



Legislation Text

File #: 21-4055, **Version:** 1

OA#21-003: Public hearing to consider a proposed amendment of Section 155.099(B)(9)(b) of the Code of Ordinances, "Zoning," related to the setback for a swimming pool from a rear property line

Section 155.099(B)(9)(b) currently requires the water's edge of a swimming pool to be located at least 7.5 feet from the rear property line. This setback was established when the City required residential lots to have a 7.5 utility easement along the rear property line. The setback was intended to prevent damage to the pool when a franchise utility conducted work in the easement.

The City now requires franchise utilities to be located in a 10-foot easement along the front property line except in special cases where utilities are needed in the rear yard. Additionally, many of the new developments have smaller lots with smaller rear yards. With these changes, Staff proposes an amendment to reduce the minimum rear yard setback for swimming pools from 7.5 feet to 5 feet. The 5-foot side yard setback and the requirement that pool cannot encroach into an utility easement will remain.

Staff surveyed neighboring cities to compare pool setbacks. Of the cities contacted, the most common setbacks were 5 feet for both the side and rear properties lines. A minimum 5-foot setback between the fence on the side and rear property lines and the pool will provide adequate circulation around the pool. A pool setback is measured from the water's edge of the pool to the property line. Flatwork decking is permitted in the setback up to the property line.

The proposed amendment reads as follows:

"(b) A swimming pool may be located anywhere on a premise except in the required front yard, provided that the water's edge of the swimming pool shall not be located closer than five feet to any side property line or ~~seven and one half~~ five feet to any rear property line, or within any easement. Swimming pool pump and filter installations shall not be located within the front yard or any public easement and shall be screened from adjacent property and public streets."

Staff recommends approval.