

Village of Wilmette Swimming Pool and Spa Handout

Swimming pools and spas are regulated by several different areas of the Zoning Ordinance and Village Code. This handout is intended to consolidate all the relevant information necessary for your swimming pool and spa project. A swimming pool or spa must go through an administrative review as part of the building permit process. The Administrative Zoning Review Committee is staffed by the Assistant Director of Community Development and the Zoning Review Planner; other Village staff may be consulted as needed.

❖ APPLICATION CHECKLIST

The following items must be submitted to the Community Development in order to request review of your project. The Committee will not review a project until a complete application is submitted. **Please note that a building permit application is a separate submittal.** Please contact the Community Development Department for details on the building permit process.

- Letter to the Administrative Zoning Review Committee. The letter should contain a brief description of the request and state how the request conforms to the standards of the Zoning Ordinance on page 4 and, if applicable, how any relief requested meets the standards on pages 4 and 5.
- Plan review fee. Please consult the department fee schedule.
- Application. Please complete the last page of this packet.
- Plans. Please submit plans in a format no larger than 11" x 17".
 - A site plan drawn to accurate scale showing lot dimensions, existing and proposed structures, existing and proposed setbacks, and distances to structures on adjoining lots.
 - Floor plan(s) drawn to accurate scale with all dimensions indicated.
 - Elevations drawn to accurate scale with all dimensions indicated.
- Plat of Survey. Please make sure the following information is clear on the plat of survey.
 - Boundary lines, dimensions, lot numbers and area of the site.
 - Location and dimensions of all existing structures, parking lots and drives, sidewalks and other freestanding structural features.
 - Name and location of all immediately adjacent streets and right-of-ways.
 - Location and dimensions of all building setbacks.
 - Location and dimensions of all existing easements including a statement of their general purpose.
- Lot Coverage and Total Floor Area Worksheets. The lot coverage and total floor area worksheets must be submitted for residential variation requests where additional floor area is being proposed. The worksheets are available from the Community Development Department and on-line at www.wilmette.com.

Please note that the Administrative Review process does not constitute a building permit application and that a separate building permit application and submittal is required for a swimming pool and/or spa. See the information on building permit submittals for complete permit information.

❖ BASIC SWIMMING POOL & SPA REQUIREMENTS

Setbacks. Contact the Community Development Department for clarification of required yards.

- Required Front Yard: Not permitted
- Required Side Yard: If any part of the swimming pool or spa (including required 4' decking) is located in the buildable area (outside of the required rear yard), the pool and spa must conform to the minimum side yard setback requirements contained in Article 5 of the Zoning Ordinance.
- Required Rear Yard: If located entirely within the rear yard, as defined by Article 5 of the Zoning Ordinance, the pool and spa are permitted to encroach to 3' from the side and rear lot lines, plus an additional foot in setback for each foot above ground that the pool or spa projects.
- As part of the administrative review, the Administrative Zoning Review Committee may require a setback greater than the minimum to address Standard 3 on page three.
- Electrical lines: No electrical service, either overhead or underground, is permitted within 10' of a swimming pool or spa.

Decking. In-ground pools are required to be surrounded with a minimum 4' wide decking. The decking must be of an impervious material and must have a definite pitch away from the pool of at least one-half inch to the foot. Required setbacks are measured from the edge of the required 4' decking.

Separation. Swimming pools and spas are not required to provide a minimum separation from the principal structure except for the 4' minimum decking required for swimming pools described above.

Impervious Coverage. The swimming pool and spa must not exceed the impervious surface coverage maximum permitted in the side and rear yards. For side yards, no more than 60% of the combined side yard area may be covered with impervious surfaces. For the rear yard, a total of 60% maximum impervious coverage is permitted with 35% maximum for structures (such as the pool or spa itself) and 30% maximum for paved surfaces. Existing structures and pavement are included in these figures and the plat of survey and/or site plan must show all existing impervious surfaces.

Fencing. The area of the swimming pool and must be completely enclosed with a fence not less than 4' high and with no gaps or apertures greater than 4". Gates or doors in the fence must be equipped with self-closing and self-latching devices that are high enough to be inaccessible to small children. A separate fence permit may be required if a fence meeting these requirements needs to be installed. A spa that is placed at grade level and is higher than 48" above grade and does not have any adjacent stairs for access is not required to have a fence to the specifications described above.

Fencing around a spa shall not be required if the spa is completely covered by a rigid wood or metal lid, sufficient to withstand 100 pounds of weight, with a locking device. The lid shall be closed and locked at all times when the spa is not in actual use.

□ Drainage. The swimming pool and spa and all related equipment must not cause water to drain onto adjacent properties. A description and/or drawing of the proposed drainage (per manufacturer's specifications) must be included with the application materials. As part of the building permit application, a grading permit must be submitted. Please see Village staff for information about grading permit submittals.

□ Pumping/filtering equipment. All pumping equipment must be at least 15' from adjacent property lines and may not be located between the principal structure and the street.

□ Lighting. Any proposed lighting (not including lighting within the swimming pool or spa unit) must be indicated on the plans. Lighting must be oriented away from or shielded from adjacent properties.

For questions about swimming pool and spa requirements and the Administrative Zoning Review process, please contact the **Community Development Department** at **(847) 853-7550**.

❖ REVIEW PROCESS

Site Visit

Upon receipt of the completed application, the Administrative Zoning Review Committee will conduct a site visit to better understand the proposal. From the site visit, application letter, and submitted plans, the Committee will consider the request and base its decision on the applicable standards described on pages 4 and 5 of this handbook.

Notice of Committee Decision

1. If the Request is Approved by the Committee

If the request is approved by the Committee, the Committee will send a letter by first class mail to the applicant and to all properties that adjoin and abut the subject property or are across the street or alley from the subject property notifying them of the Committee's decision.

Recipients of the notice will have fifteen days from the date of that letter to file in writing with Community Development an objection to the proposed work.

If an objection is received, the Director of Community Development shall notify the applicant that due to the objection, the request is automatically denied, and, that in order to seek approval of the request, the applicant must submit a new application and proceed with the variation process and procedures required by Section 20-4.4 of the Zoning Ordinance.

If no objection is received after fifteen days, the applicant may file for a building permit.

Note: The decision of the Administrative Zoning Review Committee granting a request shall not become final until the expiration of the deadline within which objections to the decision may be filed.

2. If the Request is Denied by the Committee

If the Committee denies the request, in whole or in part, the Administrative Zoning Review Committee shall issue written notice of its decision by first class mail to the applicant advising that in order to seek approval of the request, the applicant must submit a new application and proceed with the variation process and procedures required by Section 20-4.4 of the Zoning Ordinance.

❖ OTHER STAFF REVIEW

In-ground swimming pools and spaProposed projects approved through the Administrative Zoning Review process may also be subject to grading and drainage review and approval.

Applicants are encouraged to check with the Community Development staff to determine what approvals, in addition to zoning, are necessary for their proposal.

❖ STANDARDS OF REVIEW

Section 20-6.4.14. Swimming pools, spas, and related equipment

Any request to install a swimming pool or spa shall be subject to review and approval by the Administrative Zoning Review Committee. The Administrative Zoning Review Committee shall approve the installation of a swimming pool or spa if:

1. The swimming pool, spa or related pumping and filtering equipment will not be located between the principal building and a street; and
2. The pumping or filtering equipment will not be located within 15 feet of a side lot line or rear lot line; however, on a lot that is less than 35 feet wide, such equipment may be installed at a point approximately equidistant from the side lot lines; and
3. The swimming pool or spa, and all related pumping and filtering equipment, will be located on the lot so as to create as little as possible visual impact and noise impact on adjacent properties; and
4. The swimming pool or spa, and all related equipment, will not cause water to drain onto adjacent properties; and
5. All lighting for the swimming pool or spa will be oriented away from or shielded from adjacent properties.

The pool or spa should also meet all other zoning requirements, such as setbacks and impervious surface coverage.

The Administrative Zoning Review Committee may grant relief from the requirements of this section only in cases where the following standards set forth in Section 20-4.4.5 of the Zoning Ordinance are met:

- (1) The particular physical conditions, shape, or surroundings of the property would impose upon the owner a practical difficulty or particular hardship, as opposed to a mere inconvenience, if the requirements of this Chapter were strictly enforced; and
- (2) The plight of the property owner was not created by the owner and is due to unique circumstances; and
- (3) The difficulty or hardship is peculiar to the property in question and is not generally shared by other properties classified in the same zoning district and/or used for the same purposes; and
- (4) The difficulty or hardship resulting from the application of this Chapter would prevent the owner from making a reasonable use of the property; however, the fact the property could be utilized more profitably with the variation than without the variation shall not be considered as grounds for granting the variation; and
- (5) The proposed variation will not impair an adequate supply of light and air to adjacent property or otherwise injure other property or its use, will not substantially increase the danger of fire or otherwise endanger the public health, safety and welfare, and will not substantially diminish or impair property values within the neighborhood; and
- (6) The variation, if granted, will not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan.

**VILLAGE OF WILMETTE
APPLICATION FOR ADMINISTRATIVE ZONING REVIEW COMMITTEE
SWIMMING POOL AND SPA**

1. PETITIONER AND OWNER INFORMATION

Property Address: _____
Owner's Name: _____
Home Phone: _____ Business Phone: _____
Email: _____

Applicant's Name (if difference from above): _____
Business Phone: _____
Mailing Address: _____

Petitioner's Signature Date

2. DESCRIPTION OF REQUEST

Application for: Swimming pool Spa

Briefly describe the request: _____

o Please attach a separate letter addressed to the Administrative Zoning Review Committee stating how this request conforms to the standards of review as set forth in the Village of Wilmette Zoning Ordinance.

All correspondence should be addressed to the Administrative Zoning Review Committee, Village of Wilmette, 1200 Wilmette Avenue, Wilmette, IL 60091.