



To: BZA/PRC  
From: Jason Foster, Community Development Administrator  
Date: March 5, 2024  
Subject: Staff Report for BZA 24-01 1912 Sugar Maple Place

### Summary of the Request

The applicant Scott & Jamie Nagy, accompanied by the contractor, Knickerbocker Pools, are requesting a variance of Bellbrook Zoning Section 18.05B to allow the construction of an inground swimming pool with the existing four-foot fence and the addition of an automatic pool cover. Zoning Code section 18.05B requires and five-foot fence be installed around an inground pool.

The proposed pool a 17' x 39' with proposed setbacks of 50' (rear), 33'6" (north), and 25'6" (south). The property has an existing four-foot fence around the entirety of the rear yard.

The proposed automatic cover meets or exceeds all A.S.T.M. (American Society for Testing and Materials) safety standards.

Another consideration in this case is code requirements for surrounding cities. Beavercreek, Xenia, and Fairborn all require a four-foot fence for pool installation. Bellbrook requires a five-foot fence. This is a code that the City of Bellbrook has studied and proposed an update to.

### Applicant Information

Owner: Scott & Jamie Nagy Contractor: Knickerbocker Pools

### Current Zoning District

PD-1, Planned Residential

### Parcel Identification

L35000100030014000

### Additional Actions or Next Steps to be taken by the City

If variance is approved, a permit will be applied for and approved

**Applicant's Reason for the Request**

The applicant wishes to install an automatic pool cover as a horizontal barrier to accompany the existing four-foot fence. Zoning Code requires a minimum five-foot fence surrounding a pool.

**Surrounding Land Use within 1,000 Feet**

Residential

**Previous Related Development Decisions in the Immediate Area (3-5 Years)**

None

**Comprehensive Plan Applied to the Geographical Area**

N/A

**Existing Public Utilities**

Gas, Electric, Sewer, Fiber

**Soil Survey Data**

N/A

**Classification of Streets, Traffic Volumes & Direction, Planned Improvements**

N/A

**Flood Plain Information**

The property is not within the flood plain

**Comments from City and County Agencies**

N/A

**Supporting Maps & Graphics**

See Attached

**Staff Recommendation**

Staff recommends BZA consider the request

