



04/01/2024

To: Mayor and Council  
RE: Staff Report – 200 Mulberry Drive - Variance

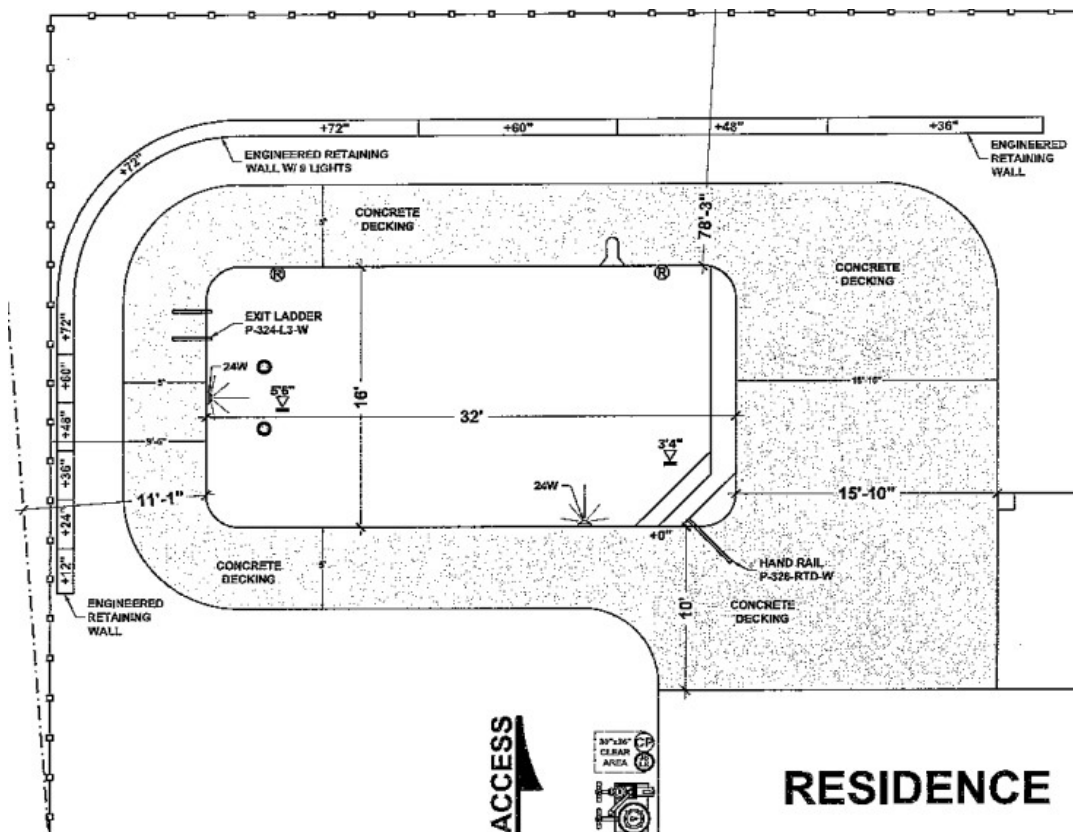
The applicant has submitted a variance application for development standards listed below.

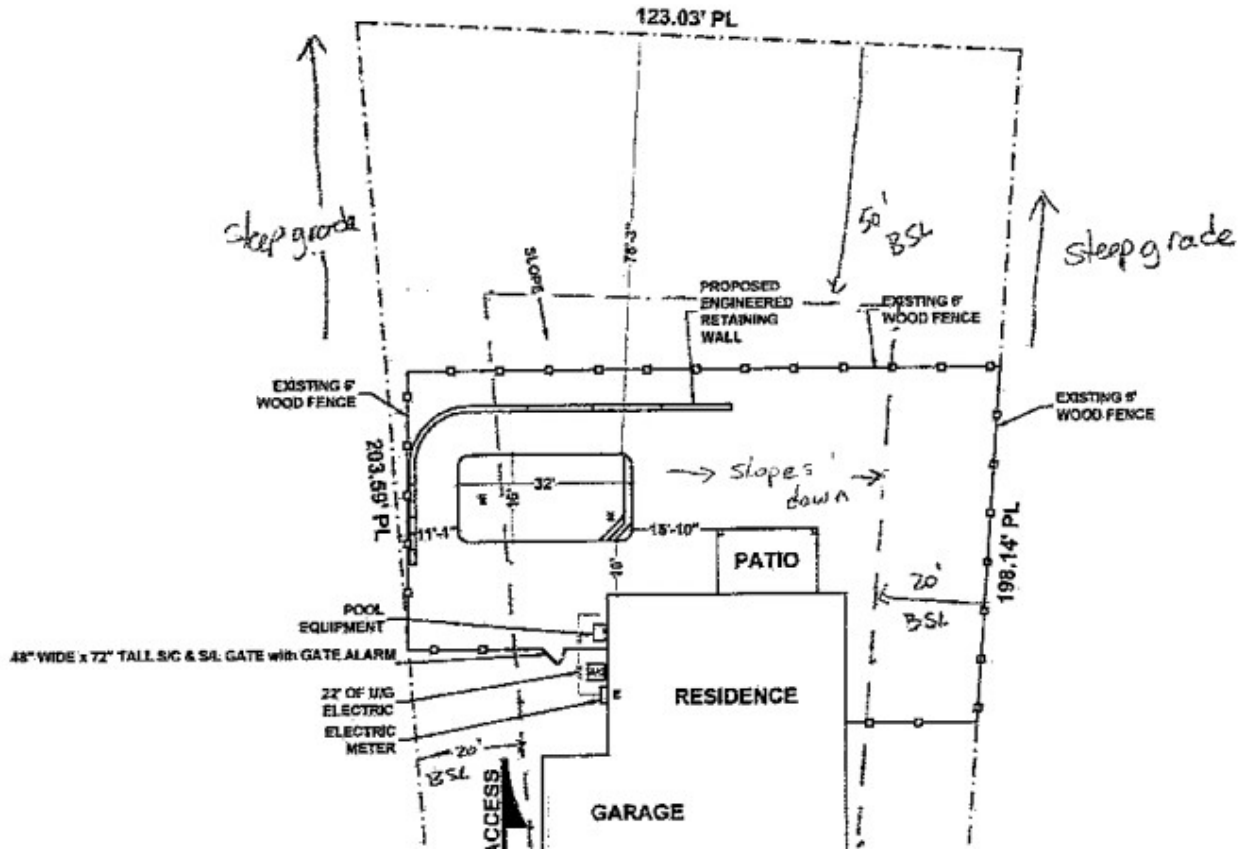
**Sec. 74-265 (10) – Accessory uses and structures**

“Accessory structure swimming pools, when located closer than 20 feet to the rear of the dwelling in a residential district, shall comply with the minimum side and rear yard requirements of that district. Setback minimums shall be measured from the decking or closest part of the pool structure to the applicable property line.”

Applicant is proposing to install a pool with decking that extends into the side setback approximately 13.90'. Applicant also proposing an engineered retaining wall that will be approximately 1.5' from the property line that will vary in height from 1 to 6' and would be inside the existing 6' wood privacy fence. Safety railing will be installed along the retaining wall where appropriate.

Backyard slopes from the left side to the right side of lot line, with a greater slope upwards towards the rear of the property. Building the pool in the rear of the property would require an extremely high retaining wall, greatly increasing the cost of the pool installation.





Side Setback for Swimming Pool		
Required	Proposed	Variance
20 FT	6.1 FT	69.50%



**IF VARIANCE IS APPROVED:**

- No negative impacts are recognized by approving this variance,
- Applicant meets all other ordinance requirements.