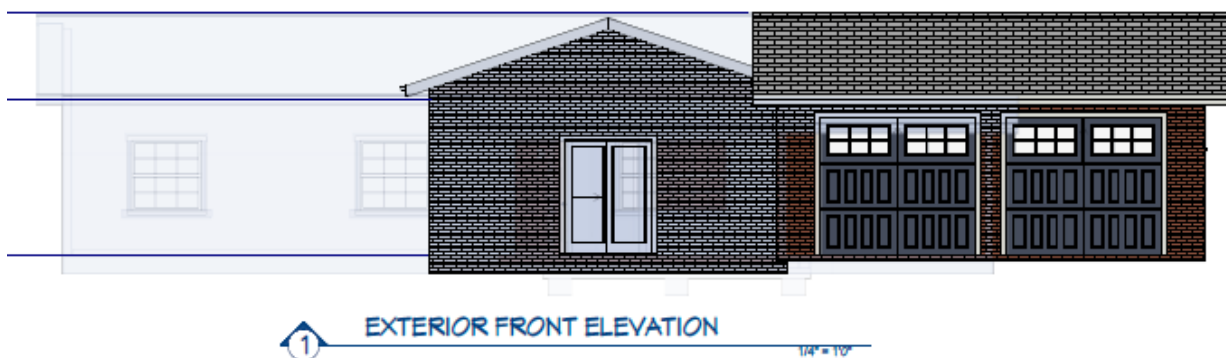


Figure – 4
Subject Property



Figure – 5
Adjacent Property to the East



Figure – 6
Adjacent Property to the West



Figure – 7
Adjacent Property across Glenroy Drive

