

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 rights-of-way.
 - 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 requests where additional floor area is being proposed. The worksheets are available from the Community Development Department and on-line at www.wilmette.com.

* "Spa" includes also hot tubs and Jacuzzis

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

The Village Code defines swimming pools and spas/hot tubs as the following:

Private swimming pool means a manmade rigid or semi-rigid receptacle for water having a depth at any point greater than 18 inches, used or intended to be used for swimming or bathing and constructed, installed or maintained in or above ground, and which is used exclusively by the owner or occupant of the property on which it is located, his family and his guests.

Private spa or hot tub means a manmade rigid or semi-rigid receptacle for water having a depth at any one point greater than 12 inches, but less than 3 feet, or having a volume greater than 80 gallons, but less than 2,500 gallons, used or intended to be used for bathing, wading, floating, or soaking, and constructed, installed or maintained in or above ground, and which is used exclusively by the owner or occupant of the property on which it is located, his family and his guests.

□ Setbacks.

Contact the Community Development Department for to establish the location and size of the required yards for the property.

- Required Front Yard: Not permitted
- Required Side Yard: If any part of the swimming pool or spa (including the required 4' decking described below) 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 the Zoning Ordinance.
- Required Rear Yard: If located entirely within the rear yard, as defined in the Zoning Ordinance, the pool and spa are permitted to encroach to 3' from the side and rear lot lines, provided that an additional foot in setback is added 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 of this handbook.
- Electrical lines: No electrical service, either overhead or underground, is permitted within 10' of a swimming pool or spa, including horizontally.
- Above ground pools: the required setback for above ground pools is the minimum setback for the lot (as described above) **plus** 1' additional setback for each one-foot above ground of pool height. For example, on a 50-foot wide lot, the minimum side yard setback is 5'. A 4-foot (48-inch) tall pool requires a 9' side yard setback (5'+4').

□ Walk.

In-ground pools are required to be surrounded with a minimum 4' wide walk. The walk 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' walk.

□ Separation.

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

Impervious Surface 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 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. Landscape lighting must be a minimum of 3.0' from any lot line. Lighting must be oriented away from or shielded from adjacent properties.

Portable & Temporary Pools.

Portable and temporary pools are required to meet all of the requirements and processes described in this handbook.

For questions about swimming pool and spa requirements and the Administrative Zoning Review process, please contact the **Community Development Department** at (847) 853-7550 or at [**comdev@wilmette.com**](mailto:comdev@wilmette.com).

❖ 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 page 4 of this handbook.

Notice of Committee Decision

1. The Zoning Administrator will review and evaluate the complete application, pursuant to the standards in Paragraph F (Approval Standards) below. The Zoning Administrator must render a written decision within a reasonable time to approve, approve with conditions or deny the application.
2. If the request is approved by the Zoning Administrator, he/she 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 Zoning Administrator's decision. Recipients of the notice have fifteen (15) days from the date of that notice to file an objection in writing with the Zoning Administrator.
3. If no objection is received after fifteen (15) days, the applicant may file for a building permit. If an objection is received, the Zoning Administrator will 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 of this Ordinance.
4. If the Zoning Administrator denies the request, in whole or in part, he/she will 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 of the zoning ordinance.
5. In the case of a swimming pool or spa request, where the request is denied by objection or denied by the Zoning Administrator, in order to seek approval of the request, the applicant must submit a new application and proceed with the special use process of the zoning ordinance.

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.

❖ OTHER STAFF REVIEW

In-ground swimming pools and spas approved through the Administrative Zoning Review process may also be subject to grading and drainage review and approval as part of the building permit process.

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

All swimming pools and spas must be reviewed and approved in administrative zoning review, and must comply with the requirements of the Village and the following standards:

1. Swimming pools and spa and related pumping and filtering equipment are permitted in the rear yard. The swimming pool, spa, or related equipment shall not be located between the principal building and a street.
2. The pumping and filtering equipment must be located fifteen (15) feet from any lot line. However, on a lot that is less than thirty-five (35) feet wide, such equipment may be installed at a point approximately equidistant from the side lot lines.
3. The swimming pool and spa and all related equipment must be sited to meet the following standards:
 - a. Water will not drain onto adjacent properties.
 - b. There is minimal visual and noise impact on adjacent properties.
 - c. All lighting for the swimming pool and spa is oriented away from or shielded from adjacent properties.
 - d. The pool or spa should also meet all other zoning requirements, such as setbacks and impervious surface coverage.

