



License and Variance Board Meeting - Final

June 12, 2024
10:00 AM

C. **V24-039** Public Hearing - Variance Request - V24-039 - Reduce the front setback from 35 feet to 32.5 feet - Land Lot 486 - 1121 Dell Avenue - John Bradford



City of Smyrna

Issue Sheet

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

File Number: V24-039

Agenda Date: 6/12/2024

In Control: License and Variance Board

File Type: Variance Item

Agenda Section:
Formal Business

Agenda Number: D.

Department: Community Development

Agenda Title:

Public Hearing - Variance Request - V24-039 - Reduce the front setback from 35 feet to 32.5 feet - Land Lot 486 - 1121 Dell Avenue - John Bradford

Ward 3 Councilmember - Travis Lindley

ISSUE AND BACKGROUND:

The applicant is requesting a variance to reduce the front setback from 35 feet to 32.5 feet for the construction of a front porch at 1121 Dell Avenue. The minimum front setback is required in the R-15 zoning district per Section 801 of the Zoning Code.

RECOMMENDATION / REQUESTED ACTION:

The applicant requests a variance to reduce the front setback for 1121 Dell Avenue from 35 feet to 32.5 feet for the construction of a front porch. 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.

CITY OF SMYRNA

COMMUNITY DEVELOPMENT

MEMORANDUM

To: License and Variance Board

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

Date: June 3, 2024

RE: VARIANCE CASE V24-039
1121 Dell Avenue – Reduce the front setback from 35 feet to 32.5 feet

BACKGROUND

The applicant is requesting a variance to reduce the front setback from 35 feet to 32.5 feet for the construction of a front porch at 1121 Dell Avenue. The minimum front setback is required in the R-15 zoning district per Section 801 of the Zoning Code.

ANALYSIS

The subject parcel is a 0.30-acre lot located on the north side of Dell Avenue (Figure 1). The subject parcel and adjacent properties to the north, east, and west are zoned R-15 whereas the adjacent property to the south is zoned FC (Future Commercial); all are occupied by single-family detached houses.

The applicant is proposing to fully renovate the existing 773 square foot home with a 1,933 square foot addition and accompanying 274 square foot deck in the rear and a 150 square foot front porch. When completed, the home will be 2,357 square feet with 3 bedrooms and 2 ½ bathrooms. Since the renovations to the home will create a 2,357 square foot home, the home will be brought into compliance with the R-15 floor area requirement.

The existing home currently has an uncovered 29 square foot concrete front porch. As part of the overall renovation, the applicant is proposing to replace the existing porch with a 150 square foot covered front porch to enjoy the front yard as well as enter the home in inclement weather more easily. The existing home is roughly 6 feet from the front setback line, leaving little room for a roof on the existing front porch, much less any other frontward expansion. The applicant has proposed the new porch will be 32.5 feet from the front property line and will thus encroach on the front setback by 2.5 feet. No other variances are required for the renovations, as all other setbacks are met, and the property will be under the maximum impervious surface area of 35%.

Since the existing home was constructed in 1952, prior to the adoption of the current Zoning Ordinance in 1974, Community Development believes the variance requested is the minimum variance needed to construct a usable front porch in the front yard. Community Development does not foresee any negative impacts to adjacent properties should the variance be approved. Similar variance requests have been approved across the street in 2019 at 1120 Dell Avenue

VARIANCE CASE V24-038

June 3, 2024

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(V19-013), and next door in 1998 at 1109 Dell Avenue (V98-017). Thus, there is a precedent for variances of this type in the area. At the time of this report, Community Development has not received any calls in opposition to the request.

STAFF COMMENTS

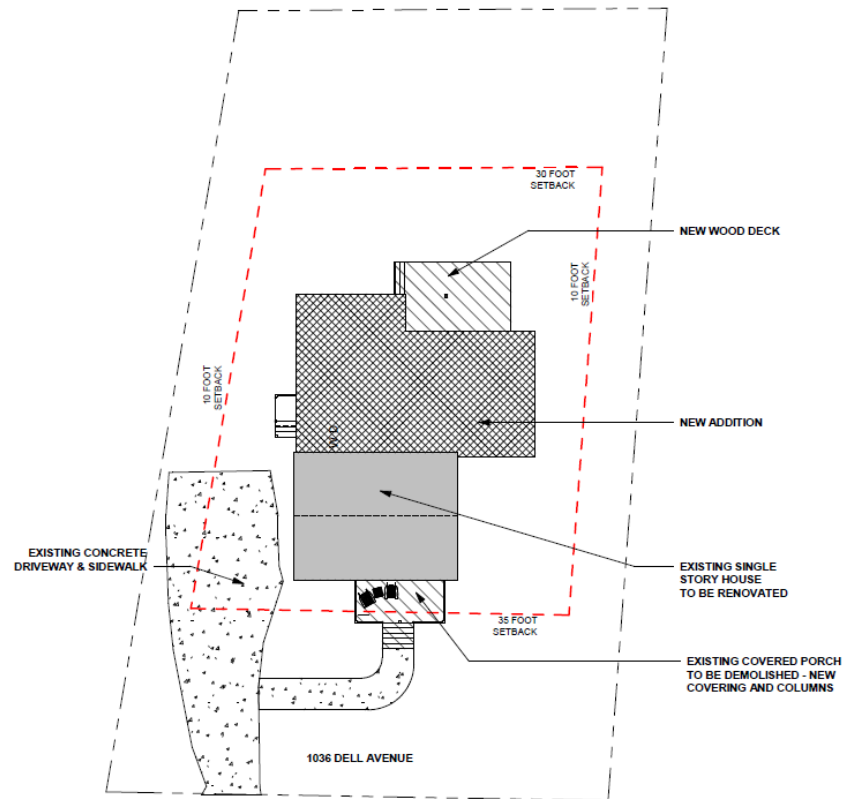
The applicant requests a variance to reduce the front setback for 1121 Dell Avenue from 35 feet to 32.5 feet for the construction of a front porch. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or 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
Site Plan**



**Figure – 3
Proposed Front Elevation**



Figure - 4
Subject Property



Figure - 5
Adjacent Property to the West

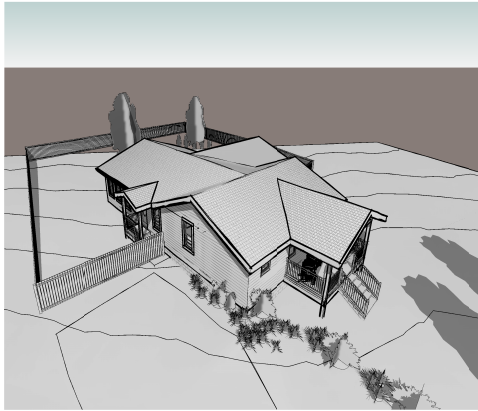


Figure - 6
Adjacent Property to the East



Figure - 7
Adjacent Property across Dell Avenue





ARCHITECTURE		
NO.	TITLE	ISSUE DATE
CVR	COVER SHEET	8-14-2023
A1.1	A1.1 - FLOOR PLAN & SCHEDULES	8-14-2023
A1.2	A1.2 - FOUNDATION & DECK PLANS & SECTIONS	8-14-2023
A1.3	ROOF FRAMING PLAN	8-14-2023
A2.1	BUILDING ELEVATIONS	8-14-2023
V1	V1-VARIANCE SITE PLAN	8-14-2023

PROPERTY INFORMATION

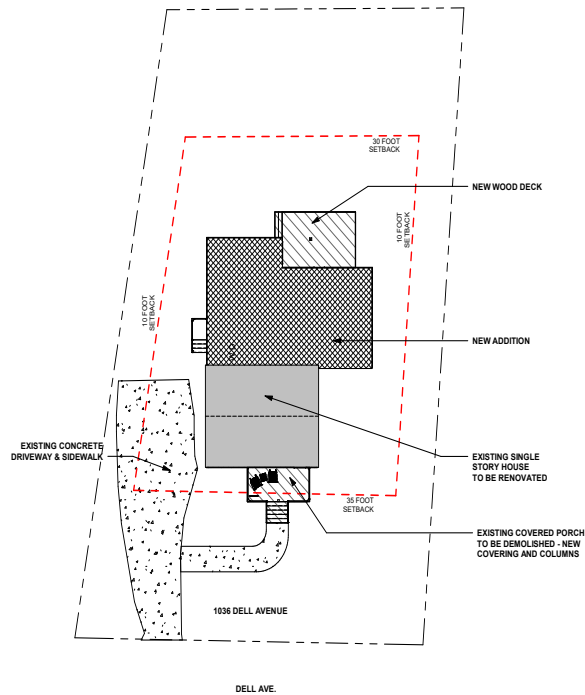
ADDRESS: 1121 DELL AVENUE SE
SMYRNA, GA
SUBDIVISION: SMYRNA HEIGHTS
ZONING CLASS: R15 - RESIDENTIAL

AREA MATRIX

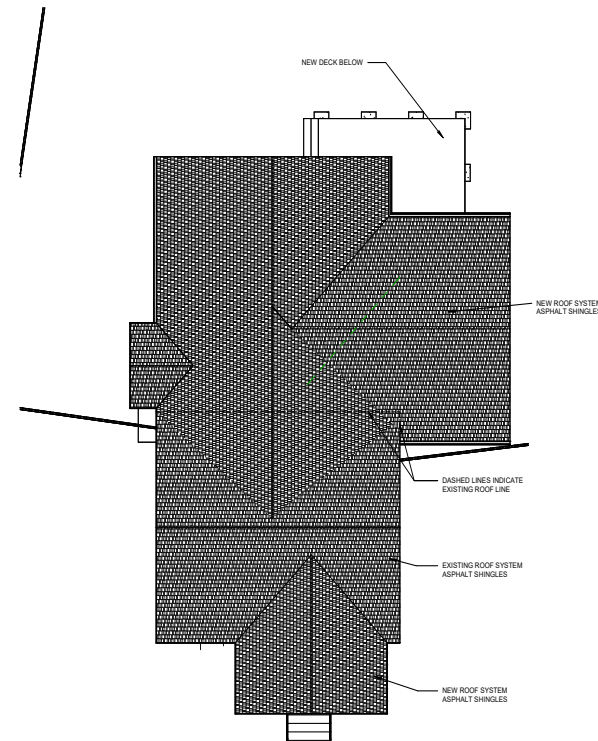
PROPERTY AREA = 13,122 SF (0.28 ACRES)

	TOTAL W/ PROPOSED	
	EXISTING	ADDITION
HOUSE AREA		
MAIN LEVEL	744 SF	1,933 SF
DECK	0 SF	274 SF
FRONT PORCH	29 SF	150 SF
COVERED PARKING	0 SF	0 SF
DRIVES & SIDEWALKS	1,105 SF	1,318 SF
TOTAL IMPERMEABLE AREA	1,878 SF 14.3%	3,675 SF 28%

TOTAL ALLOWABLE AREA = .35 X 13,122 = 4,593 SF



3 SITE PLAN
1/16" = 1'-0"



4 ROOF PLAN
1/8" = 1'-0"

COVER SHEET 1121 DELL ADDITION

1036 DELL AVENUE SOUTHEAST, SMYRNA, GA

8-14-2023

RIDGECREST VENTURES

ARCHITECT: BRYCE JENNINGS
RUTLEDGE DESIGN GROUP
770.633.6341
bryce-rdg@outlook.com



Variance Application

VAR-24-33

Submitted On: Apr 29, 2024

Applicant

John Bradford
16783438939
@ ridgecrestventures@yahoo.com

Primary Location

1121 DELL AVE SE
SMYRNA, GA 30080

Applicant Information

First Name

John

Last Name

Bradford

Street Address

3154 Dunn Street SE

City

smyrna

State

GA

Zip Code

30080

Email

ridgecrestventures@yahoo.com

Phone Number

678-343-8939

Are you the titleholder of the subject property?

Yes

Property Information

Property Address

1121 Dell Avenue

Description of Requested Variances

Reduce Front Set Back from 35' to 32.5'

Please check the box below if the requested variance(s) includes an increase in the maximum impervious surface area or an encroachment into a City stream buffer.

--

Comprehensive Narrative

In rendering its decisions, the License and Variance Board shall consider the following factors:

- Whether there are extraordinary and exceptional conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties in the same district.
- Whether any alleged hardship which is self-created by any person having an interest in the property or is not the result of mere disregard for or ignorance of the provisions from which relief is sought.
- Whether strict application of the relevant provisions of the zoning code would deprive the applicant of reasonable use of the property for which the variance is sought.

4. Whether the variance proposed is the minimum variance which makes possible the reasonable use of the property.

A comprehensive narrative detailing the extraordinary and exceptional conditions which will necessitate a nonconforming use.

Home built 50+ years ago and current front setback does not allow for modern amenities such as front porch addition to improve the aesthetics of the house and neighborhood.

Acknowledgement

Applicant further affirms they are aware that any knowingly false statement made in the permit application may subject said applicant to prosecution for violation of Georgia Criminal Code, Section 16-10-20 (False Swearing) and a possible fine of not more than \$1,000.00 or imprisonment for not less than one (1) nor more than five (5) years, or both.

Applicant Signature:
true

Ridgecrest Ventures Inc
John Bradford
3154 DUNN ST SE
SMYRNA GA 30080-4479

USPS CERTIFIED MAIL



9407 1118 9876 5403 1304 34

George Haney & Darlene Shirley
1109 DELL AVE SE
SMYRNA GA 30080-4105



\$5.04 US POSTAGE
FIRST-CLASS
Apr 30 2024
Mailed from ZIP 30080
1 OZ FIRST-CLASS MAIL LETTER
RATE
11923275



stamps
endicia

062S0011718299

Ridgecrest Ventures Inc
John Bradford
3154 DUNN ST SE
SMYRNA GA 30080-4479

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9407 1118 9876 5403 1304 72

Ben Chandra
1110 MCLINDEN AVE SE
SMYRNA GA 30080-4146



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John Bradford
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SMYRNA GA 30080-4479

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Brian Toole
718 CAPE IVEY DR
DACULA GA 30019-3318



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John Bradford
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SMYRNA GA 30080-4479

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Brian Clark & Rachel Roland
1120 DELL AVE SE
SMYRNA GA 30080-4106



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John Bradford
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SMYRNA GA 30080-4479

USPS CERTIFIED MAIL



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1130 Dell Avenue LLC
2390 BOHLER RD NW
ATLANTA GA 30327-1140



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John Bradford
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SMYRNA GA 30080-4479

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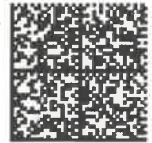


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Janice & Thomas Baker
1131 DELL AVE SE
SMYRNA GA 30080-4105



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John Bradford
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SMYRNA GA 30080-4479

USPS CERTIFIED MAIL



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George Haney & Darlene Shirley
1130 DELL AVE SE
SMYRNA GA 30080-4106



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John Bradford
3154 DUNN ST SE
SMYRNA GA 30080-4479

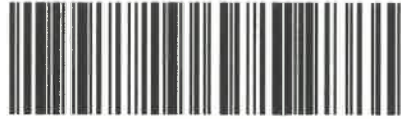
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Maria & Juan Galvan
1120 DELL AVE SE
SMYRNA GA 30080-4106



John Bradford
3154 DUNN ST SE
SMYRNA GA 30080-4479

USPS CERTIFIED MAIL



9407 1118 9876 5403 7751 23

Ben Chandra
1110 DELL AVE SE
SMYRNA GA 30080-4106



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John Bradford
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SMYRNA GA 30080-4479

USPS CERTIFIED MAIL



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SBC Partners LLC
6300 POWERS FERRY RD
ATLANTA GA 30339-2919



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Real Estate (Your House or Land)

View Bill View bill image

As of 4/29/2024

Bill Year	2023
Bill	9004
Owner	JSL RESIDENTIAL PROPERTIES LLC
Parcel ID	17048600520

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	11/15/2023	\$1,017.67	\$1,017.67	\$0.00	\$0.00	\$0.00
TOTAL		\$1,017.67	\$1,017.67	\$0.00	\$0.00	\$0.00



Printed: 4/29/2024

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer:
JSL Residential Properties LLC

JSL RESIDENTIAL PROPERTIES LLC

Payment Date: 10/10/2023

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2023	17048600520	10/15/2023	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$2,947.62	\$0.00



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