



City of Smyrna

Issue Sheet

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

File Number: V23-050

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 - V23-054 - Allow encroachment into the 50-foot undisturbed stream buffer and 75-foot impervious surface area setback - Land Lot 335 - 1558 Sophia Lane - Jennifer Jones

Ward 4 Councilmember - Charles

ISSUE AND BACKGROUND:

The applicant is requesting a variance to allow encroachment into the City's 50-foot undisturbed buffer and 75-foot impervious surface area setback to allow for the construction of a deck, in-ground trampoline, and accompanying artificial turf at 1558 Sophia Lane. The City's stream buffers are controlled by Chapter 46, Article VI.

RECOMMENDATION / REQUESTED ACTION:

The applicant is requesting relief from the City's 75-foot impervious surface area setback and City's 50-foot undisturbed stream buffer to install a deck, artificial turf, and trampoline in the rear yard. 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 conditions:

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.
2. A Stormwater Inspection and Maintenance Agreement must be completed and recorded with the Cobb County Superior Court and an as-built certification statement submitted to Community Development prior to completion of the building permit.