

Criteria:

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.
2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.
3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

PICTURES



192 Blair Valley Drive

Recommended Action:

Approval with a stipulation. Ralph Reilly, on behalf of the owner Scott Peters, is requesting two side setback variances for the property at 192 Blair Valley Drive. The subject property and the properties located immediately to the east and west are zoned PRD-SF (Planned Residential Development – Single Family). The vacant land located immediately to the south and planned for Marietta Housing Authority’s Montgomery Park is zoned PRD-MF (Planned Residential Development – Multi Family). The subject property is a vacant lot comprised of 0.217 acres within the Blair Valley Subdivision.

PRD-SF zoning differs from most other residential zoning districts in that it does not have a set standard for setbacks, height, building coverage, minimum house size, etc. This allows more flexible and creative development patterns by having City Council set the allowable bulk and area regulations on a case-by-case basis either during rezoning or as a detailed plan. In this case (Z-9315), the property was rezoned in November 1993 according to a plan specifying a minimum 10’ side setback (20’ between buildings). This plan did not specify the minimum building coverage or maximum impervious surface area allowed on the lots in the subdivision; however, it did set the height limit at 35,’ which is consistent with height limits in other zoning districts.

The applicant wishes to construct a home on the property at 192 Blair Valley Drive. However, the lot is very narrow at approximately 55’ wide. If the required 10’ side setbacks were provided on both sides, it would only allow a 35’ wide home. Instead, the applicant is requesting variances that would reduce the 10’ side setbacks to 5.5’ on the west side and 8.7’ on the east side so the proposed house can be wider.

There is a history of side setback reductions for the lots within this subdivision. The lots on either side (L-6 and L-8) of the subject property have received variances that reduced the side yard building setback from 10 ft. to 4 ft. In fact, the side setbacks for L-5 (180 Blair Valley Dr), L-6 (186 Blair Valley Dr), and L-8 (198 Blair Valley Dr) have all received administrative variances to reduce the side setbacks to 4 ft. (AV-9803; AV2005-34). The Planning & Zoning Manager is limited to reducing the side setback by no more than 4 feet; as a result, one of the variances being requested by the applicant is not eligible for an administrative variance. The applicant has agreed to shift the house to allow for a 4 ft. setback on each side, although his preference would be to have his request approved as submitted due to a driveway easement impacting the side lot line on the east side of the property.

The Marietta Fire Department has the following comment regarding the proposal:

A fire sprinkler system shall be installed in order to comply with City of Marietta Fire Sprinkler Ordinance. The proposed structure is within ten feet of property line and twenty feet to neighboring structure.

Marietta Power would like the customer to consider installing electric heat pumps and electric water heating in the new home.

Granting the variance should not negatively impact the surrounding properties or community as long as the new structure contains a fire sprinkler system. As a result, ***staff recommends approval of these variances with the stipulation that the new structure will comply with the City of Marietta Fire Sprinkler Ordinance.***