

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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To: License and Variance Board

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

Date: March 8, 2024

**RE: VARIANCE CASE V24-018**  
**986 Oakview Drive – Reduce the front setback from 35 feet to 31 feet**

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#### BACKGROUND

The applicant is requesting a variance to reduce the front setback from 35 feet to 31 feet for the construction of a front porch at 986 Oakview Drive. The minimum front setback is required in the R-15 zoning district per Section 801 of the Zoning Code.

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#### ANALYSIS

The subject parcel is a 0.24-acre lot located on the south side of Oakview Drive (Figure 1). The subject parcel and all adjacent properties are zoned R-15 and are all occupied by single-family detached residences.

The applicant is proposing to fully renovate the existing 960 square foot home with a 790 square foot addition and 312 square foot deck in the rear and a 300 square foot carport on the side of the home. When completed, the home will be 2,469 square feet with 3 bedrooms and 2 bathrooms. The façade will match the existing home with four-sided hardiplank and a brick water table. Additionally, as noted above, the former one-story structure was 960 square feet while the minimum house size of R-15 is 2,000 square feet. Since the renovations to the home will create a 2,969 square foot home, the home will be brought into compliance with the R-15 floor area requirement.

The existing home currently has an uncovered concrete front porch. As part of the overall renovation, the applicant is proposing to replace the existing porch with a 107 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 currently 2 feet from the front setback line, leaving little room for a roof on the existing front porch, much less any other frontward expansion. The applicant has proposed the new porch will be 31 feet from the front property line and will thus encroach on the front setback by 4 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 1953, prior to the adoption of the zoning ordinance, 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

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negative impacts to adjacent properties should the variance be approved. Similar variance requests have been approved nearby at 961 Oakview Drive (V05-014) and 976 Oakdale Drive (V12-011) in 2005 and 2012, respectively. 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.

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### STAFF COMMENTS

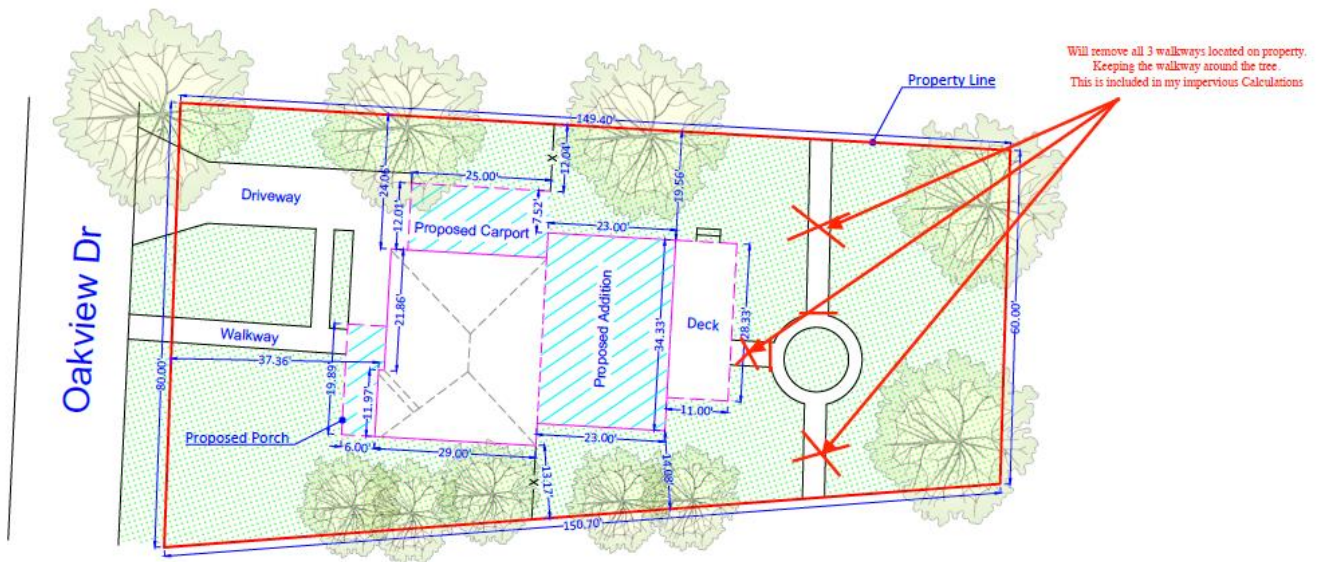
The applicant is requesting a variance to reduce the front setback for 986 Oakview Drive from 35 feet to 31 feet for the construction of a front porch. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special 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.

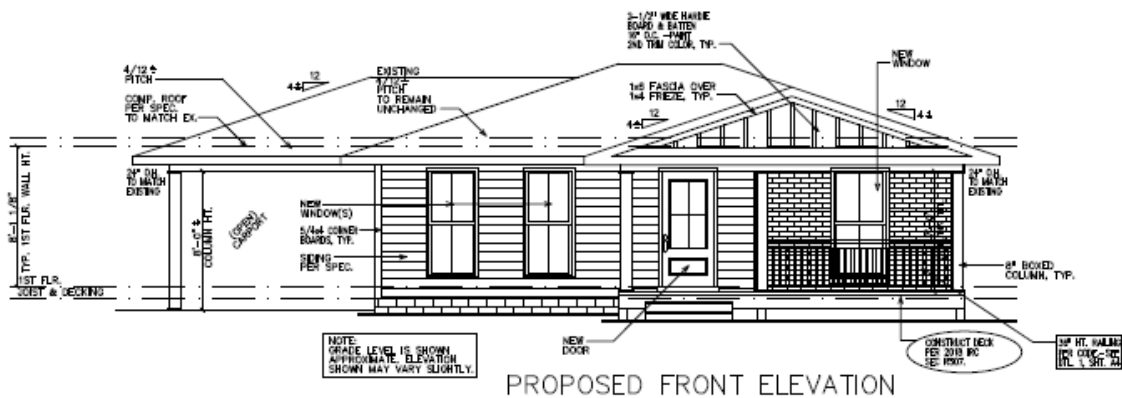
Figure – 1



## Figure – 2 Site Plan



**Figure – 3**  
**Proposed Front Elevation**





**Figure - 4**  
**Subject Property**



**Figure - 5**  
**Adjacent Property to the West**



**Figure - 6**  
**Adjacent Property across Oakview Drive**

