



# City of Smyrna

## Issue Sheet

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

File Number: V23-152

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**Agenda Date:** 1/11/2023

**In Control:** .

**File Type:** Variance Item

**Agenda Section:**  
Formal Business

**Agenda Number:** G

**Department:** Community Development

**Agenda Title:**

Public Hearing - Variance Request - V23-003 - Allow rear setback reduction from 30 feet to 19 feet - Land Lot 849 - 0.99 acres - 2535 Cobb Pkwy - Scott LeFevre

***Ward 1 Councilmember - Glenn Pickens***

**ISSUE AND BACKGROUND:**

The applicant is requesting to build an addition and storage building at 2535 Cobb Parkway requires a rear setback reduction from 30 feet to 19 feet. The rear setback is regulated by Sec. 802 that requires a 30-foot rear setback, however a rear setback reduction to 5 feet was approved in 2001 (V01-060).

**RECOMMENDATION / REQUESTED ACTION:**

The applicant is requesting to deviate from the rear setback requirement established by Section 802. 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. Community Development has reviewed the request against the variance review standards and found it to be in compliance with the four (4) standards and believes that the variance 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.
2. The existing stormwater management facility will need to be inspected and any repairs or maintenance performed in conjunction with the building permit. The applicant will need to provide an inspection and maintenance agreement if one is not already in place