



City of Smyrna

Issue Sheet

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

File Number: V23-062

Agenda Date: 9/27/2023

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 - V23-067 - Allow second kitchen - Land Lot 339 - 3570 South Sherwood Road - Jeff Cain

Ward 3 Councilmember - Travis Lindley

ISSUE AND BACKGROUND:

The applicant is requesting a variance from Section 402.24 of the Zoning Code to allow a second kitchen in the basement of the new single-family home at 3570 S Sherwood Road. Because the subject property is a single-family residence, the additional kitchen would constitute a second living unit, which is prohibited per the definition of a single-family dwelling.

RECOMMENDATION / REQUESTED ACTION:

The applicant has requested a variance to permit a second kitchen in a single-family home. 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 second kitchen will not adversely affect surrounding residents, nor set a negative precedent for future homebuilding in the area. Community Development recommends approval of the requested variance with the following stipulations:

1. The addition is to be utilized by family members only.
2. The applicant shall not lease, rent, or sublet any space in their home.
3. These conditions shall run in perpetuity with the property and as such are also applicable to any future owner.