

**From:** [Russell G. Martin](#)  
**To:** [ron.davis0106@yahoo.com](mailto:ron.davis0106@yahoo.com)  
**Cc:** [Travis Lindley External Contact](#); [Caitlin Crowe](#); [Penny Mocer](#)  
**Subject:** Gilbert Street Fencing  
**Date:** Monday, October 19, 2020 5:28:46 PM  
**Attachments:** [VoiceMessage.wav](#)  
[image001.png](#)

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Mr. Davis:

I hope all is well. Caitlin forwarded your voice message (attached) regarding the use of the wire backing as part of the fencing in the front yard. I was able to review the city code with respect to your concerns. Section 503-A.3 of the Zoning Ordinance reads as follows:

“Within any front yard (front yard shall also include a corner lot in which both yards abutting a street shall be deemed a front yard), in all zoning districts, **no chain link or similar woven wire fence shall be permitted**. However, within a front yard in the aforementioned districts, **a decorative or ornamental rail, split rail, picket, opaque, basket weave or similar fence constructed of wooden** or vinyl materials may be permitted provided that said fence does not exceed four feet in height. Columns comprised of brick, stone or similar material may be placed between fence sections in the front yard but still cannot exceed four feet in height. Decorative wrought iron or black aluminum fencing shall also be permitted provided that said fence does not exceed four feet in height.”

Caitlin and I visited the subject property to inspect the fence. The fence is a wooden split rail fence with a welded hog wire on the back side of the fence. The zoning ordinance currently allows the wooden split rail fencing. The welded hog wire backing is not a chain link fence or a woven wire fence per the code section above. The City’s Zoning Ordinance does not define the term “woven wire”. Under the Merriam Webster Dictionary, woven wire is defined as – wire crossed and interlaced to form a network (See for definition - <https://www.merriam-webster.com/dictionary/woven%20wire> ). The wiring on the subject fence is not woven or interlaced, the wire is laid on top of each other and the contact points are welded together (See attached picture). Therefore, the wire backing is not prohibited because the wire backing is not woven or interlaced per Section 503-A.3.



The property owner is currently working to reduce the height of the fence to bring it into compliance with the zoning ordinance. I do not believe he is going to appeal the decision of the License and Variance Board. Once he brings the height of the fence down, he will be in compliance with the zoning ordinance, even if he decides to leave the existing wire backing. If he changes the wire backing and installs a backing that is woven and interlaced, then he would be required to remove the backing and install something that meets the ordinance.

Please let me know if you need any further information or clarification.

Thank you,

Russell Martin, AICP  
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**From:** Caitlin Crowe <ccrowe@smyrnaga.gov>  
**Sent:** Monday, October 19, 2020 4:25 PM  
**To:** Russell G. Martin <rgmartin@smyrnaga.gov>  
**Subject:** FW: Message from DAVIS,JAMES (+17704319786)

Ron Davis voicemail about the fence on Gilbert St

**Caitlin Crowe**

Planner I, Community Development  
City of Smyrna  
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**From:** Cisco Unity Connection Messaging System <[unityconnection@smyrnaga.gov](mailto:unityconnection@smyrnaga.gov)>  
**Sent:** Monday, October 19, 2020 10:50 AM  
**To:** Caitlin Crowe <[ccrowe@smyrnaga.gov](mailto:ccrowe@smyrnaga.gov)>  
**Subject:** Message from DAVIS,JAMES (+17704319786)