

*City of Wilkes-Barre
Office of Planning & Zoning
570-208-4163*

ELIMINATE FRUSTRATION. PLEASE CALL AHEAD FOR AN APPOINTMENT.

TYPICAL SWIMMING POOL INFORMATION: PLEASE READ THIS.

1. A zoning permit is required for: a) above ground pools over 30 inches in water depth; b) inground swimming pools with water depth over 18 inches.
2. A site plan drawing must accompany your zoning permit application. A zoning permit application is attached. Also attached is a typical example of a site plan drawing.
3. It is your responsibility to draw YOUR OWN site plan according to your property's specifications. Basically, this drawing needs to show: a) Your LOT SIZE (not your back yard size, your ENTIRE LOT!) b) The shape and location of your house on your property; c) the exact distances between the pool and your house d) the exact distances from each side of the pool to the side property lines and from the rear property line to the edge of the pool. **NOTE: IRREGULAR SHAPE LOTS AND CORNER PROPERTIES WILL BE DIFFERENT. ASK THE STAFF.**
4. The important measurements from your site plan must be transferred on to the zoning permit application.
5. The applicant must sign the application. If the applicant does not own the property, the property owner must also sign the application.
6. **PLEASE READ THIS:** Section 206.2 of the zoning ordinance, copy attached, provides the enclosure requirements for swimming pools. You may, or may not, need a fence permit depending upon your installation. ASK STAFF.
7. If you intend to install a fence or pool deck MORE INFORMATION AND DETAIL WILL BE REQUIRED. Please tell us.
8. WE ARE ONLY ADDRESSING THE LOCATION, PLACEMENT, AND ENCLOSURE REQUIREMENTS THAT PERTAIN TO YOUR POOL. BUILDING/ELECTRICAL PERMITS WILL MOST LIKELY BE REQUIRED IN ADDITION TO ZONING APPROVAL. **CONTACT THE CODE ENFORCEMENT OFFICE 570-208-4286 FOR FURTHER INFORMATION ON THEIR PERMIT APPLICATIONS, FEES AND REQUIREMENTS.**

“Section 206. Private Noncommercial Swimming Pools:

A private noncommercial swimming pool shall be permitted as an accessory use in any zone, subject to the following:

206.1. Location:

A private swimming pool shall be located in either a side yard or rear yard with a minimum side yard and rear yard setback of five (5) feet, except when either yard area borders a street or public right of way, a minimum setback distance of ten feet shall be required. Required yards and setbacks shall be measured from the water’s edge.

206.2 Enclosure Required:

- a. In-Ground Pools: The pool or the entire property on which the pool is located, shall be enclosed with a permanent fence not less than four (4) feet in height, which includes a gate secured with a lock.
- b. Above Ground Pools: An above ground pool shall be enclosed with a permanent fence not less than four (4) feet in height which includes a gate secured with a lock in accordance with the above requirements of Item A, or in lieu of a fence, a barrier not less than four (4) feet in height. Said barrier may include the pool wall and any extension thereto which equals or exceeds a height of four (4) feet. Access into the pool shall be secured by a gate with a lock, retractable steps or any similar device which prohibits uncontrolled access into the pool when not in use. Shrubbery is not to be considered as a barrier. Decks which are attached to the pool may project not more than three (3) feet into the required side yard and/or rear yard setback.

206.3 Pre-existing Pools:

Private swimming pools, existing at the time of passage of this Ordinance, shall comply with subsection 206.2 of this Ordinance within one (1) year from the effective date of this subsection.”

Section 203. Definition of Terms (Excerpt)

SWIMMING POOL: A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty inches, designed, used and maintained for swimming and bathing.”

APPLICATION FOR ZONING PERMIT (SWIMMING POOL ONLY)

INSTRUCTIONS TO APPLICANT:

1. APPLICATION FEE: \$25.00 RESIDENTIAL FOR POOL ONLY
 2. IF NON-RESIDENTIAL, \$75.00 APPLICATION FEE
 3. ANSWER ALL QUESTIONS AS DIRECTED.
 4. AN ACCURATE **SITE PLAN DRAWING IS REQUIRED** AS AN ATTACHMENT.
 5. THIS APPLICATION MAY BE HELD A MINIMUM OF 24 HRS. FOR PROCESSING.
 6. THIS FORM MAY NOT BE USED FOR DECK INSTALLATIONS.
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1. APPLICANT'S NAME _____

2. APPLICANT'S MAILING ADDRESS _____

3. APPLICANT'S PHONE # _____

4. PROPERTY OWNER'S NAME _____

5. PROPERTY OWNER'S MAILING ADDRESS _____

6. PROPERTY OWNER'S PHONE # _____

7. STREET ADDRESS OF POOL INSTALLATION _____

8. ZONING DISTRICT _____

9. FLOODZONE DISTRICT _____

10. PRESENT USE OF PROPERTY (i.e. Single Family Dwelling)

11. SIZE OF LOT:

a. FEET WIDE _____

b. FEET DEEP _____

c. AREA _____ SQUARE FEET

12. APPLICATION IS HEREBY MADE TO INSTALL AN **ABOVE GROUND/INGROUND** SWIMMING POOL (CIRCLE ONE THAT APPLIES).

13. THE PROPOSED SWIMMING IS **ROUND/OVAL/RECTANGLE/KIDNEY/OTHER** (CIRCLE ONE THAT APPLIES).

14. THE SIZE OF THE PROPOSED SWIMMING POOL IS _____

PAGE 2 SWIMMING POOL APPLICATION
ZONING PERMIT # _____

15. THE HEIGHT OF THE PROPOSED POOL IS (FOR ABOVE GROUND)
_____ INCHES
IF IN GROUND WRITE IN GROUND _____

16. I HAVE READ AND UNDERSTAND SECTION 206.2 OF THE ZONING ORDINANCE
(ENCLOSURE REQUIRED) AND BY CHECKING YES, I WILL PROVIDE THE REQUIRED
ENCLOSURE _____ YES _____ NO (CHECK ONE).

17. THE LOCATION ON THE PROPERTY OF THE PROPOSED SWIMMING POOL IS:

FRONT _____ FEET FROM THE PRINCIPAL STRUCTURE
SIDE _____ FEET FROM THE PROPERTY LINE TO POOL
SIDE _____ FEET FROM THE PROPERTY LINE TO POOL
REAR _____ FEET FROM THE PROPERTY LINE TO POOL

18. NUMBER OF OFF-STREET PARKING SPACES EXISTING _____

19. NUMBER OF OFF-STREET PARKING SPACES PROPOSED _____

I CERTIFY THAT THE INFORMATION SUPPLIED ON THIS APPLICATION IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND WORK DESCRIBED ON THIS ZONING PERMIT WILL BE CONSTRUCTED IN CONFORMANCE WITH THE REQUIREMENTS OF THE CITY OF WILKES-BARRE ZONING ORDINANCE. I FURTHER ATTEST AS A WITNESS THAT THE SIGNATURE BELOW IS IN FACT TRUE AND AUTHENTIC.

Signature of Applicant

Date

OWNER (If other than above)

I HAVE READ AND FAMILIARIZED MYSELF WITH THE CONTENTS OF THIS APPLICATION AND DO HEREBY CONSENT TO ITS SUBMISSION AND PROCESSING.

Signature of Property Owner

Date

