

# **CITY OF SMYRNA COMMUNITY DEVELOPMENT MEMORANDUM**

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To: License and Variance Board

From: Ken Suddreth, Community Development Director  
Joey Staubes, AICP - Planner II

Date: June 22, 2018

RE: **VARIANCE CASE V18-047**  
**642 Concord Rd – Allow six foot chain link fence in front yard along Smyrna Hill Drive**

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## **BACKGROUND**

The applicant is requesting a variance to allow a six foot chain link fence in the front yard at 642 Concord Road. The new fence would replace an existing non-conforming fence in the same area. The property is occupied by Fire Station 2 and is currently being redeveloped. The subject property has road frontage on the north and south sides of the property. In order to screen the detention pond at the south end of the property, the fence is proposed along the property line adjacent to Smyrna Hill Drive. The proposed fence is replacing an existing fence at the same location. Section 501 controls the location of fences in the Code of Ordinances.

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## **ANALYSIS**

The subject property is located to the south of Concord Road and is zoned R-15 (See Figure 1). The adjacent properties to the north are zoned RAD and occupied with residential uses. The adjacent property to the south and east are zoned NS (Neighborhood Shopping) and occupied with commercial uses. The adjacent property to the west is zoned GC (General Commercial) and is occupied with commercial uses. The subject property is occupied by Fire Station 2 and has road frontage along the north (Concord Road) and south end (Smyrna Hill Drive) of the property.

The City demolished the previous Fire Station 2 and is currently redeveloping the property to build a new Fire Station 2. As part of the redevelopment the City is installing a detention pond at the south end of the property, and fencing is required to screen the pond. An existing fence along Smyrna Hill Drive will be removed, and replaced by a new six foot chain link fence along the property line adjacent to Smyrna Hill Drive. A variance is required to replace the existing non-conforming fence. The new fence will include mesh fabric and appear opaque as shown in Figure 3.

Due to the subject property having double road frontage, a variance required to replace the existing non-conforming fence in the front yard along Smyrna Hill Drive. The variance will allow the detention pond to be screened, as required by code. Strict application of the requirements

would prevent the detention pond from being screened. Community Development believes the variance requested is the minimum variance needed, and should not negatively impact adjacent properties. Community Development has not received any calls in opposition to the request.

### STAFF COMMENTS

The applicant is requesting a variance to allow a six foot chain link fence in the front yard adjacent to Smyrna Hill Drive at 642 Concord Road. 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 not received any calls in opposition to the request. After a review of the standards above Community Development believes that the variance will not adversely affect surrounding properties; therefore, staff recommends approval of the requested variance.

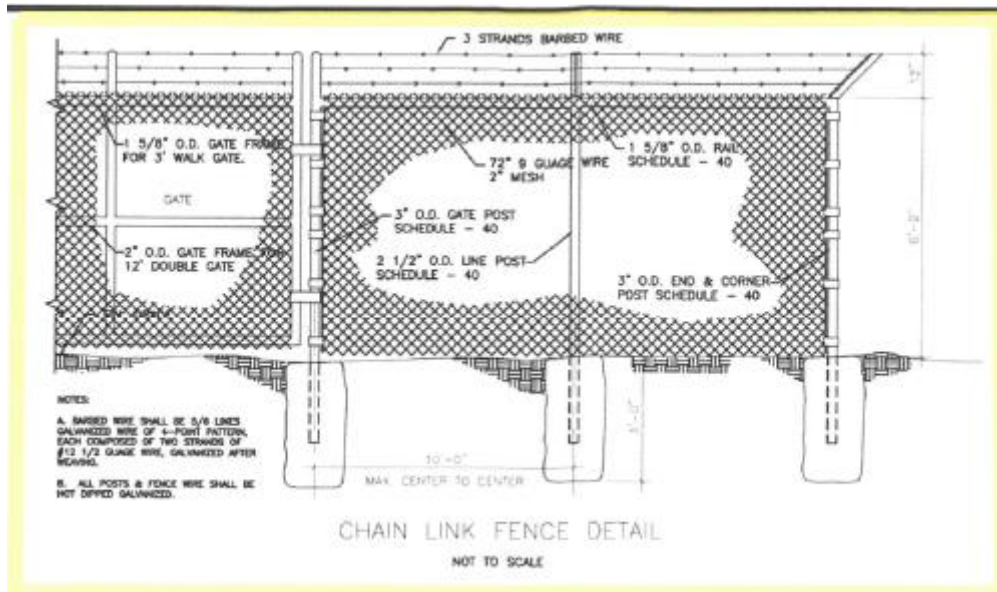
## Figure – 1



**Figure – 2**  
**Subject Property**



**Figure – 3**  
**Fence Detail**



### Figure – 4 Site Plan

