

**Zoning Docket from June 19, 2023 Public Hearing**

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2023-045	Greenville County Council Countywide Text Amendment to amend Article 4: <u>Definitions</u> , Article 6, Section 6:2: <u>Use Conditions</u> , Condition 18-B: <u>Swimming Pool Requirements</u> t of the Greenville County Zoning Ordinance	All	Approval	Approval 6/28/23	Approval 7/17/23	
Public Comments	<p><b>Some of the general comments made by Speakers at the Public Hearing on June 19, 2023 were:</b></p> <p><u>Speakers For:</u></p> <ol style="list-style-type: none"> <li>1. BZA Chairman <ul style="list-style-type: none"> <li>• Received a lot of cases for pools in side yards that were due to placement of homes and the definition of Yards per the Zoning Ordinance</li> <li>• Would like to give Staff the ability to approve certain cases to allow citizens the ability to not have to wait 2 months for an approval</li> </ul> </li> <li>2. Citizen <ul style="list-style-type: none"> <li>• Recently watched a BZA case and heard a case very similar to what is being proposed to be changed</li> <li>• Really supports these changes</li> </ul> </li> </ol> <p><u>Speakers Against:</u> None</p> <p><b>List of meetings with staff:</b> None</p>					<p><b>Petition/Letter</b></p> <p><u>For:</u> None</p> <p><u>Against:</u> None</p>
Staff Report	<p><b>REQUEST HISTORY and EXPLANATION</b></p> <p>Current zoning regulations require a swimming pool on a residential lot to be located in the rear yard only. Staff often reviews pool applications for properties that are peculiar in shape, topography, easement placement, or have some other unique circumstance which would not allow a pool to be located entirely within a rear yard. The homeowners have no choice but to seek a variance from the Board of Zoning Appeals. The frequency with which this happens leads to a large number of these cases being reviewed by the BZA. The Board members with input from staff have drafted a revised set of ordinances which would give staff the ability to approve pools that encroach into a side yard in the event of a demonstrable hardship.</p> <p>As part of these text amendments, a definition for “Swimming Pool” would be added to Article 4: <u>Definitions</u>.</p> <p>Additionally, the following amendments would be made to Condition 18-B: <u>Swimming Pool Requirements</u> under Article 6, Section 6:2: <u>Use Conditions</u>:</p> <ol style="list-style-type: none"> <li>1. Establish criteria by which the Zoning Administrator or their agent may grant permission for a pool to encroach into a side yard.</li> </ol>					

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2. Set limits on how much of the side yard a pool could occupy.
3. Update setback requirements for swimming pools.
4. Establish screening requirements for pools which extend into a side yard.
5. Add detail to the restrictions on swimming pool lighting.

A copy of the full text changes is attached.

This text amendment request went as a Consent Item before County Council on May 16, 2023. A Zoning Public Hearing is scheduled for June 19, 2023 and followed by a First Reading before County Council on June 20, 2023.

**CONCLUSION and RECOMMENDATION**

Staff is of the opinion that the proposed text amendments would provide better flexibility for reviewing pool construction projects on lots with unique circumstances. This flexibility would reduce the number of homeowners forced to seek variances which can be a hindrance for those who have unconventional lots.

Based on these reasons, staff recommends approval of the proposed Text Amendment.