

# **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: July 17, 2023

**RE: VARIANCE CASE V23-052**  
**2879 Anderson Circle – Reduce the side setback from 10 feet to 6.6 feet**

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## **BACKGROUND**

The applicant is requesting a variance to reduce the side setback from 10 feet to 6.6 feet to allow for the construction of an addition on a single-family residence at 2879 Anderson Circle. The development standards established by the City for the R-15 zoning district require a minimum side setback of 10 feet per Section 801.

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## **ANALYSIS**

The subject parcel is a 0.30-acre lot located on the east side of Anderson Circle (see Figure 1). The subject parcel and adjoining parcel to the south are zoned R-15. The adjacent properties to the north and west are zoned RDA and the adjacent properties to the east are zoned RTD. All properties are occupied by detached single-family homes with the exception of the properties to the east, which are occupied by townhomes.

The subject property currently consists of a 996 square foot home and three accessory structures in the rear yard. The home, originally built in 1952, has an existing nonconforming front setback of roughly 20 feet. To avoid a second variance with a front setback encroachment, the applicant is proposing to construct the 216 square foot addition on only the back half of the home, which will encroach into the side setback on the north side of the home by 4.4. feet. The addition will expand the existing master bedroom while adding a new master bathroom to make the home a two bedroom and two bath configuration. The new addition will be painted to match the existing home. Due to the existing layout and foundation of the existing home, the most logical area to construct the addition is within the side setback to decrease disturbance to the subject property.

The existing one-story home is 996 square feet, while the minimum house size of R-15 is 2,000 square feet. With the renovations, the home will be roughly 1,212 square feet, bringing the home closer to compliance with the R-15 floor area requirement. Furthermore, the closest building, in this case across Anderson Circle, will be nearly 96 feet from the addition, thus no fire suppression system is required.

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Due to the location of the existing home and the existing accessory structures on the property, the location of the proposed addition will minimize disturbance to the subject property and surrounding neighbors. Strict application of the ordinance would deny the applicant the ability to add any building square footage to the subject property without removing existing structures. The variance proposed is the minimum variance needed to increase the home's footprint and bring it closer to compliance with R-15 standards. Community Development has not received any calls in opposition to the request.

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### STAFF COMMENTS

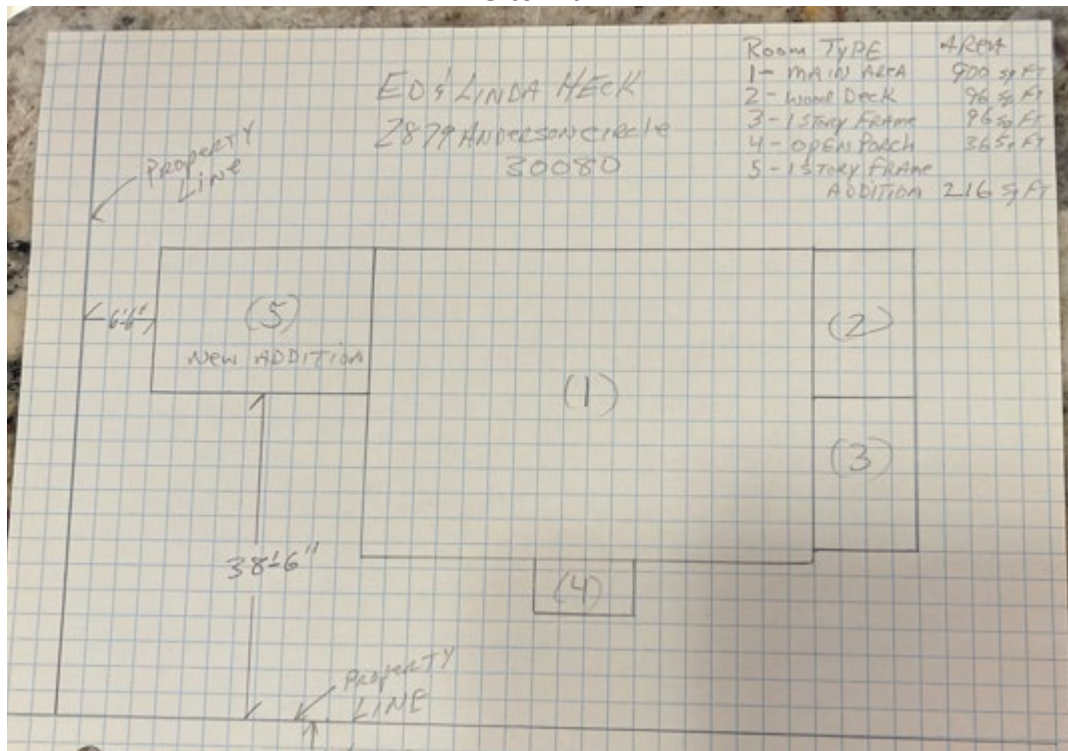
The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district which requires a minimum side setback of 10 feet. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are 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.

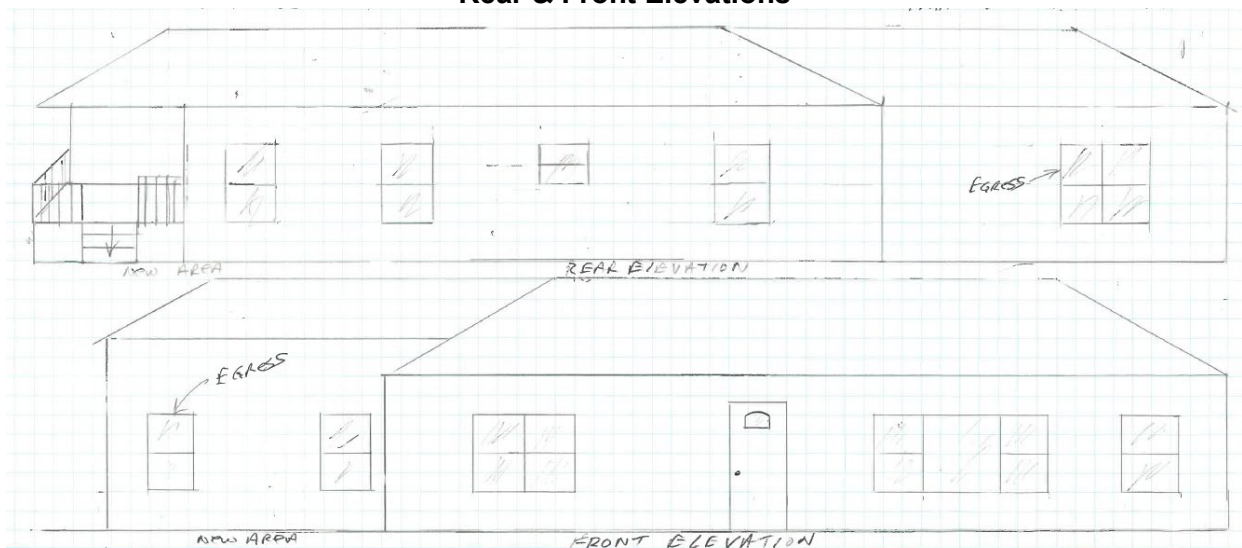
Figure – 1



**Figure – 2  
Site Plan**



**Figure – 3  
Rear & Front Elevations**





**Figure – 4**  
**Subject Property**



**Figure – 5**  
**Location of Proposed Addition on Subject Property**





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



**Figure – 7**  
**Adjacent Property to the South**



**Figure – 8**  
**Adjacent Property across Anderson Circle**

