

O R D I N A N C E

AMENDING SECTION 5.4 OF THE CITY OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCE TO REQUIRE FENCING AROUND SWIMMING POOLS ON RESIDENTIAL LOTS

WHEREAS, until July 2009, the requirements for fencing around swimming pools on residential lots had been contained in the building code; and

WHEREAS, the building code requirements that have been authorized for use in South Carolina no longer contain the requirements for fencing around swimming pools; and

WHEREAS, staff has prepared an amendment to the Unified Development Ordinance that requires fencing around swimming pools on residential lots; and

WHEREAS, this amendment has been presented to the City of Beaufort-Town of Port Royal Joint Municipal Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding this ordinance amendment on January 12, 2010, with notice of the hearing published in *The Beaufort Gazette* on December 28, 2009;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that *The Unified Development Ordinance of the City of Beaufort, South Carolina* be amended as follows:

Revise Section 5.4, "Accessory Uses," by deleting the current Subsection B, "Uses Customarily Accessory to Residential Dwellings," and replacing it with a new Subsection B to read as follows:

B. Uses Customarily Accessory to Residential Dwellings

1. Either a private garage or workshop subject to the following standards:
 - a. Such structure shall not be located in front of the front line of the dwelling except on lots on the marsh or water or where the garage will be more than 100' from the front property line.
 - b. A garage shall not exceed 50% of the footprint of the dwelling; however, in no case shall the footprint of the garage exceed 1,200 square feet.
 - c. Detached garages shall not exceed the height of the primary structure except when the garage contains an accessory dwelling unit.
 - d. A garage may be provided with electricity, a sink, and a commode.
 - e. A workshop shall not exceed 320 square feet.

- f. A workshop may be provided with electricity and a sink, but shall not be used as an accessory dwelling unit.
- 2. One shed or storage building up to 3% of the size of the lot, not to exceed 320 square feet. Steel cargo storage containers or modified versions thereof are not permitted. Sheds shall not be located in front of the front line of the dwelling. Such shed may be provided with electricity and a sink.
- 3. One children's playhouse up to 150 square feet in size and play equipment.
- 4. One private swimming pool, which may have a bath house or cabana up to 200 square feet in size and 15 feet in height. Such pool shall having fencing (barriers) meeting the requirements of Section AG105 of the International Residential Code as amended.
- 5. One private dock which may have a boat house under 15 feet in height.
- 6. Noncommercial flower, ornamental shrub or vegetable garden.
- 7. Gazebos, trellises, picnic tables, and furniture designed specifically for outdoor use.
- 8. One accessory dwelling unit subject to the standards set out in Section 5.3.B.1.

This ordinance shall become effective immediately upon adoption.

BILLY KEYSERLING, MAYOR

(SEAL) Attest:

SHIRLEY D. HUGHES, ACTING CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed by: _____
WILLIAM B. HARVEY, III, CITY ATTORNEY