



Planning Department
Office of the Zoning Administrator

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MEMORANDUM

To: Greenville County Committee on Planning and Development
VIA: Tee Coker, Assistant County Administrator – Community Planning & Development

From: Joshua Henderson, Zoning Administrator

Date: May 1, 2023

Subject: Text Amendment to the Official Greenville County Zoning Ordinance

The Board of Zoning Appeals is requesting the Planning and Development Committee to approve, and send forward to Council, the initiation of a text amendment to the Greenville County Zoning Ordinance that will amend Article 4, Definitions, Article 6, Section 6:2 Use Conditions, Condition 18-B Swimming Pool Requirements to add a new definition for swimming pool and amend the requirements for swimming pools on residential properties (see changes below).

Article 4 Definitions, add:

Swimming Pool - Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610mm) deep. This includes in-ground, above-ground and on-ground pools, hot tubs, spas and fixed in place wading pools.

B. Swimming Pool Requirements

1. Swimming pools shall be located in the rear yard. **The Zoning Administrator or his agent may grant permission to allow a swimming pool to encroach into the side yard providing the rear yard contains a demonstrable unbuildable area. For the purposes of the section, unbuildable areas are defined as areas of the rear yard that meet any of the following:**
 - a. **Have a topographic slope greater than 11%**
 - b. **Contain drainage, utility, and/or access easements**
 - c. **Within right-of-way**
 - d. **Contain septic systems tank(s) and/or drain fields**
 - e. **Are within property line setbacks**

When requesting permission to place a pool in the side yard the applicant shall be required to supply the Zoning Administrator with accurate information detailing the conditions on site. The Zoning Administrator may request additional information as is reasonably appropriate to consider with the request. Such information may include a site survey, site plan, photographs, or other items as may be relevant to the request.

2. ~~Swimming pools shall be set back not less than 5 feet.~~ **Swimming pools shall not occupy more than 50% of rear yards. The portion of a swimming pool that encroaches into a side yard due to the conditions listed in the previous section shall not occupy more**

than 50% of the side yard. The area of the swimming pool shall be based on the total exposed water surface area of the pool and any other associated or integrated hot tubs, wading pools, etc.

3. ~~Setback requirements for swimming pools shall be the same as those for accessory buildings.~~ **Setback requirements for swimming pools that extend into side yards shall be the same as those for accessory buildings, but in no case less than 5 feet.**
4. ~~Swimming pools shall not occupy more than 50 percent of the rear yard.~~ **Any portion of swimming pool and associated decking, structures, etc. that extends into a side yard shall be screened from the front and side street frontage, and also from immediately adjacent property that has a different zoning district or use. Screening shall consist of a 6-foot wall, fence, berm, evergreen screening plant material, or a combination of wall, fence, berm or evergreen screening plant material with a combined minimum height of 6 feet above grade. If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 6 feet in height, with individual plantings spaced not more than 5 feet apart. Berms shall have a side slope no greater than a ratio of 3:1.**
5. ~~Lighting for swimming pools shall have proper shielding from glare.~~ **Lighting for swimming pools shall not create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property, or onto a public roadway. Flashing lights are prohibited.**

Thank you for your consideration.