



City of Smyrna

Issue Sheet

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

File Number: V24-063

Agenda Date: 6/12/2024

In Control: License and Variance Board

File Type: Variance Item

Agenda Section:
Formal Business

Agenda Number: {{item.number}}

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V24-038 - Reduce the front setback from 35 feet to 32 feet - Land Lot 452 - 1036 Dell Avenue - John Bradford

Ward 3 Councilmember - Travis Lindley

ISSUE AND BACKGROUND:

The applicant is requesting a variance to reduce the front setback from 35 feet to 32 feet for the construction of a front porch at 1036 Dell Avenue. The minimum front setback is required in the FC zoning district per Section 801 of the Zoning Code.

RECOMMENDATION / REQUESTED ACTION:

The applicant requests a variance to reduce the front setback for 1036 Dell Avenue from 35 feet to 32 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.
2. If any part of the deck or addition falls within the 20-foot sanitary sewer easement and work must occur within the area, the deck and/or addition may be required to be moved at the property owner's expense.
3. Survey stakes must be installed to reflect the edge of the sanitary sewer easement and maintained throughout construction.