



To: BZA/PRC  
From: Jason Foster, Community Development Administrator  
Date: March 15, 2022  
Subject: Staff Report for BZA 22-02 3627 River Birch Dr.

### Summary of the Request

The applicant is requesting a variance of Zoning Code Section 18.05A to allow the construction of an inground swimming pool in a side yard. Zoning Code Section 18.05 A states “no garage or other accessory structure shall be erected within a required side or front yard.”

### Applicant Information

Owner: Jason Deweese

### Current Zoning District

PD-1, Planned Residential

### Parcel Identification

L35000100030017400

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

If the proposed variance is granted, the City will issue a zoning certificate and inspect completed construction.

### Applicant’s Reason for the Request

Due to terrain and elevation issues in the rear yard, the installation of an inground pool is not feasible. The request to allow the pool to be placed in the side yard would allow for the safe and otherwise compliant installation of the pool.

### Surrounding Land Use within 1,000 Feet

Residential
<b>Previous Related Development Decisions in the Immediate Area (3-5 Years)</b>
N/A
<b>Comprehensive Plan Applied to the Geographical Area</b>
The Comprehensive Plan calls for this general area to be single family residential. An inground pool is a permitted accessory use for a residential property.
<b>Existing Public Utilities</b>
Water, Gas, Electric, Sanitary, Storm
<b>Soil Survey Data</b>
N/A
<b>Classification of Streets, Traffic Volumes &amp; Direction, Planned Improvements</b>
N/A
<b>Flood Plain Information</b>
N/A
<b>Comments from City and County Agencies</b>
No issues or comments from any other agency.
<b>Supporting Maps &amp; Graphics</b>
See attached
<b>Staff Recommendation</b>
Based on the terrain and amount of trees that would need to be removed, Staff believes this is a reasonable request and recommends the approval of the requested variance.