

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2025-08**

**AN ORDINANCE ADOPTING ZONING REGULATIONS TEXT AMENDMENT
RELATING TO A CHANGE TO THE FENCE HEIGHT FOR PRIVATE SWIMMING
POOLS**

WHEREAS, per Resolution No. 2024-37, the South Lebanon City Council initiated a zoning text amendment to Section 15.11.7 [Private Swimming Pools] of the City Zoning Code to amend the fence height requirement for private swimming pools from six (6) feet to four (4) feet; and

WHEREAS, the City Planning Commission, in accordance with Section 15.7.7 of the City Zoning Code, met on February 13, 2025, and recommended denial of the proposed zoning amendment relating to Section 15.11.7 of the City Zoning Code; and,

WHEREAS, Section 7.03(C) states that the affirmative vote of at least five (5) Council members is necessary to pass any ordinance that differs from the written recommendation of the City Planning Commission; and,

WHEREAS, in accordance with Section 713.12 of the Revised Code and Section 15.7.8 of the Zoning Regulation, the Council conducted a public hearing on the proposed text amendment on March 27, 2025 at 6:00 p.m., after such hearing was published in a newspaper of general circulation in the City more than thirty (30) days before the public hearing and the proposed text amendment was made available for public inspection at the City Municipal Building during the 30 days prior to the public hearing; and;

WHEREAS, the Council has considered the recommendation of the City Planning Commission, any testimony during the public hearing, and the compilation of any written comments in the form of emails, letter and telephone message relating thereto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, at least five (5) members of all members elected thereto concurring:

Section 1. Adopting Zoning Text Amendment relating to Section 15.11.7 of the City Zoning Code to change the fence height requirement for private swimming pools from six (6) feet to four (4) feet, the text of which is attached hereto and incorporated by reference herein.

Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 3. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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Adopted this ____ day of _____, 2025.

Linda S. Burke, Mayor

Attest: _____
Jennifer O'Brien, Clerk of Council

Rules Suspended:	_____ (if applicable)
First Reading:	<u>4/3/25</u>
Second Reading:	<u>4/17/25</u>
Vote:	<u>3</u> Yeas <u>3</u> Nays
Effective Date:	_____

Prepared by and approved as to form:

Andrew P. Meier
Law Director
City of South Lebanon, Ohio

CITY OF SOUTH LEBANON
Zoning Regulations
Amendment to Section 15.11.17

Sec 15.11.7 Private Swimming Pools.

No private swimming pool, exclusive of portable swimming pools with a diameter of less than twelve (12) feet or with an area of less than one hundred (100) square feet, or of a farm pond, shall be allowed in any residential district or commercial district except as an accessory use, and shall comply with the following requirements:

1. The pool is intended to be used and is used solely for the enjoyment of the occupants of the property on which it is located and their guests.
2. The pool may be located anywhere on the premises except in required front yards, provided that it shall not be located closer than twelve (12) feet to any property line or easement.
3. The swimming pool, or the entire property upon which it is located, shall be walled or fenced in such a manner as to prevent uncontrolled access by children from the street and from adjacent properties. No such fence shall be less than **FOUR (4)** ~~six (6)~~ feet in height, and it shall be maintained in good condition with a gate and lock. ~~In the event that a retractable pool cover is to be installed, the required fence may be reduced to no less than four (4) feet in height.~~