



AP# \_\_\_\_\_

PERMIT # \_\_\_\_\_

Cost of construction: \$ \_\_\_\_\_

## APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE FOR SWIMMING POOLS MORE THAN 24" DEEP & OVER 150 SQUARE FEET.

PLEASE ATTACH 2 COPIES OF PLOT PLAN SHOWING LOCATION OF POOL & CALL OUT SETBACKS

Address of Project	PARCEL#	LOT / SUB DIVISION	
Property Owners Name	Telephone Number		
Owner Street Address	City	State	Zip
Applicant Name	Telephone Number		
Applicant Address	City	State	Zip

**TYPE:**       Above ground pool       In ground pool       Heated

Square footage of lot \_\_\_\_\_

Square footage of pool \_\_\_\_\_      Dimensions of pool: \_\_\_\_\_

Distance from pool to side lot line \_\_\_\_\_

Distance from pool to rear lot line: \_\_\_\_\_

Is there any electrical work incorporated with the pool? \_\_\_\_\_ If so, an electrical permit is required.

Is there an existing fence? \_\_\_\_\_ If so, please indicate what size and type of fence \_\_\_\_\_  
If not, a fence permit must accompany this pool permit for approval

Fee: \$1.50 for each 100 square feet and fraction thereof, **\$20.00 minimum** \$ \_\_\_\_\_  
(total fees)

*Please attach 2 sets of construction drawings and 2 site surveys.*

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Contact Number

## **CHAPTER 1173 Swimming Pools**

### **1173.01 DEFINITION.**

For the purpose of this chapter, "swimming pool" means a body of water of artificial construction, used for swimming or recreational bathing, which is over twenty-four inches in depth at any point and has more than 150 square feet of area on the water surface when filled to capacity, and includes the sides and bottom of such pool and the equipment and appurtenances thereof.

### **1173.02 LOCATION, AREA AND HEIGHT.**

(a) No swimming pool, or part thereof, shall be located closer than ten feet to the side or rear line of the lot or parcel upon which it is situated, or closer to any street on which such lot or parcel abuts than a distance of ten feet greater than the building setback line as fixed by the Zoning Code. The area of the pool proper, exclusive of decks, walks and other appurtenances, shall not exceed ten percent (10%) of the area of the lot or parcel on which it is situated.

(b) The top of the walls, decks or walks of any swimming pool shall not extend more than twenty feet beyond the pool proper in each direction, except that where any side of the pool is less than twenty feet from any lot line, the difference between such distance and twenty feet shall be added to the required distance of the portion beyond the opposite side of the pool. In the event that, because of the unusual shape or grade of the lot, or the location or shape of the pool, the foregoing formula cannot be applied with reasonable results, the Zoning Inspector shall be empowered to fix the location of the pool site to be used in determining the maximum grade of the pool, in keeping with the results sought to be achieved by the formula. In the event of dissatisfaction by any interested party with the determination of the Zoning Inspector, an appeal may be taken to the Board of Zoning Appeals.

(c) No lights, diving boards or other accessories shall project more than ten feet above the average grade of the pool site as determined under the provisions of this section.

### **1173.03 FENCES.**

Every swimming pool shall be completely enclosed by a fence of sturdy construction not less than forty-five inches in height, measured from the level of the ground where located, which shall be of such design and construction as to effectively prevent a child from crawling or otherwise passing through or under the fence. Each gate in the fence shall be provided with a secure lock and shall be kept locked at all times when the depth of water in the pool exceeds eighteen inches, unless the pool is in use or is under the immediate observation of a responsible person. No part of any fence shall be located between the building setback line fixed by the Zoning Code and the street on which the lot or parcel abuts.

The Board of Zoning Appeals shall have the power to make exceptions to and modification of the above requirement for fences for existing pools, in cases in which, in the Board's opinion, such requirements are not essential to safety and the enforcement thereof would work hardship on the owners.

### **1173.04 LIGHTS.**

All lights used for illuminating a swimming pool or the surrounding areas shall be so designed, located and installed as to confine the direct beams thereof to the lot or parcel on which the pool is located, and so as not to constitute a nuisance or undue annoyance to occupants of abutting property.

**1173.05 DRAINAGE.**

Provisions shall be made for drainage of a swimming pool into a public storm sewer where possible, or a sanitary sewer, unless there is a ditch or natural watercourse of sufficient size and gradient adjacent to the pool location to carry off the water satisfactorily, in which case drainage may be made into such ditch or watercourse. Permission must be obtained from the Zoning Inspector before the pool is drained in whole or in any substantial amount in order to prevent overloading the sewer or ditch in times of heavy rain. In no case shall the pool be drained, directly or indirectly, into any street.

**1173.06 PERMITS; FEES.**

No person shall locate, construct or install any swimming pool or make any changes therein or in the appurtenances thereof without having first submitted an application and plans therefore to, and having obtained a permit from, the Zoning Inspector and the Health Commissioner. The fee for such permit which shall be collected by the Zoning Inspector shall be not less than twenty dollars (\$20.00) in any case, and in the event of new construction shall be at the rate of one dollar and fifty cents (\$1.50) for each 100 square feet of surface area, or fraction thereof, of the pool proper.

The permit shall not be issued until the plans and specifications have been approved as to structural safety and compliance with this chapter by the Zoning Inspector, and the pool shall not be used until the construction thereof has been so approved by the Zoning Inspector.

Every pool, including existing pools, shall be provided with a filtration system approved by the Board of Health.

No person shall use, operate, repair or maintain any swimming pool in violation of any of the provisions of this chapter or any lawful order of the Zoning Inspector, or in violation of any regulation of the Board of the Health, or any order of the Health Commissioner issued pursuant thereto.