

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: August 31, 2023

RE: VARIANCE CASE V23-060
3419 King Springs Road – Reduce the southern side setback from 12 feet to 10.4 feet

BACKGROUND

The applicant is seeking a variance to reduce the southern side setback for a garage and deck addition on an existing non-conforming single-family home located at 3419 King Springs Road. Section 801 sets the setback requirements in the R-20 zoning district and Section 1102 sets the requirements for extending nonconforming uses.

ANALYSIS

The subject parcel is a 1.06-acre lot on the east side of King Springs Road, at the intersection of King Springs Road and Oakview Drive (see Figure 1). The subject parcel and all adjoining parcels are zoned R-20, with the exception of the parcels to the west, which are zoned R-15; all are occupied by single-family detached residences.

The subject property is currently occupied by a 1,417 square foot home with a 1,008 square foot detached garage and 164 square foot shed in the rear of the property. The existing home, originally built in 1954 (prior to the adoption of the City's Zoning Ordinance), has an existing nonconforming setback of 10.4 feet on the southern side of the home. The applicant is proposing to fully renovate the existing one-story home to more closely align with neighboring properties. The existing carport on the northern side of the home will be enclosed with a roughly 341 square foot addition to expand the living room and add a master bedroom and bathroom. A new 870 square foot 3-car side-entry garage with a second-floor loft and bathroom will be added on the front of the existing home to mirror the neighboring property to the south. Additionally, a roughly 263 square foot covered deck will be erected in the rear, off the existing open wood deck.

Due to the existing nonconforming foundation of the home, the most logical area to construct the garage addition is within the southern side setback to decrease disturbance to the subject property and surrounding neighbors. Since the home is currently non-conforming, the hardship is not self-created. Since the home currently sits 107 feet away from the front property line and is on a large acre lot, no additional variances are needed for the proposed work.

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Moreover, the existing one-story home is 1,417 square feet, whereas the minimum house size of the R-20 zoning district is 2,100 square feet. With the renovations, the home will be roughly 3,500 square feet, bringing the home into compliance with the R-20 zoning district floor area requirement.

Due to the layout and foundation of the existing home, the garage addition will be constructed within the nonconforming setback, which currently encroaches into the southern side setback by roughly two feet. Strict application of the ordinance would deny the applicant the ability to add any additional square footage to the southern portion of the existing home since the structure is already encroaching into the side setback. Community Development believes the variance is the minimum variance needed bring the home in line with the neighboring R-20 properties.

STAFF COMMENTS

The applicant is requesting to deviate from the development standards established by the City for the R-20 zoning district for a side setback reduction. 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
Proposed Site Plan

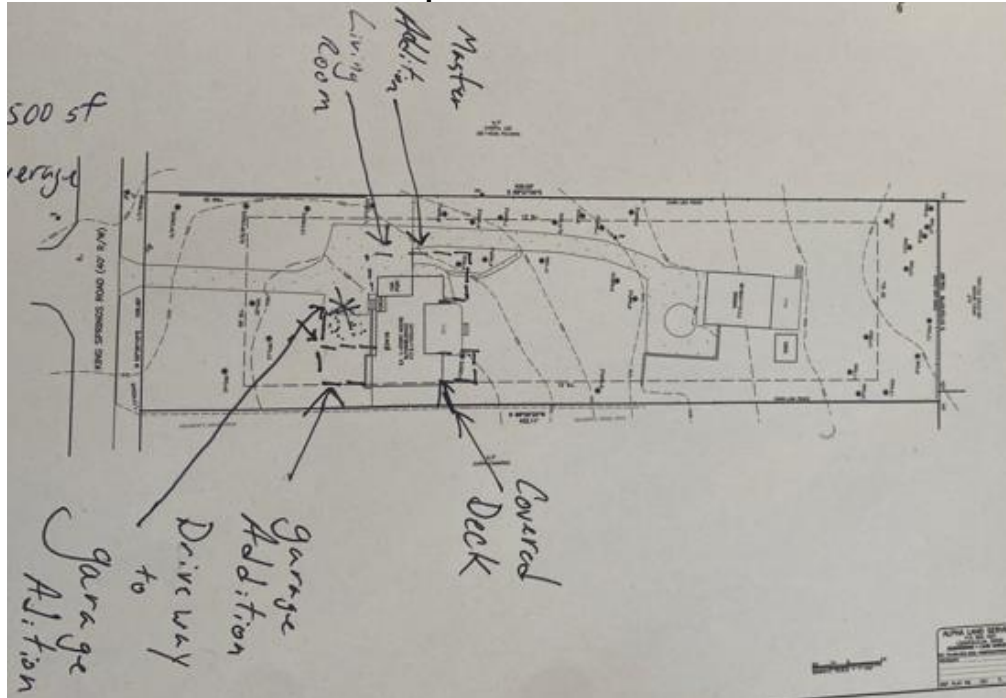


Figure – 3
Proposed Floor Plan

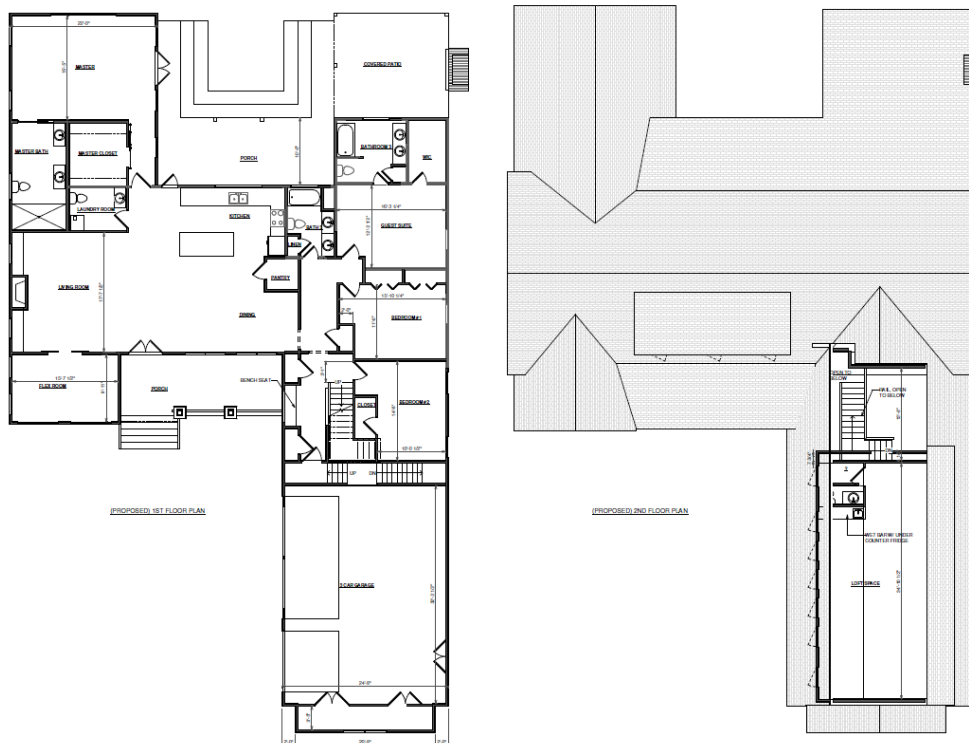


Figure – 4
Subject Property



Figure – 5
Adjacent Property to the South



Figure – 6
Adjacent Property to the North



Figure – 7
Adjacent Properties across King Springs Road

