

Part 11

Supplementary District Regulations

§1101. General Provisions. The provisions of this Chapter shall be subject to such exceptions, additions or modifications as herein provided by the following supplementary district regulations. (Ord. 66, 11/18/1971, §10.00)

§1102. Accessory Buildings and Structures. Any building or structure attached to a principal building in any manner shall comply in all respects with the yard requirements of this Chapter for a principal building. No separate or detached building or structure shall be permitted in any front yard. All accessory buildings or structures shall be located in the side or rear yard and shall be set back a minimum of five feet (5') from all property boundary lines, except that all garages shall be set back at a minimum of twenty feet (20') from right-of-way of any adjoining alley. (Ord. 66, 11/18/1971, §10.01; as amended by Ord. 2-1991, 3/12/1991; by Ord. 3-1992, 5/5/1992, §3A; and by Ord. 2009-4, 9/1/2009, §1)

§1103. Temporary Structures for Dwelling Purposes. No cabin, mobile home, garage, basement or other temporary structure, whether fixed or of mobile nature, may hereafter be erected or established for any length of time unless approval for temporary use is granted by the Zoning Hearing Board. (Ord. 66, 11/18/1971, §10.02)

§1104. Building Coverage. Maximum coverage of a lot area by buildings shall be permitted as follows:

1. Residential Uses.

- A. If public water and sewer are used - thirty (30%) percent.
- B. If public water or public sewer is used - twenty-five (25%) percent.
- C. If public water and sewer are used for townhomes - forty (40%) percent. [Ord. 2001-1]

2. Non-residential Uses.

- A. If public water and public sewer are used - sixty (60%) percent.
- B. If public water or public sewer is used - forty-five (45%) percent.

(Ord. 66, 11/18/1971; §10.03; as amended by Ord. 2001-1, 6/5/2001, §1)

§1105. Fences, Walls and Hedges.

1. Front Yards. In any Residential District, no fence, wall or hedge in any front yard shall exceed two and one-half feet (2½') in height unless permitted by special exception as provided for in subsection (4) herein.

2. Side and Rear Yards. In any residential district, no fence, wall or hedge in any side or rear yard may exceed six feet (6') in height unless permitted by special exception as provided for in subsection (4) herein.

3. Retaining Walls and Required Fences. The requirements of this section shall not be deemed to prohibit any necessary retaining wall or any otherwise lawful fence, wall or hedge in any required yard or along the edge of any yard.

4. Special Exception Criteria. The Zoning Hearing Board shall grant a special exception for a fence, wall or hedge in excess of the heights prescribed in subsections (1) and (2) where:

A. The applicant adequately demonstrates that the mandates of §1106 will not be violated by the erection of the proposed fence, wall or hedge.

B. The applicant has received written permission from all adjacent property owners to a proposed fence, wall or hedge within ten feet (10') of the property line and in excess of the prescribed height.

C. Any proposed front yard fence in excess of thirty (30) inches high has at least fifty percent (50%) openness or visibility, such as wrought iron, picket or chain link.

D. The applicant adequately demonstrates to the satisfaction of the Zoning Hearing Board, that the safety of vehicular and pedestrian traffic will not be adversely affected by the erection of the proposed fence, wall or hedge.

In the granting of any special exception under this section, the Zoning Hearing Board may attach any reasonable conditions or safeguards in addition to those expressed above and elsewhere in this Chapter, as it may deem necessary to implement the purposes of the Municipalities Planning Code and this Chapter.

(Ord. 66, 11/18/1971, §10.04; as amended by Ord. 3-1992, 5/5/1992, §3B; and by Ord. 2005-2, 4/5/2005, §1)

§1106. Traffic Visibility Across Corners.

1. In any district, no structure, fence, planting or other structure shall be maintained between a plane two feet (2') above curb level and a plane seven feet (7') above curb level so as to interfere with traffic visibility across the corner with that part of the required front or side yard which is within a triangle bounded by the street lot line and a straight line drawn between points on each lot line twenty-five feet (25') from the intersection of said lot line or extension thereof.

2. At each point where a private accessory intersects a public street or road, a clear-sight triangle of ten feet (10') measured from the point of intersection of the street line and the edge of the accessway, shall be maintained, within which vegetation and other visual obstructions shall not be maintained between a plane two feet (2') above and seven feet (7') above the existing cartway.

(Ord. 2-1991, 3/12/1991)

§1107. Required Street Access. Every building hereafter erected or moved which involves buildings or structures for human occupancy shall be located and maintained upon a lot which abuts a street of at least thirty-four feet (34') in width for a distance of not less than thirty feet (30'). All structures shall be so located on lots as to provide safe and convenient

access for servicing, fire protection, and required off-street parking. (Ord. 66, 11/18/1961, §10.06; as amended by Ord. 3-1992, 5/5/1992, §3C)

§1108. Exceptions.

1. Public Utility Corporations. The provisions of this Chapter shall not apply to any existing or proposed building or extension thereof used or to be used by public utility corporations if, upon petition of the corporation, the Public Utility Commission shall, after public hearing, decide that the present or proposed location in question is reasonably necessary for the convenience and welfare of the public.

2. Applications to Lots of Record.

A. Where two (2) or more abutting lots of record are held in one (1) ownership, either legal or equitable, or subsequently come to be held in one (1) ownership, they shall be considered to be a single lot of record for the purpose of this Chapter; and the provisions of this Chapter shall not thereafter be circumvented or avoided by the willful sale or conveyance of a part or portion of any parcel or parcels.

B. Where the owner of a lot of record does not own and cannot reasonably acquire sufficient adjacent land to enable him to conform to the requirements herein prescribed, such lot may be used by said owner as a building site, provided that the required open space and other provisions conform as closely as possible, in the opinion of the Zoning Hearing Board, to the requirements of the district in which it is located.

3. Front Yard Exceptions. When an unimproved lot is situated between two (2) improved lots with front yard dimensions more or less than those required for that district, the front yard required shall be increased or decreased, as the case may be, to a depth equal to the average of the two (2) front yards of the adjoining lots.

4. Municipal Uses. In any district a building or use may be erected, altered, or extended and land may be developed which is arranged, intended, or designed for municipal uses. Further, the lot sizes, yard regulations, and coverage requirements may be modified to accommodate such buildings or uses provided that the modifications will represent the least possible modifications of the regulations at issue and provided further that all such modifications shall be in the public interest and they will not adversely affect other properties in the district in which they are located.

5. Height Exceptions. The height limitations of this Chapter shall not apply to church spires, silos, belfries, cupolas, penthouses and domes not used for human occupancy nor to chimneys, ventilators, skylights, water tanks, bulkheads, and similar features, utility poles and standards and necessary mechanical appurtenances usually carried above the roof level. Such features, however, shall be erected and maintained only to such height as is necessary to accomplish the purpose they are to serve and then only in accordance with any other governmental regulations.

(Ord. 66, 11/18/1971. §10.07)

§1109. Water Supply and Sewage Facilities Required. In the interest of protecting the public health, safety, and welfare, every building or structure hereafter erected, altered, or moved upon any premises and used in

whole or in part for dwelling, commercial, or recreational business or industrial purposes shall be provided with both a safe and sanitary water supply and a safe and sanitary means of collection and disposal of human excreta or domestic, commercial and industrial waste. Such facilities shall conform to the minimum requirements set forth by the Pennsylvania Department of Environmental Resources. (Ord. 66, 11/18/1971, §10.08)

§1110. Projections Into Yards. The following projections shall be permitted into required yards and shall not be considered in the determination of yard size or lot coverage:

1. Terraces or patios, provided that such terraces or patios are not under roof or otherwise enclosed and are not closer than five feet (5') to any adjacent property line.

2. Projecting architectural features, such as, but not limited to: bay windows, cornices, eaves, fireplaces, chimneys, window sills, uncovered stairs and landings, porches, open balconies, or fire escapes provided they do not extend more than five feet (5') into any required yard nor closer than three feet (3') to any adjacent property line. [Ord. 2-1991]

(Ord. 66, 11/18/1971, §10.09; as amended by Ord. 2-1991, 3/12/1991)

§1111. Accessory Uses.

1. Private, Non-commercial Swimming Pools. No permanent structure shall be permitted without an operable filtration system utilizing chlorine, bromine or some other antibacterial agent. All swimming pools shall be completely enclosed by a minimum four foot (4') fence or wall with a self closing and lockable gate; however, this does not apply to above ground swimming pools having a wall measuring a minimum four feet (4') in height from ground level and having a retractable ladder. Such fence or wall shall be erected before any swimming pool is filled with water. All swimming pools must be set back a minimum of ten feet (10') from all property boundary lines. No water from a swimming pool shall be discharged onto any public street or alley. These requirements shall not apply to man-made ponds, lakes, or other impoundments unless the primary purpose is for swimming. [Ord. 2009-4]

2. Private tennis courts shall be permitted within side or rear yards provided that such facility shall not be less than fifteen feet (15') from side or rear property lines.

3. Nothing in this Section shall be construed to limit other uses no mentioned so long as they are clearly accessory to the principal permitted use of the land and do not create a threat to the public health, safety and/or welfare of the community.

(Ord. 66, 11/18/1971, §10.10; as amended by Ord. 2-1991, 3/12/1991; and by Ord. 2009-4, 9/1/2009, §2)

§1112. Home Occupation Regulations. In any residential district, any gainful occupation conducted by a member of the immediate family owning and residing on the premises may use parts of a dwelling for a home occupation provided that the following conditions are met and a permit is issued by the Zoning Officer.

1. Such occupation shall be clearly incidental or secondary to the use of the property as a residence and the use of the dwelling shall not change the character thereof or show any exterior evidence of such secondary use other than one (1) small nameplate as provided in Part 13 showing only the name and service rendered.

2. Home occupations shall be limited to the employment of not more than one (1) assistant.

3. The home occupation shall be conducted wholly within the dwelling and shall not occupy more than twenty-five percent (25%) of the area of the first floor nor more than four hundred (400) square feet.

4. All parking shall be off-street and two (2) off-street space shall be provided in addition to that required of the residence unit.

5. Any home occupation which may create objectionable noise, fumes odor, dust, electrical interference, or more than normal residential traffic shall be prohibited.

(Ord. 66, 11/18/1971, §10.11)

§1113. Gasoline Pumps and All Other Service Equipment. Gasoline pumps and all other service equipment shall be set back not less than twenty-five feet (25') from any lot line and/or any building and shall be so located that vehicles stopped for service will not extend over the property line. (Ord. 66, 11/18/1971, §10.12; as amended by Ord. 2-1991, 3/12/1991)

§1114. Lot Area and Lot Width for Lots Not Served with Public Water and/or Sanitary Sewers. Where a lot is not served by a public water supply and/or sanitary sewer system and the County Subdivision Ordinance or State or other local laws or ordinances in force require a higher standard for lot area or lot width than this Chapter, the more restrictive regulations of such ordinance or laws shall apply. (Ord. 66, 11/18/1971, §10.13)