

# 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 31, 2023

**RE: VARIANCE CASE V23-059**  
**5978 Haddon Place – Allow maximum impervious surface area increase from 45% to 56.16%**

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#### BACKGROUND

The applicant is seeking a variance to allow an increase in the impervious surface area from 45% to 56.16% for an addition on the rear of the single-family home located at 5978 Haddon Place. Section 801 sets the maximum impervious area of the RDA zoning district at 45%.

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#### ANALYSIS

The subject parcel is a 0.11-acre lot located on the west side of Haddon Place within the Enclave at Oakdale subdivision (see Figure 1). The subject parcel and all adjoining parcels are zoned RDA and are all occupied by single-family detached homes.

The existing home was originally built in 2006 and was completed with a 52% impervious surface area. Soon after the applicant purchased the home in 2007, the applicant poured a 264 square foot concrete patio in the rear, which further extended the impervious surface area above the allowed 45%. The applicant is proposing to construct a new roughly 146 square foot sunroom addition (12 feet x 12.17 feet) over the existing concrete patio. Since the Stormwater Ordinance does not differentiate between replaced and new impervious area, a variance is required for the nonconforming impervious area. Additionally, per Section 1102, “no nonconforming building, structure or use shall be extended, nor shall its total value be enhanced, unless such extensions or alterations conform with the provisions of this ordinance.” With the sunroom addition, the property is required to be brought to current code, including the allowable impervious surface area coverage.

Since the original increase in impervious surface area occurred in 2006 and there is no addition of land disturbing activities or stormwater runoff with the current addition proposal, the City Engineer has determined that no remediation is required in order to support the variance.

The subject property is currently buffered from adjacent properties by an existing wooden privacy fence and vegetation so impact to neighboring properties would be minimal. Strict application of the ordinance would deny the applicant any ability to modify any portion of the home since the existing impervious area is already over the allowable maximum impervious

coverage. At the time of this report, Community Development has not received any calls in opposition to the request.

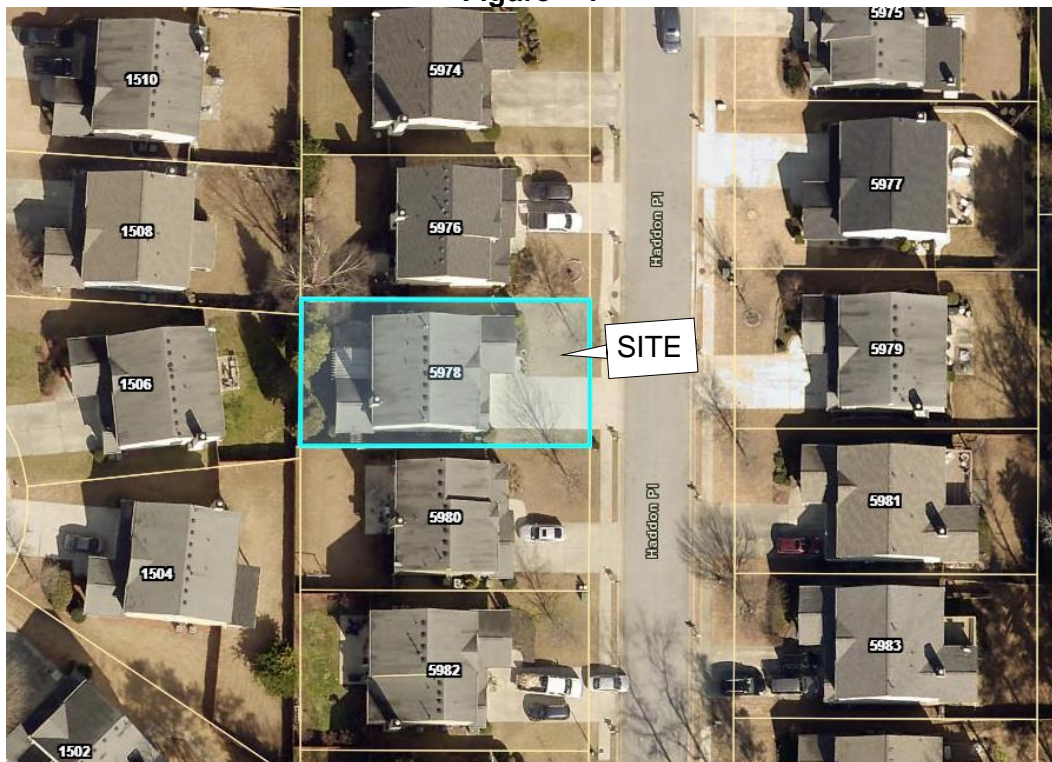
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## STAFF COMMENTS

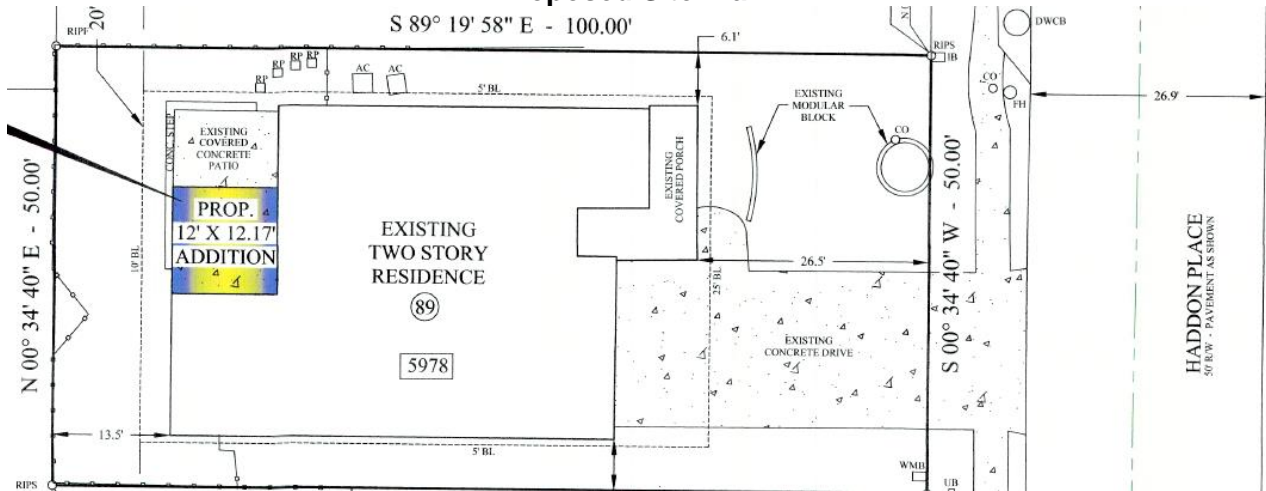
The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district, which requires a maximum impervious area of 35%. The applicant is requesting to maintain the increase of the impervious surface area to 44.39% to allow for the expansion of an existing deck. 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 condition:

1. Approval of the variance is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.

Figure – 1



**Figure – 2  
Proposed Site Plan**



**Figure – 3  
Elevation**





**Figure – 4**  
**Subject Property**



**Figure – 5**  
**Adjacent Property across Haddon Place**



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



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

