

NEW PROJECT NOTIFICATION MEMO – CITY OF BALL GROUND PLANNING AND ZONING

Title:	Bagby Stream Buffer Encroachment Variance (2024-V-01)	
Request:	<p>Encroachment into the first 25' impervious surface stream buffer as required by City Code Sec. 107-9 (a) (2).</p> <p><i>“An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.”</i></p>	
Project Type:	New Swimming Pool	
Applicant Name/Group:	Josh Bagby	
	Address	TIN or PIN
	260 Old Canton Road	94N03A 007
Project Narrative:	<p>The Bagby family is seeking to construct a swimming pool in their backyard. To do so, they require a variance to encroach into the 25' City impervious surface stream setback (50' – 75').</p> <p>This lot was platted and the home was built prior to the 25' impervious surface setback rule so originally the family could have constructed the pool in their backyard without needing to request a variance. Also, there is no other place on the property to reasonably build a swimming pool.</p> <p>The City's 25' impervious surface stream setback rule allows for development activities such as clearing and grading but it requires that no surface may be placed in this area which does not allow water to percolate back into the earth or which may cause water to runoff to adjacent areas. The City's definition of impervious cover means any manmade paved, hardened or structural surface regardless of material. Impervious cover includes, but is not limited to, rooftops, buildings, streets, roads, decks, swimming pools and any concrete or asphalt.</p> <p>There are no requests or proposals to encroach into the 25' State undisturbed buffer (0' – 25' from the stream) and no requests or proposals to encroach into the 25' City undisturbed buffer (25' – 50').</p> <p>To help mitigate any adverse conditions, the applicant plans to use pervious pavers for the pool decking in lieu of impervious concrete so water runoff will be reduced. Also, the pool itself will capture water better than concrete or other structures and may help minimize runoff.</p>	

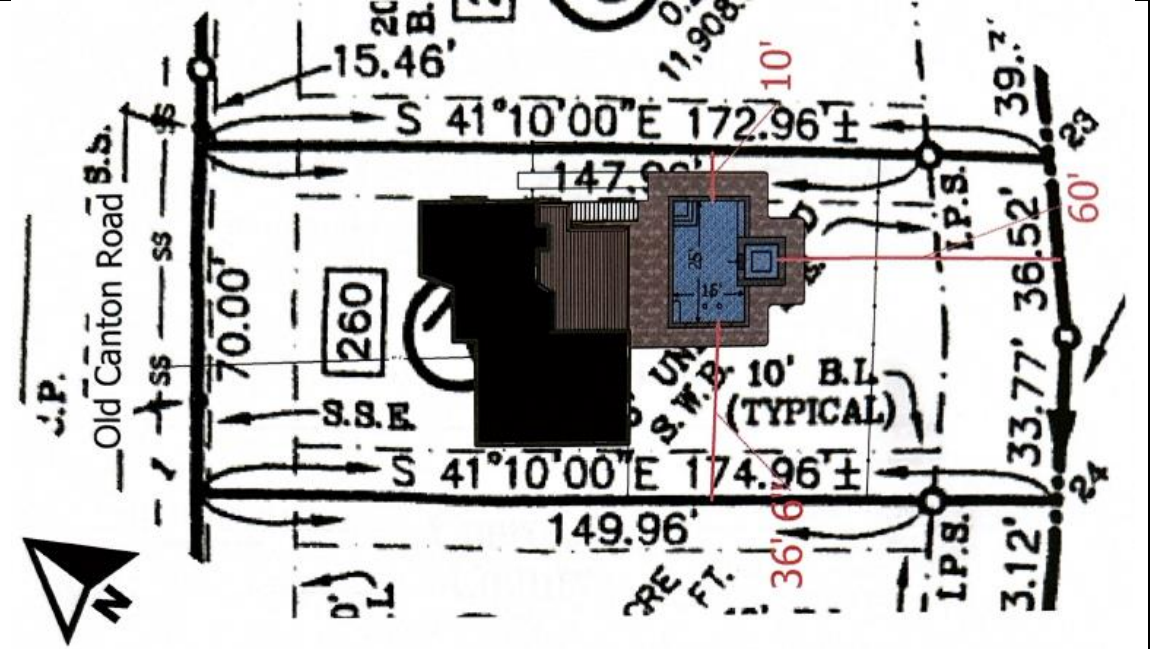
Without the requested variance, the Bagby family cannot enjoy the right to reasonably construct a pool in their backyard. They did not create the unusual conditions that have led to the request for a variance. If granted, this variance does not provide the Bagby family with anything extraordinary or any special privileges that staff does not foresee may be offered to others in similar situations.

For these reasons staff recommends approval of this variance request.

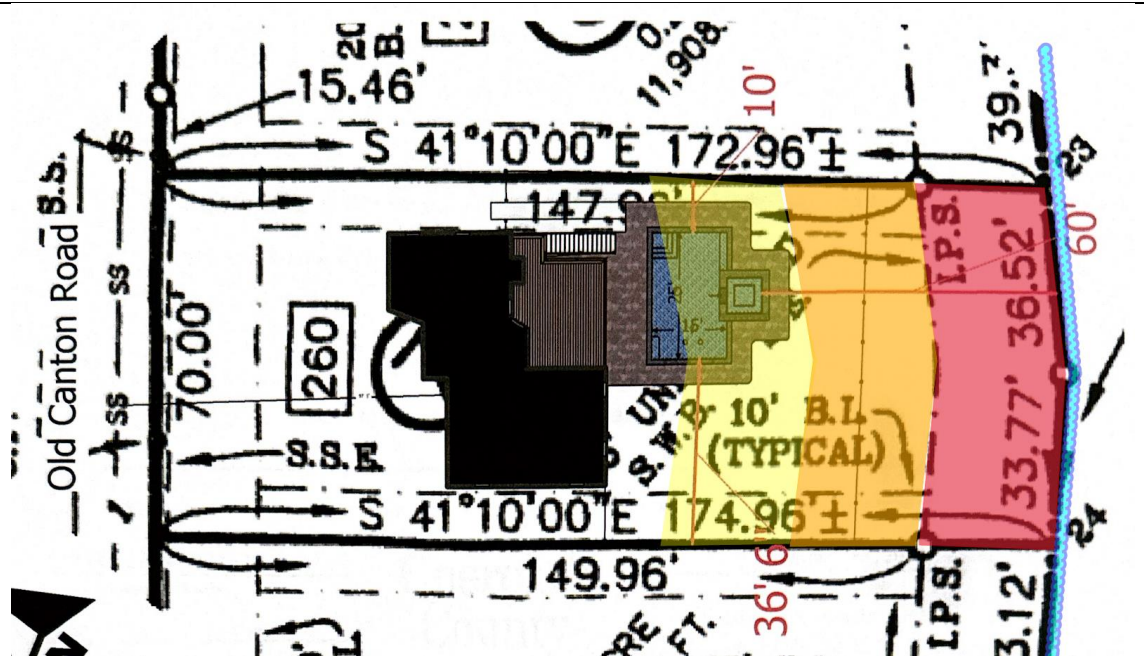
Location Map:



Concept Plan:



The solid black area is the existing home. The blue area to the right is the proposed pool. The brown/grey area around the pool is the pervious deck.



Yellow area represents the 25' impervious surface buffer that the variance request is for. The yellow area is the City's 25' undisturbed buffer and the red area is the State's 25' undisturbed buffer. The blue line is the stream.