



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** V17-014      **Version:** 1      **Name:** 3257 Pinetree Drive - V17-014  
**Type:** Variance Request      **Status:** Passed  
**File created:** 3/2/2017      **In control:** License and Variance Board  
**On agenda:** 3/8/2017      **Final action:** 3/8/2017  
**Title:** Public Hearing - Variance Request - V17-014 - Allow fence height increase in front yard from four feet to six feet on a corner lot - 0.39 acres - Land Lot 596 - 3257 Pinetree Drive - Carsten and Anna Heiliger

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Memo - V17-014, 2. Application - V17-014

Date	Ver.	Action By	Action	Result
3/8/2017	1	License and Variance Board	Approved	Pass

**WARD:** 6

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V17-014 - Allow fence height increase in front yard from four feet to six feet on a corner lot - 0.39 acres - Land Lot 596 - 3257 Pinetree Drive - Carsten and Anna Heiliger

The applicant is requesting a variance to increase the allowable fence height in a front yard from four feet to six feet on 3257 Pinetree Drive for the purpose of installing a six foot wooden privacy fence on a corner lot. The maximum height of a fence in the front yard is required based upon the standards associated with Section 501.10 of the Zoning Ordinance. The subject parcel is a corner lot with frontage on Collier Drive and Pinetree Drive, thus creating two front yards.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting to deviate from the City's maximum allowable height in the front yard (Section 501.10 of the Zoning Ordinance) at 3257 Pinetree Drive. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special 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 property of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. Community Development has reviewed the request against the variance review standards and found it to be in compliance. Community Development does believe there are sufficient privacy and security concerns that justify approval of the request. Finally, several variances have been granted for similar requests throughout the City. At the time of this report Community Development has not received any opposition regarding the request. Therefore, Staff recommends **approval** of the requested variance with the following condition:

approval is conditioned upon substantial compliance with the site plan and fence detail submitted with the application.

REQUESTED ACTION: The License and Variance Board hold a public hearing per Section 1400 of the Smyrna Code.