



# City of Smyrna

City of Smyrna  
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## Legislation Text

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**File #:** V18-063, **Version:** 1

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**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Variance Request - V18-063 - Allow six foot wooden privacy fence in front yard on a corner lot - 0.20 acres - Land Lot 489 - 2629 Grady Street - Kevin D. Bailey

The applicant is requesting a variance to allow a six foot wooden privacy fence in the front yard at 2629 Grady Street. A fence is proposed along the property line adjacent to Fleming Street. The subject property has road frontage along two sides of the property, which creates front yards on two sides. Section 501 controls the location of fences in the Code of Ordinances. The subject property is accessed from Grady Street, however it also has road frontage along Fleming Street on the northern property line. The applicant would like to construct a six foot wooden privacy fence along Fleming Street (See Ordinance 5). Due to the property having road frontage on two sides, each of those sides is considered a front yard. Section 501 limits 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 to the front setback of 20 feet from the property line on Fleming Street. The applicant is requesting to construct the six foot fence just inside the northern property line. The applicant has stated that a four foot fence would be adequate to provide sufficient privacy and security.

**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 2629 Grady 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.