



City of Smyrna

Issue Sheet

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

File Number: V24-167

Agenda Date: 11/13/2024

In Control: License and Variance Board

File Type: Variance Item

Agenda Section:

Formal Business

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V24-089 - Reduce the streetside setback from 35 feet to 31.2 feet
- Land Lot 329 - 4900 Chimney Oaks Drive - Ian Journeaux

Ward 7 Councilmember - Rickey N. Oglesby Jr.

ISSUE AND BACKGROUND:

The applicant is requesting a variance to reduce the streetside setback from 35 feet to 31.2 feet to allow for the construction of an addition on a single-family residence at 4900 Chimney Oaks Drive. The minimum streetside setback of 35 feet is required per the development standards associated with the subdivision plat for Chimney Oaks, recorded in 2000.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting to deviate from the development standards established by the Chimney Oaks plat, which requires a minimum streetside setback of 35 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 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.