



City of Smyrna

Issue Sheet

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

File Number: V24-049

Agenda Date: 5/22/2024

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 - V24-030 - Increase the maximum impervious surface area from 49.9% to 50.6% - Land Lot 673 - 1900 Sadler Drive - Kevin Lee

Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

ISSUE AND BACKGROUND:

The applicant is requesting a variance to increase the maximum impervious surface area to build a sunroom and deck addition on the rear of the single-family home located at 1900 Sadler Drive. The applicant received approval for two variances in March 2024 (Variance Cases- V24-012 and V24-013) to reduce the rear setback from 30 feet to 22 feet and increase the impervious surface area from 45% to 49.9%, respectively. Since the proposed impervious surface is an increase from the originally approved variances, the applicant is required to request another variance.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting to deviate from the development standards established by the City for the RDA zoning district, which requires a maximum impervious area of 45%. 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 impervious surface increase will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following conditions:

1. Approval of the variance is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. Approval of the variance is conditioned upon substantial compliance with the mitigation plan submitted on 2/28/24 with variance application V24-012 and V24-013.
3. A Stormwater Inspection and Maintenance Agreement shall be completed and recorded with the Cobb County Superior Court prior to issuance of the building permit and an as-built certification statement submitted to Community Development prior to issuance of the Certificate of Completion.



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4. The proposed retaining wall may encroach up to 10 feet into the 20-foot drainage easement along the rear property line. The wall and wall footings may not encroach into the 15-foot drainage easement along the southern property boundary. If the retaining wall exceeds 48 inches in height, it will require a separate retaining wall permit.

5. The vegetative buffer to the rear of the property shall be restored prior to the issuance of the Certificate of Completion.