



# City of Smyrna

City of Smyrna  
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## Legislation Text

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**File #:** V18-061, **Version:** 1

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**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V18-061 - Allow six foot wooden privacy fence in front yard on corner lot - Land Lot 560 - 0.30 acres - 1450 Walker Street - Matt and Melissa Ivie

: The applicant is requesting a variance to allow a six wooden privacy fence in the front yard at 1450 Walker Street. A fence is proposed along the property line adjacent to Walker Street and Morris Circle. The subject property has road frontage along three sides of the property, which creates front yards on three sides. The existing home currently has a non-conforming chain link fence which will be replaced by the wooden privacy fence. Section 501 controls the location of fences in the City Code of Ordinances. The subject property has an existing non-conforming chain link fence along the property line. The applicant would like to replace the chain link fence with a six foot wooden privacy fence. Due to the property having road frontage on three sides, each of those sides is considered a front yard. Section 501 restricts the height of fences within a front yard to four feet. Strict application of the ordinance would require a fence greater than four feet in height be setback 35 feet from the property line on each side with road frontage.

**BACKGROUND:** None.

**RECOMMENDATION/REQUESTED ACTION:** The applicant is requesting a variance to allow a six foot wooden privacy fence in the front yard on a corner lot at 1450 Walker Street. According to Section 1403 of the Zoning Ordinance, variances are reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances relating 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.

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