

CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM

To: License and Variance Board

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

Date: January 4, 2023

**RE: VARIANCE CASE V23-002
3279 Concord Circle – Allow new construction on lot of record below minimum requirements**

BACKGROUND

The applicant is requesting to build a new single-family home at 3279 Concord Circle on a substandard lot. Section 1208 requires a variance to build on a lot of record below minimum lot size requirements.

ANALYSIS

The subject parcel is a 0.31-acre lot located on the south side of Concord Circle (see Figure 1). The subject parcel and adjacent parcels are zoned R-15 and are occupied by detached single-family homes. The subject parcel is in the Smyrna Heights subdivision, which was platted in 1951, prior to the current zoning ordinance, which was implemented in 1976.

The subject property is 13,407 square feet whereas the R-15 Zoning District requires lots to be a minimum of 15,000 square feet in size. Since the subject property is an existing lot of record, originally surveyed in 1951, the hardship is not self-created. The proposed home will meet all of the other R-15 zoning requirements and thus no additional variances are required to build the new home.

The subject property is unique in that it has less square footage than what the R-15 zoning district requires. The hardship is not self created as the property is an existing lot of record. The variance requested is the minimum variance needed to build a new single-family home on the subject property. Community Development does not believe building a new single-family home on the subject property in accordance with the R-15 zoning requirements will negatively impact the surrounding properties. Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

The applicant is requesting to deviate from the City's minimum lot area requirement established for the R-15 Zoning District. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or

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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 the four (4) standards and believes that the variance 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.

Figure – 1



Figure – 2
Site Plan

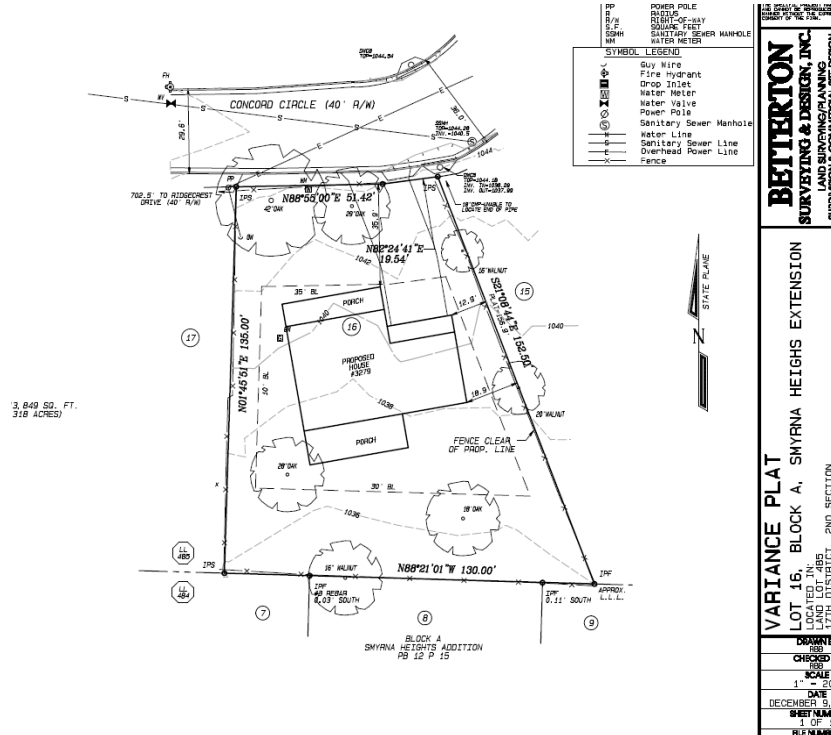


Figure – 3
Conceptual Elevation



Figure – 4
Subject Property



Figure – 5
Adjacent Property



Figure – 6
Adjacent Property



Figure – 7
Adjacent Property

