

# **CITY OF SMYRNA**

## **COMMUNITY DEVELOPMENT DEPARTMENT**

### **MEMORANDUM**

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To: Mayor and Council

From: Russell Martin, AICP, Community Development Director

Date: May 3, 2021

CC: Planning and Zoning Board  
Joe Bennett – City Administrator

**RE: Zoning Code Amendment – Fencing**

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#### **BACKGROUND**

The Community Development Department recently received a request from a resident for an interpretation of the City's fencing ordinance with respect to fencing in the front yard. The resident was concerned about wire backing on split rail fencing and thought it was prohibited per the city code. The Community Development Department reviewed the fencing ordinance and found it to be silent on this specific issue.

#### **ANALYSIS**

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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."

The fencing ordinance is silent on the use of wire backing that is not chain-link or woven-wire. Community Development has witnessed a new fencing trend where homeowners use welded-wire backing on split rail fencing in the front yard to keep kids and pets within the fence. The fence ordinance does not address this specific issue, which forces staff to make interpretations of the code. Community Development staff is proposing a code amendment to clarify this specific issue and to ensure the construction of high-quality fencing in the front yard.

The proposed text amendment would allow for the use of welded-wire backing on a split-rail fence provided the wire backing is coated in black vinyl. The black vinyl coating will extend the life of the wire backing, while hiding any rust or degradation of the fencing and maintaining a high level of aesthetic.

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## STAFF COMMENTS

Community Development has reviewed the City's Zoning Ordinance with respect to fencing and is proposing code amendments to address wire backing on split rail fences in the front yard. The proposed amendments include:

- 1) Provide clarification on the use of wire backing on split rail fencing in the front yard; and
- 2) Remove vinyl as acceptable material for fencing in the front yard.

Community Development recommends **approval** of the following code amendments to Section 503-A of the City's Zoning Ordinance:

**Section 503-A.3 of the Zoning Ordinance shall be amended to address the use of wire backing on split rail fencing in the front yard. The proposed sections shall read as follows (amended portions are highlighted).**

(503-A.3) 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. **Any wire backing on a split rail fence in the front yard must have a black vinyl coating. The use of uncoated wire backing and woven wire backing on split rail fences is prohibited.** 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.

Examples of decorative fences:

