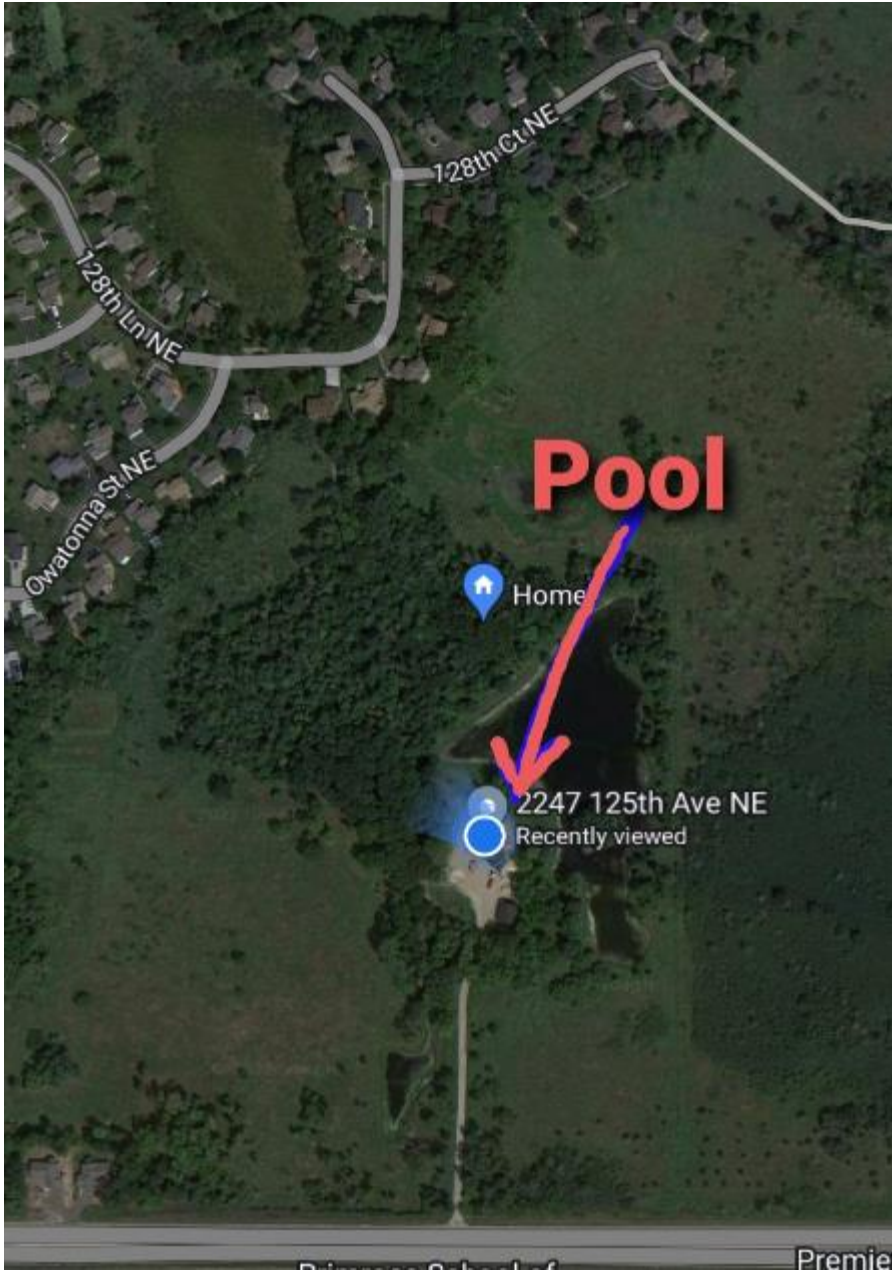


11.2 Variance to Section 18-424  
Pool Barrier/fence Requirement  
- 2247 125<sup>th</sup> Ave NE

## International Swimming Pool Code

- Lockable powered pool covers
- 2016 City Adopted
  
- 2018 City removed lockable cover option
- Non-climbable barrier required





## Criteria for Granting Variances

- 1) Exceptional or extraordinary Circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, resulting from lot size or shape, topography etc.
  - Lot is 20 acres – R-1AA minimum lot size is 10,800 square feet
  - Wetlands
  - Heavily wooded
  - Over 900 feet from any other home
    - Provides circumstances that do not apply to many other properties in the same zone or vicinity



## Criteria for Granting Variances

- 3) Special Conditions or circumstances do not result from the actions of the applicant.
  - Larger lot
  - Wetlands
  - Tree placement
- Not special conditions or circumstances from the actions of the applicant



## Criteria for Granting Variances

- 4) Granting the variance will not confer on the applicant any special privilege...
- Unique situation
    - Lot size (20 acres)
    - Wetlands
    - Tree coverage
    - 900 feet from any other home



## Criteria for Granting Variances

- 6) A variance would not be materially detrimental to the purposes of this ordinance or to other property in the same zone.
- Variance is not detrimental to properties in the same zone
  - Lot size and distance from other homes is much greater than typical



## Planning Commission

- Public Hearing 12/13/22
- No one from public spoke on item
- No written statements submitted
- PC Recommends approval – with the installation of approved lockable powered pool cover

