

# **CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM**

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To: License and Variance Board

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

Date: May 15, 2023

**RE: VARIANCE CASE V23-031**  
**2979 Jonquil Drive – Reduce the northern side setback from 15 feet to 5 feet for a dumpster enclosure**

**VARIANCE CASE V23-032**  
**2979 Jonquil Drive – Reduce the landscape buffer from 15 feet to 5 feet in the front of the property**

**VARIANCE CASE V23-039**  
**2979 Jonquil Drive – Reduce the southern side setback from 15 feet to 6.3 feet**

**VARIANCE CASE V23-040**  
**2979 Jonquil Drive – Reduce the front setback from 50 feet to 31 feet**

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## **BACKGROUND**

The applicant is proposing to build a new business office building for Atlanta Star Plumbing at 2979 Jonquil Drive. The proposed development will necessitate several variance requests: reduce the northern side setback for a dumpster enclosure, reduce the landscape buffer for the front parking area, and two building setback reductions. Section 501 controls the location of accessory structures and Section 717 controls the required landscape buffers and building setbacks in the Spring Road Corridor District (CDD-2).

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## **ANALYSIS**

The subject parcel is a 0.33-acre lot located on the east side of Jonquil Drive (see Figure 1). The subject parcel and adjacent parcel to the south are both currently vacant, the parcel to the west is the existing Atlanta Star Plumbing location, and the parcel to the north is occupied by an online auto sales business; all are zoned GC (General Commercial). The adjacent properties to the east are zoned R-15 and are occupied by single-family detached homes.

The subject property and adjacent parcel to the south was rezoned in March 2022 from R-15 to General Commercial (Z22-001). The intention of the rezoning request was for Atlanta Star Plumbing to move across the street from 2978 to 2979 Jonquil Drive to make room for a larger assemblage on the west side of Jonquil Drive. The applicant is proposing to build a new 2,240 square foot office building on the subject property, which will be erected from shipping container

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materials. Due to the property's location near Spring Road, a redevelopment of the property requires that the site meet Corridor Design District (CDD-2) overlay requirements as well as the current Zoning Code.

Per the Spring Road Corridor Design District (Section 717.71.b), parcels accessed by side streets require a minimum lot size of 1 acre. However, the subject property is only 0.33 acres. Since the subject property is an existing lot of record, originally filed for platting in 1946, the hardship is not self-created. Due to the size of the lot being well below the required 1-acre lot area, the setback requirements create a tight buildable area. Due to the constraints of the site, the applicant is requesting to reduce the northern side setback from 15 feet to 5 feet, the southern setback from 15 feet to 6.3 feet, the front setback from 50 feet to 31 feet, and reduce the landscape buffer in the front from 15 feet to 5 feet.

In order to accommodate Waste Management's requirements for their garbage trucks as well as a 20-foot two-way access road to the north, the proposed building will be shifted into the front setback by 19 feet and into the southern side setback by nearly 9 feet. This in turn forced the dumpster location to remain in the northern side setback to remain accessible for the garbage trucks. Since dumpster enclosures are considered accessory structures when not connected to the building, its location in the side setback requires a variance.

Additionally, in order to accommodate the Spring Road overlay requirements as well as parking space and aisle width standards, the ADA parking area in the front of the building will encroach into the required 15-foot landscape buffer between the parking area and the City right-of-way. The majority of the parking spaces will be in the rear of the property per the Spring Road overlay requirements, but the ADA parking was required to be in the front for easier access to the lobby area. The current civil plans show two street trees and shrubs being planted between Jonquil Drive and the parking area to help ease the look of the asphalt so there should be no negative impact.

The subject property is unique in that it has less square footage than what the Spring Road Corridor Design district requires, which necessitates several variances to accommodate a usable building; the hardship is not self-created as the property is an existing lot of record. The setback variances requested are the minimum variances needed to build a new office building on the subject property. At the time of this report, Community Development has not received any calls in opposition to this request.

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### STAFF COMMENTS

The applicant is requesting to deviate from the City's required Spring Road Corridor overlay district requirements. 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 believes that the requested variances will not adversely affect surrounding

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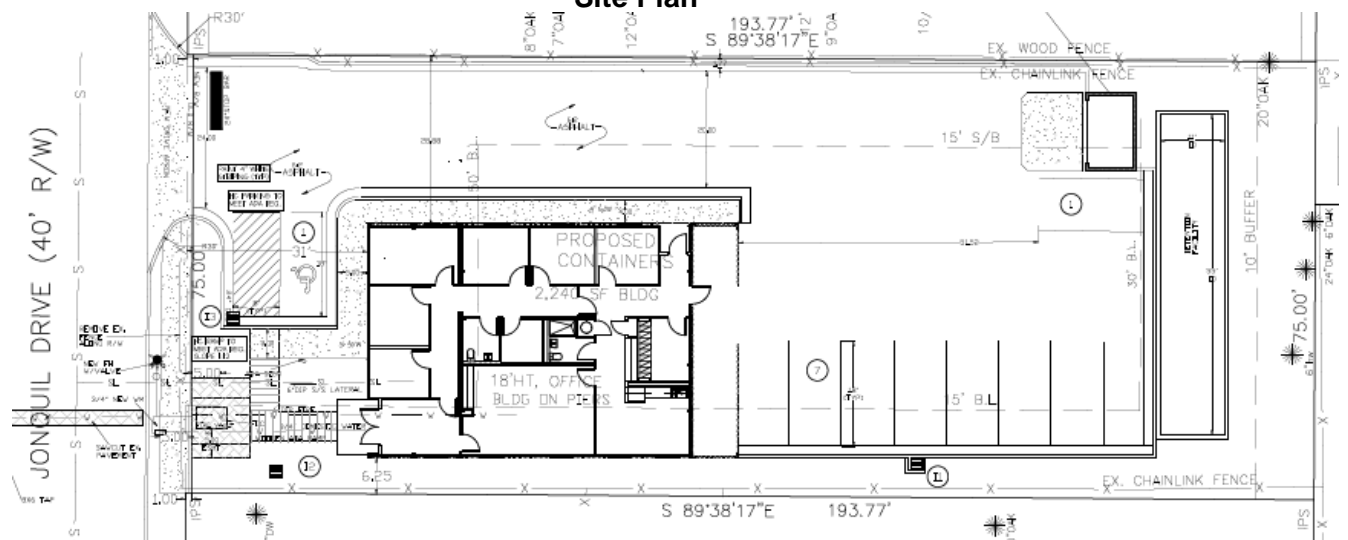
properties. Therefore, Community Development recommends **approval** of the requested variances with the following condition:

1. Approval of the requested variances shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

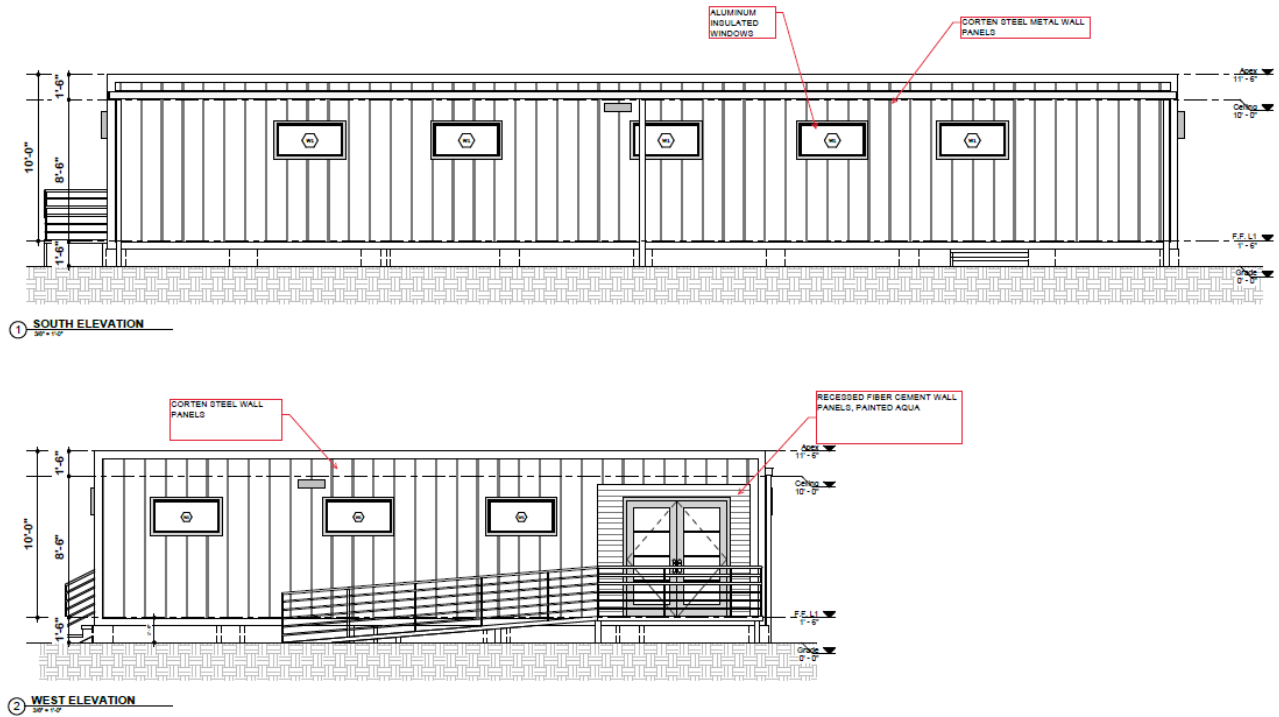
Figure – 1



Figure – 2  
Site Plan



**Figure – 3  
Building Elevations**



**Figure – 4  
3-D Rendering**





### Figure – 5 Subject Property



**Figure – 6**  
**Adjacent Property to the North**



**Figure – 7**  
**Adjacent Property across Jonquil Drive**

