

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: March 5, 2025

RE: VARIANCE CASE V25-020
756 Park Manor Drive – Reduce the rear setback from 30 feet to 23.1 feet

VARIANCE CASE V25-021
756 Park Manor Drive – Increase the maximum impervious surface area from 45% to 56.7%

BACKGROUND

The applicant is seeking two variances for a deck replacement on the rear of the single-family home located at 756 Park Manor Drive. Section 801 dictates the rear setback and sets the maximum impervious surface area at 45% for properties within the RDA zoning district.

ANALYSIS

The subject parcel is a 0.11-acre lot located on the east side of Park Manor Drive within the Sherwood Park subdivision (see Figure 1). The subject parcel and all adjoining parcels are zoned RDA and are all occupied by single-family homes.

The subject property is currently occupied by a single-family home which is currently over the maximum impervious surface area by 17% (or 846.6 square feet), which is 1,112 square feet over what was approved when the home was built in 2012. This looks to be mostly accounted for in 325 square feet of landscaping rocks and 594 square feet of artificial turf which was added to the property without the proper variance.

The applicant is proposing to replace the 220 square foot open deck with a new 548 square foot covered deck and accompanying stairs. As part of the construction effort, the landscaping rocks are to be removed, and the artificial turf will be reduced by 220 square feet. After the deck expansion and accompanying site alterations on the property, the impervious surface area will be 11.7% over the allowable 45% (or 582.7 square feet). However, even with the reduction on the overall impervious coverage and regardless of the previous nonconformity, the property is required to be brought to current code.

A portion of the back yard is covered with artificial turf, which has been deemed impervious. The footprint of the proposed deck is contained within the artificially turfed (and thus impervious) area. Therefore, no increase in impervious surface or stormwater runoff will result from the

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construction of the deck. Furthermore, the Sherwood Park neighborhood has a maximum lot coverage of 45%. A recent assessment from the City Engineer shows that an average lot in this neighborhood has an impervious coverage of approximately 50-55%, which were primarily done without the proper variances. However, a review of the neighborhood's hydrology study confirms that the stormwater management system was designed with additional capacity and is capable of effectively managing the additional runoff. Thus, the Engineering Department has determined that no remediation is required in order to support the variances.

The applicant is looking to expand the deck as much as possible due to the significant slope in the rear yard that creates a challenging area to navigate; in fact, a 5-foot retaining wall separates the two levels of the rear yard due to the slope. This substantially decreases the usable area of the rear yard. Due to the existing deck location, the most logical area to expand the new deck is within the setback. Additionally, the new deck stairs will also be built over the private 12-inch PVC drainage pipe at the rear of the property; this has been approved to remain by the Engineering Department and the Sherwood Park HOA during plan review.

Community Development believes the requested variances are the minimum variances needed to maximize outdoor space on the property and the applicant has made strides to reduce the scope of the impervious coverage on the property. Strict application of the ordinance would deny the applicant any ability to modify any portion of the home since the existing impervious area is already over the allowable maximum impervious coverage. At the time of this report, Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for the RDA zoning district, which requires a maximum impervious area of 45% and rear setback of 30 feet. 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 variances will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following conditions:

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

Figure – 1



Figure – 2 Proposed Site Plan

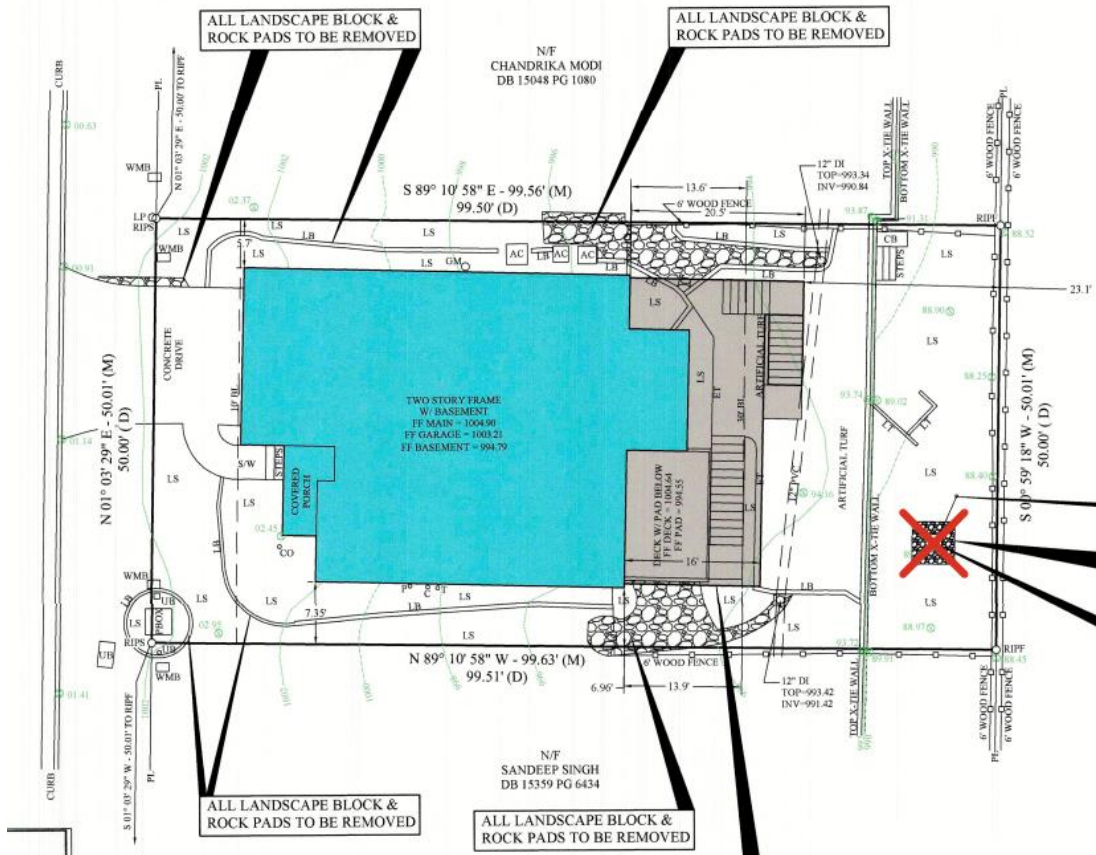


Figure – 3
Subject Property



Figure – 4
Adjacent Property to the North



Figure – 5
Adjacent Property to the South



Figure – 6
Adjacent Property across Park Manor Drive

