

Approve Changes and Direct the Town Clerk advertise a Notice of Intent to adopt Zoning Changes, Location of Swimming Pools & Hot Tubs (Director of Planning and Zoning)

Zoning Code Text to Be Adopted:

Section 18-407 Swimming Pools, Spas and Outdoor Hot Tubs

1. General regulations. A swimming pool, spa or hot tub shall:
 - a. Be located to the rear of the principal structure on the same lot.
 - b. Not occupy more than twenty-five (25) percent of the area of the yard to the rear of the principal structure.
 - c. From the edge of the water, be not less than 10 ft. from the rear wall of the principal structure to the on the same lot, excluding decks and covered decks.
 - d. From the edge of the water, be not less than 10 ft. from a side or rear property line.
 - e. Be within a fenced yard, within a pool fence, or an appropriate cover.
 - f. Spas or hot tubs shall have an appropriate cover.
 - g. See Chapter 19. Swimming Pools for more standards and requirements.
2. Interior Lots. The front edge of the swimming pool, spa or hot tub shall be no less than 5 (five) feet from an extension of the rear wall line of the principal building on the adjacent lots within 50 (fifty) feet of the edge of the water of the proposed pool, spa, or hot tub.
3. Corner Lots. A swimming pool, spa or hot tub shall:
 - a. From the edge of the water, be not less than 35 ft. from the corner side yard,
 - b. From the edge of the water, be not less than 5 (five) ft. from an extension of the rear wall line of the principal building on adjacent lots with the same architectural frontage.
 - c. From the edge of the water, not less than 10 (ten) feet from the interior side yard of the adjacent property with an architectural frontage on a cross street.
 - d. If the architectural frontage is unclear, the Zoning Administrator may determine the application of the setbacks and properties that will impact the pool location.

Redline of Zoning Code Text to be Adopted:

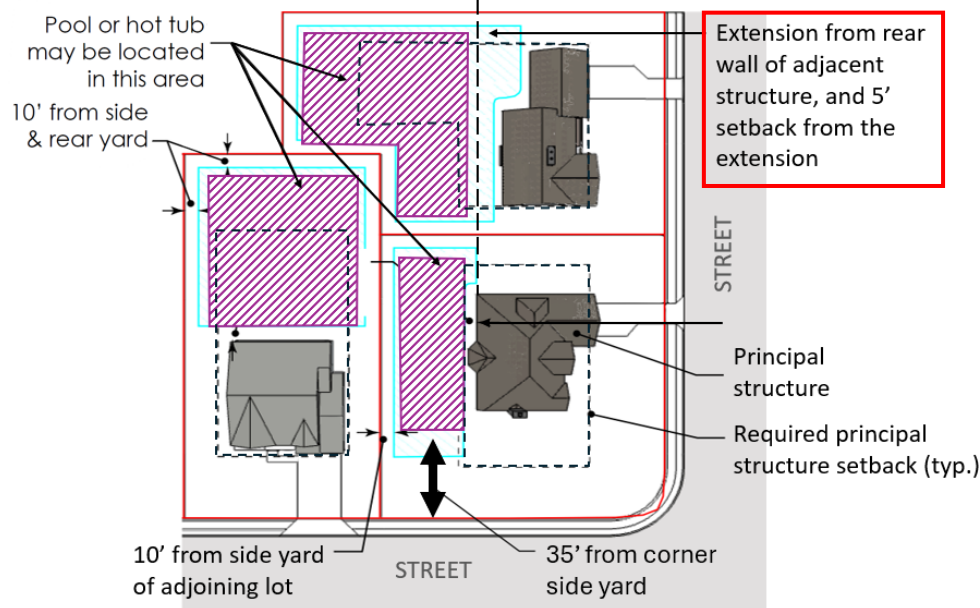
Section 18-407 Swimming Pools, **Spas** and Outdoor Hot Tubs

1. **General regulations.** A swimming pool, spa or hot tub shall:
 - a. Be located ~~in the rear yard~~ to the rear of the principal structure on the same lot.
 - b. Not occupy more than twenty-five (25) percent of the area of the ~~rear~~ yard ~~to the rear of the principal structure.~~
 - c. ~~From the edge of the water,~~ be ~~not less than~~ 10 ft. from the rear wall of the principal structure to the on the same lot, ~~excluding decks and covered decks.~~
 - d. ~~From the edge of the water,~~ be ~~not less than~~ 10 ft. from a side or rear property line.
 - e. ~~Be within a fenced yard, within a pool fence, or an appropriate cover.~~
 - f. ~~Spas or hot tubs shall have an appropriate cover.~~
 - g. See Chapter 19. Swimming Pools for more standards and requirements.
2. **Interior Lots.** The front edge of the swimming pool, **spa or hot tub** shall be no less than 5 (five) feet from an extension of the rear wall line of the principal building on the adjacent lots ~~within 50 (fifty) feet of the edge of the water of the proposed pool, spa, or hot tub.~~
3. **Corner Lots.** A swimming pool, spa or hot tub shall:

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- a. From the edge of the water, be not less than 35 ft. from the corner side yard,
- b. From the edge of the water, be not less than 5 (five) ft. from an extension of the rear wall line of the principal building on adjacent lots with the same architectural frontage.
- c. From the edge of the water, no closer than not less than 10 (ten) feet from the interior side yard of the adjacent property with an architectural frontage on a cross street.
- d. If the architectural frontage is unclear, the Zoning Administrator may determine the application of the setbacks and properties that will impact the pool location.

Proposed Revised Figure 4A.2 – Swimming pools, spas, and outdoor hot tubs standards



4.—The setbacks for swimming pools and outdoor hot tubs are based on the following criteria, and multiple criteria may apply:

Criteria	Setback
Located in rear yard	10 ft. min. from side or rear property line
Location in relation to principal structure	10 ft. min. from principal structure
Located near an alley	20 ft. min. from property line adjoining alley
Located on corner lot	35 ft. min. from corner side yard and 10 ft. min. from side yard of adjoining lot

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~~5.—See Chapter 19. Swimming Pools for more standards and required permits.~~