

LICENSE AND VARIANCE BOARD

Minutes - Final



Richard Garland, Chairperson
Bo Jones, Board Member
Andrea Worthy, Board Member
Eric Mohrmann, Board Member
Mary Moore, Board Member
Eric Randall, Board Member
Jill G. Head, Secretary

A. Max Bacon City Hall
Council Chambers
2800 King Street SE
Smyrna, GA 30080

City Attorney Scott Cochran
City Administrator Joseph Bennett
City Clerk Heather K. Peacon-Corn

August 14, 2024
10:00 AM

1. Roll Call

Present: 3 – Chairperson Richard Garland, Board Member Bo Jones, Board Member Mary Moore

Staff: 4 – Olivia Anderson, Caitlin Crowe, Jill G. Head, Russell Martin

2. Call to Order

Chairperson Richard Garland called to order the August 14, 2024 License and Variance Board meeting held at A. Max Bacon City Hall in Council Chambers at 10:00 AM.

3. Chairperson Instruction and Comment

4. Formal Business

- A. V24-117** Public Hearing - Variance Request - V24-064 - Reduce the front setback from 35 feet to 28.1 feet - Land Lot 449 - 2733 Sanford Road - Raul Chao
Ward 3 Councilmember - Travis Lindley

Caitlin Crowe, Planner I, provided the following background:

The subject parcel is a 0.22-acre double frontage lot located on the east side of Sanford Road and the west side of Sanford Place (Figure 1). The subject parcel and adjacent properties to the north, south, and west are zoned R-15 and are occupied by single-family detached houses. The adjacent property to the east is zoned LC (Limited Commercial) and is occupied by the City's Cobb Park.

A building permit was issued in February 2024 for a full renovation of the existing 961 square foot home with a 256 square foot screened-in porch addition and accompanying 276 square foot deck in the rear. The applicant is proposing to add a 151 square foot front porch to the scope of the permit. When completed, the home will be 1,744 square feet with 2 bedrooms and 2 bathrooms. Since the renovations will create a 2,357 square foot

home, the home will be brought further into compliance with the R-15 floor area requirement of 2,000 square feet.

The existing home currently has an uncovered concrete front porch. The applicant is proposing to replace the existing porch with a 151 square foot covered front porch to enjoy the front yard as well as enter the home in inclement weather more easily. The existing home is 0.3 feet from the front setback line, leaving no room for a roof on the existing front porch, much less any other frontward expansion. The applicant has proposed the new porch will be 28.1 feet from the front property line and will thus encroach on the front setback by 6.9 feet. No other variances are required for the renovations, as all other setbacks are met, and the property will be under the maximum impervious surface area of 35%.

Since the existing home was constructed in 1952, prior to the adoption of the current Zoning Ordinance in 1974, Community Development believes the variance requested is the minimum variance needed to construct a usable front porch in the front yard. Community Development does not foresee any negative impacts to adjacent properties should the variance be approved. Similar variance requests have been approved down the street in 2016 at 2704 Sanford Road (V16-041), in 2020 at 2800 Sanford Road (V20-071), and in 2021 at 2755 Sanford Road (V21-068). Thus, there is a precedent for variances of this type in the area. At the time of this report, Community Development has not received any calls in opposition to the request.

The applicant requests a variance to reduce the front setback for 2733 Sanford Road from 35 feet to 28.1 feet for the construction of a front porch. 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 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.

Melanie Seera, assistant to and representing applicant (1270 Concord Rd), stated she had nothing further to add. She also stated that they agree with and understand the stipulation read into record.

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Board Member Mary Moore made a motion to approve item V24-064; seconded by Board Member Bo Jones.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Garland, Board Member Jones, Board Member Moore

Nay: 0 – None
Recuse: 0 – None

5. Approval of Minutes

A. MIN2024-119 Approval of the July 24, 2024 License and Variance Board Meeting Minutes

Board Member Bo Jones made a motion to approve item MIN2024-119; seconded by Board Member Mary Moore.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Garland, Board Member Jones, Board Member Moore
Nay: 0 – None
Recuse: 0 – None

6. Other Business / Staff Comment

7. Adjournment

Chairperson Richard Garland adjourned the August 14, 2024 License and Variance Board meeting at 10:07 AM.

Facilities are provided throughout City Hall for the convenience of persons with disabilities.

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN O.C.G.A. 50-14-3:
The City of Smyrna website – www.smyrnaga.gov
City Hall, 2800 King Street SE, Notice Boards