



Memorandum

TO: Mayor Kennon
City Council

FROM: Griffin L. Powell, City Planner

CC: Kit Alexander, Community Development Director
Renee Eberly, City Clerk
Sherri Descalzo, Planning Coordinator
Ford Handley, City Administrator
Jamie Logan, City Attorney

DATE: April 18, 2023

SUBJECT: **Case No. 0410-PUDA-23**
The Village of Tannin PUD Modification, 16 The Battery Pool Setback
Minor PUD Modification

1. Harrison Builders, Inc., on behalf of Rex Harrison, requests approval of a minor amendment to The Village of Tannin Planned Unit Development (PUD) Master Plan to allow for a proposed swimming pool at 16 The Battery to encroach into the allowable setback for swimming pools.
2. The subject property is Lot 21 of The Village of Tannin, Phase Five Subdivision and is classified as a Type III lot.
3. For Type III lots, the Urban Code for The Village of Tannin requires houses to have a front setback of 16 feet, a rear setback of 5 feet, and side setbacks of 8 feet on one side and 10 feet on the other side.
4. The Harrison house has a side setback of 8 feet on the east side and a side setback of 12 feet on the west side.
5. The property owner plans to install a swimming pool on the west side within the 12-foot setback area.
6. The swimming pool will have a length of 18 feet and a width of 7.5 feet. There will be a separation of about 1.5 feet between the swimming pool and the house.
7. There will be about 3 feet between the edge of the swimming pool and the west side lot line.

8. The lot slopes downward toward the rear side. Due to the slope, the property owner will build a deck and foundation wall around the swimming pool for support. The foundation wall will extend from the house to the west side lot line. A pool fence will be erected on top of the foundation wall.
9. The Urban Code for The Village of Tannin is silent on swimming pools in the side and rear yard areas. Under standard zoning, swimming pools are accessory uses and require setbacks of 5 feet from the side and rear lot lines. The proposed location of the swimming pool and foundation wall will require a setback deviation.
10. The abutting lot to the west will be directly impacted by this setback deviation request. The abutting lot is a common area for the subdivision.
11. No residential lots will be impacted.
12. In a letter dated on March 7, 2023, Joseph Deutsch, President of The Village of Tannin Homeowners Association (HOA), stated that the subdivision's Architectural Review Committee along with Coleman Mills, the HOA architect, approved of the plans as submitted.