

DIVISION 11. SWIMMING POOLS

Sec. 110-716. Permitted; requirements.

Swimming pools are permitted accessory structures to residential or nonresidential uses, provided that the requirements in this division are met. In addition to swimming pools, spas shall also meet the requirements of this division.

(Code 1983, § 20-610)

Sec. 110-717. Location.

Swimming pools may be located within side, rear or corner yards but shall not be allowed in front yards in R-1 and R-2 zoned districts. A swimming pool which projects above the finish grade more than one foot shall not be permitted in any yard that fronts on an open water body. **Spas adjoining swimming pools and decorative features such as waterfalls, which project above the finish grade more than 36 inches shall not be permitted in any yard which fronts on an open body of water.**

(Code 1983, § 20-610(1); Ord. No. 1091, § 1(Exh. A), 9-26-06)

Sec. 110-718. Site coverage.

A pool constructed in accordance with this division and which does not protrude more than one foot above finish grade surrounding the pool shall not be included in determining the percentage of lot coverage. A swimming pool which does project above finish grade more than one foot shall be included in determining the percentage of lot coverage.

(Code 1983, § 20-610(2))

Sec. 110-719. Fencing.

All swimming pools shall be enclosed with a screen enclosure or a fence or wall having a minimum height of four feet and in compliance with the provisions of article VI, division 3 of this chapter. The fence, wall or door to the screen enclosure shall be equipped with a self-closing and self-latching gate which operates from the interior of the swimming pool area only.

(Code 1983, § 20-610(3))

Sec. 110-720. Setbacks.

- (a) A swimming pool shall be constructed in such a manner as to meet the following minimum setbacks, as measured from the water's edge.

Structure: 5 feet.

Side: 5 feet.

Rear, not on water: 5 feet.

Rear, Boca Ciega Bay: 12 feet or greater, so as not to interfere with seawall tiebacks. Pools may be located within the required rear yard setback provided a minimum setback of eight feet is maintained from the rear property line. Prior to issuance of a permit, a signed and sealed certification from an engineer, registered in the State of Florida, must be submitted stating that the proposed swimming pool will not affect the integrity or functioning of the seawall or its deadmen.

Rear, Gulf of Mexico: landward of the county coastal construction control line.

- (b) The water's edge shall not be located any closer than ten feet horizontally or vertically to any overhead electrical power line.
- (c) In no case shall a pool be located on any easement.

- (d) Screen enclosures must be constructed to meet the setbacks of the principal structure as required for the appropriate zoning district.

(Code 1983, § 20-610(4); Ord. No. 933, § 1, 10-17-00; Ord. No. 1038, § 1(Exh. A), 4-12-05)

Sec. 110-721. Patios; lighting; design.

- (a) If a patio is provided adjacent to or surrounding the swimming pool it shall be designed as to be self-draining away from that pool and comply with the provisions of chapter 106, article II, landscaping, for maximum permeable surfaces and chapter 98, article II for protection of soil and water resources.
- (b) Any artificial light used to illuminate the premises shall be directed away from adjacent properties and streets to comply with the provisions of article VI, division 5 of this chapter, outdoor lighting.
- (c) All in-ground swimming pools and similar structures shall be designed and sealed by a registered engineer of the state. The in-ground swimming pool or similar structure shall comply with all Code provisions of the city and state laws.
- (d) A patio or paved deck which projects above the finish grade more than one foot shall not be permitted in any yard that fronts on an open water body. A patio that has a vertical height greater than 12 inches shall not be approved unless an analyses prepared by a qualified and registered design professional demonstrates no new offsite runoff, in which case, patios may not project above finish grade more than three feet.

(Code 1983, § 20-610(5); Ord. No. 2019-09 , § 1, 6-11-19)

Secs. 110-722—110-740. Reserved.