



## MEMORANDUM

**To:** Mayor and City Council

**From:** Mindi Hurley, Director of Community Development

**Date:** October 10, 2023

**Reference:** PUBLIC HEARING: Consider approval of PD-134R2-SF-7, Coppell Greens Lot 11, Block F, a zoning change request to allow for a reduction in setbacks between a proposed pool and the existing residence on 0.17 acres of property located at 856 Mullrany Drive at the request of John Wittenberg, being represented by Tony Martin of Robertson Pools, Inc.

**2040: Enhance the Unique 'Community Oasis' Experience**

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**Introduction:**

The purpose of this agenda item is to consider a waiver request to the Zoning Requirements for construction of a pool. The residential lot is small and has very little area for a pool. In order to fit a pool in the back yard, the pool is proposed to be closer to the building than the 5 feet that is required in the Zoning Ordinance. Because this subdivision is currently in a Planned Development, and this is a zoning requirement, the Planning and Zoning Commission and City Council are the authority to grant waivers to the requirements.

**Background:**

In reviewing ordinances in other cities, the majority allow the setback between the house and pool to be waived if the permit includes engineered plans for reinforcing one or both foundations to accommodate the load of the other, or a letter is submitted by a professional engineer stating that the proposed pool will not adversely affect the foundation of the primary structure. Staff is recommending approval subject to either engineered plans or a letter from an engineer. Staff is also bringing a proposed ordinance amendment forward allowing for a letter or plans in lieu of the five feet setback between the water's edge and the structure.

**Benefit to the Community:**

This is an improvement to a residential lot.

**Legal Review:**

N/A

**Fiscal Impact:**

N/A

**Recommendation:**

On Thursday, September 21, 2023, the zoning change request to allow for a reduction in setbacks between a proposed pool and the existing residence, was recommended for approval by the Coppell Planning & Zoning Commission (7-0) subject to:

1. An Engineered Plan or Letter from a registered professional engineer be submitted at time of permitting.

**Attachments:**

1. Staff Report
2. Floor Plan
3. Survey
4. Renderings
5. Construction Plan