



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: V23-049

Agenda Date: 8/9/2023

In Control: License and Variance Board

File Type: Variance Item

Agenda Section:
Formal Business

Agenda Number: {{item.number}}

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V23-053 - Allow encroachment into the 50-foot undisturbed stream buffer and 75-foot impervious surface area setback - Land Lot 266 - 220 Early Parkway - Jordan Deeney

Ward 3 Councilmember - Travis Lindley

ISSUE AND BACKGROUND:

The applicant is seeking a stream buffer variance to allow for the construction of a new home on the subject property. The applicant is proposing to build a new 3,800 square foot two-story single-family home on an undeveloped property within the Bennett Woods North subdivision. Stream buffers are controlled by Chapter 46, Article VI in the Code of Ordinances.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting relief from the City's 50-foot undisturbed stream buffer and the City's 75-foot impervious surface area setback to build a new single-family home on the vacant property. 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 encroachments will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following conditions:

1. Approval of the requested variance is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. An approval of a State variance application for the 25-foot stream buffer impacts shall be provided prior to permitting.