



# Swimming Pool- Zoning Code Requirements

City of Oshkosh Planning Services Division

## Zoning Code Guide:

This guide was developed to help direct you through the zoning process. Following the steps below will help to eliminate possible delays in obtaining your zoning permit approval.

### 1. Provide a Site Plan

The plans shall be drawn at 1 inch = 20 feet or larger scale and shall include the following (see the sample site plan). Blank site plans may be purchased at the Planning Services counter for a fee. Please include on your site plan:

- All existing structures on site.
- Property lot lines.
- Location of proposed structure(s).
- Dimensions of proposed structure(s).
- Distance (setbacks) proposed structure(s) are from property lines and other structures.
- Location, dimension and purpose (i.e. water, sewer, etc.) of all known easements.

### 2. Other Information

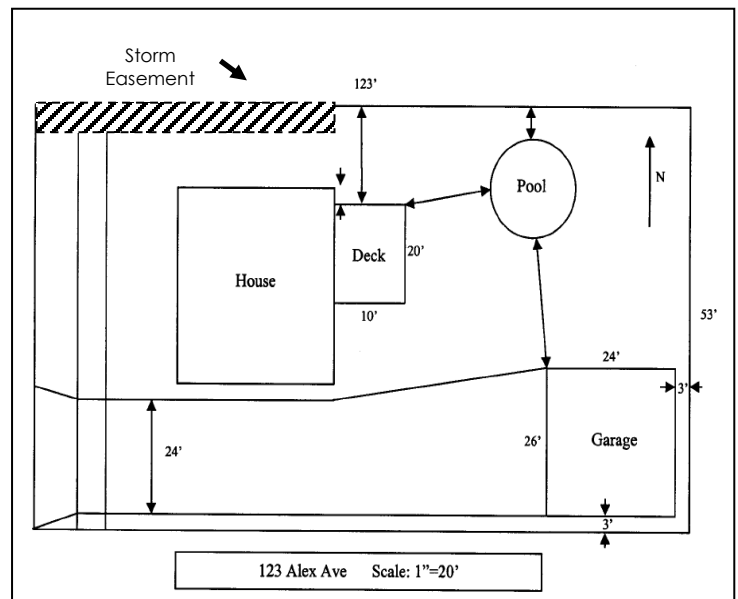
With the site plan other information that may be required :

- Materials used
- Height of structure(s)
- Elevations (if applicable)

### 3. Apply for the Permit

Please plan ahead to apply for your permit. We suggest that you apply for the permit 2 weeks prior to wanting to start construction. The Planning Services Division is located at 215 Church Ave, Oshkosh Room 204, Level 2 and open Monday– Friday 8am to 4:30pm.

Sample Site Plan



If you have questions please feel free to contact the  
 Planning Services Division at (920) 236-5059.  
 Web Site: [www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us)



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## Zoning Code Requirements:

### Definition:

A swimming pool is any structure, basin, chamber or tank containing or capable of containing an artificial body of water for swimming, diving, or recreational bathing, having a depth greater than two feet( 2) at any point.

Protective Enclosures Required.

1) All private residential swimming pools, whether in ground or above ground types, shall be enclosed with an adequate and secure fence at least 42 inches high above adjoining grade to prevent straying into pool area. Required fences shall be constructed to prohibit the passage of a six inch( 6") sphere between fence members, and the bottom of said fence shall be no more than two inches( 2") above the existing ground elevation. All gates or doors opening through such enclosure shall be kept securely closed at all times when not in use and shall be equipped with a self-closing and self-latching device designed to keep such door or gate securely closed at all times when not in use.

2) Exception.

A pool dome or pool top fencing, attached to the pool to extend at least forty-two inches( 42") above the ground, or a pool cover capable of supporting 100 pounds per square foot of area are acceptable substitutes for fencing above ground pools. Pool covers shall be fixed securely in City of Oshkosh Chapter 17— Page 18 Municipal Codes City of Oshkosh Municipal Code Revised 04/ 09/ 19 place at all times when the pool is not in use. Above grade pool with walls that are at least forty-two( 42") inches high at all points around said pool or having platforms and railings that are forty-two inches( 42") or more in height above grade are also not required to be enclosed as provided in paragraph ( 13)( 1), but the ladders and stairways providing access to said pools shall be removed, raised or gated and secured to prevent entry whenever the pool is not in use.

### Pool & Hot tub Locations:

See Article IV, Section 30-114 (F)(2) of the Oshkosh Zoning Ordinance. Pools and hot tubs are considered recreational accessory structures and subject to these Bulk Regulations. All pools/hot tubs are required to be located in the side or rear yard.

Pools/hot tubs must meet the following setbacks:

Separation from the Principal Structure (House): 5 feet

The "separation" distance between a dwelling unit and accessory structure (pool) is determined by measuring the perpendicular distance from wall to wall of the structures.

Side Setback: 5 feet

Rear Setback: 5 feet

If pools are included as part of a deck attached to the principal structure (house), the pool must meet the principal structure setback requirements for the zoning district in which it is located.