

Staff Report

Public Hearing

Subject: Ordinance Revision – 2nd Reading
Author: Samantha Easton, Planner II
Department: Development Services
Meeting Date: August 6, 2024

Item Description: Consideration to approve the amendment of the Code of Ordinances **Part II – Official Code: Appendix C – Zoning Ordinance, 3.41 Swimming pools, private community, or club** of the Effingham County Code of Ordinances.

Summary Recommendation

The County needs Amendments to the current Pools Ordinance. The County Planning Staff have suggested some clarification amendments and some setback amendments to the ordinance.

Executive Summary/Background

Recommended Clarifications:

- Measuring to Waters Edge.
- Pools cannot be in the front yard.
- Pools are Permitted by Development Services.

Recommended Changes:

- Requiring a Fence around all Swimming Pools with a Locking Gate.
- Private Swimming Pools that are used for Swimming Lessons have the same requirements as Community Swimming Pools.

Alternatives

1. **Approve an amendment** to the Code of Ordinances **Section 3.41 – Swimming Pools, Private Community or Club with Design Standards for Front Yard Pools**
2. **Approve an amendment** to the Code of Ordinances **Section 3.41 – Swimming Pools, Private Community or Club with Variance for Front Yard Pools**
3. **Deny an amendment** to the Code of Ordinances **Section 3.41 – Swimming Pools, Private Community or Club.**

Recommended Alternative:

Other Alternatives:

Department Review: FUNDING: N/A

Attachments: 1. Section 3.41 – Swimming Pools, Private Community or Club with Design Standards for Front Yard Pools Formatted 2. Section 3.41 – Swimming Pools, Private Community or Club with Variance for Front Yard Pools Formatted

AMENDMENT TO APPENDIX C
OF THE EFFINGHAM COUNTY ZONING ORDINANCE

AN ORDINANCE TO AMEND ARTICLE V OF THE EFFINGHAM COUNTY ZONING
ORDINANCE AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

The text of section 3.41 is deleted in its entirety and replaced with the following:

3.41 Swimming pools, private community, or club.

3.41.1 Swimming pools. A swimming pool, whether in the ground-is hereby defined as any pool, lake, or open tank, other than a farm pond, which is not located within a completely enclosed building and which contains, or is capable of containing, water at a depth at any point greater than 1½ feet. No such private swimming pool shall be permitted by Development Services in the B-1, AR, PUD districts, or in any R district, except as an accessory use, and unless it complies with the following conditions and requirements:

3.41.2 Use. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located and their guests, and no fee shall be charged.

3.41.3 Location. It may not be located, including, closer than ten feet from water's edge to any property line of the property on which it is located, and ten feet from any dwelling. Swimming Pools are prohibited in the front yard of any Agricultural and/or Residential Zoning District, except when the following standards are met:

- Zoned AR-1
- 10 or More Acres
- A 100ft Setback from the front property line
- Only a 4ft fence is permitted in the front yard.

3.41.4 Fence. The swimming pool should be fenced at a minimum of four (4) foot with a self-latching gate with a lockable device that opens away from the pool to prevent uncontrolled access by children.

3.41.5 Community or club swimming pools. A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club solely for use and enjoyment by members of the association or club and their families and guests of members. Community and club swimming pools shall comply with the following conditions and requirements:

3.41.5.1 The pool and accessory structures thereto, including the areas used by the bathers, shall meet the front setback for the district in which it lies. Side and rear setbacks shall be ten feet.

3.41.5.2 The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than four feet in height and maintained in good condition and grounded for electricity. The area surrounding the enclosure, except of the parking spaces, shall be suitably landscaped with grass, hardy shrubs, and trees and shall be maintained in good condition.

3.41.6 *Private Swimming Pools used for Swimming Lessons.* A private pool hosting swimming lessons must obtain a Home Occupation Tax Certificate.

A new section 3.41 is inserted, as follows:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ___ day of _____, 20__.

BOARD OF COMMISSIONERS,
EFFINGHAM COUNTY, GEORGIA

BY: _____
CHAIRMAN

ATTEST:

STEPHANIE JOHNSON
EFFINGHAM COUNTY CLERK

FIRST READING _____

SECOND READING _____

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