



# City of Smyrna

## Issue Sheet

A Max Bacon  
City Hall  
2800 King Street  
Smyrna, GA 30080

File Number: V23-058

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**Agenda Date:** 8/23/2023

**In Control:** License and Variance Board

**File Type:** Variance Item

**Agenda Section:**  
Formal Business

**Agenda Number:** {{item.number}}

**Department:** Community Development

**Agenda Title:**

Public Hearing - Variance Request - V23-058 - Allow 6-foot iron fence in front yard - Land Lot 545 - 5040 Highlands Parkway - Kamryn Johnson

***Ward 7 Councilmember - Kathy Young***

**ISSUE AND BACKGROUND:**

The applicant is requesting a variance to allow for a 6-foot wrought iron fence in the front yard at 5040 Highlands Parkway. Section 503-A controls the location and height of fences in the Zoning Code.

**RECOMMENDATION / REQUESTED ACTION:**

The applicant is requesting to deviate from the development standards established by Section 503-A, which requires a four-foot fence in the front yard. 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. After a review of the standards above, Community Development believes that the fence will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.
2. Four-inch caliper overstory trees shall be planted every 40 feet on center for the length of the Highlands Parkway street frontage. Tree plans shall be submitted and approved by the City Arborist prior to gate permit completion (CBP-23-74).