

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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To: License and Variance Board

From: Rusty Martin, AICP, Community Development Director  
Joey Staubes, AICP, Planner II

Date: January 4, 2023

RE: **VARIANCE CASE V23-001**  
**2889 Alexander Street – Increase accessory building height from 15 feet to 25 feet**

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#### BACKGROUND

The applicant is seeking a variance to increase the accessory building height from 15 feet to 25 feet to allow for the construction of a new detached garage at 2889 Alexander Street. The maximum accessory structure height is required based upon the standards associated with Section 501 of the Zoning Code.

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#### ANALYSIS

The subject parcel is a 0.39-acre lot located on the east side of Alexander Street (see Figure 1). The subject parcel and adjacent parcels to the north and east are zoned R-15 and are occupied by a single-family residence and church respectively. The adjacent parcel to the west is zoned R-8 and is undeveloped. The adjacent parcel to the south is zoned LI (Light Industrial) and is occupied by a commercial business.

The applicant is proposing to build a 16' by 20' detached garage with a building height of 25 feet on the rear of the property. The detached structure consists of a 1-car garage on the first floor and storage space on the second floor. The garage is designed to match the architecture of the existing brick home on the property. Due to the size and composition of the accessory structure, the increase in height will allow it to blend in more seamlessly with the existing building and decrease any visual deterrents.

The subject property has a stream buffer on the southeastern corner. The proposed building will need to encroach 64 sq. ft. of the impervious surface setback. The applicant will need to revise the existing plat to amend the buffer averaging that was previously approved for the property.

Community Development believes the variances proposed are the minimum variances needed and should have no negative impact on adjacent properties. Community Development has not received any calls in opposition to the request.

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#### STAFF COMMENTS

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The applicant is requesting to deviate from the development standards established by the City for the maximum accessory structure height of 15 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. Community Development has reviewed the request against the variance review standards and found it to be in compliance with four (4) of the four (4) standards. After a review of the standards above, Community Development believes that the variances will not adversely affect surrounding residents; therefore, staff recommends **approval** of the requested variances with the following conditions:

1. Approval is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. The applicant can revise the buffer-averaging to accommodate encroachment into the 75' impervious surface setback however, the plat will need to be revised and recorded with Cobb County Superior Court before the building permit can be approved and released.
3. The applicant is required to submit a site plan developed by a registered design professional prior to the issuance of a building permit.

Figure – 1





**Figure – 4**  
**Subject Property**



**Figure – 5**  
**Subject Property**



**Figure – 6**  
**Adjacent Property**



**Figure – 7**  
**Adjacent Property**

