

ORDINANCE #110-2004

AN ORDINANCE AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 2003 BY REVISING AND AMENDING ARTICLES II, XIV AND XVIII OF SAID ORDINANCE.

BE IT HEREBY ENACTED AND ORDAINED, and it is enacted and ordained by authority of the Board of Supervisors of Honey Brook Township, that the Township Zoning Ordinance of 2003 is hereby amended as follows:

Amend Article II by changing/adding the following definitions:

IMPERVIOUS SURFACE: Material which is impenetrable and unable to absorb water, including but not limited to buildings, structures, and paved areas. "Impervious surfaces" shall include areas covered by roofs, concrete, asphalt, or other man-made cover. The Township Engineer shall decide any dispute over whether an area is impervious.

LOT, FLAG or FLAG SHAPED: A lot completely surrounded by adjacent lots except for a strip of land, being part of the same parcel and defined as an access strip, which provides the lot with access, or the potential of access, to a street.

SEWAGE FACILITY: A system of piping, tanks or other facilities for the purpose of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of the Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste. The term includes:

- (1) **Individual sewage facility:** A sewage facility serving a single lot which collects, treats and disposes of sewage in whole or in part into the soil or waters of the Commonwealth or by means of conveyance to another site for final disposal. The term includes:
 - a. **Individual on-lot sewage system:** An individual sewage facility which collects, conveys, treats and disposes of sewage into a soil absorption area or spray field or by retention in a retaining tank under the provisions of Ordinance #27-1978 or its successors on the lot where the sewage is generated.
 - b. **Individual sewerage system:** An individual sewage facility which collects, conveys, treats and disposes of sewage by means other than retention in a soil absorption area or retention in a retaining tank on the lot where the sewage is generated.
- (2) **Community sewage facility:** A privately owned sewage facility which collects, conveys, treats and disposes of sewage from two or more lots, or two or more equivalent dwelling units (EDU's) from the same lot, on one or more of the lots or at another site.
 - a. **Community on-lot sewage system:** A sewage facility serving two or more lots, or two or more equivalent dwelling units (EDU's) from the same lot, which collects, conveys, treats and disposes of sewage into a soil absorption area or

- spray field or retaining tank under the provisions of Ordinance #27-1978 or its successors and located on one or more of the lots where the sewage is generated.
- b. **Community sewerage system:** A sewage facility serving two or more lots, or two or more equivalent dwelling units (EDU's) from the same lot, which collects, conveys, treats and disposes of sewage other than by renovation in a soil absorption area or retention in a retaining tank, and located on one or more of the lots where the sewage is generated.
- (3) **Public sewage facility:** A sewage facility operated by the Northwest Chester County Municipal Authority or its successors.

Amend Article XIV by changing:

- Section 1405-A-2-e-4 to read, "Any sign for a special event shall be considered temporary. It shall be permitted to be erected seven (7) days prior to the event, but in all cases shall be removed within twenty-four (24) hours following the conclusion of the event."
- Section 1405-B-4 to read, "Billboards, as defined in Article II and when expressly allowed as a use in the underlying zoning district, in accordance with the terms in Section 1601.I of the Ordinance."

Amend Article XVIII by adding or changing:

- Section 1801-B-3-a to read, "Any lawful nonconforming structure existing on the effective date of the Ordinance, or subsequent amendments, or rendered nonconforming by the Ordinance, may be altered or enlarged, provided that such alteration or enlargement conforms to all of the lot area, width, impervious coverage, yard requirements, height and design standards of the zoning district in which it is located. If the new addition or enlargement cannot meet the requirements, it shall not be permitted unless, upon application, the Zoning Hearing Board grants a variance."
- Section 1801-B-3-b to read, "Notwithstanding the provision of Subsection (a) above, a structure fifty (50) years old or older at the time of application that is nonconforming due to encroachment within one (1) or more yard setbacks shall be permitted to be altered or expanded without the necessity of a variance as follows:"
- New Section 1801-B-3-b-[1] to read, "An addition or expansion which is located within the required front yard, provided that the alteration or expansion is no closer to the street line than the existing structure, and side and rear yards are met."
- New Section 1801-B-3-b-[2] to read, "An addition or expansion which is located within the required rear yard, provided that the addition or expansion is no closer to the rear lot line than the existing structure, and the front and side yards are met."
- New Section 1801-B-3-b-[3] to read, "An addition or expansion which is located within a required side yard, provided that the addition or expansion is not closer

to the side lot line than the existing structure, and that the minimum front yard, rear yard and aggregate side yard are met.”

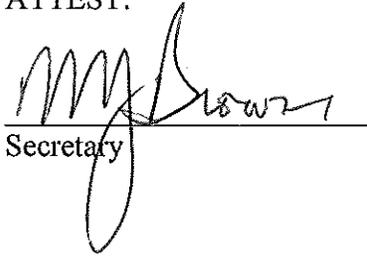
Amend article XVII by adding:

- New Section 1714, Standards for Flag Lots, to read, “The design standards for flag lots shall be:
 - A. Access strips shall be measured at the street line and shall be a minimum of twenty-five feet (25’) for its entire length.
 - B. There shall be no turns greater than forty-five degrees (45°) in the access strip.”

THESE AMENDMENTS SHALL TAKE EFFECT AS PROVIDED FOR BY LAW,
AND ALL ORDINANCE PROVISIONS INCONSISTENT WITH THESE
AMENDMENTS ARE HEREBY REPEALED AND DELETED.

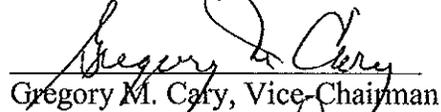
ENACTED AND ORDAINED THIS 8th DAY OF SEPTEMBER, 2004.

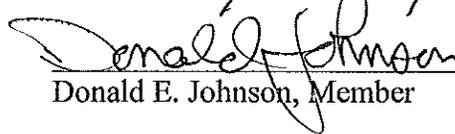
ATTEST:


Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS


D. Weston Darby, Jr., Chairman


Gregory M. Cary, Vice-Chairman


Donald E. Johnson, Member