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SUBDIVISION &  
LAND DEVELOPMENT  
REGULATIONS

1982

SOUTH PYMATUNING TOWNSHIP  
MERCER COUNTY, PENNSYLVANIA

ZONING ORDINANCE

ORDINANCE NO. 10-1982

SOUTH PYMATUNING TOWNSHIP, MERCER COUNTY, PENNSYLVANIA

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ARTICLE I

SHORT TITLE/PURPOSE/SCOPE/APPLICATION

Section 100 - Short Title - This ordinance shall be known as the "South Pymatuning Township Zoning Ordinance" hereinafter referred to as the "Zoning Ordinance".

The accompanying map is a part of this ordinance and shall be known as the "South Pymatuning Township Zoning Map". The official map for administration purposes is on record at the Municipal Building or offices of the Zoning Officer.

Section 101 - Purpose - The regulations of the "Zoning Ordinance" are made in accordance with a comprehensive plan and designed:

- (a) to lessen congestion on the roads and highways.
- (b) to secure safety from fire, panic and other dangers.
- (c) to promote health and the general welfare.
- (d) to provide adequate light and air.
- (e) to prevent the overcrowding of land.
- (f) to avoid undue congestion of population.
- (g) to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

Such regulations are also made with reasonable consideration to the character of the districts set forth and their peculiar suitability for particular uses, and to encourage the most appropriate use of land through-out the Township.

Section 102 - Scope - The "Zoning Ordinance" regulates within the boundaries of the Township of South Pymatuning, Mercer County, Pennsylvania:

- (a) The height, number of stories and size of buildings and other structures.
- (b) Their construction, alteration and addition.
- (c) The percentage of lot that may be occupied.
- (d) The size of yards, courts and other open spaces.
- (e) The density of population.
- (f) The location and use of buildings, structures and land for business, industry, residence or other purposes.
- (g) The establishment of building lines upon any or all public roads or highways.

Section 103 - Application - In applying the provisions of the Zoning Ordinance, they shall be held to be the minimum requirements as they shall apply to the use, and/or occupancy of all buildings, other structures, and/or lots. Where the Zoning Ordinance imposes greater restriction than those of any statute, other ordinance or regulations, the provisions of the Zoning Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than the Zoning Ordinance, those shall be controlling. Any use which is not listed shall automatically be interpreted as a prohibited use.

The Zoning Ordinance is not intended to interfere with any covenant or other agreement between private parties. However, where the Zoning Ordinance imposes greater restrictions than those imposed by any such easement, covenant or agreement, the provisions of the Zoning Ordinance shall govern. Where any such easement, covenant or other agreement imposes greater restrictions than those imposed by the Zoning Ordinance, those shall govern.

Section 104 - Statement of Community Development Goals and Objectives - The Zoning Ordinance has been developed as a legislative and administrative tool to help the Township Supervisors and Planning Commission carry out the general development objectives prescribed in the Township's Comprehensive Plan. This Plan was developed in 1964, and officially adopted by the Township Supervisors in 1965.

The general development objectives which can be furthered through zoning are:

- (1) The reorganization of land use patterns to:
  - (a) prevent the further development of incompatible and mixed-use activities,
  - (b) provide for the more efficient "reuse" of present problem areas,
  - (c) develop stable residential, commercial, and industrial areas,
  - (d) reduce and, where possible, eliminate traffic circulation where it could have an adverse effect on residential areas,
  - (e) provide sufficient off-street parking so as to improve traffic movements and reduce accidents.
- (2) The elimination and prevention of physical and environmental blight by reducing or, where possible, eliminating the factors which cause or perpetuate the erosion of the physical appearance, structural quality, and/or functional obsolescence of residential and non-residential structures.
- (3) Promote the redevelopment and appropriate reuse of blighted and problem areas throughout the Township.

Section 105 - Warning and Disclaimer of Liability - This Ordinance is enacted to protect and promote the public health and general welfare. Accordingly, it is and is hereby declared to be the intent of the Board of Supervisors that no private rights of any kind or nature shall be created by this Ordinance or any permit issued hereunder. The issuance of any such permit is not to be relied upon by the applicant or any other person as a finding that the work and method or manner of performing the same complies with all applicable safety standards, laws, rules, codes and regulations governing same, nor shall such approval be relied upon for any other reason whatsoever, except as expressly set forth in this Ordinance. A permit issued as required by this Ordinance is not intended and shall not, in any manner, be construed or held to be an approval, guarantee, warranty or representation of any kind on the part of the Township or any officer, agent or employee thereof, concerning the efficiency, adequacy, suitability and safety of that which is authorized by said permit.

This Ordinance shall not create any liability to any person on the part of the Township, or any officer, agent or employee thereof for any and all injuries and damages that may result from reliance on this Ordinance or any permit issued or decision made hereunder.

ARTICLE II

ZONING DISTRICTS

Section 200 - Zoning Districts - South Pymatuning Township is hereby divided into the following Zoning Districts:

- R-1-A - Rural Residential/Agricultural Zoning District
- R-1 - Residential Zoning District
- R-2 - Residential Medium Density Zoning District
- MHP - Mobile Home Park Zoning District
- B-1 - Business Neighborhood Zoning District
- I - Industrial Zoning District
- CR - Conservation/Recreation Zoning District

Section 201 - Boundaries of Zoning Districts - The boundaries of the Zoning Districts shall be as shown upon the Zoning Map. Where uncertainty exists with respect to the boundaries of the various Zoning Districts the following rules shall apply:

201.1 - Where a Zoning District Boundary Approximately Follows The Center Line of a Street or Alley the center line of such street or alley shall be interpreted to be the Zoning District boundary.

201.2 - Where a Zoning District Boundary Approximately Parallels A Street Lot Line or Alley Lot Line - The boundary shall be interpreted as being parallel to it and at such distance from it as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the Zoning Map.

201.3 - Where a Zoning District Boundary Approximately Follows A Lot Line - The lot line shall be interpreted to be the Zoning District boundary.

201.4 - Where a Zoning District Boundary Follows a Body of Water - The boundary shall be interpreted to be at the limit of the jurisdiction of the Township of South Pymatuning unless otherwise indicated.

201.5 - Submerged Areas - All areas within the Township which are under water and are bounded by two or more zoning districts the boundary lines of these districts shall be extended to the center of the body of water.

201.6 - Classification of Annexed Lands - Any land annexed to or made a part of the Township subsequent to the adoption of this Ordinance, shall immediately be classified in the same Zoning District as the area to which it is contiguous, as of the effective date of annexation.

201.7 - Vacation of Public Ways - Whenever any street or alley is vacated the Zoning District or Districts adjoining such side of such street or alley, shall be automatically extended to the center of such vacated area.



## ARTICLE III

### R-1-A RURAL RESIDENTIAL/AGRICULTURAL ZONING DISTRICT

Section 300 - Purpose of Zoning District - To provide a Zoning District in which the predominate use will be agricultural in order to provide for the orderly conversion of land to residential use and preserve and conserve farm and agricultural areas to the maximum extent possible.

#### Section 301 - Use Regulations -

##### 301.1 - Principal Permitted Uses:

- (a) Agricultural uses including but not limited to:
  - (1) Farms and related activities.
  - (2) Experimental stations for agricultural purposes.
  - (3) Forest preserves.
  - (4) Agricultural organizations.
  - (5) Processing of agricultural products.
  - (6) Saw mills.
  - (7) Nursery or greenhouses.
  - (8) Farm structures including barns, silos, cribs, bins, dryers and garages.
- (b) One-family detached dwellings, including earth sheltered homes.
- (c) Mobile Homes:
  - (1) Self contained mobile home units having a floor area of 720 square feet or more may locate on individual lots, provided they conform to all regulations applicable to single-family dwellings and they conform to the standards of Article VIII - Section 803.4, mobile home stands, of the Sub-division and Land Development Regulations. Skirting shall be provided for all units.
  - (2) Mobile home units having less than 720 square feet must locate in Mobile Home Parks (MHP). See Mobile Home Park (MHP) Zoning District, Article VII.
- (d) Church, church school, church uses and cemeteries.
- (e) Essential services provided they shall be necessary to the adequate distribution of service and shall not include any type of equipment which will interfere with local radio or television, or otherwise be detrimental to the surrounding area.

(f) Golf Courses.

(g) Public parks and non-commercial recreation facilities.

301.2 - Accessory Uses Permitted:

(a) Private garage.

(b) Farm structure and related farm uses.

(c) Sale of agricultural or nursery products (farm market), provided:

(1) At least 50 percent of products for sale are produced on the same lot upon which it is erected.

(2) It shall be set back a minimum of 25 feet from the road right-of-way.

(3) There should be at least three parking spaces not on the street right-of-way.

(d) Private playhouse, swimming pool, tennis court, tool or storage shed, and private greenhouse.

(e) Private shelter for household pets.

(f) Private incinerator, provided:

(1) It shall be located within the dwelling, or in the rear yard only.

(2) It shall be used only for burning of refuse produced on the premises.

(g) Wall, fence, lamp post, similar accessory structure, subject to limitations outlined in Section 302.2 and 302.3.

(h) Equipment for energy conversion such as solar collectors, provided it shall be compatible with surrounding structures and provided such equipment conforms with yard, and height requirements.

(i) Home Occupation as defined in this Zoning Ordinance, provided:

(1) One person other than members of the immediate family occupying such dwelling may be employed.

(2) The home occupation shall be incidental and subordinate to its use for residential purposes and that not more than 25% of the floor area of a dwelling unit shall be for home occupations.

- (3) The home occupation shall not involve the use of advertising signs on the premises or any local advertising media which call attention to the fact that the home is used for business purposes, except those permitted in a residential zone as provided for in Article XII.
  - (4) In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises or vibrations.
  - (5) The parking need generated by the conduct of a home occupation shall be met off the street and other than in the required front yard.
  - (6) The use shall not generate traffic, parking, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the district. Likewise, it shall not involve the use of more than one commercial vehicle, one ton capacity or less, for delivery of goods produced or services provided on the premises.
- (j) Storage or parking of a commercially used vehicle, provided:
- (1) Such vehicle shall comply with height and area regulations.
- (k) Personal care residences - (See Special Exception).
- (l) Signs, subject to provisions of Article XI.
- (m) Parking and Loading Facilities, subject to provisions of Article X.
- (n) Accessory Apartments - (See Zoning Hearing Board - Article XV - Special Exception).
- (o) Any other accessory use, provided:
- (1) It shall be customarily incident and subordinate to a permitted principal use.
  - (2) It shall be located on the same lot as the principal use.

Section 302 - Lot, Yard and Height Requirements -

302.1 - Lot Requirements -

- (a) Minimum Lot Area - 20,000 square feet.
- (b) Minimum Lot Width - 100 feet.
- (c) Maximum Lot Coverage - 25% including accessory structures.

302.2 - Yard (Setback) Requirements -

- (a) Minimum Front Yard, Principal and Accessory Structures - 75 feet as measured from the street centerline or 35 feet from the road right-of-way, whichever is the greater distance from the street centerline.
- (b) Minimum Side Yard - 15 feet for principal structures, 10 feet for accessory structures.
- (c) Minimum Rear Yard - 35 feet for principal structures, 10 feet for accessory structures.
- (d) Corner Lots - The minimum building setback line on any street not having lots fronting upon it shall be fifteen (15) feet from the required right-of-way or easement line. Where the street on the side of a corner lot has lots fronting upon it within the same block on the same side of the street, the building setback on the side of the corner lot shall conform to the setback requirements of such street.
- (e) Fences - Side and Rear Yard - One foot from side or rear property line except in cases where adjacent property owners by mutual, legally recorded agreement erect a fence in common. Said fence may be located on the property line in side or rear yards. Front yard - 25 feet from the centerline of the street.

302.3 - Height Regulations - (See Supplementary Regulations)

- (a) Principal Structures - 40 feet.
- (b) Accessory Structures - Not to exceed the height of the principal structure.
- (c) Maximum Height for Wall or Fence - 6 feet, as measured from ground level.

Section 303 - Minimum Floor Area Required For All Dwelling Units - No dwelling unit as defined in Article XVII shall be permitted in any zone having a floor area of less than 720 square feet provided that mobile homes or house trailers having less than 720 square feet shall be permitted if situated in mobile home parks as provided for in this Ordinance.

Section 304 - General Regulations - Nothing herein contained shall be construed to permit the use of land or buildings for the storage of junk or a junk yard.

ARTICLE IV

R-1 RESIDENTIAL ZONING DISTRICT

Section 400 - Purpose of Zoning District - To provide a Zoning District in which the predominate use will be residential.

Section 401 - Use Regulations -

401.1 - Principal Permitted Uses:

- (a) One-family detached dwellings, including earth sheltered homes.
- (b) Church, church school, church uses and cemeteries.
- (c) Essential services provided they shall be necessary to the adequate distribution of service and shall not include any type of equipment which will interfere with local radio or television, or otherwise be detrimental to the surrounding area.
- (d) Golf Courses.
- (e) Public parks and non-commercial recreation facilities.

401.2 - Accessory Uses Permitted:

- (a) Private garage.
- (b) Private playhouse, swimming pool, tennis court, tool or storage shed, and private greenhouse.
- (c) Private shelter for household pets.
- (d) Private incinerator, provided:
  - (1) It shall be located within the dwelling, or in the rear yard only.
  - (2) It shall be used only for burning of refuse produced on the premises.
- (e) Wall, fence, lamp post, similar accessory structure, subject to limitations outlined in Section 402.1 and 402.2.
- (f) Equipment for energy conversion such as solar collectors, provided it shall be compatible with surrounding structures and provided such equipment conforms with yard, and height requirements.

- (g) Home Occupation as defined in this Zoning Ordinance, provided:
- (1) One person other than members of the immediate family occupying such dwelling may be employed.
  - (2) The home occupation shall be incidental and subordinate to its use for residential purposes and that not more than 25% of the floor area of a dwelling unit shall be for home occupations.
  - (3) The home occupation shall not involve the use of advertising signs on the premises or any local advertising media which call attention to the fact that the home is used for business purposes, except those permitted in a residential zone as provided for in Article XI.
  - (4) In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises or vibrations.
  - (5) The parking need generated by the conduct of a home occupation shall be met off the street and other than in the required front yard.
  - (6) The use shall not generate traffic, parking, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the district. Likewise, it shall not involve the use of more than one commercial vehicle, one ton capacity or less, for delivery of goods produced or services provided on the premises.
- (h) Storage or parking of a commercially used vehicle, provided:
- (1) Such vehicle shall comply with height and area regulations.
- (i) Personal care residences - (See Special Exception).
- (j) Signs, subject to provisions of Article XI.
- (k) Parking and Loading Facilities, subject to provisions of Article X.
- (l) Accessory Apartments - (See Zoning Hearing Board - Article XV - Special Exception).
- (m) Any other accessory use, provided:
- (1) It shall be customarily incident and subordinate to a permitted principal use.
  - (2) It shall be located on the same lot as the principal use.

Section 402 - Lot, Yard and Height Requirements -

402.1 - Lot Requirements -

- (a) Minimum Lot Area - 20,000 square feet.
- (b) Minimum Lot Width - 100 feet.
- (c) Maximum Lot Coverage - 25% including accessory structures.

402.2 - Yard (Setback) Requirements -

- (a) Minimum Front Yard, Principal and Accessory Structures - 75 feet as measured from the street centerline or 35 feet from the road right-of-way, whichever is the greater distance from the street centerline.
- (b) Minimum Side Yard - 15 feet for principal structures, 10 feet for accessory structures.
- (c) Minimum Rear Yard - 35 feet for principal structures, 10 feet for accessory structures.
- (d) Corner Lots - The minimum building setback line on any street not having lots fronting upon it shall be fifteen (15) feet from the required right-of-way or easement line. Where the street on the side of a corner lot has lots fronting upon it within the same block on the same side of the street, the building setback on the side of the corner lot shall conform to the setback requirements of such street.
- (e) Fences - Side and Rear Yard - One foot from side or rear property line except in cases where adjacent property owners by mutual, legally recorded agreement erect a fence in common. Said fence may be located on the property line in side or rear yards. Front yard - 25 feet from the centerline of the street.

402.3 - Height Regulations - (See Supplementary Regulations)

- (a) Principal Structures - 40 feet.
- (b) Accessory Structures - Not to exceed the height of the principal structure.
- (c) Maximum Height for Wall or Fence - 6 feet, as measured from ground level.

Section 403 - Minimum Floor Area Required For All Dwelling Units - No dwelling unit as defined in Article XVII shall be permitted in any zone having a floor area of less than 720 square feet provided that mobile homes or house trailers having less than 720 square feet shall be permitted if situated in mobile home parks as provided for in this Ordinance.

Section 404 - General Regulations - Nothing herein contained shall be construed to permit the use of land or buildings for the storage of junk or a junk yard.

ARTICLE V

R-2 RESIDENTIAL ZONING DISTRICT

Section 500 - Purpose of Zoning District - To provide a zoning district in which the predominate use will be residential, with height and area regulations establishing an intensity of land use designed to encourage medium density residential development.

Section 501 - Use Regulations -

501.1 - Principal Uses Permitted -

- (a) One-family detached dwellings, including earth sheltered homes.
- (b) Duplex dwellings.
- (c) Multiple-family dwellings, subject to the following conditions, and as approved by the Township Board of Supervisors:

(1) Application Requirements - All applicants for building permits for multiple-family residential development shall make application in writing, at a scheduled meeting of the Township Supervisors. The application form shall be accompanied by the necessary supporting documentation as specified in item #2 following.

(2) Plan Requirements -

- a. SITE DEVELOPMENT PLAN - The Developer shall submit five (5) copies of a detailed site plan showing the development proposal in conformance with all applicable provisions of this Ordinance. Plans shall be prepared at a scale of 1" = 50' or larger.
- b. PROPERTY SURVEY - The Developer shall submit a property survey and/or deed description describing, by metes and bounds, all property proposed for development. Acreage shall be shown on plan or deed.
- c. TOPOGRAPHICAL MAPS - The Developer shall submit an Existing and Proposed Topographical Map (Grading Plan) of the property. Contours shall be provided at a 2' contour interval and shall show the existing natural features and proposed changes thereto.
- d. UTILITY PLANS - The Developer shall submit a sewer and water plan. Such plan shall be prepared in conformance with all applicable regulations of the Pennsylvania Department of Environmental Resources and shall be approved by the Department prior to final consideration of the plan by the Township.
- e. STREET/THOROUGHFARE AND PARKING PLAN - The Developer shall submit a plan of proposed streets and parking areas, including profiles, typical cross sections



and design specifications of proposed improvements, including Road Surface, Shoulders, Ditches and Drainage Structures. Streets shall be constructed to the minimum specifications of the Township and/or the minimum standards of the Mercer County Subdivision and Land Development Regulations, whichever is applicable. Improvements shall be installed according to the design specifications prior to issuance of occupancy permits.

- f. OPEN SPACE AND LANDSCAPE PLANS - The Developer shall submit an open space and landscaping plan. Plan shall include any proposed improvements to and within the open space areas plus typical planting plans for all structures.
- g. TYPICAL BUILDING ELEVATIONS AND FLOOR PLANS
- h. RESTRICTIONS - The substance of covenants, grants, easements, or other restrictions imposed upon the use of the land, buildings, and structures, including proposed easements or grants for public utilities, storm water retention facilities, open space facilities, etc.
- i. PHASED DEVELOPMENT PLAN - Development plans which call for construction over a period of years, must be accompanied by a Phased Development Plan showing when each and all sections of the development will be filed (submitted) for final approval. This schedule must be updated annually on the anniversary of its approval until the development is completed and accepted.
- j. SOIL EROSION AND SEDIMENTATION CONTROL PLAN - Prior to final approval of the plan, the Developer shall submit a Soil Conservation Service approved Soil Erosion and Sedimentation Control Plan.
- k. STORM WATER MANAGEMENT PLAN - Prior to final approval of the plan, the Developer shall submit a Soil Conservation Service approved Storm Water Management Plan. Such plan shall be prepared in accord with locally adopted Storm Water Management Plans and/or the guidelines of the Pennsylvania Storm Water Management Act.

The foregoing shall be considered minimum requirements for conditional approval of a Multi-Family Residential Development application. Where unique design concepts or other circumstances exist requiring deviation from the format, the Developer shall submit additional data as is necessary to completely explain the proposal.

- (3) Application Review - Upon receipt of a complete development application, the Supervisors shall forward one copy to the Township Planning Commission, one copy to the Zoning Officer,

one copy to the Mercer County Regional Planning Commission and one copy to the South Pymatuning Township Fire Department for review and report.

Review - The Zoning Officer and Planning Commission shall review the proposed development to determine that it is in compliance with all applicable provisions of the Zoning Ordinance, Subdivision and Land Development Regulations, and all other applicable regulations of the Township. In the review and in addition to all other requirements of this Ordinance, the Zoning Officer and Planning Commission shall assure that the development application has provided for the following:

- a. Interior drives and an automobile parking arrangement that prevents blockage of vehicles entering or leaving the site and minimal conflicts between pedestrian/vehicular and vehicular/vehicular points of intersection or contact achieved by the use of architectural barriers (curbing) and/or landscape barriers.
- b. Areas for loading and unloading delivery trucks and other vehicles and for the servicing of the premises by refuse collection, fuel and other service vehicles and shall be so arranged that they may be used without blockage or interference with the use of accessways or automobile parking facilities.
- c. Screened storage of any proposed outside materials that abuts any public right-of-way and any residential district.
- d. Any proposed display of signs which does not constitute a hazard to public safety by reason of location, content, coloring, or manner of illumination or by any other display method so as to obstruct or detract vision at drives or free ingress and egress from a site, window, fire escape or door.
- e. Adequate easements or rights-of-way for drainage and utilities.
- f. Positive drainage away from buildings and proper surface water drainage so as to prevent ponding or the erosion and flooding of abutting properties and streets.
- g. Proposed exterior lighting of the premises and that does not create a traffic hazard or interfere with the quiet enjoyment of surrounding uses.
- h. Proposed screening or landscaping and that by reason of location or height does not constitute a traffic hazard.

Within sixty (60) days of receipt of the application, the Zoning Officer and Planning Commission shall file a written report of their findings with the Township Supervisors.

- (4) Plan Approval - The Supervisors shall render their decision and transmit it, in writing, to the applicant not later than ninety (90) days following the date the application is filed.
  - (5) Application Amendments - The Application may be amended or otherwise changed within the ninety (90) day review period without effecting the review time period provided such changes are submitted not less than thirty (30) days prior to the Supervisors meeting at which time the decision for approval or disapproval is to be made.
  - (6) Condominiums - Where the condominium form of ownership is proposed the development shall conform to all applicable sections of Act 82 of 1980, of the Pennsylvania Legislature entitled the "Uniform Condominium Act", in addition to the requirements of this Ordinance.
- (d) Church, church school, cemetery.
  - (e) College, preparatory school, boarding school, public and parochial schools, including therewith dormitories for faculty or students, fraternity or sorority houses.
  - (f) Essential services, provided they shall be necessary to the adequate distribution of service and shall not include any type of equipment which will interfere with local radio or television, or otherwise be detrimental to the surrounding area.
  - (g) Public parks and non-commercial recreation facilities.
  - (h) Hospital or institutional home.

501.2 - Accessory Uses Permitted -

- (a) Private Garage, not exceeding space for more than three (3) private passenger vehicles.
- (b) Private playhouse, private swimming pool, private tennis court, private tool or storage shed, private greenhouse.
- (c) Private shelter for household pets, provided it shall not be used on a commercial basis.
- (d) Private Incinerator, provided:
  - (1) It shall be located within the dwelling, or only in the rear yard.
  - (2) It shall be used only for burying of refuse produced on the premises.

- (e) Wall, Fence, Lamp Post, Similar Accessory Structure, subject to height limitations outlined in Section 502.2 and 502.3.
- (f) Home Occupation as defined in this Zoning Ordinance and according to Article IV - Section 401.2 (h).
- (g) Parking of a Commercially Used Vehicle, provided:
  - (1) Such vehicle shall comply with the height and area regulations for accessory structures.
  - (2) It shall be limited to one such commercially used vehicle of one ton capacity or less.
- (h) Accessory Signs, subject to provisions of Article XI.
- (i) Parking and Loading Facilities, subject to provisions of Article X.
- (j) Equipment for energy conversion such as solar collectors, provided it shall conform with yard and height requirements for accessory structures.
- (k) Personal Care residences - (See Special Exception Article XV Zoning Hearing Board.
- (l) Accessory apartments - (See Special Exception Article XV Zoning Hearing Board.
- (m) Any Other Accessory Use, provided:
  - (a) It shall be customarily incident and subordinate to a permitted principal use.
  - (b) It shall be located on the same lot as the principal use.

Section 502 - Lot, Yard and Height Requirements -

502.1 - Lot Requirements -

- (a) Minimum Lot Area.
  - (1) One-Family Detached Dwellings - 20,000 square feet.
  - (2) Duplex - 40,000 square feet.
  - (3) Multi-Family - Gross Lot Area - 10,000 square feet/unit - minimum parcel size for multi-family development - 10-acres.
  - (4) All Other Uses - 20,000 square feet.
  - (5) Lot Coverage - 35% including accessory structures.

(b) Minimum Lot Width

- (1) One-Family - 100 feet.
- (2) Duplex - 120 feet.
- (3) Multi-Family 100' front - Subject to 10-acre minimum parcel size.
- (4) Other Uses - 100 feet.

502.2 - Minimum Yard (Setback) Requirements -

(a) Minimum Front Yard, Principal and Accessory Structures - All uses 75 feet as measured from the street centerline or 35 feet from the right-of-way, whichever is greater. Fences - Front Yard - 25 feet from the centerline of the street.

(b) Minimum Side Yard -

- (1) One-Family Detached - 15 feet.
- (2) Duplex - 15 feet.
- (3) Multi-Family - 40 feet between structures - 50 feet from any adjoining boundary.
- (4) Other Uses - 15 feet.
- (5) Fences - Side and Rear Yard - 1 foot from side or rear property line except in cases where adjacent property owners by mutual legally recorded agreement, erect a fence in common. Said fence may be located on the property line in side or rear yards.

(c) Minimum Rear Yard -

- (1) One-Family - 35 feet for principal structures, 10 feet for accessory structures.
- (2) Duplex - 35 feet for principal structures, 10 feet for accessory structures.
- (3) Multi-Family - 50 feet - yard areas may not overlap.
- (4) Other Uses - 35 feet - 10 feet for accessory structures.

(d) Corner Lots - The minimum building setback line on any street not having lots fronting upon it shall be fifteen (15) feet from the required right-of-way or easement line. Where the street on the side of a corner lot has lots fronting on it within the same block on the same side of the street the building setback on the side of the corner lot shall conform to the setback requirements.

502.3 - Maximum Height Requirements -

- (a) Principal Structures - 40 feet.
- (b) Accessory Structures - Not to exceed the height of the principal structure.
- (c) Solid Wall or Fence - 6 feet as measured from ground level to top of wall or fence.

Section 503 - Minimum Floor Area Required For All Dwelling Units - No dwelling unit as defined in Article XVII shall be permitted in any zone have a floor area of less than 720 square feet provided that mobile homes or house trailers having less than 720 square feet shall be permitted if situated in mobile home parks as provided for in this Ordinance.

Section 504 - General Regulations - Nothing herein shall be construed to permit the use of land or buildings for the storage of junk or a junk yard.

ARTICLE VI

CONSERVATION AND RECREATIONAL ZONING DISTRICT

Section 600 - Purpose - Provide a Zoning District for development of public recreation facilities and conservation of land within convenient access to the Shenango River Reservoir.

Section 601 - Permitted Uses -

- (a) Public park and recreation areas.
- (b) Ancillary, commercial uses provided for the convenience of recreation participants. No general commercial/business uses other than seasonal business shall be permitted.
- (c) Recreational vehicle parks subject to development standards - Article IX of the South Pymatuning Township Subdivision and Land Development Regulations and/or applicable standards of the U.S. Army Corps of Engineers.

Section 602 - General Development Standards - Subject to all applicable rules and regulations of the U.S. Army Corps of Engineers and as approved by that agency.

ARTICLE VII

MHP/MOBILE HOME PARK ZONING DISTRICT

Section 700 - Purpose - To provide a Zoning District for the location of Mobile Home Parks and Recreational Vehicle Parks.

700.1 - Definition - For the purpose of this Article, mobile homes, mobile home parks, recreational vehicles and recreational vehicle parks shall be defined as follows:

- (a) Mobile Home - A transportable self-contained, single-family dwelling designed to be transported on its own wheels or on a flatbed or other trailer or detachable wheels, and which may be temporarily or permanently affixed to real estate; used for non-transient residential purposes constructed with the same, or similar electrical, plumbing and sanitary facilities as immobile housing; and upon arrival at the site where it is to be situated, it is complete and ready for occupancy, except for support, connections to utilities and the like.

Prefabricated and/or modular units designed to be assembled or formed together upon arrival at the site and requiring exterior finishing operations prior to occupancy (excluding location on foundation and connection with utilities) shall be considered as a prefabricated or modular home rather than a mobile home.

- (b) Mobile Home Park - A parcel of land under single ownership which has been specifically planned and improved for long-term placement (over 30 days) of mobile homes for non-transient use in a safe and desirable manner.
- (c) Recreational Vehicle - A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or it mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.
- (d) Recreational Vehicle Park - A plot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes. No residential uses shall be permitted and mobile units shall not exceed 350 square foot in floor area. Recreational Vehicle (RV) Parks shall be designed to serve the short term placement of Recreational Vehicles and no Recreational Vehicle shall be used as a permanent place of abode, dwelling, or business.



Section 701 - Use Regulations -

701.1 - Principal Permitted Uses -

- (a) Mobile Home Parks, provided:
  - (1) That no mobile home park shall be approved on less than ten (10) acres of contiguous land and;
  - (2) They shall be developed in conformance with Article VIII - Mobile Home Park Development Standards of the South Pymatuning Township Subdivision and Land Development Regulations.
- (b) Recreational Vehicle Parks, provided:
  - (1) That no recreational vehicle park shall be approved on less than 10-acres of contiguous land and;
  - (2) They shall be developed in conformance with Article IX - Recreational Vehicle Park Development Standards of the South Pymatuning Township Subdivision and Land Development Regulations.
- (c) Essential Services, provided:
  - (1) They shall be necessary to the adequate distribution of service and shall not include any type of equipment which will interfere with local radio or television, or otherwise be detrimental to the surrounding area.
- (d) All uses permitted in the R-2 residential zoning district.

Section 702 - Accessory Uses Permitted -

- (a) Laundromat, camp store, grocery store, administrative offices, bath house, pools, or caretakers residence provided that such uses shall be strictly provided for the use and convenience of those persons utilizing the park.
- (b) All accessory uses as permitted in the R-2 Residential Zoning District.

Section 703 - Development Standards - See South Pymatuning Township Subdivision and Land Development Regulations.

ARTICLE VIII

"B-1" BUSINESS NEIGHBORHOOD SERVICE ZONING DISTRICT

Section 800 - Purpose of Zoning District - To provide a Zoning District in which will be encouraged the establishment and maintenance of those offices, retail and service business establishments essential to the efficient functioning of a residential neighborhood in such a manner that it will preserve the essential character of the adjoining Residential Zoning District.

Section 801 - Use Regulations - Provided:

- (a) Any business, servicing, storage, or processing shall be conducted within a completely enclosed building, except for parking and loading facilities and for "drive-in" type establishments offering goods or services to customers waiting in parked motor vehicles.
- (b) Any display of goods shall be in back of the setback building line.

801.1 - Permitted Principal Uses -

- (a) Automotive Service Establishment, such as automotive gasoline service station, automotive garage, provided:
  - (1) It shall not be located within 100 feet of any lot line of any Residential Zoning District.
  - (2) Means of ingress and egress shall be located no closer than 100 feet from the intersecting right-of-way lines of street intersections.
  - (3) Access drives shall not exceed 30 feet in width within 10 feet of the street right-of-way line.
  - (4) Access drives shall not exceed two per lot on any one street frontage.
- (b) Club, such as membership club, lodge, fraternal organization building.
- (c) Eating and/or drinking establishment.
- (d) Essential Services.
- (e) Health Service Establishment: physician's office, medical clinic, dental clinic.
- (f) Office Establishments.

- (g) Personal Service Establishment such as: barber shop, beauty parlor, dry cleaning or clothes pressing pick-up station, laundry pick-up station, automatic self-service laundry, lending library, bank, mortuary, shoe repair shop.
- (h) Retail Sales Establishment.
- (i) Car Washes (automatic and self-service) provided they meet the following requirements:
  - (1) The owner shall provide a site plan of the proposed car wash operation showing the location of entrances and exits, the building housing the washing equipment, the parking areas for waiting vehicles and employees, the distance to nearest street intersection, property lines and required setback side yard, and rear yard lines, plus type of screening to be used. The site plan shall be to scale and prepared by an Architect, Landscape Architect, Professional Engineer or Land Surveyor.
  - (2) Provide sufficient off-street parking for waiting cars. The parking or standing area shall be situated on the property outside the washing facilities and be of sufficient size to accommodate at least one-third the hourly capacity of the car wash plus a reserve of 20 percent of the hourly capacity to accommodate peak demand periods. Hourly capacity in this instance, shall mean the greatest number possible of automatic washes that can be provided in one hour.
  - (3) Provide separate entrance and exit facilities with paved driveways. Minimum width of driveways and stacking lanes for waiting cars shall be ten (10) feet.
  - (4) No entrance or exit shall be located closer than fifty (50) feet to an existing street intersection.
  - (5) Provide an area of at least 800 square feet beyond the exit end of the washing building to be used for hand finishing operations of the washing process.
  - (6) Car washes may not be located less than 100 feet from the nearest residential zone.
  - (7) Provide separate off-street parking area for the owner and employees at the rate of one space for the owner and one space for every two employees.
  - (8) A permanent screening fence or wall not less than six (6) feet in height shall be constructed along any property line which abuts property zoned for residential use.

- (9) All off-street parking areas shall be hard-surfaced and dust free.
- (10) Side yard and rear yard requirements shall be in accordance with Section 802 of this Ordinance.
- (11) Signs - In accordance with applicable sections of Article XI.

801.2 - Permitted Accessory Uses -

- (a) Processing, Cleaning, Servicing, Testing or Repair, provided:
  - (1) It shall be limited to 20 percent of the gross floor area of the principal structure.
  - (2) It shall not extend beyond 10 feet from the front of the principal structure.
- (b) Signs, subject to provisions prescribed in Article XI.
- (c) Parking and/or Loading Facilities, subject to provisions prescribed in Article X.
- (d) Any other accessory use, provided:
  - (1) It shall be customarily incident and subordinate to a permitted principal use.
  - (2) It shall be located on the same lot as the principal use.

Section 802 - Lot, Yard and Height Requirements -

802.1 - Lot Requirements -

- (a) Minimum Lot Area - 20,000 square feet.
- (b) Minimum Lot Width - 100 feet.
- (c) Maximum Lot Coverage - Subject to yard, parking and loading requirements.

802.2 - Yard (Setback) Requirements -

- (a) Minimum Front Yard, Principal and Accessory Structures - 75 feet as measured from the street centerline.
- (b) Minimum Side Yard, Principal and Accessory Structures - 15 feet adjacent to commercial use. 30 feet from any Residential Zoning District.
- (c) Minimum Rear Yard - 35 feet for principal structures, 10 feet for accessory structures.

- (d) Corner Lots - The minimum building setback line on any street not having lots fronting upon it shall be fifteen (15) feet from the required right-of-way or easement line. Where the street on the side of a corner lot has lots fronting upon it within the same block on the same side of the street, the building setback on the side of the corner lot shall conform to the setback requirements.
- (e) Fences - Side and Rear Yard - One (1) foot from side or rear property line except in cases where adjacent property owners by mutual, legally recorded agreement erect a fence in common. Said fence may be located on the property line in side or rear yards. Front yard - 25 feet from the centerline of the street.

802.3 - Height Requirements -

- (a) Principal Structures - 40 feet maximum. Accessory structures shall not exceed the height of the principal structure.

Section 803 - General Regulations - Nothing herein shall be construed to permit the use of land or buildings for the storage of junk or a junk yard.

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ARTICLE IX

INDUSTRIAL ZONING DISTRICT

Section 900 - Purpose - To provide a Zoning District which will:

- (a) Encourage the establishment and maintenance of industrial establishments for the manufacture, assembly, compounding, processing, or storage of products.
- (b) Prohibit industrial uses and other uses which are clearly noxious or offensive by reason of odor, smoke, gas, vibration or noise.
- (c) Not permit residential uses for the purpose of both preserving the area for its appropriate use and for preventing the location of dwelling units in an area inappropriate for residential use.

Section 901 - Use Regulations -

901.1 - Principal Uses Permitted -

- (a) Essential Services.
- (b) Locker plant for storage or sales.
- (c) Building supplies, provided there shall be no storage or display of material in the front or side yards.
- (d) Plumbing, carpentry, and tinsmith shops, provided:
  - (1) No fabricating equipment shall be used which may unreasonably disturb the abutting property owners.
  - (2) There shall be no storage of materials in the front or side yards.
- (e) Automotive Service Establishment, such as: automotive gasoline service station, automotive repair garage, provided:
  - (1) Any such use or vehicular access thereto shall not be located within two-hundred (200) feet of any "R" District, school, playground or church, if the use is located along the same street and on the same block.
  - (2) Means of ingress and egress shall be located no closer than one-hundred (100) feet from the intersecting right-of-way lines of street intersections, nor shall any such ingress or egress be located within one-hundred (100) feet of any Residential (R) District.

- (3) Access drives shall not exceed twenty (20) feet in width within ten (10) feet of the street right-of-way line.
- (4) Access drives shall not exceed two (2) per lot on any one (1) street frontage.
- (5) No equipment, such as gas or oil pumps, shall be within fifteen (15) feet of the street right-of-way.
- (6) There shall not be any vehicle parked within fifteen (15) feet of any Residential Zoning District or street right-of-way.
- (f) Motor freight terminal, provided any such use, or vehicular access thereto shall not be located within two-hundred (200) feet of any "R" District, nor any school, playground or church if the use is located along the same street and on the same block.
- (g) Warehousing and wholesaling establishments.
- (h) Industrial Establishments for manufacturing, processing, packing or bottling, but not such uses or processes which produce or emit dust, smoke, toxic or noxious odors, gases and fumes, excessive noise or vibration, similar substances and conditions.
- (i) Inflammable liquid storage, provided:
  - (1) It shall be approved by the Fire Chief and the Commonwealth of Pennsylvania.
  - (2) It shall not be located within two-hundred (200) feet of any lot line in any "R" Zoning District, or within thirty (30) feet of any adjoining lot line.
  - (3) The area shall be enclosed on all sides by a fence or wall not less than six (6) feet high and maintained in good condition.
- (j) Laboratories devoted to research, design, experimentation, processing and fabrication incidental thereto.
- (k) Industrial Services, as defined in Article XVII.
- (l) Any other principal use equivalent to the above permitted principal uses, provided: it shall be subject to any special provisions of use that may be attached to the particular listed use, and it shall be approved by the Zoning Hearing Board.
- (m) Industrial uses specifically prohibited are: slaughterhouses; dead animal or offal reduction; fertilizer manufacture; the manufacturing of highly explosive chemicals, materials or products; and other similar noise, odor, dust, hazard or nuisance bearing manufacturing processes or materials.

901.2 - Accessory Uses Permitted -

- (a) Uses customarily incidental to the permitted principal use, provided the accessory use shall be on the same lot as the permitted principal use.
- (b) Signs, as provided for in Article XI.
- (c) Parking and Loading Facilities, as provided for in Article X.
- (d) Processing, cleaning, servicing, testing or repair, provided it shall be entirely within the principal structure.
- (e) Walls and fences and other landscaping.
- (f) Storage of inflammable liquids on a lot occupied by an automotive service establishment, provided:
  - (1) It shall be stored in underground tanks.
  - (2) It shall be approved by the Commonwealth of Pennsylvania.
- (g) Office, restaurant, recreation use, and hospital use, provided it shall be incidental to a particular industry and on the same lot as the industrial use it serves.
- (h) Any other accessory use, provided:
  - (1) It will further the welfare and best interests of the Township.
  - (2) It shall be subject to the provisions of use prescribed in Section 902.
  - (3) It shall not include any use specifically prohibited in this Article.

Section 902 - Provisions of Use - Any permitted principal and/or accessory use shall be subject to the following use regulations:

- (a) All accessory storage of junk, waste, discarded, or salvaged material, machinery or equipment, including automobile, truck or other vehicle parts shall not be permitted except within a completely enclosed structure, or if the lot area devoted to such use is over 200 square feet in area, the owner may have the alternative of enclosing it on all sides except for an exit and entrance not over 25 feet in width by a solid fence or wall at least 6 feet in height and maintained in good condition or by a cyclone or equal wire fence at least 6 feet in height and surrounded, except for an exit and entrance not over 25 feet in width, by evergreens at least 6 feet in height and planted not further apart than 6 feet so as to form a solid screen.



- (b) It shall be carried on only in buildings classified as fire-resistant and be carried on in such a manner with such precautions against fire and explosion hazards as to produce no exposure hazards to an adjacent property.
- (c) It shall not emit any noxious, toxic or corrosive fumes or gases.
- (d) It shall not emit any offensive odors.
- (e) It shall not exhaust into the air any dust or smoke created by an industrial operation in excess of permissible standards.
- (f) It shall not discharge any wastes, whether liquid or solid into the waters of the Commonwealth of Pennsylvania including any surface and underground waters - both natural and artificial.
- (g) It shall provide necessary shielding or other protective measures against interference occasioned by mechanical and nuclear equipment, or uses or processes with electrical apparatus, to nearby residences.
- (h) Sewage Treatment shall be provided as approved by Pennsylvania Department of Environmental Resources.
- (i) Permitted Principal and/or Accessory Signs (Subject to provisions in Article XI).
- (j) Required Parking and/or Loading Facilities (Subject to provisions in Article X).

Section 903 - Lot, Yard and Height Requirements -

903.1 - Lot Requirements -

- (a) Minimum Lot Area - 20,000 square feet.
- (b) Minimum Lot Width - 100 feet.
- (c) Maximum Lot Coverage - Subject to yard, parking and loading requirements.

903.2 - Yard (Setback) Requirements -

- (a) Minimum Front Yard, Principal and Accessory Structures - 75 feet as measured from the street centerline or 50 feet from the right-of-way, whichever is greater.
- (b) Minimum Side Yard, Principal and Accessory Structures - 15 feet.
- (c) Minimum Rear Yard - 35 feet for principal and accessory structures.
- (d) Minimum Distance to a Residential District - 100 feet.

- (e) Fences - Side and Rear Yard - 1 foot from side or rear property line except in cases where adjacent property owners by mutual, legally recorded agreement erect a fence in common. Said fence may be located on the property line in side or rear yards. Front Yard - 25' from the centerline of the street.

903.3 - Height Requirements -

- (a) Maximum Height for principal structures - 40 feet. Accessory structures not to exceed the height of the principal structures.
- (b) See Supplementary Regulations for exceptions of height.

ARTICLE X

PARKING AND LOADING REGULATIONS

Section 1000 - Off-Street Parking and/or Loading Facility Requirements -

1000.1 - New Use of a Structure and/or Land - Parking and/or loading facilities for new uses of any structures or land shall be provided in accordance with the following schedules.

1000.2 - Increase in Intensity of Use of a Structure and/or Land - The intensity of use of a structure and/or land shall not be increased through the addition of dwelling units, rooming units, gross floor area, lot area, or other units of measurement prescribed unless accessory parking and/or loading facilities shall be provided in accordance with the following schedules.

1000.3 - Change in Use of Structure and/or Land - An existing use of a structure and/or land shall not be changed to a new use, unless parking and/or loading facilities shall be provided as required in the following schedules for such new use.

1000.4 - Size of Parking and Loading Spaces -

- a. Parking Space - Not less than nine (9) feet wide and twenty (20) feet long.
- b. Loading Space - Not less than ten (10) feet wide and forty-five (45) feet long and fourteen (14) feet high.

1000.5 - Required Parking Spaces for Each Use -

<u>a. Residential Uses</u>	<u>Required Parking Spaces</u>
(1) One and Two Unit Dwelling Structures ..	2.0 for each dwelling unit.
(2) Multi-Family Structures .....	In accordance with the PRD provisions of Article (or 1.5 per dwelling unit).
(3) Housing for Elderly Persons .....	0.5 for each dwelling unit.
(4) Boarding House .....	1:5 for each sleeping room.
(5) Home Occupation in One and Two-Family Dwellings .....	2.0 plus 2.0 for each dwelling unit.

<u>b. Business Uses</u>	<u>Required Parking Spaces</u>
(1) Retail or Personal Services Establishment and Regional Shopping Centers .....	1.0 for each 200 square feet of gross floor area plus 5.0 waiting spaces per drive-in lane plus 1.0 per employee on the largest shift.
(2) Business and Public Office Establishments (Other than Personal Services) .....	1.0 for each 250 square feet of gross floor area.
(3) Eating and/or Drinking Establishment ..	1.0 per 100 square feet of gross floor area, plus 1.0 per employee on the largest shift.
(4) Grocery, Convenience Store, or Supermarket .....	1.0 per 100 square feet of gross floor area of customer sales and service plus 1.0 per 200 square feet of gross floor area of storage.
(5) Medical Offices .....	5.0 per doctor.
(6) Hotel, Motel, Tourist Court .....	1.0 for each sleeping room plus 1.0 for each 100 square feet of restaurant floor area.
(7) Commercial Recreation Uses (Other than Bowling Alleys) .....	1.0 for each three (3) units of rated patron capacity.
(8) Recreational Vehicle Park .....	1.5 per each recreational vehicle site, plus 1.0 per employee on the largest shift.
(9) Bowling Alleys .....	5.0 per alley.
(10) Mortuary or Funeral Home .....	A minimum of 25 per chapel unit, plus 2.0 for each dwelling unit and 1.0 for each employee.
(11) Clubs (Fraternal, Social, etc.) .....	1.0 per three (3) persons to the rated patron capacity.

- (12) Motor Vehicle Sales and Service ..... 1.0 for each 1500 square feet of gross floor area, plus 1.0 per employee on the largest shift.
- (13) Vehicle Repair and Maintenance Services ..... 1.0 per four-hundred (400) square feet of gross floor area, plus 1.0 per employee on the largest shift.
- (14) Warehouse ..... 1.0 per employee on the largest shift, plus 1.0 per four thousand (4,000) square feet of gross floor area.
- (15) Truck Terminal ..... 1.0 per employee on the largest shift, plus 1.0 per truck normally parked on the premises.
- (16) Industrial/Light Industrial Uses ..... 1.0 per employee on the largest shift, plus 1.0 per company vehicle regularly stored on premises.

3c.

Community Facilities

Required Parking Spaces

- (1) Governmental Facility, Service Structure, and/or Use (Other than a place of public assembly) ..... 1.0 for each employee on the largest shift plus 1.0 per vehicle normally stored on the premises.
- (2) Community and Recreation Center ..... 1.0 per three (3) patrons to the rated patron capacity, plus 1.0 per employee on the largest shift; or 1.0 per two-hundred and fifty (250) square feet of gross floor area.
- (3) Church, Synagogue or Other Place of Worship ..... 1.0 for each three (3) units of seating capacity.

- (4) Essential Services (Public Utility Facility, Service Structure, and/or Use other than an office establishment) ..... 1.0 for each employee but not less than 3.0 spaces.
- (5) Schools, Classroom Buildings:
- a. Elementary and Junior High ..... 1.0 per teacher and staff member, plus 1.0 per each two (2) classrooms.
- b. Senior High ..... 1.0 per teacher and staff member, plus 1.0 per five (5) nonbused students.
- c. College ..... 1.0 per staff member on the largest shift, plus 1.0 per two (2) students of the largest class attendance period.
- d. Commercial or Trade ..... 1.0 per three (3) students, plus 1.0 per employee (including faculty) at capacity class attendance period.
- e. Day or Nursery School ..... 1.0 per teacher and other employees on the largest shift, plus 1.0 per each six (6) students.
- (6) Group Housing - Dormitory, Fraternity House, Sorority House, Nurses House or Similar Institutional Housing ..... 1.0 for each sleeping room.
- (7) Convalescent Home, Institutional Home, Nursing Homes ..... 1.0 per six (6) patient beds, plus 1.0 per employee on the largest shift, plus 1.0 per staff member and visiting doctor.
- (8) Place of Public Assembly such as an Auditorium, Hall, Gymnasium, or Theatre ..... 1.0 for each 3 units of seating capacity.
- (9) Hospital ..... 2.0 per each three (3) patient beds, plus 1.0 per staff doctor and employee on the largest work shift.

Mixed Uses

Required Parking Spaces

- (1) Any Mixed Use ..... The sum of the various uses computed separately.

1000.6 - Required Loading Spaces for Each Use -

- a. Multi-Family Structures with more than five (5) Dwelling Units ..... 1.0 spaces.
- b. Retail and Wholesale Merchandising, Manufacturing Storage or Processing:
  - (1) 5,000 to 25,000 square feet of gross floor area ..... 1.0 space.
  - (2) 25,000 to 40,000 square feet of gross floor area ..... 2.0 spaces.
  - (3) 40,000 to 60,000 square feet of gross floor area ..... 3.0 spaces.
  - (4) 60,000 to 100,000 square feet of gross floor area ..... 4.0 spaces.
  - (5) For each additional 50,000 square feet of gross floor area or major fraction thereof ..... 1.0 additional spaces.
- c. Schools having 15,000 square feet or more of gross floor area ..... 1.0 space.
- d. Hospitals (in addition to space for ambulances):
  - (1) 10,000 to 30,000 square feet of gross floor area ..... 1.0 space.
  - (2) For each additional 30,000 square feet of gross floor area or major fraction thereof ..... 1.0 additional space.
- e. Mortuary or Funeral Home:
  - (1) 3,000 to 5,000 square feet of gross floor area ..... 1.0 space.
  - (2) For each additional 5,000 square feet of gross floor area or major fraction thereof ..... 1.0 additional space.
- f. Hotels, Motels and Offices with 5,000 or more square feet of gross floor area .. 1.0 space.

Section 1001 - General Provisions -

1001.1 - Location of Required Parking Facilities - The parking spaces required for the use listed in the above schedule shall be on the same lot as the use they are intended to serve, except that the Zoning Hearing Board may permit the parking spaces to be on any lot wholly within 300 feet of the building if it determines it is impractical to provide space on the same lot with the building. In such cases where the required spaces are provided off the site such space shall be in the same ownership as the use to which they are accessory, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and/or assigns to maintain the required number of spaces available throughout the life of such use, and such spaces shall conform to all regulations of the district in which they are located.

1001.2 - Availability of Public Parking - The Zoning Hearing Board may grant special exception to the parking space requirements of any use upon determination that it is both impractical to provide space on the same lot with the principal use, and that there is adequate off-street public parking available within 300 feet of the use.

1001.3 - Location of Required Loading Facilities - The loading spaces required for the uses listed in the foregoing schedule shall in all cases be on the same lot as the use they are intended to serve. In no case shall the required loading space be part of the area used to satisfy the parking requirements of the Zoning Ordinance.

1001.4 - Use of Required Parking and/or Loading Facilities by Another Use - Any part of the parking and/or loading facilities required for any use for the purpose of complying with the regulations of the Zoning Ordinance shall not be included as part of a parking and/or loading facility similarly required for another use unless the type of use indicated that the periods of usage shall not be simultaneous with each other as determined by the Zoning Officer upon review by the Zoning Hearing Board.

1001.5 - Use of Yards for Driveways and Parking - Yard areas may contain permitted driveways and turnaround areas and may also include off-street parking spaces subject to the following restrictions:

- a. Where such uses are in a Residential District:
  - (1) Front yards shall be kept free of parking except in permitted driveways.
  - (2) Such parking shall be related to the use of the lot, and not provided for other uses except as provided for in Section 1001.4.
- b. Where such uses are in Commercial, or Industrial Districts a front or side yard may be used for parking provided:
  - (1) The parking is set back a minimum of ten (10) feet from any abutting street right-of-way, unless otherwise specified in the use regulations of the District wherein such use is located.
  - (2) The parking shall comply with the parking regulations contained in Section 1001.

1001.6 - Encroachment and Reduction - A required parking and/or loading space shall not be encroached upon by a structure, storage or any other use, nor shall the number of spaces be reduced.

1001.7 - Off-Street Parking and Loading Spaces for Uses Not Specifically Mentioned - For any use not specifically mentioned in the above sections, the requirements for off-street parking and off-street loading facilities are the same as for a similar use that is specifically mentioned. In such a case, either the Zoning Officer or the applicant for the Certificate of Occupancy or Building Permit may apply to the Zoning Hearing Board for an interpretation of the provisions of this Ordinance for such off-street parking and off-street loading requirements, and the Zoning Hearing Board shall render a decision in writing in the manner provided for in this Ordinance.



1001.8 - Parking, Storage, or Use of Major Recreational Equipment -

- a. Major recreational equipment as defined for purposes of these regulations, includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, and the like, and cases or boxes used for transporting recreational equipment whether occupied by such equipment or not.
- b. Occupancy - No such equipment shall be used for living, sleeping or housekeeping purposes except as provided for under the following conditions:  
  
Travel trailers, pickup campers, or coaches, motorized dwellings and tent trailers may be temporarily parked and occupied for sleeping purposes only, by visitors and house guests in accordance with the following provisions:
  - (1) The temporary parking and occupancy period shall not exceed 14 days.
  - (2) Such vehicles and/or trailers shall have adequate off-street parking areas.
- c. Permanent Parking and Storage of Camping and Recreational Equipment - Permanent storage of such equipment shall be permitted in any Zoning District provided parking of the unit conforms with all applicable yard setback requirements of the Zoning District.
- d. Spacing - Major recreational equipment six feet or more in average height above the ground shall be governed as to spacing with respect to buildings on the lot as though it were a building.
- e. Lot Coverage - Major recreational equipment six feet or more in average height shall be included on the same basis as buildings for regulation of lot coverage by all buildings, with area covered computed on the basis of the largest horizontal area covered by such equipment.
- f. Derelicts - No major recreational equipment shall be stored out of doors on residential premises unless it is in condition for safe and effective performance of the function for which it is intended or can be made so at a cost not exceeding the value of the equipment in its existing state. In no case shall any such equipment be so stored for a period of more than six months if not in condition for safe and efficient performance of the function for which it is intended.

## ARTICLE XI

### SIGN REGULATIONS

Section 1100 - Application - Signs may be erected and maintained only in compliance with the provisions of this Article, other Articles of this Ordinance and any and all regulations of the Township of South Pymatuning relating in any way to the erection, location, size, height, use, number, lighting, operation, alteration or maintenance of signs, billboards, banners and other similar advertising devices as defined.

Section 1101 - Purpose - The sign regulations, controls and provisions set forth in this Ordinance are made in accordance with an overall plan and program for the public safety, area development, preservation of property values, and the general welfare of the Township of South Pymatuning and are intended to aid in traffic control and traffic safety; preserve and protect property values, lessen congestion of land and air space; provide against undue concentrations of signs which distract and endanger traffic safety and traffic flow; establish reasonable standards for commercial and other advertising through the use of signs in order to maintain and encourage business activity and area development; avoid uncontrolled proliferation of signs; recognize the rights of the public in roads, streets, highways, and the areas adjacent to those roads, streets and highways; preserve the wholesome and attractive character of the Township of South Pymatuning and to recognize that the general welfare includes a community plan that shall be beautiful as well as healthy, spacious as well as clean, and well balanced in its growth and development.

Section 1102 - Sign Definitions - The following words and phrases, when used in this Ordinance, shall have the meaning given in this section:

1102.1 - Sign - A sign is any structure, device, light or natural object including the ground itself or any part thereof or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, produce, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word sign shall include the structure which supports the sign face as well as the sign face itself. The word sign shall not include signs which are affixed to the inside of windows and glass doors of enclosed buildings except for illuminated or animated show windows. No other indoor sign shall be deemed a sign within this Ordinance.

1102.2 - Sign Area - Sign area is the area of the smallest triangle, rectangle, or circle which can wholly enclose the surface area of the sign. All visible faces of a multi-faced sign shall be counted separately and then totalled in calculating sign area. When individual letters are used separately on the surface of a building wall, the spaces between said letters shall be included in computing the area of the sign.

1102.3 - Signs Defined According to the Type of Message Conveyed:

- (a) Advertising: An advertising sign shall be defined as a sign directing attention to a product or service offered upon other premises.
- (b) Announcement: A sign of temporary character indicating the names of persons associated with any work being performed, or events conducted upon the premises upon which the sign is maintained. In districts where business or industry is permitted, an announcement sign shall also include a sign of temporary or permanent character indicating products or services offered upon the premises where the sign is maintained.
- (c) Billboard: A non-point-of-sale type of advertising sign having more than one hundred (100) square feet of display surface which is either erected on the ground or attached to or supported by a building or structure.
- (d) Bulletin Board: A sign of permanent character, but with changeable letters, words or numerals, indicating the names of persons associated with events conducted upon, or products or services offered upon, the premises upon which such sign is maintained.
- (e) Business: A sign directing attention to a business, commodity, service, or entertainment conducted, sold or offered upon the same premises as those upon which the sign is maintained.
- (f) Identification: A sign, including a bulletin board sign, indicating the name of a permitted use, the name or address of a building, or the name of the management thereof.
- (g) Institutional: An institutional sign shall be defined as a sign for a school, church, hospital, or similar institution for the purpose of displaying the name of the institution and its particular activities.
- (h) Instructional: A sign conveying instruction with respect to the premises on which it is maintained, such as a sign designating the entrance to or exit from a parking area, a trespassing sign, a danger sign, and similar signs.
- (i) Nameplate: A sign indicating the name and address of an occupant.
- (j) Professional: A sign indicating the name and occupation of a professional person or group of associated professional persons.
- (k) Real Estate: A sign advertising the sale, rental or lease of the premises on which it is maintained, including a subdivision sign.

- (1) Development: A sign advertising the sale or development of the premises upon which it is erected, when erected in connection with the development of the premises by a building contractor, developer, or other persons interested in such sale or development.

1102.4 - Signs Defined According to the Location on the Premises or the Method of Attachment:

- (a) Awning or Canopy: A sign other than a projecting sign mounted on an awning or canopy and identifying the name or address of a building or an establishment contained therein.
- (b) Ground: A detached sign erected upon or supported by the ground, but not including a pedestal (pole) sign.
- (c) Marquee: A sign other than a projecting sign mounted on the marquee of any building.
- (d) Projecting Street: A sign erected approximately perpendicular to the street right-of-way line, including a sign similarly erected at the corner of a building, and projecting into the right-of-way of any street, sidewalk, alley or other public thoroughfare. A projecting street sign shall also include a sign suspended from the ceiling or marquee, canopy or vestibule where such sign is located in the street right-of-way.
- (e) Projecting Yard: A sign erected approximately perpendicular to the wall of a building, including a sign erected at the corner of a building and projecting into an open space or yard but not projecting into the right-of-way of any street, sidewalk, alley or other public thoroughfare.
- (f) Roof: A sign erected upon the roof of any building.
- (g) Wall: A sign which is painted upon a building wall or which is erected against the wall of any building with the exposed face thereof in a plane parallel to the plane of said wall, and which sign is mounted at a distance, measured perpendicular to said wall, no greater than fifteen (15) inches. A wall sign shall include a sign suspended from the ceiling of a marquee, canopy or vestibule where such sign does not project into the street right-of-way.
- (h) Pedestal or Pole Sign: A sign supported by a column that is perpendicular to the center of gravity.
- (i) Trailer Sign: Any sign mounted on a vehicle normally licensed by the State as a trailer and used for advertising or promotional purposes.

- (j) Freestanding Sign: Shall mean any mobile or portable sign or sign structure, not securely attached to the ground or to any other structure.

1102.5 - Signs Defined According to the Degree of Illumination:

- (a) Direct Illumination: A sign designed to give forth any internal artificial light or reflect such light from an artificial source.
- (b) Indirect Illuminated: An illuminated, non-flashing sign whose illumination is derived entirely from an external artificial source and which is so arranged that no direct rays of light are projected from such artificial source into residences or streets.
- (c) Flashing: An illuminated sign, whether stationary, revolving or rotating, which exhibits changing light or color effects, provided that revolving or rotating signs which exhibit no changing light or color effects other than those produced by revolution or rotation shall be deemed flashing signs only if they exhibit noticeable changes in such light intensity or color effects.

Section 1103 - General Provisions and Exceptions - The following general regulations on signs are applicable in all districts, unless otherwise stated, and are in addition to any other sign regulations that apply to a particular district.

1103.1 - Design and Lighting of Signs:

- (a) Projection over a Public Right-of-Way: A sign shall not project from the face or corner of a building more than sixty (60) inches over a public right-of-way, including a pedestrian walkway, provided, however, that no sign shall extend nearer to the perpendicular upward projection of any curb line than three (3) feet. Any portion of a sign projecting more than thirty (30) inches over a public right-of-way or pedestrian walkway shall not exceed thirty (30) inches in vertical dimension. The area of all projecting signs shall not exceed twelve (12) square feet. A clear space of not less than ten (10) feet shall be provided below all parts of projecting signs.
- (b) Direct or Reflected Light: A sign shall not be so placed as to cast direct or reflected light upon a window of any dwelling in any Residential Zoning District, or on any public street.
- (c) Imitation of or Resemblance to Official Traffic Control Signs: A sign shall not be an imitation of or resemble official traffic control signs or devices and any sign within fifty (50) feet of an intersection shall not contain any visible green, yellow or red colored lights which might be confused with official traffic control devices.

- (d) Animated or Flashing Signs: No animated signs or devices shall be permitted in any zoning district, nor shall flashing signs, lights or devices be permitted.
- (e) Posting of Sign: A sign shall not be affixed to, painted on, or otherwise posted on certain road-side features such as: fence posts, utility poles, trees, bridges, or barricades that are within twenty-five (25) feet of any right-of-way.
- (f) Vision Obstruction: A sign shall not cause danger to traffic on a street by obscuring the view or otherwise interfere with traffic.
- (g) Obstruction: No sign shall prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a fire escape.
- (h) Roof Signs: Roof signs are prohibited.

1103.2 - Signs Not Requiring a Permit:

- (a) Special Display: Special decorative display used for holidays, public demonstrations, or promotion of civic, welfare or charitable purposes, when authorized by the Township Supervisors.
- (b) Real Estate Signs not exceeding eight (8) square feet in area.
- (c) Temporary Signs or Banners, including temporary Announcement Signs and Produce Signs not exceeding twelve (12) square feet in surface area.
- (d) Identification Signs not exceeding twelve (12) square feet in surface area.
- (e) Name Plate Signs not exceeding two (2) square feet in area.
- (f) Memorial Signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
- (g) Traffic or other municipal signs, legal notices, railroad crossing signs, danger, and such temporary, emergency or non-advertising signs as may be approved by the Township Supervisors.
- (h) Instructional signs regulating on-premises traffic, parking or other functional subdivision, such as lavatory facilities, telephone, signs denoting other sections of a building such as lubrication, office, etc., when less than four (4) square feet in area and bearing no commercial advertising, whatsoever. Such signs shall be limited to such words as "entrance", "in", "exit", "out", "parking", and may also have arrows or other appropriate directional indicators.

- (1) Such sign shall not be less than eight (8) feet nor more than ten (10) feet high from ground grade when required for sight distance situations.
- (2) The total height of the sign shall not be more than three (3) feet from ground grade for a low type mounting when not required for sight distance situations.

Section 1104 - Termination of Non-Conforming Signs -

1104.1 - Removal of Non-Conforming Signs - When a non-conforming sign is taken down or moved for any reason, the same may not again be erected or re-established or permitted to remain at any location on the property without the prior issuance of a sign permit, and in such case, no sign permit shall be issued unless the sign is then made to conform with all regulations applicable to new signs.

1104.2 - Damaged or Destroyed Non-Conforming Signs - A sign damaged or destroyed by any means to an extent of more than fifty percent (50%) of its replacement cost at time of destruction shall not be reconstructed except in conformity with the provisions of this Ordinance unless a variance is granted by the Zoning Hearing Board.

Replacement cost shall be determined by obtaining cost of construction from the following sources:

- (a) One (1) sign contractor selected by owner;  
One (1) sign contractor selected by the Township Supervisors.
- (b) The average cost of replacement will then be ascertained after receipt of both costs.

1104.3 - Signs Erected in Violation - The Zoning Officer or his authorized agent shall have the authority to have removed any sign erected in violation of this Ordinance. Any such sign removed shall be kept at the Township Garage for thirty (30) days, during which time it may be claimed by the owner thereof.

1104.4 - Unsafe Signs - If the Zoning Officer shall find that any sign regulated herein is unsafe or insecure, or is a hazard to the public, he shall give written notice to the owner thereof. The owner shall have ten (10) days after receipt of such notice to remove or alter the sign so as to eliminate the hazard. If the owner fails to comply within the designated time, the Zoning Officer shall have the authority to have said unsafe sign removed at the expense of the owner of the property upon which it is located. The Zoning Officer or his authorized agent may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

1104.5 - Obsolete Signs - Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure upon which such sign may be found within ten (10) days after written notification from the Zoning Officer. Upon failure to comply with such notice within the time specified in such order, the Zoning Officer is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached.

1104.6 - Authority to Remove a Sign - For any sign designated by the Zoning Officer for removal because of non-compliance with the Zoning Ordinance, the Zoning Officer shall document the reasons for removal and present such evidence to the District Justice. The Zoning Officer shall then only remove a sign upon issuance of an order by the District Justice, except that an unsafe sign which is of an immediate peril to persons or property may be removed without such order.

Section 1105 - Permitted Principal and Accessory Signs -

1105.1 - Residential Zoning Districts -

(a) Name Plate

One (1) lighted or unlighted name plate for each dwelling unit or other permitted use, provided:

- (1) Its dimensions shall not exceed twelve (12) inches by twenty-four (24) inches.
- (2) If lighted, it shall be illuminated with white light by reflector or internal method only.
- (3) It shall not be used other than for identifying the name and/or address of the occupant.

(b) Identification Sign

(1) Wherein rooms are rented and/or meals served: One (1) lighted or unlighted sign, provided:

- (a) It shall not exceed six (6) square feet in surface area.
- (b) It shall pertain only to the renting of rooms and/or serving of meals.
- (c) It shall be set back a minimum of ten (10) feet from the street right-of-way line.

(2) Apartment Developments: One (1) lighted or unlighted sign per street frontage, provided:

- (a) It shall not exceed fifteen (15) square feet in surface area.
- (b) It shall be set back a minimum of ten (10) feet from the street right-of-way line.

(c) Real Estate Signs

One (1) unlighted sign for each street frontage publicizing the sale or rental of the premises upon which it is erected, provided:



- (1) It shall not exceed six (6) square feet in surface area.
- (2) Such sign shall be set back a minimum of ten (10) feet from any street right-of-way line.

(d) Development Signs

One (1) unlighted sign for each street frontage, provided:

- (1) The size of any sign is not in excess of twenty (20) square feet.
- (2) It shall be set back a minimum of ten (10) feet from any street right-of-way line.

(e) Announcement Signs

(1) Events: One (1) unlighted temporary sign for each street frontage, provided:

- (a) It shall not exceed twelve (12) square feet.
- (b) It shall be set back a minimum of ten (10) feet from the right-of-way of any street.
- (c) It shall be erected no sooner than thirty (30) days prior to the event it concerns and shall be removed no later than five (5) days following the close of the event.

(2) Work Being Performed: For each street frontage, one (1) unlighted temporary sign of architects, contractors, mechanics, painters, and artisans erected and maintained on the premises where the work is being performed, provided:

- (a) It shall not exceed fifteen (15) square feet.
- (b) It shall be set back a minimum of ten (10) feet from the right-of-way of any street.
- (c) It shall be removed within thirty (30) days after completion of the work.

(f) Institutional Signs

One (1) lighted or unlighted sign for each street frontage, provided:

- (1) The area shall not exceed thirty (30) square feet.
- (2) Such sign shall be set back a minimum of ten (10) feet from any street right-of-way line.

(g) Off-Premises Directional Signs

Unlighted signs may be permitted, provided:

- (1) The sign is necessary to aid the traveling public in locating a church, school, hospital, or publicly-owned facility.
- (2) The sign is of minimum size necessary for public information but in no instance larger than six (6) square feet nor more than four (4) feet in length.
- (3) The sign shall be no closer than ten (10) feet from the cartway of any public street or road.
- (4) Not more than one such sign is erected on each five-hundred (500) feet of street frontage.

(h) Home Occupation Signs

One (1) unlighted sign for each professional, accessory use or home occupation for each permitted use of a dwelling, provided:

- (1) Any such sign shall be on the same lot with and indicate the name, profession or activity of any such use.
- (2) Such sign shall be set back a minimum of ten (10) feet from any side or street lot line.
- (3) Such sign shall not exceed two (2) square feet.

(i) Instructional Signs

Such signs are permitted, provided:

- (1) The sign is necessary for instructing the general public about the premises upon which it is maintained.
- (2) The sign is of minimum size necessary for public information but in no instance larger than four (4) square feet.
- (3) Such sign shall not be less than eight (8) feet nor more than ten (10) feet high from ground grade when required for sight distance situations.
- (4) The total height of the sign shall not be more than three (3) feet from ground grade for a low type mounting when not required for sight distance situations.

(j) Height and Projection of Signs

No sign in any Residential District shall project into the public right-of-way or project higher than one story or ten (10) feet, whichever is the lower height.

1105.2 - Additional Signs for Non-Conforming Uses in Residential Districts -  
In addition to the signs listed in 1205.1 the following additional signs are permitted for any lawful non-conforming use of a commercial or industrial nature:

(a) Business and/or Identification Signs on the same lot therewith, provided:

- (1) The total sign area on any one street frontage of any such property shall not exceed fifteen (15) square feet.
- (2) Such sign shall not include pedestal (pole) signs.
- (3) It shall be set back a minimum of ten (10) feet from the street right-of-way line.

1105.3 - Business Zoning Districts -

(a) Name Plate and/or Accessory Identification Sign

One (1) lighted or unlighted name plate or accessory identification sign for any lot used for a principal business use, provided, it shall not exceed five (5) square feet in surface area.

(b) Real Estate Signs

One (1) unlighted sign for each street frontage publicizing the sale or rental of the premises upon which it is erected, provided:

- (1) It shall not exceed six (6) square feet in surface area.
- (2) Such sign shall be set back a minimum of ten (10) feet from any street right-of-way line.

(c) Development Signs

One (1) unlighted sign for each street frontage, provided:

- (1) The size of any sign is not in excess of twenty (20) square feet.
- (2) It shall be set back a minimum of ten (10) feet from any street right-of-way line.

(d) Announcement Signs

(1) Events: One (1) unlighted sign for each street frontage, provided:

- (a) It shall not exceed twenty (20) square feet.
- (b) It shall be set back a minimum of ten (10) feet from the right-of-way of any street.
- (c) It shall be erected no sooner than thirty (30) days prior to the event it concerns and shall be removed no later than five (5) days following the close of the event.

(2) Work Being Performed: One (1) unlighted temporary sign of architects, contractors, mechanics, painters, and artisans erected and maintained on the premises where the work is being performed, provided:

- (a) It shall not exceed twenty (20) square feet.
- (b) It shall be set back a minimum of ten (10) feet from the right-of-way of any street.
- (c) It shall be removed within thirty (30) days after completion of the work.

(e) Institutional Signs

One (1) lighted or unlighted sign for each street frontage, provided:

- (1) The area shall not exceed thirty (30) square feet.
- (2) Such sign shall be set back a minimum of ten (10) feet from any street right-of-way line.

(f) Off-Premises Directional Signs

Unlighted signs may be permitted, provided:

- (1) The sign is necessary to aid the traveling public in locating a church, school, hospital, or publicly-owned facility.
- (2) The sign is of minimum size necessary for public information but in no instance larger than six (6) square feet nor more than four (4) feet in length.

- (3) The sign shall be no closer than ten (10) feet from the cartway of any public street or road.
- (4) Not more than one such sign is erected on each five-hundred (500) feet of street frontage.

(g) Instructional Signs

Such signs are permitted, provided:

- (1) The sign is necessary for instructing the general public about the premises upon which it is maintained.
- (2) The sign is of minimum size necessary for public information but in no instance larger than four (4) square feet.
- (3) Such sign shall not be less than eight (8) feet nor more than ten (10) feet high from ground grade when required for sight distance situations.
- (4) The total height of the sign shall not be more than three (3) feet from ground grade for a low type mounting when not required for sight distance situations.

(h) Business Wall Signs

One (1) lighted or unlighted wall sign for each street frontage of a principal business use, provided:

- (1) Any such sign, including its lighting source, shall not be mounted farther than fifteen (15) inches from the building wall.
- (2) It shall not project above the height of the related building.
- (3) Any portion of any such sign that projects over a public right-of-way or pedestrian walkway shall be no less than ten (10) feet above the public right-of-way or walkway.
- (4) It shall be limited to use as a business sign.
- (5) The area of any such sign shall not exceed ten (10) percent of the area of the wall of the building where the sign is located.

(i) Marquee or Canopy Signs

One (1) lighted or unlighted sign for each side of a marquee or canopy located on a building such as a motion picture theater, provided:

- (1) It shall not exceed five (5) feet in height.
- (2) It shall not project below the fascia of the marquee or canopy.
- (3) It may extend the full length of the marquee or canopy but in no case shall it project beyond the ends of the marquee or canopy.
- (4) It shall be limited to use as a business sign.

(j) Pole Signs

One (1) lighted or unlighted sign for each street frontage, provided:

- (1) No sign shall exceed a height of twenty (20) feet.
- (2) The base of any pole sign shall be located within the property line, but the sign may project into a public right-of-way, provided, however, that no sign shall extend nearer to the perpendicular upward projection of any curb line than three (3) feet.
- (3) There shall be no less than ten (10) feet clearance below any portion of such sign that projects over a public right-of-way or pedestrian walkway.
- (4) On corner lots the base of any pole sign must be placed behind a clear site triangle formed by the right-of-way lines and a straight line joining said right-of-way lines at points twenty (20) feet from the point of intersection.
- (5) It shall be limited to use as a business sign.
- (6) It shall not exceed fifty (50) square feet in surface area, one side.
- (7) Accessory Pole Signs - Up to four (4) such signs not to exceed four (4) square feet each may be attached to a pole sign, provided that the ten (10) foot ground-to-sign clearance is maintained.

(k) Free-Standing Signs Other Than Pole Signs

One (1) lighted or unlighted portable free-standing sign such as a teepee sign or trailer sign for each street frontage, provided:

- (1) Any such sign shall not exceed a height of six (6) feet.
- (2) It shall be set back a minimum of ten (10) feet from the street right-of-way line except that on corner lots any such sign greater than three (3) feet in height shall be placed behind a clear site triangle formed by the right-of-way lines and a straight line joining said right-of-way lines at points twenty (20) feet from the point of intersection.
- (3) The area of such a sign shall not exceed twelve (12) square feet, one side.
- (4) It shall be limited to use as a business sign.

#### 1105.4 - Industrial Districts

- (a) Signs as Permitted in Sections 1205.1, 1205.2, and 1205.3.
- (b) Advertising Signs

Advertising signs as defined in this Article, including billboards, are permitted, provided that:

- (1) The sign area may not exceed three-hundred (300) square feet, one side, or a height of thirty-five (35) feet.
- (2) Such signs are erected no closer than three-hundred (300) feet from another such sign.
- (3) It shall be set back a minimum of ten (10) feet from the street right-of-way line except that on corner lots any such sign greater than three (3) feet in height shall be placed behind a clear site triangle formed by the right-of-way lines and a straight line joining said right-of-way lines at points twenty (20) feet from the point of intersection.

#### Section 1106 - Permits and Fees for Erection of Signs -

##### 1106.1 - Requirements of Sign Permits -

- (a) All signs, except those enumerated in Section 1203.2, require a permit, prior to the erection of said signs.
- (b) Application for a permit shall be made on a form provided by the Zoning Officer which shall contain or have attached thereto the following information:

- (1) Name, address and telephone number of applicant.
  - (2) A map showing the location of the building, structure, or lot to which the sign is to be attached or erected, and showing the position of the sign in relation to nearby buildings and thoroughfares. Such a map must be to scale.
  - (3) A plan showing design of sign, materials used, and method of construction and means of attachment to the building or the ground; such plans must be to scale or show dimensions.
  - (4) Name of person, firm, corporation or association erecting, altering or moving said sign.
  - (5) Written consent of the owner of the land on which the sign is to be erected, altered, or relocated.
  - (6) Any other information as the Zoning Officer shall require in order to show full compliance with this and all other applicable laws of the Township of South Pymatuning.
- (c) No sign permit shall be issued until the Zoning Officer has certified that the proposed sign complies with the provisions of this Ordinance, and the Zoning Officer has ascertained that the proposed sign complies with the provisions of other applicable laws and ordinances.
- (d) In the event that the Zoning Officer denies applicant's request for a building permit, said Zoning Officer shall issue to the applicant a written statement containing the reasons therefor.

1106.2 - Permit Fees - Applications for sign permits shall be accompanied by a fee in an amount to be fixed from time to time by the Township Supervisors.

1106.3 - Permit Exceptions - The following operations shall not be considered as creating a sign and shall not require a permit:

- (a) Replacing Copy - The changing of the advertising copy of message on an approved painted or printed sign or on a theater marquee and similar approved signs which are specifically designed for the use of replaceable copy.

This provision shall not apply to painted lettering, symbols, etc., which utilize a building for the sign surface. The repainting of such signs, other than routine maintenance, shall be considered a new sign.

- (b) Maintenance - Cleaning and other normal maintenance and repair of a sign or a sign structure unless a structural change is made.



ARTICLE XII

SUPPLEMENTARY REGULATIONS

Section 1200 - Supplementary Use Regulations -

1200.1 - Essential Services - Essential services, as defined in the Zoning Ordinance, shall be permitted in any Zoning District.

Section 1201 - Supplementary Height Regulations -

1201.1 - Height Measurement - Measurement of height shall be the vertical height from the average elevation of finished grade at the front of the structure to:

- (a) In the case of flat roof structures - highest point of coping,
- (b) In the case of mansard roof structures - deck line of roof,
- (c) In the case of gable or hipped roof - average height of roof.

1201.2 - Exceptions to Height Requirements -

- (a) The height limitation of this Ordinance shall not apply to flagpoles, church spires, belfries, domes, or similar projections not used for human occupancy; nor to chimneys, ventilators, skylights, water tanks, bulk heads, antenna, and other necessary mechanical apparatus usually carried above the roof level.
- (b) Existing Designed Structures:  
The vertical extension of a structure existing at the effective date of the Zoning Ordinance may be erected to such height as the original drawings of said building indicated, provided:
  - (1) The building was actually designed and constructed to carry the additional stories necessary for such height.
- (c) Terraces:  
Where a terrace exists, the height of a structure may be increased above the maximum height permitted in the Zoning District in which it is located, a distance equal to the height of the terrace, provided:
  - (1) The depth of front yard is not less than the height of the terrace.

Section 1202 - Supplementary Area Regulations -

1202.1 - Number of Principal Structures on a Lot - Only one principal structure may be permitted on a lot except in Planned Residential Developments or Planned Commercial or Industrial Building Groups.

1202.2 - Subdivision of Lot - Any lot shall not be subdivided, if by such action the Zoning Ordinance would be violated.

1202.3 - Determination of Yards and Minimum Distance to Lot Lines on Irregularly Shaped Lots - On an irregularly shaped lot no point of a building shall be less than the required setback.

1202.4 - Projection into and Occupancy of Yards, Courts or Other Open Spaces - The following projections into and the occupancy of required yards, courts or other open space, except a porch and/or similar attached or semi-detached accessory structure, shall be permitted subject to the following provisions:

(a) Steps, Stoop, Window Sill, Belt Course, Similar Architectural Feature, Rain Leader and/or Chimney - Provided:

(1) It shall not project more than four (4) feet beyond the face of the wall.

(b) Exterior Stairway, Fire Tower, Balcony, Fire Escape or Other Required Means of Egress - Provided:

(1) It shall not project more than four (4) feet beyond the face of the wall.

1202.5 - Fences - Except as provided in the next paragraph, the yard requirements of this Ordinance shall not be deemed to prohibit any otherwise lawful fence or wall, provided that in any Residential District no fence or wall shall exceed six (6) feet in height in any side or rear yard.

1202.6 - Visibility at Intersections - On a corner lot in any District, no structure, sign, fence, wall, hedge or other planting shall be erected, placed or maintained at a height of more than thirty (30) inches above the curb line within the triangle formed by the street lines and a straight line joining said street lines at points which are thirty (30) feet distant from the point of intersection.

Section 1203 - General Control of Outdoor Illumination -

1203.1 - Illumination of Buildings - Buildings and uses may be illuminated by reflected light provided that the source of such light shall be suitably shielded so as not to detract from the quiet enjoyment of surrounding uses. The Zoning Officer may, at any time, require existing lights to be rearranged or shielded to conform. Such an order may be appealed to the Zoning Hearing Board, but otherwise, must be complied within thirty (30) days from the date of notification.

Section 1204 - Screening of Non-Residential Uses - Applicable to All Commercial and Industrial Districts -

1204.1 - Specific Areas Affected - Suitable screening (as defined in Section 1204.2 below) shall be installed in every Commercial and Industrial District where any permitted use in any such Districts abuts any Residential District.

1204.2 Suitable Screening Defined - Suitable screening shall be either a thick hedge, or a solid fence or wall four (4) feet to six (6) feet in height.

ARTICLE XIII

NON-CONFORMING USES, STRUCTURES AND LOTS

Section 1300 - Intent and Standards - Within the districts established by this Ordinance or amendments that may later be adopted there exist lots, structures, and uses of land and structures which were lawful before this Ordinance was passed or amended, but which would be prohibited under the terms of this Ordinance or future amendment.

It is the intent of this Ordinance to permit these non-conformities to continue until they are removed. Such uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. Non-conformities may be enlarged and expanded as determined by the Zoning Hearing Board.

A non-conforming use of a structure, a non-conforming use of land, or non-conforming use of a structure and land shall not be extended or enlarged after passage of this Ordinance by:

- (a) by the addition of other uses, if such additions are of a nature which would be prohibited generally in the district,
- (b) attachment of additional signs to a building, or
- (c) the placement of additional signs or display devices on the land outside the building.

Nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been continuously carried on. Actual construction is defined to include the placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work shall be continuously carried on until the completion of the building involved.

Section 1301 - Non-Conforming Lots of Record - For non-conforming lots of record the owner shall comply to the Zoning Hearing Board for the appropriate variances for the use of said lot. If two or more lots with continuous frontage in single ownership and if all or part of the lots do not meet the requirements for lot width and area in the respective district, the lands involved shall be considered to be an undivided parcel for the purpose of this Ordinance. No portion of said parcel shall be used which does not meet lot width and area requirements established by this Ordinance. Nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Ordinance.

Section 1302 - Non-Conforming Uses of Land - Where lawful use of land exists that is made no longer permissible under the terms of this Ordinance as enacted or amended, such use may be continued, subject to the following provisions:

1302.1 - No such non-conforming use shall be expanded, occupy a greater area of land than was occupied at the effective date of this Ordinance, except as specified by Section 1300 of this Ordinance.

1302.2 - No such non-conforming use shall be moved to any other portion of the lot occupied by such use at the effective date of this Ordinance.

1302.3 - If any such non-conforming use of land ceases for any reason for a period of more than twelve (12) months, any subsequent use of such land shall conform to the regulations for the district in which such land is located.

Section 1303 - Non-Conforming Structures - Where a lawful structure exists that could not be built under the terms of this Ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1303.1 - A structure may be enlarged or altered in a reasonable amount as approved by the Zoning Hearing Board.

1303.2 - Should such structure be destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance unless a variance is granted by the Zoning Hearing Board.

1303.3 - Should such structure be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after moved.

Section 1304 - Non-Conforming Uses of Structures - If a lawful use of a structure, or of a structure and premises in combination exists that would not be allowed in the district, the lawful use may be continued subject to the following provisions:

1304.1 - An existing structure devoted to a use not permitted in the district in which it is located may be enlarged, extended, constructed, reconstructed, or structurally altered upon granting of a variance by the Zoning Hearing Board.

1304.2 - Any non-conforming use may be extended throughout any parts of a building, but no such use shall be extended to occupy any land outside such building.

1304.3 - If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Zoning Hearing Board shall find that the proposed use is equally or more appropriate to the district than the existing non-conforming use. In permitting such change, the Zoning Hearing Board may require additional conditions and safeguards.

1304.4 - Once a non-conforming use is superseded by a permitted use, the non-conforming use shall not be resumed.

1304.5 - When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve (12) consecutive months, they shall not be used except in conformance with the regulations of the district in which it is located.

1304.6 - Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

Section 1305 - Repairs and Maintenance - On any building, devoted in whole or in part to any non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing without the requirement of a zoning permit.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 1306 - Uses Granted Under Special Exception Provisions - Any use for which a special exception is granted shall be deemed a conforming use.

ARTICLE XIV

ADMINISTRATION AND ENFORCEMENT

Section 1400 - Office of Zoning Officer -

1400.1 - Creation of Office - The office of Zoning Officer is hereby created.

1400.2 - Appointment - The Zoning Officer shall be appointed by the Governing Body.

1400.3 - Official Records - An Official Record shall be kept of all business of the Zoning Officer and shall be open to public inspection at all appropriate times.

1400.4 - Compensation of the Zoning Officer - The compensation of the Zoning Officer shall be determined by the Governing Body.

Section 1401 - Duties and Powers of the Zoning Officer - The Zoning Officer shall interpret and enforce all provisions of the Zoning Ordinance.

1401.1 - Permits and Certificates of Use and Occupancy - The Zoning Officer shall issue Permits and Certificates of Use and Occupancy. Permits and Certificates of Use and Occupancy for construction and uses which are a special exception or variance from the Zoning Ordinance shall be issued only upon order of the Zoning Hearing Board.

1401.2 - Annual Report - The Zoning Officer shall annually submit to the Governing Body a report of all Permits and Certificates of Use and Occupancy, Notices issued and Orders.

1401.3 - Registration of Non-Conforming Uses and Structures - The Zoning Officer shall be required to identify and register all non-conforming uses and structures that: (1) exist at the time the Ordinance is adopted or (2) are created by subsequent amendments of the Ordinance.

1401.4 - Right of Entry - The Zoning Officer shall have the authority to enter during normal business hours any structure and/or land in the Township to inspect and to enforce the provisions of the Zoning Ordinance. Before entering, he shall provide proper identification.

Section 1402 - Application for Permit and Certificate of Use and Occupancy -

1402.1 - When Permit is Required - It shall be unlawful to erect, enlarge, construct, reconstruct or structurally alter any building and/or other structure (except a sign as prescribed in Subsection 1203.2) or change the use, intensity of use, or extend or displace the use of any building, other structure and/or land in the Township without filing an application with the Zoning Officer in writing and obtaining the required Permit.

1402.2 - When a Certificate of Use and Occupancy is Required - It shall be unlawful to use and/or occupy any building, other structure and/or land for which a Permit is required until a Certificate of Use and Occupancy for such building, other structure and/or land has been issued by the Zoning Officer. The application for issuance of a Certificate of Use and Occupancy shall be made at the same time an application for a Permit is filed with the Zoning Officer.

1402.3 - Forms of Application - The Application for a Permit and a Certificate of Use and Occupancy shall be submitted in such form as the Zoning Officer may prescribe and shall be accompanied by the required fee as prescribed in Section 1504.

1402.4 - Plot Diagram - Applications shall be accompanied by a plot plan diagram (in duplicate) drawn to suitable scale showing all dimensions of lands or buildings to provide accurate means of review of the material in the application. One copy shall be returned to the applicant indicating approval or disapproval, one copy shall be retained by the Zoning Officer.

1402.5 - Amendments to a Permit - Amendments to a permit or other records accompanying it may be filed at any time before completion of the work. Such amendments shall be deemed a part of the original application.

1402.6 - Expiration of Permits - If work described in any permit has not begun within 90 days from the date of issuance, it shall expire. A written notice shall be given by the Zoning Officer to the persons affected.

If permitted work has not been substantially completed within one year of the date of issuance, the permit shall expire. A written notice shall be given by the Zoning Officer to the persons affected. A new permit shall be required.

Section 1403 - Action on Permits and Certificates of Use and Occupancy -

1403.1 - Action on Permit Application - The Zoning Officer shall act on all applications for Permits and amendments thereto within 10 days after filing. He shall conduct a preliminary inspection of all structures and/or land for which an application has been filed for a Permit. If the application and preliminary inspection indicate compliance with the Zoning Ordinance, a Permit shall be issued. Disapproval of a Permit shall be in writing to the applicant.

1403.2 - Posting of Permit - The Permit issued by the Zoning Officer shall be posted at the work site and be visible from the street until the completion of the permitted work.

1403.3 - Revoking a Permit - The Zoning Officer may revoke an issued Permit in case of any false statement in the application for the Permit.

1403.4 - Action upon Completion - Upon completion of the permitted work and prior to use and occupancy, the holder of the permit shall notify the Zoning Officer of such completion. Within 10 days after receiving notice of completion, the Zoning Officer shall conduct a final inspection of all permitted structures and/or land. All violations of the approved permit and plans shall be recorded and presented in writing to the holder of the permit.

If the Zoning Officer is satisfied that the completed work conforms with the issued Permit and complies with the Zoning Ordinance, he shall issue a Certificate of Use and Occupancy for the use indicated in the Permit.

Section 1404 - Fee Schedule -

1404.1 - Payment of Fees - No Permit or Certificate of Use and Occupancy shall be issued until the fees prescribed by resolution of the governing body has been paid.

Section 1405 - Notice of Violation - Where the Zoning Officer finds that the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action and maximum number of days necessary to correct it.

Section 1406 - Prosecution of Violation - If the Notice of Violation is not complied with, the Zoning Officer shall request the Township Solicitor to institute the appropriate proceedings to correct such violations.

Section 1407 - Enforcement Penalties - Any person, who shall violate the provisions of this Zoning Ordinance and are convicted thereof in a summary proceeding, shall be subject to fine or imprisonment as prescribed in Section 616 - Enforcement Penalties of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.

Section 1408 - Stop-Work Order -

1408.1 - Notice to Owner - Upon notice from the Zoning Officer that work on or use of any building, other structure and/or land is contrary to the Zoning Ordinance, such work shall be immediately stopped. The Stop-Work Order shall be in writing to the owner of the property involved and shall state the conditions under which work or use may be resumed.

1408.2 - Conditions of Discontinued Work - Any person who has been served with a Stop-Work Order or discontinues or abandons work shall not leave any building, other structure and/or land in such condition as to be a hazard to the public. The Zoning Officer shall have the power to require that such building, other structure and/or land shall be put in such condition as he directs and the work on it shall be at the full expense of the person who has been served with a Stop-Work Order.



ARTICLE XV

ZONING HEARING BOARD

Section 1500 - Creation and Function - A Zoning Hearing Board shall be created for the purpose of reviewing applications for variances or exceptions to the Zoning Ordinance and deciding whether there is a legitimate reason for granting relief or exception to a specific provision(s) of the Ordinance when requested.

The Zoning Hearing Board shall be created as prescribed by the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended, and shall have all authority, perform all duties and exercise all powers vested in it by the provisions of the aforementioned Act.

Section 1501 - Parties Appellant Before Board - Appeals may be filed with the Board in writing by any officer or agency of the municipality or any person aggrieved. Requests for a variance may be filed with the Board by any landowner or any tenant with the permission of such landowner.

Section 1502 - Termination and Modification of Permit -

1502.1 - Termination of Permits - If after a Permit has been authorized by the Board, such permit is not applied for and not lifted with a period of six (6) months from the date of authorization, then such authorization shall be null and void and no Permit shall be issued thereunder.

1502.2 - Modification of a Permit - Any Permit so issued shall not be modified except by action of the Board.

Section 1503 - Variances - The Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant. Subject to the provisions of Section 1800, the Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided the following findings are made where relevant in a given case:

- (1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.
- (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (3) That such unnecessary hardship has not been created by the appellant.

- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the Zoning Ordinance.

Section 1504 - Special Exceptions - Upon application in accordance with the provisions of the Zoning Ordinance and the rules of the Board, the Board shall determine the reasonableness and propriety in particular cases of any one of the following special exceptions to the Zoning District regulations of the Zoning Ordinance. The proposed use shall also conform with all the provisions for the use in the particular Zoning District in which it is to be located, and all other pertinent provisions of the Zoning Ordinance, except as wherein prescribed in this Article. The Board shall consider, explain and record its findings and determination in conformity with the spirit of the Zoning Ordinance and may authorize the issuance of a Permit for the following:

1504.1 - Special Exception for the Sale or Transfer of Ownership of Dwelling Units within a Two-Family Semi-Detached Duplex Dwelling, provided:

- (1) Where a two-family semi-detached duplex dwelling with one (1) family living on either side of a common party wall has been constructed and/or approved in accord with all applicable provisions of the South Pymatuning Township Zoning Ordinance including, but not limited to lot area, yard, and height requirements said duplex may be further subdivided to permit the sale or transfer of ownership of each individual dwelling unit, along with a proportionate share of the approved building lot and any improvements, existing or proposed, thereon. Lots created shall have frontage on a public street and each unit shall have its own entrance drive and entry door. Where conflicts exist, in applying zoning standards to the individual dwelling units (i.e., sideyard) same may be waived by the South Pymatuning Township Zoning Hearing Board.
- (2) The rights and responsibilities of the owners in the common building wall between units and similar interests in all other elements of the real estate shall be clearly established in the form of restrictions or covenants running with the land and same shall be attached to and become part of the subdivision plan and subsequent deeds.

- (3) The proposed subdivision plan, or replat of an existing subdivision prepared for the purpose of transfer of duplex dwelling units and related real estate along with one (1) copy of the restrictions and/or covenants shall be submitted for review by the Mercer County Regional Planning Commission in accord with the procedures of the Mercer County Subdivision and Land Development Regulations, as amended. Plans submitted shall be approved by the Township Supervisors and special exception granted by the Zoning Hearing Board prior to final plan approval.
- (4) Additions, renovations, or other structural changes to the individual units within the duplex shall be reviewed and permits issued within the context of all applicable requirements for a two-family semi-detached duplex dwelling as defined in this Zoning Ordinance and in accord with applicable deed restrictions or covenants.

#### 1504.2 - Special Exception to Permit Accessory Apartments -

Definition - Accessory Apartment - A temporary accessory apartment is a separate complete housekeeping unit that is substantially contained within the structure of a single-family dwelling but can be isolated from it. An accessory apartment can also be included in an existing accessory building.

Purpose - The purpose of permitting temporary accessory apartments is to:

- (1) Provide older homeowners with a means of obtaining, through tenants in accessory apartments, rental income, companionship, security, and services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
- (2) Add inexpensive rental units to the housing stock to meet the needs of smaller households, both young and old.
- (3) Make housing units available to moderate-income households who might otherwise have difficulty finding homes within the town.
- (4) Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in the life cycle, thereby lessening fluctuations in neighborhood demand for particular services such as education.
- (5) Protect stability, property values, and the single-family residential character of a neighborhood by ensuring that temporary accessory apartments are installed in owner-occupied houses or accessory structures and under such additional conditions as may be appropriate to further the purposes of this ordinance; and

- (6) To provide rental housing units for persons who are handicapped, to allow handicapped individuals who currently own their houses to remain in them, and, generally, to promote access for all people.

Special Use Permit Required - A special use permit from the Zoning Hearing Board shall be required for any temporary accessory apartment.

A. Conditions of Permit

- (1) It shall be permitted in all Residential Districts.
- (2) The apartment will be a complete, separate housekeeping unit that can be isolated from the original unit.
- (3) Only one apartment will be created within a single-family house, or an accessory structure.
- (4) The owner(s) of the residence in which the accessory unit is created shall occupy at least one of the dwelling units on the premises, except for bona fide temporary absences.
- (5) The accessory apartment shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a one-family residence. In general, any new entrances shall be located on the side or in the rear of the building, and any additions shall not increase the square footage of the original house by more than 10 percent.
- (6) Conversion of accessory buildings to temporary accessory apartments shall not increase the ground floor area of the original building.
- (7) Maximum floor size required - The temporary accessory apartment shall be clearly a subordinate part of the single-family dwelling. In no case shall it be more than thirty (30) percent of the buildings total floor area nor greater than eight hundred (800) square feet nor have more than two (2) bedrooms, unless, in the opinion of the Zoning Hearing Board, a greater or lesser amount of floor area is warranted by the circumstances of the particular building.
- (8) Minimum Floor Size - The temporary accessory apartment shall have at least 300 square feet of floor area.
- (9) The design and size of the apartment conforms to all applicable standards in the health, building, and other codes.
- (10) At least three off-street parking spaces are available for use by the owner-occupant(s) and tenant(s).

- (11) Any other appropriate or more stringent conditions deemed necessary by the Zoning Hearing Board to protect public health, safety, and welfare, and the single-family character of the neighborhood.
- (12) In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the Zoning Hearing Board may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.

B. Application Procedures

- (1) Application for a permit for a temporary accessory apartment shall be made to the Zoning Hearing Board in accordance with the special permit procedures given in this zoning ordinance and shall include:
  - a. A notarized letter of application from the owner(s) stating that he/they will occupy one of the dwelling units on the premises, except for bona fide temporary absences;
  - b. A floor plan of 1/4-inch to the foot showing proposed changes to the building;
  - c. A site plan;
  - d. An affidavit certifying that an approved public notice application for a special exception permit for a temporary accessory apartment has been posted on all streets fronted by the applicant's property, and it will remain posted until the public hearing; and
  - e. A fee, as established by the Board of Supervisors to cover costs of processing the application, legal notices, and code inspections.
- (2) Within 30 days of the receipt of an application, the Zoning Hearing Board shall hold a public hearing.
- (3) Purchasers of homes that had special exception permits for temporary accessory apartments who want to continue renting those apartments must reapply for a permit and must demonstrate that all conditions prerequisite to obtaining the relevant permit, in particular their residence in the home, have been met.

- (4) Where appropriate, the Zoning Hearing Board will take steps to expedite approval or to give conditional approvals prior to sale in order to protect continued residence by existing tenants.

C. Renewal of the Special Use Permit

The effective period of the special exception permit shall be two (2) years. At the end of every two (2) years, renewal shall be automatically granted upon receipt of certification by the Zoning Hearing Board that the property remains the principal residence of the owner and that all other conditions met at the time of the original application remain unchanged. The Zoning Hearing Board, in its sole discretion, may require a new application and a demonstration of compliance with all conditions necessary for a special use permit.

1504.3 - Special Exception to Permit a Small Personal Care Boarding Home,  
provided:

- (1) No fewer than three (3) and no more than eight (8) clients shall occupy such dwelling. (At least 80% of such clients shall be 62 years or older).
- (2) The operator shall obtain a license from the Commonwealth of Pennsylvania Department of Public Welfare and Department of Labor and Industry.
- (3) It shall not involve the use of advertising signs on the premises or any local advertising media which calls attention to the fact that the home is used for business purposes, except those permitted in a residential zone as provided for in Article XI.
- (4) In no way shall the appearance of the structure be altered or occupation within the residence be conducted in a manner which would cause the premise to differ from its residential character either by the use of colors, materials, construction, lighting, signs or the emission of sounds, noises or vibrations.
- (5) The parking need generated by the conduct of a personal care boarding house shall be met off the street and other than in the required front yard at a rate of 1 stall for each three (3) residents including clients.
- (6) If the dwelling structure to be converted is not served by public sewer, the request for a building permit must be accompanied by a statement from an officer of the Pennsylvania Department of Environmental Resources certifying that proposed on-lot sewage disposal system is adequate.

1504.4 - Special Exceptions in Off-Street Parking Facility Requirements -  
For the Modification of Off-Street Parking Facility Requirements in any Zoning District, provided:

- (1) The Zoning Hearing Board shall hear and decide such requests for modifications as provided for in this Article.
- (2) Such modification shall be consistent with the purpose and intent of such requirements.
- (3) It shall be satisfactory to the Zoning Hearing Board that public or private transportation facilities shall be sufficient to accommodate the travel needs of those employed on the premises.
- (4) If after investigation by the Zoning Hearing Board, it shall be found that such modification shall be necessary to prevent unreasonable hardship or to secure an appropriate development of a specified parcel of land which has such peculiar or exceptional geographical or topographical conditions, or is of a size, shape, dimension, or location that it cannot be reasonably developed in accordance with the regulations and provisions of the Zoning Ordinance as herein specified.

ARTICLE XVI

AMENDMENT, SUPPLEMENT, OR CHANGE

Section 1600 - Procedure for Amendments - The Zoning Ordinance may be amended or repealed by the Township Supervisors in accordance with provisions of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended, and with the following general procedures:

- (a) Any amendment or repeal may be initiated by:
  - (1) The Township Planning Commission
  - (2) The Township Supervisors
  - (3) A notarized petition to the Township Supervisors
- (b) Amendments shall be submitted to the Township Supervisors at a regular or special meeting of the Supervisors.
- (c) Before voting on the enactment of an amendment, the Supervisors shall hold a public hearing on the proposed amendment, pursuant to public notice as defined in Section 107 (18) "Public Notice" of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.
- (d) All amendments shall be submitted to the Township of South Pymatuning Planning Commission and the Mercer County Regional Planning Commission for review and recommendation prior to the public hearing as prescribed in Section 609 - Enactment of Zoning Ordinance Amendments and Section 609.1 - Procedures Upon Curative Amendments, of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.



## ARTICLE XVII

### DEFINITIONS

Section 1700 - General Interpretation - For the purposes of the Zoning Ordinance, certain terms, phrases, and words shall have the meaning given herein. Words used in the present tense include the future; the singular includes the plural; the word "used" shall be construed as though followed by the words "or intended or designed to be used"; the words "building", "structure", and "land" or "premises" shall be construed as though followed by the words "or any portion thereof" and the word "structure" includes the word "building". The word "shall" is always mandatory and not merely directory.

#### Section 1701 - Definition of Terms -

Abandoned Motor Vehicles - Shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose without the intention of returning to reclaim or appropriate such vehicles.

Abutting - Having property or district lines in common; e.g., two lots are abutting if they have property lines in common.

Access - A way of approaching or entering a property.

Accessory Building or Use - A building or use which: (1) is subordinate to and serves a principal building or principal use; (2) is subordinate in area, extent, or purpose to the principal building or principal use served; (3) contributes to comfort, convenience, or necessity of occupants of the principal building or principal use; and (4) is located on the same zoning lot as the principal building or principal use.

Addition - Any construction which increases the size of a building such as a porch, attached garage or carport, or a new room or wing.

Agent or Owner - Any person who can show written proof that he has authority to act for the property owner.

Agri-Business (Agricultural Business) - Any business or industry supplying services, goods, or involved in the manufacture and/or processing of agricultural products for retail or wholesale purposes.

Alley - The space or area between the rear or side lot lines of lots which has a minor right-of-way width of twenty (20) feet or less which is dedicated for the public use of vehicles and pedestrians and which affords secondary access to an abutting lot.

Alteration - As applied to a building or structure is a change or rearrangement in the structural parts of or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or moving from one location or position to another.

Alteration, Structural - A change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as bearing wall, columns, beams and girders.

Automotive Service Establishment - Any premises used for supplying gasoline, oil, minor accessories and services for automotive vehicles at retail direct to the motorist consumer, including the making of minor repairs, but not including major repairs, such as spray painting; body, fender, and frame repairs; or complete recapping or retreading of tires.

Automotive Wrecking - The dismantling or wrecking of used motor vehicles, trucks, trailers, or farm equipment or the storage, sale or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

Awning - An awning shall include any structure made of cloth or metal with a metal frame attached to a building and projecting over a thoroughfare, when the same is so erected as to permit its being raised to a position flat against the building when not in use.

Back-to-Back Lots - Lots which have at least part of their rear lot lines in common.

Basement - A portion of a building partly underground, and having one-half (1/2) or more than one-half (1/2) of its floor-to-ceiling height above the average grade of adjoining ground. A basement is not included in computing the number of stories for the purpose of maximum height regulations.

Block - The length of a street between two (2) street intersections; or a piece of land bounded on all sides by streets or other transportation routes such as railroad lines, or by physical barriers such as water bodies or public open spaces, and not traversed by a through street. A block shall be considered to have a maximum length of 1600 feet.

Board - The Zoning Hearing Board of South Pymatuning Township, Mercer County, Pennsylvania.

Boarding House (also Rooming House) - A building or portion thereof arranged or used for sheltering and feeding, for compensation, individuals who are not members of the proprietor's family.

Brace - Any portion of a lot roofed over by a structure joining a principal dwelling building to any other structure.

Building - An enclosed structure built, erected, and framed of component structural parts, designed for the housing, shelter, enclosure, and protection of persons, animals, or property of any kind.

Building, Accessory - A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

Building, Attached - A building where both side walls of all except the end structures are party walls.

Building Coverage - The amount of land covered or permitted to be covered by a building, measured in terms of percentage of a lot.

Building, Detached - A building which has no party wall.

Building, Principal - A building in which is conducted the principal use of the lot on which it is situated.

Canopy - A canopy shall include any structure, other than an awning, made of cloth or metal with metal frames attached to a building, projecting over a pedestrian or vehicular thoroughfare, and carried by a frame supported by the ground or sidewalk.

Carport - A roofed structure having two or more open sides and extending from the side or rear wall of a principal or accessory building, used primarily as a shelter for automotive vehicles or recreation equipment. The open sides may be screened or enclosed, but at least fifty (50) percent of such wall area must remain open. In addition, the carport shall not extend into any required yard.

Car Washes - Any portion of a building or lot wherein car washing services are offered to the general public on a commercial basis, including automatic types in which cars are driven or towed through and coin-operated, self-service types.

Cellar - That portion of a building wholly or partly below ground level and having more than one-half of its floor-to-ceiling height below the average grade of the existing ground level.

Certificate of Use and Occupancy - A statement, based on an inspection and signed by the Zoning Officer, indicating that a building, structure, and/or land conforms with the provisions prescribed in the Zoning Ordinance and may lawfully be occupied or used for a specific use or uses.

Client - Means any person who is an ambulatory resident of a personal care residence.

Clinic - Any professional medical building or establishment where people are examined or treated by doctors or dentists, but are not hospitalized overnight.

Club, Lodges and Fraternal Organizations - An establishment operated for social, recreational, or educational purposes, and open only to members and their guests, but not the general public.

Commercial Vehicle - A commercial vehicle shall be any vehicle other than a private passenger vehicle, including trucks, trailers and construction equipment.

Commission - The South Pymatuning Township Planning Commission.

Comprehensive Plan (Land Use Plan) - The comprehensive, long-range plan for the desirable use of land in South Pymatuning Township, the purpose of such Plan being among other things, to serve as a guide for the zoning and progressive rezoning of land to meet changing community needs, in the subdividing and use of undeveloped land and in the acquisition of land for such public purposes as streets, parks, schools and other public buildings.

Convalescent Home - A dwelling converted into quarters, or a building constructed with quarters, for the care of sick, aged or infirm persons.

Conversion - Changing the original purpose of a building to a different use.

Court - A portion of a lot unoccupied above grade but partially or wholly surrounded by walls.

Court, Inner - A court surrounded on all sides by the exterior walls of a structure or by such walls and a lot line.

Court, Outer - Open space bounded on three sides by building walls or potential building walls along property lines.

Covenant - A private legal restriction on the use of land, contained in the deed to the property or otherwise formally recorded.

Coverage - That percentage of the lot or site area covered by principal and accessory structures.

Curb Level - The elevation of the street grade as established in accordance with the law or when a curb level has not been established, the grade or the center of the street.

Curb Line - The line establishing the width of a cartway in a right-of-way. Where curbs do not exist the edge of pavement shall be the curb line.

Day Nursery School - A school for the education of children under six (6) years of age, not including therewith rooming, boarding, or lodging accommodations.

Dedication - The transfer of property from private to public ownership.

Deed Restriction - See covenant.

Density - The area of a lot or group of lots computed, exclusive of any portion of the right-of-way of any street, divided by the number of dwelling units contained on the lot or group of lots.

District - A district or a zone shall be any portion of the territory of the Township of South Pymatuning within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

Dormitory - A building, or part thereof, operated by an institution and containing a room or rooms forming one or more habitable units which are intended for living and sleeping purposes, but not for cooking or eating purposes, by the residents of the institution.

Drive-In Business - A place of business where persons are served in automobiles from a refreshment stand, restaurant, food store and the like.

Driveway, Service - An open space located on a private lot built for access to a private garage or to any structure located on the lot.

Dwelling - A building arranged and used for residential occupancy containing a dwelling unit or units, including a one-family, two-family, row and multiple-family dwelling, but excluding a boarding house, convalescent home, hospital, institutional home, hotel, motel, rooming house, and other similar types of uses.

Dwelling, Multiple-Family - A building having three (3) or more dwelling units and designed to be used or occupied as a residence by three (3) or more families living independently of each other and each with its own exterior entrance door or own entrance door from an interior hallway.

Dwelling, Single-Family - A detached building designed for and used exclusively for occupancy by one family.

Dwelling, Two-Family (Duplex) - A building having two (2) dwelling units, each with its own exterior entrance door and containing but two families. The Dwelling Units may be either semi-detached with one (1) family living on either side of a common party wall, or stacked with one (1) family living over the other.

Dwelling Unit - A building or portion thereof providing complete housekeeping facilities for one family. The term shall not include cellar dwellings, but shall include all other structures designed for and/or used for living purposes, including mobile homes, prefabricated dwellings, and similar portable structures.

Easement - A right given by the owner of land to another party for specific limited use of that land.

Enlargement - A construction activity which increases the size of a building or other structure.

Essential Services - The erection, construction, alteration or maintenance by public utilities or municipal departments or municipal authorities or underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including office buildings or maintenance depots.

Family - One or more persons related by blood or marriage, or a group of not more than five persons, excluding servants, who are not related by blood or marriage; living together as a single housekeeping unit in a dwelling unit.

Floor Area, Gross - The total area of all floors of a building as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, attached garages, porches and balconies.

Floor Area, Residential - The total area of all floors of a residential building devoted solely to residential use, measured between interior faces of walls, and exclusive of entrance ways, porches, breezeways and roofed terraces, whether enclosed or not, and excluding cellars, basements and garages.

Frontage - The frontage, or front of a lot is the side nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards in this Article.

Garage, Automotive - A premises used for repair of automotive vehicles but not including automotive wrecking (including therewith may be facilities supplying gasoline, oil, accessories and services to automotive vehicles direct to the motorist consumer).

Garage, Private - A detached accessory building or a portion of a principal building used only for the storage of automobiles by the families resident upon the premises; and provided that such garage shall not be used for storage of more than one (1) commercial vehicle and such commercial vehicle shall not be larger than one (1) ton rated capacity.

Garage, Public - A structure or portion thereof, other than a private garage, operated for gain and which is used for the storage, sale, hire, care, repair, or refinishing of automobiles; not including a structure or part thereof used only for storage or display of automobiles for other than transients.

Grade - The mean curb level, or when the curb level has not been established or all the walls of the building are more than fifteen (15) feet from street lot lines, grade means the mean elevation of the ground adjoining the principal structure on all sides.

Hardship - An unusual situation or condition that relates to a particular property and which denies that property owner full utilization of his property if the strict application of the Ordinance is followed.

A hardship exists only when it is not self-created or when it is not economic in nature. In other words, a true hardship exists only when the literal interpretation of the requirements of the Ordinance would place an individual in an unusual circumstance and, in doing so, would deny him the right to use his property for any permitted use or create an unnecessary burden on him. See also Section 912, Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

Height of Building - The vertical distance from the grade to the top or the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one (1) street, the height shall be measured from the average of the grades at the center of each street front.

Height of Story - The vertical distance from top to top of two (2) successive tiers of beams or finished floor surfaces; and, for the top most story, from the top of the floor finish to the top of the ceiling joists, or, where there is no ceiling to the top of the roof rafters.

Height of Wall - The vertical distance from the foundation wall or other immediate support of such wall to the top of the wall.

Highway - A road or highway of the State highway system.

Home Occupation - Any use customarily conducted entirely within a dwelling and carried on by occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and which does not change the residential character thereof.

Hospital - A private or public institution where the ill or injured may receive medical, surgical, or psychiatric treatment, nursing, food, lodging, etc., during illness or injury.

Hospital, Veterinary - A structure designed or converted for the care of and/or treatment of sick or injured domestic animals.

Hotel - A building designed for occupancy as the temporary residence of individuals or transients who are lodged with or without meals, and in which no provision is made for cooking in any individual room or suite.

Household Pet - Animals integrated into and which become part of and may be housed as part of the normal household unit for the purpose of pleasure and companionship. Traditionally dogs, cats and small birds.

Housing Unit - Same as Dwelling Unit.

Industrial Services - Establishments providing primary service to industries such as machinery sales and repair, supply sales and warehousing, transportation services, restaurants serving industrial concerns, and the like. Industrial services shall not include the sales, salvage, or repair of passenger vehicles.

Institutional Home - A residential building used for health or welfare purposes by a non-profit organization.

Junk - Any worn, cast off, discarded articles or materials which are ready for destruction or which have been collected or stored for sale, resale, salvage, or conversion to some other use. The term junk shall include abandoned and/or non-operating vehicles as defined below:

Abandoned Vehicle - Shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose and without the intention of returning to reclaim or appropriate such vehicle.

Non-operating Vehicle - Shall be prima facie non-operating when it does not display thereon a current Pennsylvania registration plate and inspection sticker, or if such current registration plate and inspection sticker are displayed thereon, does not presently meet the requirements of the Pennsylvania Motor Vehicle Code concerning the condition of vehicles and the necessary equipment to be attached to vehicles in order to pass current State inspection standards.

Junk Yard - The use of more than two hundred (200) square feet of the area of any lot or the use of any portion of that half of any lot that joins any street, for the storage, keeping, or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

Land - The solid portion of the earth's surface which is capable of being used or occupied.

Land, Developed - "Improved land" with buildings.

Land, Improved - "Raw land" which has been provided with basic utilities such as water and sewerage, streets, sidewalks, but not buildings.

Land, Raw - Vacant land unsubdivided and unimproved (without utilities or streets).

Landscaping - Changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce an aesthetic effect appropriate for the use to which the land is put. It may include reshaping the land by moving the earth, as well as preserving the original vegetation or adding vegetation.

Loading Spaces - An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise of materials, and which abuts upon a street, alley, or other appropriate means of access to a public right-of-way and which is not less than ten (10) feet in width, forty-five (45) feet in length and fourteen (14) feet in height. (See also Article XI).

Lot - The basic development unit - an area with fixed boundaries, used or intended to be used by one building and its accessory building(s) and not divided by any public highway or alley. A "zoning lot" must meet the requirements of the zoning district in which it is located and must front on a public street or an approved private street. The lot shall not include any portion of the street right-of-way.

Lot Area - The computed area contained within the lot lines.

Lot, Corner - A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the "corner".

Lot Coverage - See "Coverage".

Lot, Depth - The mean horizontal distance between the front lot line and the rear lot line, or the distance between the midpoint of the front lot line and the midpoint of the rear lot line.

Lot, Double Frontage - An interior lot whose front and rear lot lines abut streets, or a corner lot with two (2) opposite lot lines abutting a street.

Lot Frontage - See "Frontage".

Lot, Interior - A lot whose sides do not abut a street.

Lot Lines - The property lines bounding the lot.

Lot Line, Front - The line separating the lot from a street.

Lot Line, Rear - The lot line opposite and most distant from the front lot line.

Lot Line, Side - Any lot line other than a front or rear lot line; a side lot line separating a lot from a street is called a side street lot line.

Lot Line, Street or Alley - A lot line separating the lot from a street or alley.

Lot, Non-Conforming - A lot lawfully existing at the effective date of the Zoning Ordinance, or by subsequent amendment thereto, which does not conform with the area regulations and other provisions prescribed for the Zoning District in which it is located.



Lot of Record - A lot which is part of a recorded subdivision or a parcel of land which has been recorded or registered in the Office of the Recorder of Deeds, Mercer County, Pennsylvania.

Lot, Width - The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth.

Mobile Home - A transportable, self-contained single-family dwelling designed to be transported on its own wheels or on a flatbed or other trailer or detachable wheels; and which may be temporarily or permanently affixed to real estate; used for non-transient residential purposes; constructed with the same, or similar electrical, plumbing and sanitary facilities as immobile housing; and upon arrival at the site where the mobile home is to be situated for occupancy, as a residence, it is complete and ready for occupancy except for minor and incidental unpacking operations, location on foundation supports, connections to utilities and the like.

Prefabricated units designed to be assembled or joined together, upon arrival at the site and requiring extensive finishing operations, prior to occupancy (excluding location on foundation and connection to utilities) shall be considered a prefabricated home rather than a mobile home.

Mobile Home Lot - A parcel of land within the mobile home park for the placement of a single mobile home and the exclusive use of its occupants.

Mobile Home Park - A parcel of land under single ownership which has been specifically planned and improved for the long-term placement (over 30 days) of mobile homes for non-transient use in a safe and desirable manner.

Motel (also Motor Court, Auto Court, Motor Hotel, Tourist Court, Cabin and/or Motor Lodge) - Any group of attached, semi-attached or detached buildings (not including a trailer) located on a single lot containing individual sleeping or housekeeping units, designed for or used by transients.

Motor Freight Terminal - A lot maintained by a motor freight company which is the origin and/or destination point of short and long-distance hauling and which is used for the purpose of storing, transferring, loading and unloading of merchandise and truck parking and storage facilities.

Open Space - An area of land unoccupied by a building and/or other structure.

Operator - Means any person or persons responsible for the day to day operation and supervision of the residence. An operator may also be a householder.

Owner - The duly authorized agent, attorney, purchaser, devisee, fiduciary, or any person having vested or contingent interest in the lot, building, or structure in question.

Parking Area - An open space on a lot used as an accessory use for the parking of automotive vehicles.

Parking Space - An off-street space having an area of not less than one hundred and eighty (180) square feet, whether outside or inside a structure, to be used exclusively as a parking stall for one (1) motor vehicle.

Permit - A license, issued by the Zoning Officer, which permits the applicant to proceed with the work specified in the permit application as approved by the Zoning Officer.

Person - An individual, association, co-partner or corporation.

Personal Care Residence - A building where food, shelter and personal assistance or supervision are provided for at least one full day for three or more ambulatory adults who are not relatives of the operator and who may require assistance or supervision in such matters as dressing, bathing, diet or medication prescribed for self-administration but do not require hospitalization or care in a skilled nursing or intermediate care facility.

Planning Commission - The Planning Commission of South Pymatuning Township.

Plat - A map, plan or chart of a section or subdivision of the Township of South Pymatuning indicating the location and boundaries of individual lots.

Plot - A parcel of land consisting of one or more portions thereof which is described by reference to a recorded plat or by metes and bounds.

Porch - A roofed-over structure projecting from the front, side, or rear wall of a building. A porch is considered a part of the principal building and is not permitted to extend into any required yards.

Professional Office - The office of a member of a recognized profession. When conducted in a residential district, a professional office shall be incidental to the residential occupation, shall be conducted entirely within a residential building, and shall include only the offices of doctors or physicians, dentists, optometrists, ministers, architects, professional engineers, lawyers, artists, authors, musicians and such other similar professional occupations which may be so designated by the Zoning Hearing Board upon finding by the Board that such occupation is truly professional in character by virtue of the need for similar training and experience as a condition for the practice thereof and that the practice of such occupation shall in no way adversely affect the safe and comfortable enjoyment of property rights in any zone to a greater extent than for the professional activities listed herein. The issuance of a state or local license for regulations of any gainful occupation need not be deemed indicative of professional standing.

Projections (into yards) - Parts of buildings such as architectural features which are exempted, to a specified amount, from the yard requirements of the Zoning Ordinance.

Recreation -

1. Recreation, Commercial - Recreational facilities operated as a business and open to the general public for a fee.
2. Recreation, Private/Non-Commercial - Clubs or recreation facilities operated by a non-profit organization and open only to bonafide members of such organization.
3. Recreation, Public - Recreation facilities operated as a non-profit enterprise by the Township, any other governmental entity or any non-profit organization which is open to the general public.

Recreation Equipment - Major recreational equipment, as defined for purposes of these regulations, includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

1. Travel trailer is a vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation purposes permanently identified as a travel trailer by the manufacturer of the trailer.

2. Pickup coach is a structure designed primarily to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation purposes.
3. Motorized home is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle. They can be either converted trucks or busses or custom-built units.
4. Camping trailer usually consists of a fold-out tent mounted compactly on a low trailer.
5. Boat is a vessel designed to travel on water.
6. Boat trailer is a trailer designed to haul a boat as defined above.

Sign - A sign is any structure, device, light or natural object including the ground itself or any part thereof or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, produce, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word sign shall include the structure which supports the sign face as well as the sign face itself. The word sign shall not include signs which are affixed to the inside of windows and glass doors of enclosed buildings except for illuminated or animated show windows. No other indoor sign shall be deemed a sign within this Ordinance.

Site - A plot of land intended or suitable for development.

Site Plan - A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, building sites, reserved open space, buildings, major landscape features - both natural and man-made and the locations of proposed utility lines.

Special Exception - A provision which permits, under specified terms and conditions, particular uses to locate in a zoning district without detriment to the routine and orderly development as provided for that zoning district. The provision is granted by the Zoning Hearing Board.

Story - A part of a building comprised between a floor and a floor or roof next above, including a basement, but not including a cellar.

Story, Half - A story with at least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor area immediately below it.

Street - A roadway or public way which is dedicated or deeded to public use by legal mapping by the uses or by another lawful procedure.

Street, Private - A street which serves lots or parcels which do not have access to a public street and require access through the private street to a public street. A private street is maintained by the owner of the street or road or through a property owner's agreement.

Structure - A combination of materials forming a construction for occupancy and/or use including, among others, a building, stadium, gospel tent, circus tent, reviewing stand, platform, staging, observation tower, radio tower, oil and water tank, trestle, open shed, coal bin, shelter, fence, wall and a sign.

Structure, Accessory - An attached, semi-detached or detached structure whose use is customarily incidental and subordinate to the principal structure or use, and is located on the same lot as the principal structure or use.

Structure, Non-Conforming - A legal structure existing at the effective date of adoption or subsequent amendment of this Ordinance, which does not completely conform to the height regulations, area regulations, and other provisions prescribed for the Zoning District in which it is located.

Structure, Principal - A structure housing the principal use.

Terrace - A natural or artificial embankment which is higher than the curb level.

Terrace, Height of - The difference in elevation between the curb level and the top of the terrace at the center of the wall of the principal structure.

Tourist Court - See Motel.

Townhouse (also Row House) - A unique residential structure containing four or more attached dwelling units. Each dwelling unit has a recorded lot and may have a vested interest in the common open space. The structure may be one, two or three stories in height.

Trade School (Industrial School) - A school conducted as a commercial enterprise for teaching barbering or hairdressing or for teaching industrial skills in which machinery is employed as a means of instruction.

Trailer - Any licensed or unlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle.

Transient - Any individual residing or stopping in the Township for less than thirty (30) days at any one time.

Travel Trailer - See Recreation Equipment.

Use, Accessory - A use customarily incidental and subordinate to the principal use of a building, structure, and/or land, except parking and/or loading facilities as herein provided.

Use, Non-Conforming - A legal use of a building, structure, and/or land existing at the effective date of adoption or subsequent amendment of this Ordinance, which does not completely conform with the use regulations and other provisions prescribed for the Zoning District in which it is located.

Use, Principal - The main or primary purpose for which a building, structure, and/or land is designed, arranged, or intended; or, for which it may be used, occupied, or maintained under the Zoning Ordinance. All other structures or uses on the same lot, and incidental or supplemental thereto and permitted under the Zoning Ordinance, shall be considered accessory uses.

Variance - Relief granted by the Zoning Hearing Board upon appeal in specific cases, from the terms of the Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Zoning Regulations will result in unnecessary hardship, and so that the spirit of the Zoning Regulations will be observed and substantial justice done. See definition of Hardship.

Visual Obstruction - Any fence, wall, tree, hedge, or shrub, or a combination of them which limits visibility.

Written Notice - Written notice shall be considered to have been served if delivered in person to the individual, person, or to the parties intended, or if delivered or sent by certified mail to the last address known to the party giving the notice.

Yard - An open unoccupied space, other than a court, on the same lot with a building, unobstructed artificially from the ground to the sky, except as otherwise provided herein.

Yard, Front - A yard across the full width of the lot, extending from any point of a principal building or structure to the front lot line (street right-of-way line).

Yard, Minimum Dimension - The minimum, permitted horizontal distance between a lot line and the nearest point of a main wall of a principal or accessory building or structure exclusive of permissible yard encroachments and occupancy and street projections as provided by this Ordinance. The measurement of the minimum dimension shall be made at grade and perpendicular to the lot line and building or structure.

Yard, Rear - A yard across the full width of the lot, extending from any point of a wall of a principal or accessory building or structure to the rear lot line of the lot.

Yard, Side - A yard between the principal or accessory building or structure and the adjacent side lot line of the lot, extending from the front yard to the rear yard.

1. Yard, Corner Side - A side yard which faces a public street.
2. Yard, Interior Side - A side yard located immediately adjacent to another zoning lot or to any alley separating such side yard from another zoning lot.

Zero Lot Line - A development approach in which a building is sited on one or more lot lines with no yard.

Zoning - Is the legal and administrative process of dividing the community into Districts or Zones and regulating within such Districts the use of land and the use, height, and area of buildings for the purpose of conserving and promoting the health, safety, morals, convenience and general welfare of the people of the community. Zoning is the instrument for giving effect to that part of the Com-

prehensive Land Use Plan which is concerned with the private uses of, and the private developments on, privately owned land as distinguished from that part which is concerned with public uses and facilities.

Zoning Hearing Board - A group of individuals, created officially by the adoption of the Ordinance and appointed by the governing body, whose purpose and function is to review applications for variances or exceptions and to decide whether there is legitimate reason for granting the applicant the relief which he desires or the exception which he has requested.

Zoning Map - The Zoning District Map or Maps of the Township of South Pymatuning, together with all amendments subsequently adopted.

Zoning Officer - The agent, or official designated by the Township of South Pymatuning and charged by law with the administration and enforcement of the Zoning Ordinance.

Zoning Ordinance - The Zoning Ordinance of the Township of South Pymatuning together with all amendments subsequently adopted.

ARTICLE XVIII

APPEALS

Section 1800 - Zoning Appeals - The review or appeal of any provision of this Ordinance or decision, determination, order, or finding of the Governing Body, shall follow the procedures set forth in Article X - Appeals of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.

Section 1801 - Fees - All appeals for variances, special exceptions and conditional uses before the Zoning Hearing Board shall be accompanied by a fee established by resolution of the Township Supervisors.

ARTICLE XIX

VALIDITY

Section 1900 - Severance - If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in the Zoning Ordinance or the Zoning District boundaries as shown on the Zoning Map, shall be for any reason, declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, such decision shall not affect or impair the validity of the Zoning Ordinance as a whole or any other article, clause, phrase, word or remaining portion of the Zoning Ordinance. The Board of Supervisors hereby declares that it would have adopted the Zoning Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, and each Zoning District boundary of the Zoning Map irrespective of the fact that any one or more of the sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, words or boundaries may be declared illegal, unconstitutional or invalid.

ARTICLE XX

REPEAL

Section 2000 - Ordinances Repealed - Any resolution, or Ordinance or any part of any resolution or Ordinance, conflicting with the provisions, regulations, limitations and/or restrictions of the Zoning Ordinance shall be and the same is hereby repealed to the extent of such conflict.

ARTICLE XXI

CERTIFICATION

Section 2100 - Certification - I do hereby certify that the foregoing is a true copy of Ordinance Number X, adopted by the Board of Township Supervisors of South Pymatuning Township, Mercer County, Pennsylvania on December 6, A.D., 1982.

*R. Glenn Adams*

TOWNSHIP SECRETARY



ARTICLE XXII

EFFECTIVE DATE

Section 2200 - Effective Date - The Zoning Ordinance shall take effect ten (10) days after the date of adoption by the Board of Township Supervisors of South Pymatuning Township, Mercer County, Pennsylvania.

We hereby certify that the South Pymatuning Township Zoning Ordinance was adopted by the Board of Township Supervisors of South Pymatuning Township, Mercer County, Pennsylvania this 6th day of December, A.D., 1982.

TOWNSHIP OF SOUTH PYMATUNING  
MERCER COUNTY, PENNSYLVANIA

Olivia M. Lazor  
CHAIRMAN OF BOARD  
OF SUPERVISORS

Clifford M. Langer  
SUPERVISOR

Wendell D. Culhough  
SUPERVISOR

R. Glenn Adams  
TOWNSHIP SECRETARY

**South Pymatuning Township**  
Proposed Amendment - Rezoning from "R-2"  
Residential Medium Density to "I" Industrial

**PROPOSED ZONING  
AMENDMENT  
FACT SHEET**

---

**SITE**

**LOCATION:** Approximately 41 acres located off Seneca Road on the North & South sides of Oneida Lane.  
(NOTE: SEE ATTACHED MAP)

**CURRENT LAND USE:** South side of Oneida Lane (23 acres) contains a dairy product processing plant operated by Dean Dairy. The North Side of Oneida Lane (18 acres) is currently an open field. Surrounding Land Uses contain mix residential dwellings, crop land, and wooded areas.

**TOPOGRAPHY:** Generally flat modestly sloping to the south-west.

**AVAILABLE UTILITIES:** All public utilities serve the site.

---

**AMENDMENT DETAILS**

- Dean Dairy Products Company has requested a zoning map & text amendment to the South Pymatuning Zoning Ordinance.
  - The Zoning Map amendment entails the rezoning of 41 acres located on the North and South side of Oneida lane (41 total acres).
  - The Zoning Text amendment entails the text of Article 9, section 902 -- Provisions of Use -- incorporate a set of development regulations prepared by the South Pymatuning Planning Commission for all uses in the Township's Industrial zoned property. The development regulations include the following eight (8) requirements.
    - (1) Limitations on the location of access driveways and entrances.
    - (2) Necessary shielding requirements to protect nearby residences.
    - (3) Adequate storm drainage facilities.
    - (4) Seasoned ground cover maintenance in undeveloped areas.
    - (5) Exterior Lighting limitations.
    - (6) Federal & State pollution standards required.
    - (7) Principal structure constructed before accessory structure.
    - (8) Display of storage of supplies permitted only behind the building setback line.

---

**PERMITTED USES**

"R-2" Residential Medium Density

- One-family detached dwellings
- Duplex dwellings
- Multiple-family dwellings
- Church, Church School, Cemetery
- College including dormitories
- Essential Services
- Public Parks
- Hospital or institutional home
- Golf Courses

---

**PERMITTED USES**

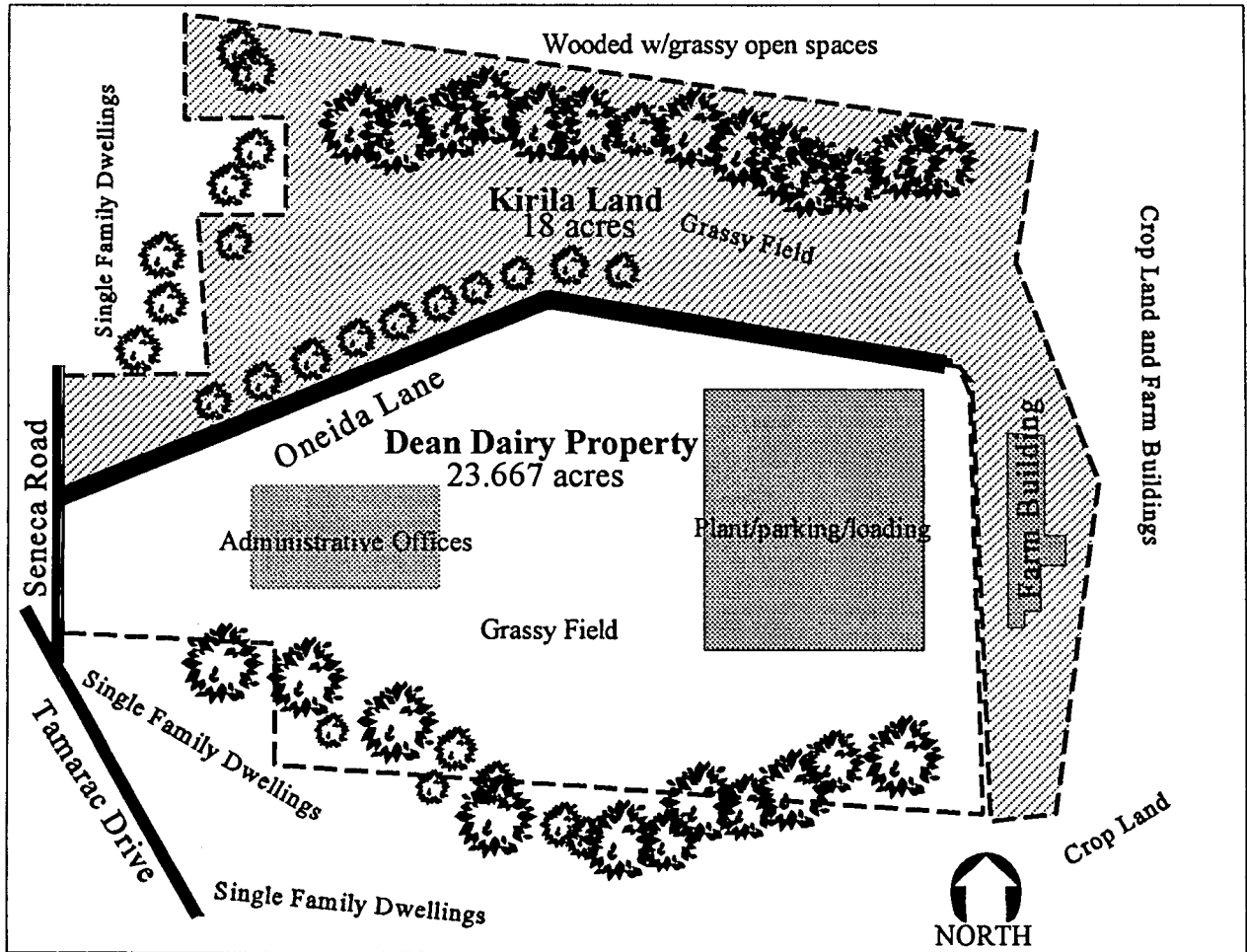
"I" Industrial

- Essential Services
- Locker Plant for storage or sales
- Building Supplies
- Plumbing, Carpentry, and Tinsmith shops
- Automotive Service Establishments
- Motor Freight Terminal
- Warehousing and Wholesaling
- Industrial/Manufacturing Establishments
- Inflammable liquid storage
- Laboratories for research and design

# South Pymatuning Township

## Vicinity Sketch - Zoning Map Request

note: map not drawn to scale.



SUMMARY

7-2-90

REVISIONS & AMENDMENTS TO  
THE SOUTH PYMATUNING ZONING ORDINANCE

P. #	PROPOSED REVISION/AMENDMENT
I-1	Section 104 (3) ... by said permit. In addition, no action by the governing body shall be invalid or subject to appeal on the basis of inconsistency with the Comprehensive Plan.
III-1	Section 301.1 (c)(2) ..., Article VII and Mobilehome definition, Article XVII.
IV-3	Section 402.2 (d) Corner Lots - ... on any street <del>not having lots fronting upon it</del> shall be <del>thirty-five (35)</del> <b>thirty-five (35)</b> feet from the required right-of-way or easement line or <del>seventy-five (75)</del> <b>seventy-five (75)</b> feet from the centerline of the streets.
? s	
VII-1 XVII-9	Section 700.1 (a) <u>Mobilehome</u> - A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, constructed so that it may be used without a permanent foundation.
	(b) <u>Mobilehome Park</u> - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.
only (XVII-9)	<u>Mobilehome Lot</u> - A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome.
VII-2	Section 701.1 (a)(2) <del>They shall be...</del> It shall be...  (b)(2) <del>They shall be...</del> It shall be...
VIII-1 VIII-3	Section 801 (a) "there was a question on the definition of processing"
	<u>ACC:DARKO</u> To prepare or convert by subjecting to some special process. (dictionary)

XIV-1 Section 1401 - Duties and Powers of the Zoning Officer - The Zoning Officer shall interpret and enforce all provisions of the Zoning Ordinance, and shall have the authority to institute civil enforcement proceedings as a means of enforcement.

Section 1401.3 - Registration of Non-Conforming Uses and Structures and Lots - The Zoning Officer ~~shall be required to~~ may identify and register all non-conforming uses and, structures and lots, that: ...

XIV-3 Section 1405 - Notice of Violation - Where... to correct it. The notice shall also stat that the person has the right to make an appeal to the Zoning Hearing Board within a prescribed time period and state the prescribed time period.

Section 1407 - Enforcement Penalties - Any person..., shall be subject to fine ~~or imprisonment~~, court costs and attorney fees of the municipality as prescribed in Section(s) 515.3, 617.2 and 712.2 of the.....

XVI-1 Section 1600 (c) Before voting..., as amended. In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the municipality at points deemed sufficient by the municipality along the perimeter of the tract at least one (1) week prior to the date of the hearing.

(d) All amendments shall be submitted to the Township of South Pymatuning Planning Commission and the Mercer County Regional Planning Commission for review and recommendation thirty (30) days prior to the public hearing.

(e) Within thirty (30) days after enactment, a copy of the amendment shall be forwarded to Mercer County Regional Planning Commission.

XVII-10 Public Hearing - a formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action.

Public Meeting - a forum held pursuant to notice under Act No. 84 known as the "Sunshine Act."

Public Notice - a notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The

first publication shall not be more than thirty (30) days and not less than seven (7) days prior to the date of the hearing.

XVII-12 Subdivision - the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, That the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling shall be exempted.

XVIII-1 Section 1800 - Zoning Appeals - the review ... shall follow the procedures set forth in Article X-A ...

ORDINANCE NO. I - 1983

AN ORDINANCE AMENDING THE SOUTH PYMATUNING TOWNSHIP ZONING ORDINANCE BY PERMITTING SANITARY LANDFILLS IN AN INDUSTRIAL ZONING DISTRICT AS A CONDITIONAL USE ONLY IF ALLOWED BY THE GOVERNING BODY, AND PERMITTING THE EXTRACTION OF NATURAL RESOURCES IN ANY ZONING DISTRICT AS A SPECIAL EXCEPTION ONLY WHEN ALLOWED BY THE ZONING HEARING BOARD, AND ESTABLISHING STANDARDS AND CRITERIA FOR SUCH ALLOWANCES.

WHEREAS, The Supervisors of South Pymatuning Township have heretofore enacted the South Pymatuning Township Zoning Ordinance; and,

WHEREAS, the proposed additions to said Ordinance have been submitted to and reviewed by the Mercer County Regional Planning Commission, and the South Pymatuning Township Planning Commission and

WHEREAS, the Board of Supervisors has conducted a public hearing, after due notice thereof, to determine the merits of the proposed additions to the Ordinance; and,

WHEREAS, the Board of Supervisors has concluded that the proposed additions are in the best interest of the citizens of South Pymatuning Township and in furtherance of the stated objectives of said Ordinance;

NOW, THEREFORE, it is ordained and enacted as follows:

I.

Article IX of the South Pymatuning Township Zoning Ordinance shall be amended by adding to subsection 901.1 as item (n) the following:

"(n) Sanitary Landfills and similar facilities for processing and disposal of municipal solid waste, subject to Section 904 Conditional Uses."

II.

Amend Article IX of the South Pymatuning Township Zoning Ordinance by adding as Section 904 the following:

"Conditional Uses

Upon application to the Board of Supervisors and in accordance with the provisions of this ordinance and appropriate Articles of Pennsylvania Act 247, the following conditional uses may be permitted as follows:

904.1 - Sanitary Landfills or similar facilities for processing and disposal of municipal waste, except hazardous wastes as defined by the laws and regulations of the State of Pennsylvania in an Industrial District, subject to the following objectives and conditions:

## Objectives

- (1) To provide maximum protection to the Township underground and surface water supply.
- (2) To prevent any adverse impact on the major recreational features of the Shenango River Lake.
- (3) To preserve and protect the water quality of the Shenango River and Shenango River Lake, the major source of water supply for many municipalities.
- (4) To minimize the economic impact on recreation, tourism and surrounding property values.

## Application Procedure

The applicant shall submit an application for rezoning and request for approval of the conditional use to the Board of Supervisors at a regular meeting of the Board.

The applicant shall submit site plans and detailed engineering data including, but not limited to, the following data:

## Conditions of Use

- (1) Site size shall be a minimum of 350 contiguous acres.
- (2) The site shall be no closer than 500 feet from any then-existing residential dwelling structure.
- (3) A buffer area of 200 feet from all property lines shall be unused for any land filling, processing, or excavation.
- (4) Fencing and/or continuous evergreen planting as approved by the Board shall be installed and maintained along all property boundaries to buffer against sound and possible blowing of materials.
- (5) All Pennsylvania Department of Environmental Resources requirements under Act 97, as amended, shall be met prior to beginning operation.
- (6) The applicant shall submit copies of deeds, articles of agreement or any other evidence of ownership or options to purchase when applying for the conditional use.
- (7) All data submitted to the Department of Environmental Resources for a Solid Waste Permit shall be submitted to the township when applying for the conditional use.
- (8) Before issuance of any permit by the Department of Environmental Resources, the township's designated engineer shall review and comment on all relevant data to the Department of Environmental Resources.
- (9) All Leachate shall:
  - (a) be collected, treated and neutralized on the site,
  - (b) not be allowed to discharge into the ground,
  - (c) not be allowed to discharge into any stream or drainageway tributary to the Shenango River Lake or Shenango River without being subject to reasonable periodic sampling at the Township's discretion and under its supervision. Such leachate samples shall be sent to an independent testing laboratory at the landfill owner's expense for detailed analysis and reporting back to the township and/or the Department of Environment Resources.



If determined to be unacceptable for discharge into said streams or drainageways, all discharge shall discontinue and be hauled to a site acceptable to the Department of Environmental Resources until conditions have been corrected.

(11) The site shall be open to inspection by anyone designated by the Township at any time.

(12) Such other conditions as the Board may reasonably deem necessary to protect the health and safety of the township."

### III.

Add to Article XV, Section 1504, as subsection 1504.5, the following:

#### "Special Exceptions - Industrial Uses"

(1) For the Extraction of Natural Resources in any Zoning District. such as sand, gravel, clay, stone, slate or other earth materials, together with the necessary accessory structures in a zoning district restricted against such use by the Zoning Ordinance for such period and under such conditions as are reasonable, considering the character of the zoning district in question provided:

(a) It shall be conditional upon written agreement by the owner and to the satisfaction of the Board that the site will be enclosed by a suitable fence or other safety measure;

(b) Adequate requirements and safeguards shall be made as the prevention of fire, noise, vibration, order, glare, heat, smoke, water, carried waste or other objectionable influence;

(c) Adequate assurances satisfactory to the Board shall be provided to guarantee reasonable use of the site after extraction has ceased.

(2) Soil Removal - Unless the conditions of this subsection are complied with, no person, firm, or corporation shall strip, excavate or otherwise remove earth for sale or for use, other than on the premises from which the same shall be taken, except in connection with the construction, alteration of a building on such premises, and excavation or grading incidental thereto."

### IV.

Any Ordinance or part thereof conflicting with the terms of this Ordinance shall be, and the same is hereby, repealed to the extent of such conflict.

### V.

This amendment to the South Fymatuning Township Zoning Ordinance shall take effect five (5) days after its adoption by the Board of Supervisors.

ORDAINED AND ENACTED this 28th day of February, 1983

BOARD OF SUPERVISORS OF  
SOUTH PYMATUNING TOWNSHIP

*James W. [unclear]*

*[unclear]*

*John W. [unclear]*

Attest:  
*[unclear]*  
*[unclear]*  
Township Secretary

ORDINANCE NO. 2, 1985

AN ORDINANCE AMENDING THE SOUTH PYMATUNING ZONING ORDINANCE BY REDEFINING INSTITUTIONAL HOMES AND PERMITTING THEM IN R-1 and R-2 RESIDENTIAL ZONING DISTRICTS AS A CONDITIONAL USE ONLY IF ALLOWED BY THE GOVERNING BODY UPON APPLICATION AND ESTABLISHING STANDARDS AND CRITERIA FOR SUCH ALLOWANCE.

WHEREAS, the Supervisors of South Pymatuning Township have heretofore enacted the South Pymatuning Township Zoning Ordinance; and,

WHEREAS, the Mercer County Regional Planning Commission has recommended, and the South Pymatuning Township Planning Commission has approved certain additions to said Ordinance; and,

WHEREAS, the Board of Supervisors has conducted a public hearing, after due notice thereof, to determine the merits of the proposed additions to the Ordinance; and,

WHEREAS, the Board of Supervisors has concluded that the proposed additions are in the best interests of the citizens of South Pymatuning Township and in furtherance of the stated objectives of said Ordinance;

NOW, THEREFORE, it is ordained and enacted that the South Pymatuning Zoning Ordinance, No. X-1982, is amended as follows:

(1) Page III-2 - Section 301.1 - Add (i) -

(i) Institutional homes permitted as a conditional use under the following conditions and as approved by the Board of Supervisors. Such uses may be of such types as:

1. Institutional headquarters for educational, professional, religious, charitable and other profit or non-profit organizations or institutions with an inhouse population that promotes the general welfare of society.  
Ergo, chemical abuse rehabilitation, disadvantaged persons, homeless youths under 18 years of age, mental health care, nursing care, elderly care, hospice and similar uses as may be allowed by petition to the Board of Supervisors.

**2. Structure types:**

- a. Existing structures may be converted provided neighborhood character of the structure is not drastically altered.
- b. New structures may be erected provided they conform to the on going style of the neighboring area.

**3. In all cases converted or new institutional housing will be in accordance with the following general provisions:**

- a. The density for single family dwelling cannot be exceeded. (i. e. one family unit per 20,000 sq. ft. of land area)
- b. If more than one (1) unit is considered as part of the entity, a considered site must contain a minimum of 10 acres.
- c. A single in-house unit will have a resident population of no more than eight (8), including staff.
- d. A multiple facility will have a resident population of no more than one hundred twenty (120), including staff.
- e. There shall be no other institutional housing within one (1) mile of an existing facility-single or multiple.
- f. Approval by all local, county, state and federal agencies related to the proposed facility must accompany the application.
- g. Distance of all buildings to all property lines shall be fifty (50) feet.
- h. Suitable screening and/or fencing shall be provided as required by the Board of Supervisors.
- i. Detailed site and building plans shall accompany the application. Such plans shall include but may not be limited to:
  - 1. Detailed architectural plans for all buildings showing detailed exterior and interior design.
  - 2. Fire protection methods and equipment.
  - 3. Security provided.
  - 4. Survey and valid ownership of property
  - 5. Any other data that the Board of Supervisors may deem necessary as the particular case (application) may warrant.
- j. Such other conditions as the Board of Supervisors may require to preserve and protect the character of the area in which it is proposed.
- k. The application, if approved, must be acted upon by the applicants within one hundred twenty (120) days or be resubmitted.

4. Formal submissions of request for conditional use shall be deemed not submitted until all required data and drawings are complete as required by the Board of Supervisors.

(2) Page IV-1 - Section 401.1 - Add (f) -

(f) Institutional Homes as a conditional use in accordance with the requirements of Section 301.1 - (i).

(3) Page V-4 - Section 501.1 - (h) - Delete "institutional home".

(4) Page V-4 - Section 401.1 - Add (i) -

(i) Institutional Homes as a conditional use in accordance with requirements of Section 301.1 - (i).

(5) Page XVII-7 - Redefine Institutional Homes as follows:

"Institutional Housing - A building used for health or welfare purposes and/or educational meetings of the types listed in Section 301.1 - (i), and meeting all applicable local, State or Federal requirements.

Any ordinance or part thereof conflicting with the terms of this Ordinance shall be, and the same is hereby repealed to the extent of such conflict.

This amendment to the South Pymatuning Township Zoning Ordinance shall take effect five (5) days after its adoption by the Board of Supervisors.

ORDAINED AND ENACTED this 9th day of December, 1985.

BOARD OF SUPERVISORS OF  
SOUTH PYMATUNING TOWNSHIP

Bill Humph  
Olivia M. Lopez  
Ray M. Lopez

Attest:

R. Glenn Adams  
Township Secretary

ORDINANCE NO. 1, 1993

AN ORDINANCE AMENDING THE SOUTH PYMATUNING TOWNSHIP ZONING ORDINANCE BY MAKING PUBLIC UTILITY BUILDINGS A PERMITTED USE IN EVERY ZONING DISTRICT AND DEFINING SAID USE.

WHEREAS, the supervisors of South Pymatuning Township have heretofore enacted the South Pymatuning Township Zoning Ordinance; and,

WHEREAS, the proposed amendment has been submitted to the Mercer County Regional Planning Commission and the South Pymatuning Township Planning Commission; and,

WHEREAS, the Board of Supervisors has conducted a public hearing to determine the merits of the proposed amendment; and,

WHEREAS, the Board of Supervisors has concluded that the proposed amendment is in the best interest of the citizens of South Pymatuning Township;

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED AS FOLLOWS:

Section 1: The South Pymatuning Township Zoning Ordinance shall be amended by adding, as a principal permitted use in each zoning district as Section 301.1(h), Section 401.1(f), Section 501.1(i), Section 601(d), Section 701.1(e), Section 801.1(j), and Section 901.1(n), respectively, a category designated as: "Public Utility Buildings."

Section 2: The South Pymatuning Township Zoning Ordinance shall be amended by adding to Section XVII the following definition:

"Public Utility Building - A building used to serve the function of a public utility corporation, including an office building and a maintenance depot. Such use shall not include any type of equipment which will interfere with local radio or television communications. All materials and any maintenance or repair equipment shall be stored either within a building or within an area enclosed by a fence. Every building shall be compatible with other permitted structures in the zoning district in which it is located and shall be separated from adjacent properties by an adequate buffer zone."

Section 3: The South Pymatuning Township Zoning Ordinance shall be amended by deleting from the definition of "Essential Services" in Section XVII, the following final phrase:

" ..but not including office buildings or maintenance depots."

Section 4: Any ordinance or part thereof conflicting with the terms of this Ordinance shall be, and the same is hereby, repealed to the extent of such conflict.

Section 5: This amendment to the South Pymatuning Township Zoning Ordinance shall take effect upon adoption by the Board of Supervisors.

ORDAINED AND ENACTED this 9<sup>th</sup> day of Aug., 1993.

BOARD OF SUPERVISORS OF  
SOUTH PYMATUNING TOWNSHIP

Robert C. Bochner

Stanley P. McElroy

Michael P. Marshall

Attest:

R. Glenn Adams  
Township Secretary

ORDINANCE 1, 1994

An Ordinance of South Pymatuning Township, Mercer County Pennsylvania, Amending the South Pymatuning Township, Zoning Ordinance to Permit Golf Courses as a Permitted Principal Use In the R-2 Residential Zoning District and Modifying the Lot Requirements in The R-1 and R-2 Residential Zoning Districts to Build Accessory Structures on a Non-Conforming Lot.

SECTION 1. Section 401.1 shall be amended to add the following as an additional permitted principal use.

501.1 (i) Golf Courses

SECTION 2. Section 402.1 shall be amended be to add the following subsection:

402.1 (d) A Zoning permit may be issued to construct accessory structures on non-conforming lots of record which contain an existing dwelling without the necessity of applying for a variance if the proposed new accessory structure complies with all minimum yard set-back and other requirements except for the lot area and width requirements set forth above.

SECTION 3. Section 502.1 Shall be amended be to add the following subsection.

502.1 (c) A zoning permit may be issued to construct accessory structures on non-conforming lots of record which contain an existing dwelling without the necessity of applying for a variance if the proposed new accessory structure complies with all minimum yard set-back and other requirements except for the lot area and width requirements set forth above.

SECTION 4. All other provisions of the South Pymatuning Zoning Ordinance not inconsistent herewith shall remain in full force and effect.

SECTION 5. This Ordinance shall become effective immediately upon its passage.

ORDAINED AND ENACTED this 11<sup>th</sup> day of APR., 1994 by the South Pymatuning Township Board of Supervisors

ATTEST:

R. Glenn Adams  
Secretary

South Pymatuning Township  
Board of Supervisors

Robert Le Bectres  
Kenneth P. McElroy  
Michael P. Mather



## LEGAL NOTICE

The South Pymatuning Township Board of Supervisors will hold a public hearing on Monday, March 20, 1995 at 8:00 P.M. at the Municipal Building, 3483 Tamarack Drive, Sharpsville, Pennsylvania 16150. A proposed zoning ordinance text change permitting horses in R1 and R2 districts with certain restrictions.

ORDINANCE NO. 2, 95

AN ORDINANCE OF SOUTH PYMATUNING TOWNSHIP, MERCER COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES OF THE SOUTH PYMATUNING TOWNSHIP TO AUTHORIZE THE MAINTAINING OF HORSES AND/OR PONIES IN R1 AND R2 ZONING DISTRICTS AND SETTING FORTH THE RESTRICTIONS THEREFORE.

NOW THEREFORE, be it ordained and enacted by the South Pymatuning Township Board of Supervisors hereby ordains and enacts by authority of the same as follows:

ARTICLE I - Section 401.2 of the South Pymatuning Township Zoning Ordinance shall be amended to add the following:

(n) Raising and maintenance of horses and/or ponies, provided:

(1) Anything to the contrary herein notwithstanding, the minimum property area required shall be 20,000 square feet plus two (2) acres for the first horse or pony and an additional 1 acre for each additional horse or pony.

(2) Anything to the contrary herein notwithstanding, the maximum number of horses or ponies permitted shall not exceed the total number of residents permanently residing in the residence situate on the premises.

(3) Anything to the contrary herein notwithstanding, any structure housing the horses and/or ponies within an R1 district shall have minimum setback of 200 feet off any road right-of-way and shall be at least 50 feet from any side yard or backyard boundary.

ARTICLE II - Section 501.2 of the South Pymatuning Township Zoning Ordinance shall be amended to add the following:

(n) Raising and maintenance of horses and/or ponies, provided:

(1) Anything to the contrary herein notwithstanding, the minimum property area required shall be 20,000 square feet plus two (2) acres for the first horse or pony and an additional 1 acre for each additional horse or pony.

(2) Anything to the contrary herein notwithstanding, the maximum number of horses or ponies permitted shall not exceed the total number of residents permanently residing in the residence situate on the premises.

(3) Anything to the contrary herein notwithstanding, any structure housing the horses and/or ponies within an R2 district shall have minimum setback of 200 feet off any road right-of-way and shall be at least 50 feet from any side yard or backyard boundary.

ARTICLE III - All other provisions of the said Code of Ordinances of South Pymatuning Township, not inconsistent herewith shall remain in full force and effect.

ARTICLE IV - This ordinance shall become effective seven (7) days after formal enactment.

ORDAINED AND ENACTED this 20<sup>th</sup> day of March, 1995 by South Pymatuning Township Board of Supervisors.

SOUTH PYMATUNING TOWNSHIP  
BOARD OF SUPERVISORS

By *Thomas M. Kelly*

Attest:

*R. Glenn Adams*  
Secretary

*Robert G. Boytaw*  
*Michael Mastor*

ORDINANCE NO. 3-1997

AN ORDINANCE AMENDING ORDINANCE NO. 10 - 1982 OF THE TOWNSHIP OF SOUTH PYMATUNING MERCER COUNTY, PENNSYLVANIA, KNOWN AS THE SOUTH PYMATUNING TOWNSHIP ZONING ORDINANCE, BY AMENDING THE SOUTH PYMATUNING TOWNSHIP ZONING MAP TO REZONE PARCELS OF LAND FROM R-2, RESIDENTIAL MEDIUM DENSITY, TO I, INDUSTRIAL, SAID LAND BEING BOUNDED ON THE NORTH BY LANDS NOW OR FORMERLY OF KIRILA; BOUNDED ON THE EAST BY LANDS NOW OR FORMERLY OF KIRILA; BOUNDED ON THE SOUTH BY LANDS NOW OR FORMERLY OF KIRILA, AND BOUNDED ON THE WEST BY SENECA ROAD AND BY LANDS NOW OR FORMERLY OF BOSNJAK, YOURGA, ROBERTS AND BANAS CONTAINING 41.67 ACRES MORE OR LESS.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania, pursuant to the Act of 1968, P.L. 805, No. 247 reenacted and amended December 21, 1988, by Act of 1988, P.L. 1329, No. 170, and it is hereby enacted and ordained by and with the authority of same as follows:

SECTION I: That Article II, Section 201, entitled "Boundaries of Zoning Districts" and the South Pymatuning Township Zoning Map be amended by changing the zoning district designation of the below described property from that of R-2, Residential Medium density, to I, Industrial, said area being more particularly bounded and described as follows:

Bounded on the north by lands now or formerly of Kirila; bounded on the east by lands now or formerly of Kirila; bounded on the south by lands now or formerly of Kirila; and bounded on the west by Seneca Road and by lands now or formerly of Bosnjak, Yourga, Roberts and Banas containing 41.67 acres more or less.

SECTION II: That the appropriate Township officials are hereby authorized and directed to amend the South Pymatuning Township Zoning Map as provided herein.

SECTION III: That all Ordinances and amendments thereto executed and pertaining to the subject matter of the Ordinance or parts hereof, that are inconsistent herewith, are hereby repealed.

SECTION IV: That in all other respects, Ordinance No.10 of 1982, as amended of the Township of South Pymatuning, Mercer County, Pennsylvania, be and the same is hereby ratified and confirmed.

SECTION V: This Ordinance shall take effect upon the passage and publication, in accordance with law.

ORDAINED AND ENACTED this 26th day of August, 1997, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania.

ATTEST:

K. Glenn Adams  
Township Secretary

SOUTH PYMATUNING TOWNSHIP  
BOARD OF SUPERVISORS

Michael P. Mastaglio  
Bruce R. ...  
Abraham ...

**AN ORDINANCE AMENDING ORDINANCE NO. 10 - 1982 OF THE TOWNSHIP OF SOUTH PYMATUNING MERCER COUNTY, PENNSYLVANIA, KNOWN AS THE SOUTH PYMATUNING TOWNSHIP ZONING ORDINANCE, BY AMENDING THE VARIOUS PORTIONS OF THE TEXT AS SUMMARIZED BELOW.**

**BE IT ENACTED AND ORDAINED**, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania, pursuant to the Act of 1968, P.L. 805, No. 247 reenacted and amended December 21, 1988, by Act of 1988, P.L. 1329, No. 170, and it is hereby enacted and ordained by and with the authority of same as follows:

**SECTION I:** That ARTICLE IX - INDUSTRIAL ZONING DISTRICT - has been supplemented by the addition of Section 904 which provides development regulations for any industrial use as set forth below:

**SECTION 904: DEVELOPMENT REGULATIONS FOR ANY INDUSTRIAL USE**

**604.1: PROVISIONS OF USE**

Any permitted principal and/or accessory use shall be subject to the following use regulations:

- (1) **Access driveways and entrances** shall be permitted in a number and locations in which sight distance is adequate to allow safe movement of traffic in or out of the driveway or entrance, the free movement of normal highway traffic is not impaired and the driveway or entrance will not create a hazard or an area of undue traffic congestion on highways to which it has access. Means of ingress or egress shall be located no closer than 100 feet from the intersecting right-of-way lines of street intersections. Access drives shall not exceed two per lot on any one street frontage. Access drives shall not exceed 30 feet in width within 10 feet of the street right-of-way line. The zoning officer may require the permit applicant to submit engineering data and/or traffic analysis to supports its proposed plan of access driveways and entrances.
- (2) **All principal or accessory storage of junk, waste, discarded or salvaged material, machinery or equipment** shall not be permitted except within a completely enclosed structure. Or if the lot area devoted to such use is over two hundred (200) square feet in area, the owner may have the alternative of enclosing it on all sides, except for an exit and entrance of not over twenty-five (25) feet in width, by a solid fence or wall at least six (6) feet in height and maintained in good condition or by a cyclone or equal-wire fence at least six (6) feet in height and surrounded, except for an exit and entrance of not over twenty-five (25) feet in width, by evergreens at least six (6) feet in height at time of planting and planted not further apart than six (6) feet so as to form a solid screen.

- (3) It shall provide **necessary shielding** or other protective measures against interference occasioned by mechanical, nuclear or uses or processes with electrical apparatus to nearby residences.
- (4) **Adequate storm drainage facilities** shall be installed to ensure that storm water does not flow onto abutting property, sidewalks or streets in such quantities as to cause detrimental effect or inconvenience. Maximum rates of storm water runoff from the property after development shall not be greater than as existed prior to the development.
- (5) Any part or portion of a lot developed for business uses which is not used for buildings, other structures, parking or loading spaces or aisles, driveways, sidewalks and designated storage areas shall be planted and maintained with grass or other all season ground cover vegetation. Grass shall be kept neatly mowed. Landscaping with trees and shrubs is permitted and encouraged.
- (6) Any **off-street parking area** located in a required front-yard building setback shall be located at least 10 feet from the road right-of-way with the area in between the road right-of-way and parking maintained according to Section 604.1(5).
- (7) It shall not emit any noxious, toxic, or corrosive fumes or gasses nor shall it emit any offensive odors, vibrations or loud noises.
- (8) All **exterior lighting** shall be so placed and shielded so as not to create a nuisance for adjacent properties and passing motorists.
- (9) It shall comply with all applicable pollution control regulations enacted by the federal and state government and other governmental authorities.
- (10) Sewage shall be managed in compliance with the Sewage Facilities Act 537, as amended.
- (11) All structures shall be constructed as fire-resistant buildings and contain precautions against fire and explosion hazards as to produce no exposure hazards to the adjacent property.
- (12) The principal structure on a zone lot must be constructed before an accessory structure may be permitted.
- (13) Any display or storage of supplies and manufactured products shall be behind the building setback line.

**604.1: BUFFER AND SCREENING REQUIREMENTS FOR ANY INDUSTRIAL USE**

Where any permitted principal and/or accessory use abuts any land zoned residential or business, or abuts any land zoned industrial which contains an existing residential or business use, the following buffer and screening shall be required.

These requirements shall apply in instances where such use is being newly developed on vacant land, expanded in floor area, or removed and a new use developed.

- (1) **In addition to the required yard areas (Section 604.3), a 50 foot buffer shall be provided and maintained along the entire length of side and/or rear yard where it abuts a residential zoned district, business zoned district, or any existing residential or business use within an industrial zoned district. Buffer strips shall not be used for parking, storage of vehicles, equipment or materials, nor for any other use incompatible with their purpose as a visual, noise, dust and pollution barrier.**
- (2) **The buffer shall be planted with evergreens capable of obtaining and maintaining a dense growth from the ground up to a full height and a full diameter of not less than 12 feet. The minimum height at the time of planting shall be 6 feet. Plants shall be situated in two rows within the buffer strip, each row being located at least 10 feet from the edge of the buffer strip. Plants in each row shall be spaced no further apart than the diameter of a mature specimen of the species being planted center-to-center and the two rows shall be situated in an alternating pattern so that the trees in one row are located centrally between the trees in the other row. Plants shall be allowed to obtain a minimum height of 12 feet and shall not be trimmed below that height thereafter.**
- (3) **Areas of the buffer strip not covered with a fence, wall or screening plantings shall be planted with grass or other appropriate ground cover vegetation. Grass shall be kept neatly mowed.**
- (4) **Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the industrial use is located. Installation must be completed prior to issuance of a Certificate of Use and Occupancy by the Zoning Officer. Dead or diseased plants shall be removed and replaced in a 90 to 120 day time period.**

**604.3: REQUIRED YARD AREAS**

(a) **Minimum side yard building distance**

- (1) **From any lot line in a "R" Zoning District or Residential use in a Business or Industrial District - 100 feet from interior edge of buffer line for principal or accessory structures, plus an additional 50 feet if buffer strip is required.**
- (2) **From any lot line of a Business Use - 50 feet, plus an additional 50 feet if buffer strip is required.**
- (3) **From any lot line of an Industrial Use - 20 feet, plus an additional 50 feet if buffer strip is required.**

(b) **Minimum rear yard building distance**

- (1) 30 feet for principal and/or accessory structures, plus an additional 50 feet if buffer strip is required.

**604.4: PARKING AND LOADING REGULATIONS**

Subject to the provisions of Article VIII.

**604.5: SIGN REGULATIONS**

Subject to the provisions of Article VII.

**604.6: PROHIBITED USES IN INDUSTRIAL DISTRICTS**

Slaughterhouses, dead animal or offal reduction; fertilizer manufacture; the manufacturing of highly explosive chemicals, materials or products; and other similar noise, odor, dust, hazard or nuisance bearing manufacturing processes or materials, or the storage of any of the above.

SECTION II: That the appropriate Township officials are hereby authorized and directed to amend the South Pymatuning Township Zoning Map as provided herein.

SECTION III: That all Ordinances and amendments thereto executed and pertaining to the subject matter of the Ordinance or parts hereof, that are inconsistent herewith, are hereby repealed.

SECTION IV: That in all other respects, Ordinance No.10 of 1982, as amended of the Township of South Pymatuning, Mercer County, Pennsylvania, be and the same is hereby ratified and confirmed.

SECTION V: This Ordinance shall take effect upon the passage and publication, in accordance with law.

ORDAINED AND ENACTED this 26<sup>th</sup> day of August, 1997, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania.

ATTEST:

SOUTH PYMATUNING TOWNSHIP  
BOARD OF SUPERVISORS

R. Glenn Adams  
Township Secretary

Michael P. [Signature]  
Burt R. [Signature]  
Kendall M. [Signature]

ORDINANCE NO. 3-1998

AN ORDINANCE AMENDING ORDINANCE NO. 10 - 1982 OF THE TOWNSHIP OF SOUTH PYMATUNING MERCER COUNTY, PENNSYLVANIA, KNOWN AS THE SOUTH PYMATUNING TOWNSHIP ZONING ORDINANCE, BY AMENDING THE SOUTH PYMATUNING TOWNSHIP ZONING MAP TO REZONE PARCELS OF LAND FROM I, INDUSTRIAL TO R-2, RESIDENTIAL MEDIUM DENSITY, SAID LAND BEING BOUNDED ON THE NORTH BY LANDS NOW OR FORMERLY OF BOSNJAK; BOUNDED ON THE EAST BY LANDS NOW OR FORMERLY OF DEAN DAIRY PRODUCTS COMPANY; BOUNDED ON THE SOUTH BY ONEIDA LANE; AND BOUNDED ON THE WEST BY SENECA ROAD.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania, pursuant to the Act of 1968, P.L. 805, No. 247 reenacted and amended December 21, 1988, by Act of 1988, P.L. 1329, No. 170, and it is hereby enacted and ordained by and with the authority of same as follows:

SECTION I: That Article II, Section 201, entitled "Boundaries of Zoning Districts" and the South Pymatuning Township Zoning Map be amended by changing the zoning district designation of the below described property from that of I, Industrial, to R-2, Residential Medium density, said area being more particularly bounded and described as follows:

BEGINNING at a point in the centerline of Seneca Road at the intersection of the centerline of Oneida Lane and the centerline of Seneca Road, said point being the Southwestern corner of the land herein conveyed; thence North 0°17'56" East along the centerline of Seneca Road, a distance of 168.51 feet to a point; thence 83°57'56" East along the southern boundary of land now or formerly of Bosnjak, a distance of 253.70 feet to a point; thence South 00° 17' 56" West along part of the Eastern boundary of land now or formerly of Dean Dairy Products Company, a distance of 105.55' to a point in the center line of Oneida Lane; thence South 70°28'00" West along the center line of Oneida Lane, a distance of 268.05 feet to a point; said point also being the place of beginning, and containing 0.793 acres of land.

SECTION II: That the appropriate Township officials are hereby authorized and directed to amend the South Pymatuning Township Zoning Map as provided herein.

SECTION III: That all Ordinances and amendments thereto executed and pertaining to the subject matter of the Ordinance or parts hereof, that are inconsistent herewith, are hereby repealed.

SECTION IV: That in all other respects, Ordinance No.10 of 1982, as amended of the Township of South Pymatuning, Mercer County, Pennsylvania, be and the same is hereby ratified and confirmed.

SECTION V: This Ordinance shall take effect upon the passage and publication, in accordance with law.

ORDAINED AND ENACTED this 14th day of September, 1998, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania.

ATTEST:

K. Glenn Adams  
Township Secretary

SOUTH PYMATUNING TOWNSHIP  
BOARD OF SUPERVISORS

Michael P. Hart  
Brent R. DeLoe  
Samuel M. Kelly



**AN ORDINANCE AMENDING ORDINANCE NO. 10 - 1982 OF THE TOWNSHIP OF SOUTH PYMATUNING MERCER COUNTY, PENNSYLVANIA, KNOWN AS THE SOUTH PYMATUNING TOWNSHIP ZONING ORDINANCE, BY AMENDING THE PRINCIPAL USES PERMITTED IN THE R-2 RESIDENTIAL ZONING DISTRICT TO PERMIT EXISTING PUBLIC SCHOOL STRUCTURES TO BE CONVERTED TO THE FOLLOWING USES: PROFESSIONAL OFFICES AND SERVICES; MUNICIPAL, PUBLIC AUTHORITY AND EMERGENCY SERVICES; OR PUBLIC OR PRIVATE SCHOOLS ACCREDITED BY THE COMMONWEALTH OF PENNSYLVANIA, PROVIDED SUCH CONVERSIONS COMPLY WITH CERTAIN GENERAL PROVISIONS COMPATIBLE WITH THE CHARACTER OF ADJOINING RESIDENTIAL USES.**

**BE IT ENACTED AND ORDAINED**, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania, pursuant to the Act of 1968, P.L. 805, No. 247 reenacted and amended December 21, 1988, by Act of 1988, P.L. 1329, No. 170, *as amended*, and it is hereby enacted and ordained by and with the authority of same as follows:

**SECTION I:** That the R-2 Residential Zoning District of the South Pymatuning Township Zoning Ordinance, Article V, Section 501.1, entitled "Principal Permitted Uses:" shall be amended by the addition of the following language:

(d) Conversions of existing public school structures for the following uses:

- a.. professional offices and services;
- b. municipal, public authority and emergency services; and
- c. private schools accredited by the Commonwealth of Pennsylvania.

(1) General Requirements-

In all cases, converted public school structures shall comply with the following general provisions:

- a. parking requirements shall comply with this Ordinance;
- b. the design of the structure and landscaping shall be compatible with and preserve the character of adjoining residential uses, and shall provide suitable screening as defined in Section 1204.2.
- c. all parking areas which abut residential uses shall provide screen planting;
- d. any outdoor lighting shall be designed to prevent glare to adjoining properties;
- e. such permitted uses shall have, and present on request, all needed local, county, state, or federal permits, or applications for needed permits. If needed permits are in the application stages, the issuance of an occupancy permit shall be contingent upon final approval of said permits.

**SECTION II:** That the appropriate Township officials are hereby authorized and directed to amend the South Pymatuning Township Zoning Ordinance as provided herein.

**SECTION III:** That all Ordinances and amendments thereto executed and pertaining to the subject matter of this Ordinance or parts hereof, that are inconsistent herewith, are hereby repealed.

**SECTION IV:** That in all other respects, Ordinance No.10 of 1982, as amended, of the Township of South Pymatuning, Mercer County, Pennsylvania, be and the same is hereby ratified and confirmed.

**SECTION V:** This Ordinance shall take effect upon the passage and publication, in accordance with law.

**ORDAINED AND ENACTED** this 12th day of August, 2002, by the Board of Supervisors of South Pymatuning Township, Mercer County, Pennsylvania.

**ATTEST:**

**SOUTH PYMATUNING TOWNSHIP  
BOARD OF SUPERVISORS**

R. Glenn Adams  
Township Secretary

Michael P. Markel  
Scott R. DeLeon

Supervisors



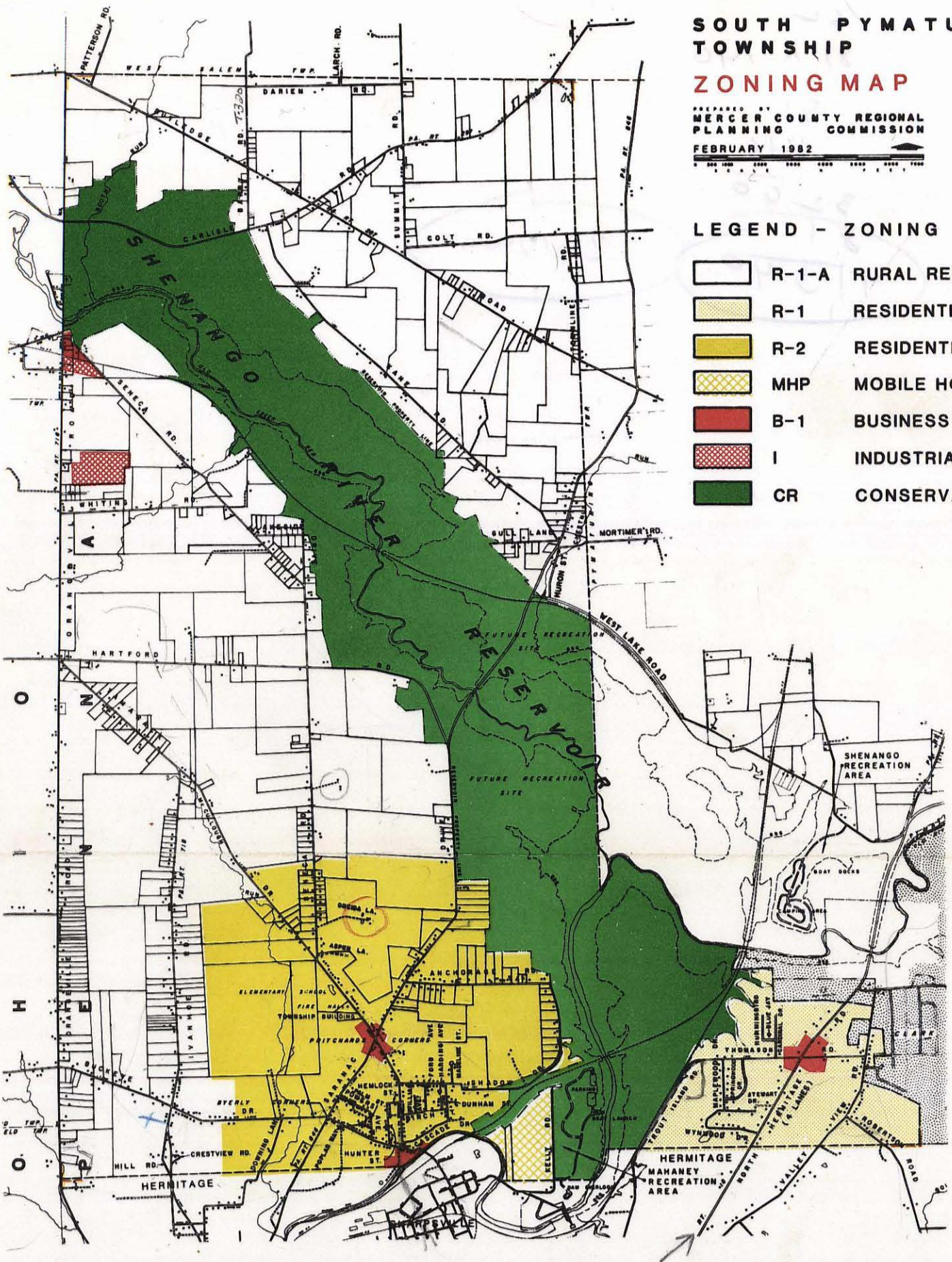
# SOUTH PYMATUNING TOWNSHIP ZONING MAP

PREPARED BY  
MERCER COUNTY REGIONAL  
PLANNING COMMISSION  
FEBRUARY 1982



## LEGEND - ZONING DISTRICTS

- R-1-A RURAL RESIDENTIAL/AGR.
- R-1 RESIDENTIAL
- R-2 RESIDENTIAL MEDIUM DENSITY
- MHP MOBILE HOME PARK
- B-1 BUSINESS NEIGHBORHOOD
- I INDUSTRIAL
- CR CONSERVATION/RECREATION



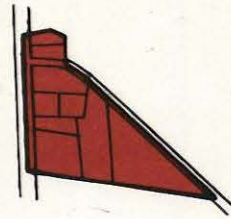
NOTE: PROPERTY LINES NOT SHOWN IN DENSELY POPULATED AREAS.  
FOR COMPLETE PROPERTY LINE DATA SEE MERCER COUNTY TAX MAPS



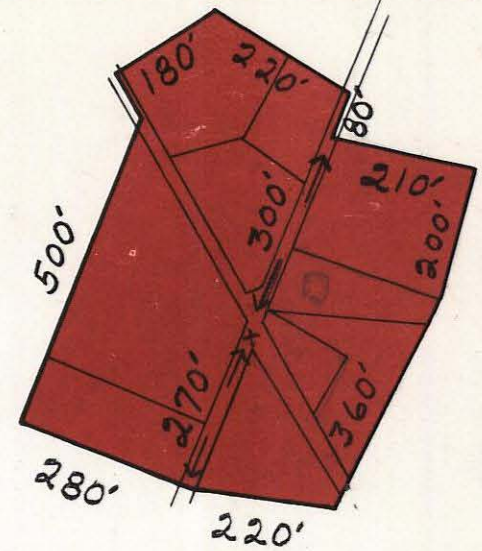
**B-1 BUSINESS NEIGHBORHOOD  
ZONING DISTRICTS**

**South Pymatuning Township  
Mercer County, Pennsylvania**

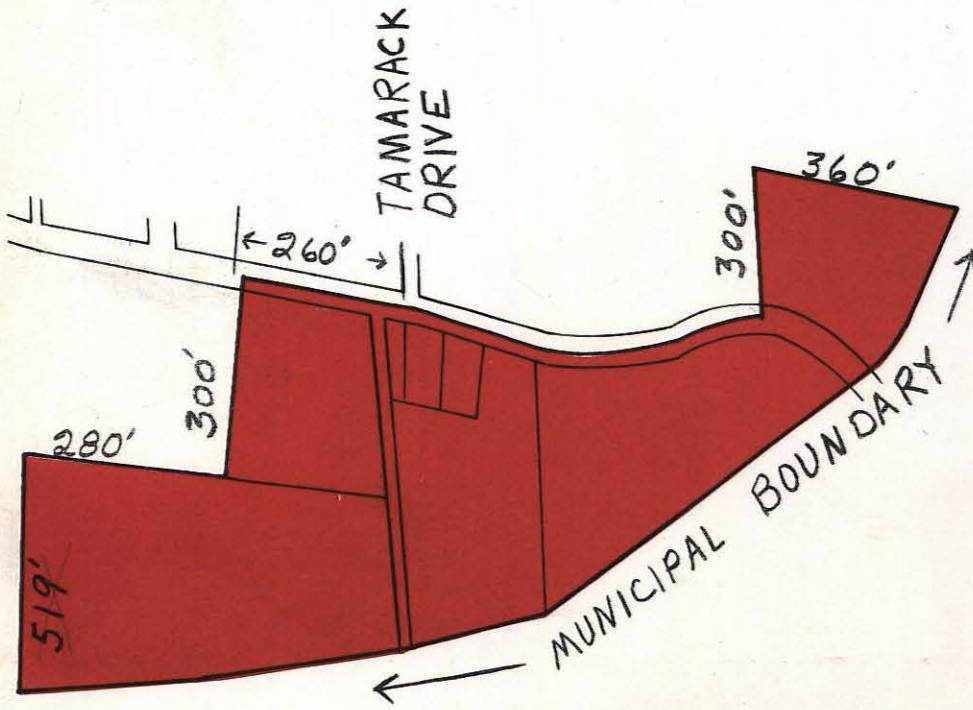
**MAP ENLARGEMENTS NOT TO SCALE**



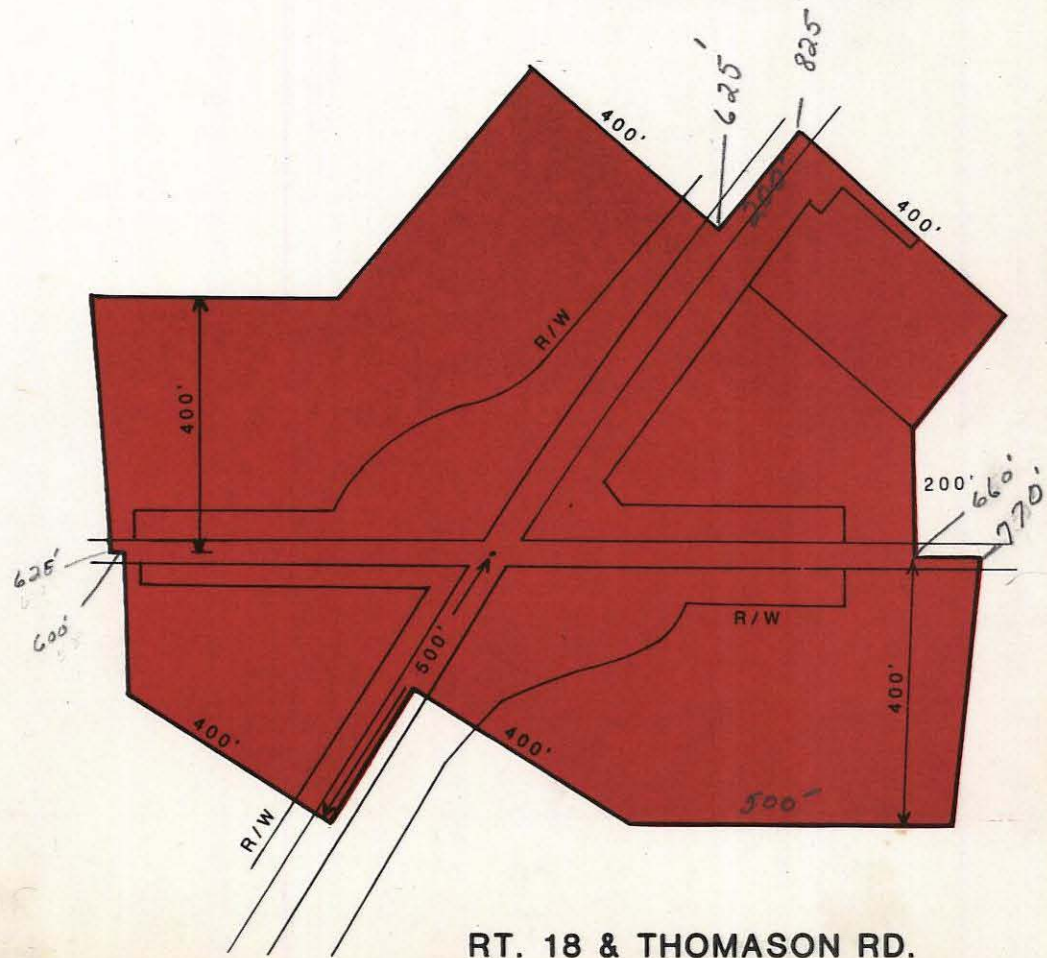
**ORANGEVILLE**



**PRITCHARDS CORNERS**



**BUCKEYE DRIVE**



**RT. 18 & THOMASON RD.**