

Definition of Front YARD:

1. Dewey Beach Definition of “Front Yard”

Dewey Beach defines required yards in **§185-51 (Required Yards)**.

The code uses the standard zoning definition:

Front Yard = the required open space between the front lot line and setback;

This is the **18-foot front setback** that applies to a standard 50×100 lot.

Nothing may occupy this required yard except items the code specifically allows (e.g., low fences under 3.5 ft, certain steps, etc.).

2. Does Dewey Beach Prohibit Pools in the Front Yard?

Yes.

Dewey Beach prohibits **accessory swimming pools** from occupying **any portion of the required front yard**.

This is explicitly stated in the 2026 draft ordinance and resolution referring the amendment to Planning & Zoning:

“...clarify that accessory swimming pools shall **not occupy any portion of required front yards...**”

This is not a new rule — the Town Attorney stated it is a **clarification of existing code**, not a substantive change.

So the prohibition already exists under §185-51.

3. Important Distinction: “Front of the House” vs. “Front Yard”

Dewey Beach makes a **critical distinction**:

Pools may be located *in front of the house* if they remain OUTSIDE the required 18-ft front yard setback.

They must be fully within the **buildable area**.

From the Cape Gazette summary:

“Pools... can still be located in front of a house, so long as they are not extending into the required 18-foot front-yard setback.”

So the rule is:

- **Front yard (setback area) → Pools prohibited**
- **Front of house but inside buildable envelope → Pools allowed**

This is unusual compared to Rehoboth, Lewes, and Bethany, which prohibit pools anywhere in front of the house.

4. Summary Table

| Topic | Dewey Beach Rule | Source |
|---|--|--------|
| Definition of front yard | Area between front lot line and principal building; 18-ft required setback | |
| Pool in required front yard? | Prohibited | |
| Pool in front of house but outside setback? | Allowed if fully within buildable area | |
| Pool fences in front yard? | Prohibited if over 3.5 ft (pool fences must be ≥ 4.5 ft, so they cannot be in front yard) | |

Research on Pook Placement in in surrounding municipalities

Municipal Rules on Pools in the Front Yard

Rehoboth Beach

Are pools allowed in the front yard?

No.

Rehoboth treats pools as **accessory structures**, and accessory structures **cannot be located in any required front yard**. While Chapter 206 (Pools) regulates installation, safety, drainage, and licensing, the zoning code (Chapter 270) controls *where* a pool may be placed — and front-yard placement is not permitted.

City of Lewes

Are pools allowed in the front yard?

No.

Lewes regulates pools under **Chapter 197 (Zoning), Attachment 5 – Accessory Buildings & Structures**. Pools are treated as accessory structures, and the dimensional table provides setbacks only for **side** and **rear** yards. There is **no allowance** for pools in the front yard, meaning they are prohibited there.

Bethany Beach

Are pools allowed in the front yard?

No — explicitly prohibited.

Bethany Beach is the most direct of the three. Under **§500-3(A)(3)** of the Town Code:

“Swimming pools shall **not be permitted in the front yard...**”

This applies to all private residential pools.

Quick Comparison Table

| Municipality | Pools Allowed in Front Yard? | Basis |
|----------------|------------------------------|--|
| Rehoboth Beach | ✗ No | Pools = accessory structures; accessory structures prohibited in front yard. |
| City of Lewes | ✗ No | Accessory structure table provides only side/rear setbacks; no front-yard placement permitted. |
| Bethany Beach | ✗ No | Code explicitly states pools “shall not be permitted in the front yard.” |
