

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: April 15, 2024

RE: VARIANCE CASE V24-022
824 Reed Road – Reduce the front setback from 35 feet to 18.9 feet

VARIANCE CASE V24-023
824 Reed Road – Allow a gravel driveway

BACKGROUND

The applicant is requesting two variances: to reduce the front setback from 35 feet to 18.9 feet and allow a gravel driveway for a garage addition at 824 Reed Road. Section 801 requires a front setback of 35 feet in the R-15 zoning district and Section 905 requires all parking in single-family residential districts to be on a hard surface.

ANALYSIS

The subject parcel is currently a 0.55-acre lot located at the southwest intersection of Reed Road and Green Forest Parkway, platted in the Green Forest Subdivision in 1979 (see Figure 1). In conjunction with the variance application, the applicant has submitted for a combination plat to acquire 0.61 acres from the neighboring property at 5000 Green Forest Parkway. Once recorded, the subject parcel will be 1.16 acres. The subject parcel and all adjacent parcels are zoned R-15 and are all occupied by detached single-family homes.

The applicant is proposing to remodel the existing 1,844 square foot split-level home by adding a 1,280 square foot garage addition on the eastern side of the home, connected via a 13.5-foot breezeway. The existing house is currently under the minimum house size of 2,000 square feet in the R-15 zoning district; with all the renovations, the home will be over 3,124 square feet, bringing the home into compliance with the R-15 floor area requirement. The addition will consist of two floors; the first will primarily be used to store and service the applicant's antique vehicles while the second floor will have an office space and full bathroom to use while in the garage. The garage will be rear-entry and erected in a modern style with a hardy plank façade, which will be painted to match the existing home.

The existing home is pushed up to the front setback with a large rear and side yard due to the Colonial Pipeline easement in the rear of the property (which is roughly 63 feet in width). The property geometry tapers drastically as the property moves southeast towards the intersection of Reed Road and Green Forest Parkway. Due to this tapering and the existing pipeline

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easement, the applicant is proposing to extend the line of the existing home with a 16.1-foot encroachment into the front setback. Moreover, the building on the adjacent property to the south is over 100 feet away from the proposed addition.

In order to access the new rear-entry garage, the applicant has proposed a new driveway access from Green Forest Parkway to enter from the side of the lot and cut through the Colonial Pipeline easement. To gain the required access along Green Forest Parkway, the applicant has acquired property from the neighboring lot at 5000 Green Forest Parkway. Due to the steep grade change along Green Forest Parkway and existing pipeline markers, the proposed driveway is roughly 30 feet from the road intersection. The City Engineer has reviewed the proposed driveway location and, although would prefer the driveway moved as far from the intersection as possible, can support the proposed location.

Since the driveway will primarily cut through the Colonial Pipeline Easement, the applicant has gained an Encroachment Agreement with Colonial Pipeline Company to use the property for access. In the Agreement, the company stipulates that the drive must be gravel with a concrete apron since they do not allow permanent structures to be installed within the easement. Since this is a stipulation added by the Colonial Pipeline Company, this hardship is not self-created. As the Agreement already requires, a concrete apron is also stipulated by the Public Works Department so that all gravel is retained on the property and does not enter the City right-of-way.

The variances proposed are the minimum variances needed to construct any type of addition in line with the current home due to the existing Colonial Pipeline Easement. The hardship is not self-imposed, as the easement existed prior to the construction of the home. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved. At the time of this report, Community Development has not received any calls in opposition to these requests.

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 and a paved parking surface. 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 and gravel driveway will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following conditions:

1. Approval of the requested variances shall be conditioned upon substantial compliance with the site plan submitted with the variance application.
2. The combination plat to adjust the property line to accommodate the new driveway location shall be recorded with the Cobb County Superior Court prior to permitting.

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3. A concrete driveway apron shall be installed in the City right-of-way for the new driveway entrance along Green Forest Parkway.

Figure – 1



**Figure – 2
Site Plan**

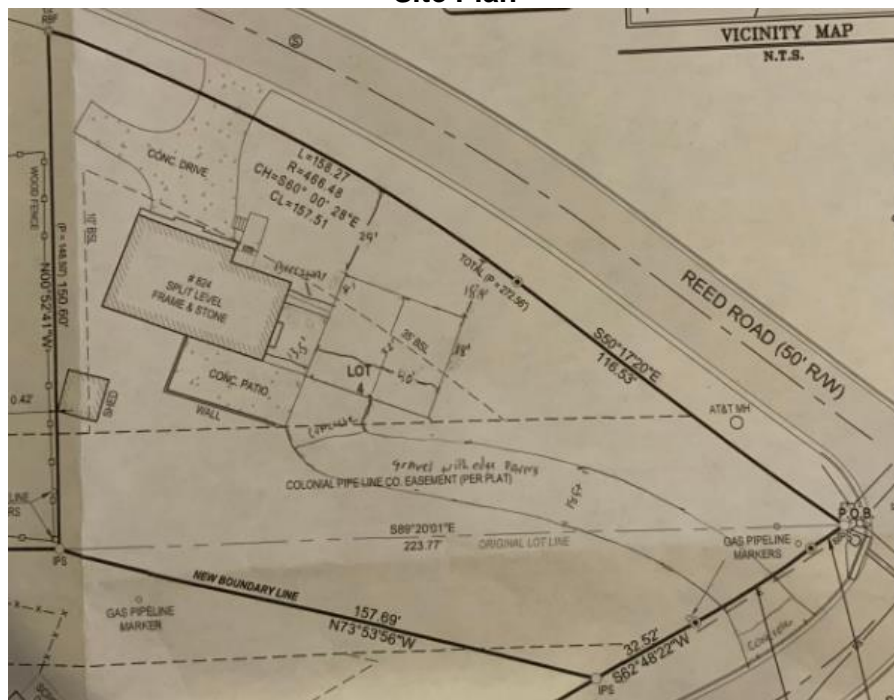


Figure – 3
Front Elevation Facing Reed Road

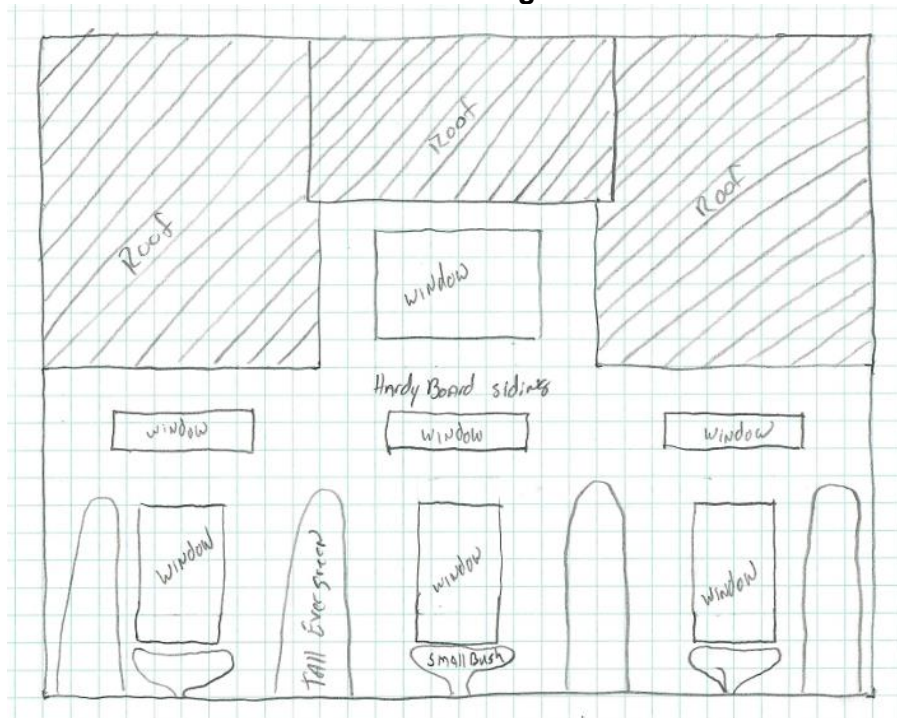


Figure – 4
Rear Elevation



Figure – 5
Subject Property



Figure – 6
Existing Home on Subject Property



Figure – 7
Adjacent Property to the South



Figure – 8
Adjacent Property across Reed Road

