



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

# SWIMMING POOLS



## VILLAGE OF WESTON BUILDING PERMIT REQUIREMENTS

Before making an appointment with the Village of Weston building inspector the following items must be understood and completed:

1. Property lines must be established
2. Permanent swimming pools  $\geq 32''$  require at least a 4 ft. high fence around them
3. Swimming pools must be at least 8 ft. from the side and rear property lines.  
Swimming pools  $> 24''$  deep to be located in backyard
4. Estimated cost of project
5. A \$50 permit fee is required for a **PERMANENT ABOVE GROUND POOL** and \$30 for the fence. A \$100 permit fee is required for an in-ground pool and \$30 for the fence. **NO PERMIT REQUIRED FOR PORTABLE & WADING POOLS REMOVED ANNUALLY.**
6. Please read and review the attached ordinance specifications

1. I have verified my established property lines:      Your Initials \_\_\_\_\_
2. Estimated cost of project: \_\_\_\_\_
3. My permit fee of \$50/\$100 is included:    Check # \_\_\_\_\_    Cash \_\_\_\_\_  
(Please designate your method of payment)
4. *I have hereby read and understand the ordinance specifications for swimming pool decks and pledge my cooperation and compliance with these regulations.*

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone # \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_



**Contractor's Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Phone #** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Sec. 94.127. Structure regulations.**

(a) *Structures other than buildings.*

(1) *Structures less than six inches in height.* Structures not classified as buildings and less than six inches in height from the approved surface of the ground shall not be subject to the setback, side yard or rear yard or building size or open space requirements of this chapter except as may be specifically otherwise provided, such as swimming pools.

(2) *Structures six inches or more in height.* Structures not classified as buildings and six inches or more in height from the surface of the ground shall be subject to the setback, yard, height and open space requirements of this chapter except as may be specifically otherwise provided, such as in section 94.125(b)(4). Ground- or building-mounted air conditioning condensers or satellite or other dish-shaped antennae shall not be located in required front or side yards unless specifically approved by the planning commission.

(3) *Fences.*

a. *Permit required.* No fence, except those fences provided for in subsection (a)(3)b. of this section, shall be located, moved, reconstructed, extended, enlarged, converted or structurally altered without a zoning permit and without being in conformity with all the structural requirements of local and state building codes. All fences, whether or not requiring a permit, shall present the nonstructural face outward.

b. *Fences permitted without a zoning permit.* The following fences are permitted as specified without a zoning permit subject to the following restrictions and providing that no fence in any way interferes with traffic visibility:

1. A snow fence shall be permitted in all districts when comprised of wooden pickets bound together by wire and not exceeding four feet in height and removed between May 1 and November 1 of each year. No privately owned snow fence shall extend beyond the highway right-of-way line.

2. Fences to be installed around swimming pools shall be governed by the provisions of subsection (a)(4)e. of this section.

3. Agricultural fences in the AG, RR and S/R districts shall be permitted provided that they do not extend into the highway or road right-of-way.

4. Decorative fences not exceeding two feet in height shall be permitted in all districts.

c. Fences or walls for which a zoning permit is required.

1. Residential fences or walls are permitted on the property lines in residential districts, but shall not be greater than six feet in height in the side yard and rear yard or greater than four feet in height in the street yard. Residential fences or walls may be six feet in height in the rear street yard of a double-frontage lot. Residential fences or walls shall be not closer than two feet to any public right-of-way, and no fence or wall greater than 21 . . . . 2 feet above the street grade shall be placed within the vision triangle. (See section 94.125(b)5.) No fence or wall that incorporates barbed or similar security wire or sharpened top spikes shall be permitted in residential districts.

2. Security fences or walls are permitted in all districts other than residential districts. Security fences or walls may be placed on side and rear property lines, but shall not be located closer than two feet to a public right-of-way line. (See section 94.125(b)5.) Security fences or walls shall not exceed eight feet in height.

3. Reference to "on the property line" shall mean adjacent to but not overlapping, including not obscuring vision lines to surveying pipes marking the property line.

(4) Swimming pools.

a. *Compliance.* A zoning permit shall first be required before any swimming pool,  $\geq 32$ " in depth, both residential and nonresidential, is installed, enlarged or altered. All pools  $\geq 24$ " must be located in the rear yard and must meet appropriate setback regulations for accessory structures for the zoning district in which the property is located.

b. *Permit application.* All drawings and plans for the construction, installation, enlargement or alteration of any such swimming pool and its accessories shall first be presented to the zoning administrator for examination and approval as to proper location and construction. The plans shall be drawn to scale and shall indicate all distances and dimensions so as to accurately show all lot lines, and all information pertaining to the location of the pool, walk, deck, fence construction, water supply system, drainage and water disposal systems, and all accessories pertaining to the swimming pool. Such plans shall also indicate the vertical elevations of the pool.

c. *Location.* No portion of a swimming pool outside a building, including a surrounding deck and fence, shall be located in a street setback yard nor in a required side or rear yard setback but in no case less than eight feet from any side or rear property line or building line. Such pool shall also comply with

Wis. Admin. Code, ILHR 90 HFS 172 and with any local regulations with respect to the distances from an on-site sewage disposal absorption system. Pumps, filters and pool water disinfection equipment installations and all other accessories shall be located at a distance not less than eight feet from any side property line.

d. *Maximum pool size.* No pool, together with its deck area, shall occupy more than 40 percent of the usable area of the rear yard excluding all garages or other accessory structures located in such area.

e. *Safety features.* No swimming pool,  $\geq 32''$ , shall be installed or maintained unless:

1. There shall be erected and maintained a sound and secure fence not less than four feet in height completely surrounding the pool or surrounding the yard in which the pool is located. In lieu of a fence, the zoning administrator may, on a case-by-case basis, approve other measures, such as a lockable pool cover that can hold up to 500 lbs or more, designed to prevent unauthorized access to the pool.

2. Every gate or other opening in the fence enclosing such pool, except an opening to the dwelling or other main building of the premises, shall be kept securely closed and locked at all times when the owner or occupant of the premises is not present at such pool. All such gates shall be equipped with self-closing and self-latching devices placed at the top of the gate.

f. *Control of pool lighting.* No lighting may be installed in connection with the pool that shall throw any direct rays beyond the property lines.

g. *Water drainage.* No water drained from a pool shall be discharged over or near any septic tank, septic field or well, nor into neighboring property except to the approved drainage system for the area.

(b) *Building size and floor area regulations.*

- (1) *Minimum required.* Those portions of buildings intended for residential use shall provide a minimum floor area, as specified by the district regulations in which such buildings are located, and either a minimum basement and utility area or attached \garage, or in lieu thereof increased floor area if required by the district regulations; and the minimum residential floor area shall be based upon either the number of bedrooms, or upon total rooms exclusive of bathrooms, rooms being defined by the building code.

- (2) *Maximum permitted (floor area ratio).* The maximum total floor area of the buildings on a lot shall not exceed that permitted under the floor area ratio

(F.A.R.) as specified by the regulations for the district in which such building is located.

- (3) *How measured.* Floor area shall be measured at each level from outside of wall to outside of wall, but for the purpose of determining minimum required floor area shall not include any area having an average height of less than seven feet, basements, open porches, attics, public hallways or storage areas. For the purposes of minimum and maximum floor area regulations in the case of floor levels built into a hillside, the floor area subject to regulation shall be the area extending back in depth half the length of the exposed wall at grade.

(Ord. of 11-18-1991, Ord. of 11-24-2006)