Swimming Pool Regulations

1173.032 SWIMMING POOLS.

A. Private Swimming Pools

No private swimming pool ("pool"), exclusive of portable swimming pools with a diameter less than twelve feet (12') or with an area of less than one hundred square feet (100 sf.), shall be allowed in any commercial or residential district, except as an accessory use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located. A pool will be considered an accessory use to the main structure.

2. A pool may not be located closer than ten feet (10') to any property line, except in an R-1 District where that minimum distance shall be six feet (6'). That distance shall be measured from the water's edge and shall not restrict fences, ground level patios, pumps, and similar pool accessories not requiring separate permits.

3. Elevated decks for above-ground pools shall not be located closer than ten feet (10') to the property line.

4. The swimming pool or the entire property behind the front building on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties, unless sides of the pool are four feet (4') in height or more above grade. The fence or wall shall not be less than six feet (6') in height, shall be separate from the wall of the pool, and maintained in good condition with a gate and lock. Those above ground pools higher than four feet (4') from the base of the pool wall upward shall be secured by a locked entrance.

5. Before construction commences, the petitioner shall obtain a zoning permit under Chapter 1133, a fence permit (where required), a swimming pool permit, and all permit fees shall be paid.

6. Pools, including above-ground pools, may not be located in the front yard of the lot without a variance from the Board of Zoning Appeals.

B. <u>Community or Club Swimming Pools</u>

Community and club swimming pools are permitted in any district that allows for outdoor recreation or club facilities and shall comply with the following conditions and requirements:

1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.

2. The pool and accessory structure thereto, including the areas used by the bathers, shall not be closer than fifty feet (50') to any property line.

3. The swimming pool and all of the area used by the bathers shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. The fence or wall shall not be less than six feet (6') in height and maintained in good condition.

4. Before construction commences, the petitioner shall obtain a Zoning Permit under Chapter 1133, a fence permit (where required), a swimming pool permit, and all permit fees shall be paid.