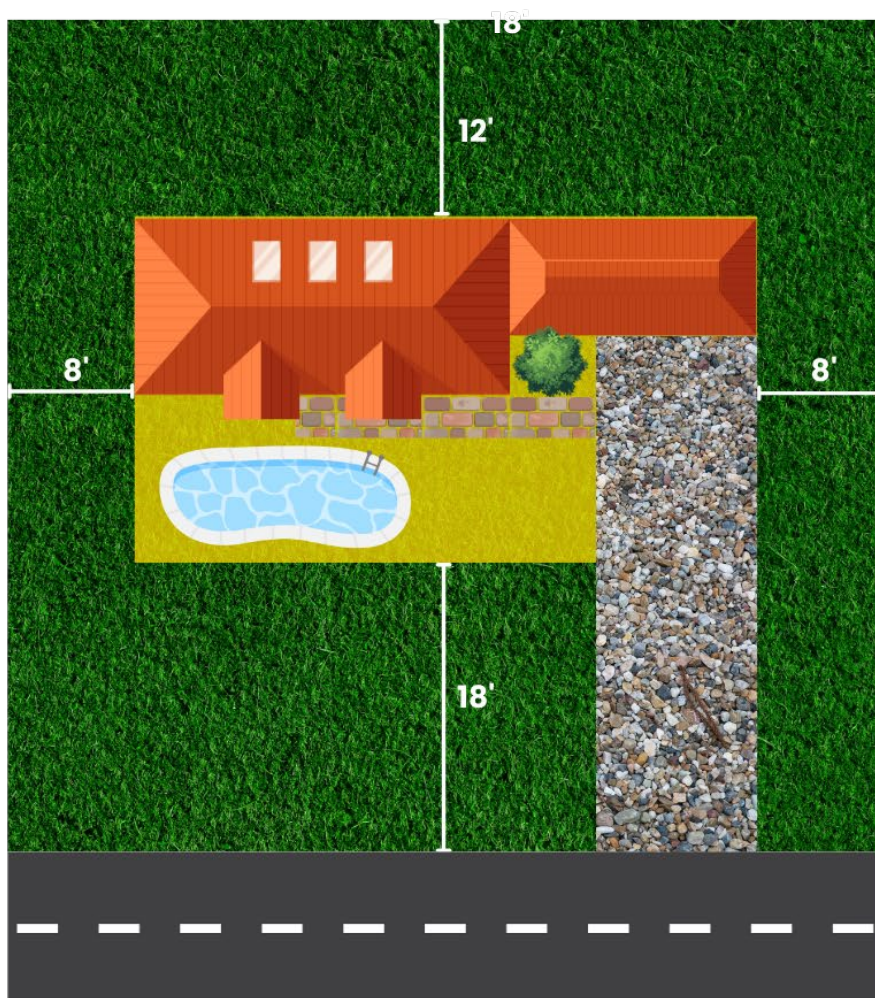
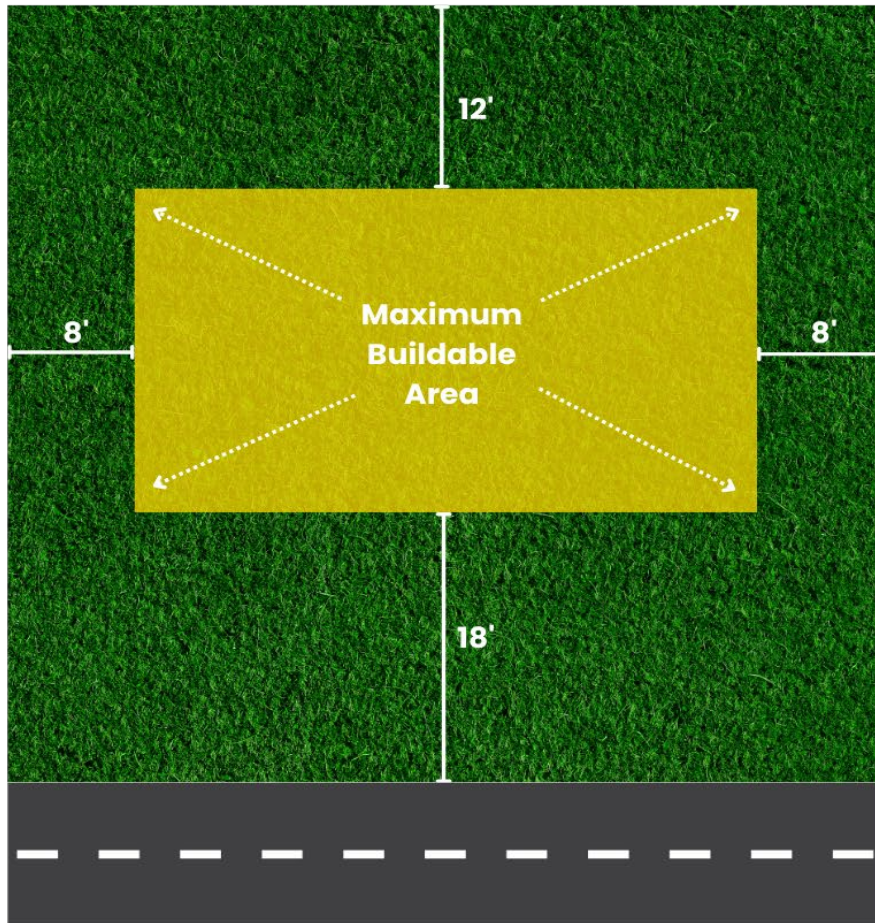




Research on Accessory Structures Placement in in surrounding municipalities

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.”

Here’s the clean, code-accurate breakdown you’re looking for. I’ll give you:

1. **How each town defines “front yard.”**
2. **Whether a pool is prohibited in the front yard.**
3. **Whether a pool is allowed *within the building footprint* of a house (i.e., under roof or inside the principal structure).**

Because your question is about **Rehoboth Beach, Lewes, and Bethany Beach**, and because these are zoning-code questions, I pulled fresh information from the web to ensure accuracy.

1. How “Front Yard” Is Defined

All three municipalities use a similar zoning definition:

General Delaware coastal-town pattern

A **front yard** is the required open space between:

- the **front lot line** (the street-facing boundary), and
- the **nearest point of the principal building**.

This space must remain **unoccupied** except for permitted projections (steps, porches, etc.). Pools are not considered permitted projections.

The general standard zoning definition used nationally: the front yard is the setback area between the street and the house.

Rehoboth, Lewes, and Bethany follow this same zoning convention in their own codes.

2. Are Pools Prohibited in the Front Yard?

Rehoboth Beach

- Pools are treated as **accessory structures**.
- Accessory structures **cannot be located in the required front yard** under the zoning code.
- Therefore, **pools are prohibited in the front yard**.

City of Lewes

- Pools are also treated as **accessory structures**.
- The dimensional table provides **side and rear setbacks only** for pools.
- No front-yard placement is allowed.
- Therefore, **pools are prohibited in the front yard**.

Bethany Beach

- Bethany is the most explicit:
 “Swimming pools shall not be permitted in the front yard.”
 - Therefore, **pools are prohibited in the front yard**.
-

3. Can a Pool Be Built *Within the Building Footprint*?

This is a smart question — and the answer is different.

Key principle across all three towns:

If a pool is **inside the principal structure** (i.e., an *indoor pool*), then it is **not an accessory structure** and **not located in the yard**.

It is part of the **building footprint**, and therefore **front-yard restrictions do not apply**.

So:

- **Indoor pools** (fully enclosed, under roof, part of the house)
→ **Allowed**, even if the building footprint is in the front yard setback (because the *building* itself must already comply with the setback).
- **Outdoor pools** (open to the sky, even if surrounded by walls)
→ **Not allowed** in the front yard in any of the three towns.

Important nuance:

A pool **cannot** be placed in the front yard **even if you propose to “roof over it” later**. It must be part of the **original enclosed building footprint** to be treated as an indoor pool.

4. Summary Table

Municipality	Front Yard Pool Allowed?	Indoor Pool Allowed?	Basis
Rehoboth Beach	✗ No	✓ Yes	Pools = accessory structures; accessory structures prohibited in front yard.
City of Lewes	✗ No	✓ Yes	Accessory structure table omits front yard; indoor pools treated as part of principal structure.
Bethany Beach	✗ No (explicit)	✓ Yes	Code explicitly bans pools in front yard; indoor pools are part of building.

Here’s the clean, code-accurate answer based on the **actual Dewey Beach Zoning Code** and the **January 2026 draft ordinance** clarifying required yards and pools. I’ll give you:

- The **exact definition of “front yard”** in Dewey Beach
 - How the town interprets it
 - How it applies to **pools and pool fences**
 - The practical effect on siting pools
-

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 the nearest point of the principal building.

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.).

This interpretation is confirmed in the January 2026 Cape Gazette report on the draft ordinance, which explains that the **required front yard** is the **18-foot setback area** measured from the street line.

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)	
