

HONEY BROOK TOWNSHIP  
CHESTER COUNTY, PA  
ORDINANCE #146 - 2009

**AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 2004, AS AMENDED, TO CLARIFY STANDARDS FOR GRADING AND SIGHT DISTANCE AT DRIVEWAY INTERSECTIONS WITH ROADWAYS; AND AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 2003, AS AMENDED, TO REVISE VARIOUS PROVISIONS RELATING TO LOT AREA REQUIREMENTS IN THE RC-RESOURCE CONSERVATION DISTRICT, REAR YARD SETBACKS, TEMPORARY STRUCTURES, AND PROJECTIONS INTO REQUIRED YARDS.**

**SECTION 1.** Amend Section 22-615.1 by adding new subsection .L as follows:

L. Clear sight triangles shall be provided at all driveway entrances and shall be shown on plans. Within such triangles, there shall be no object greater than 2 ½ feet in height and no other object that would obscure the vision at least 100 feet in either direction for residential driveways, and at least 300 feet for nonresidential driveways, measured from a point 12 feet back from the edge of the cartway of the intersecting street. Greater distances may be required if warranted by specific circumstances. Whenever a portion of the line of such triangles occurs within any proposed building setback line, such triangle shall be considered a building setback line.

**SECTION 2.** Amend Section 22-615.3.D to read as follows:

D. Within the legal right-of-way of the intersected street or for a distance of at least 25 feet from the edge of the cartway, whichever is greater, the driveway shall have a maximum grade of 4 percent or less. The remainder of the driveway shall have a maximum grade of 15 percent, and any portion of this remainder that exceeds 8 percent grade shall be limited to no more than 150 continuous feet.

**SECTION 3.** Amend Section 27-301.2 to read as follows:

2. Further, areas contained within the following zoning overlay districts:

FH – Flood Hazard District;  
SSC – Steep Slope Conservation District;  
RCC – Riparian Corridor Conservation District;  
WHP – Wellhead Protection District;  
TND – Traditional Neighborhood Development District;

are, in addition to the otherwise applicable provisions of this Chapter, subject to the terms of §27-1302, “FH – Flood Hazard District”; §27-1303, “SSC – Steep Slope Conservation District”; §27-1304, “RCC – Riparian Corridor Conservation District”; §27-1305, “WHP – Wellhead

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Protection District”; and Part 24, “TND – Traditional Neighborhood Development Overlay District”.

**SECTION 4.** Amend Section 27-503.1 by adding new subsection .H as follows:

H. Where a lot of record is determined to be lawful nonconforming as to minimum lot area as of April 9, 2008, such lot shall be permitted to undergo minor plan review procedures, including lot line adjustments and other transfers of acreage, provided such procedures shall not reduce the lot area to less than 60,000 square feet in area.

**SECTION 5.** Delete Section 27-1602.C(1)(b)5).

**SECTION 6.** Delete Section 27-1602.C(1)(c)4).

**SECTION 7.** Amend Section 27-1604.F(2) to read as follows:

(2) Where a cemetery is the principal use of a lot and is operated on a commercial basis in which the cemetery grants deeds or rights of burial to plots for a fee, a minimum lot area of 10 acres shall be provided. A cemetery operated on a non-commercial, family or parish basis shall provide a minimum of 2 acres.

**SECTION 8.** Amend Section 27-1704.1 to read as follows:

1. No principal building and no other building containing a dwelling unit or other habitable living space shall be erected within or shall project into any required yard in any district. The following components of such building, however, may project into any required side or rear yard so long as they are set back at least 15 feet from any side or rear lot line: patios; steps and similar landings; buttresses; chimneys; cornices; piers or pilasters; unenclosed fire escapes, and access ramps for physically handicapped persons. Where the lot dimensions, configurations, or topography allow no reasonable side or rear yard location, a handicapped access ramp may project into the required front yard, provided: (A) the Zoning Officer reviews and approved the proposal; and (B) the ramp design represents the minimum projection necessary into the front yard.

**SECTION 9.** Amend Section 27-1709.A(4) to read as follows:

(4) All interior drives and accessways shall have an approved all-weather surface, and shall be graded, properly drained, and maintained in good condition. Interior drives shall have a maximum grade of 10 percent.

**SECTION 10, SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 11, REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

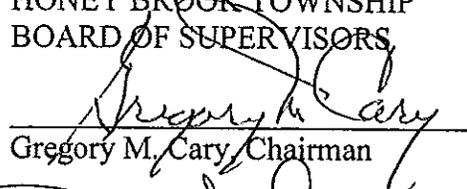
**SECTION 12, EFFECTIVE DATE.** This Ordinance shall become effective five days after enactment as provided by law.

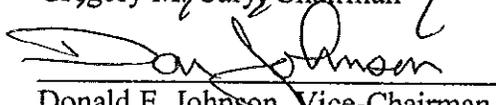
SO IT IS ENACTED AND ORDAINED this 15<sup>th</sup> day of July, 2009.

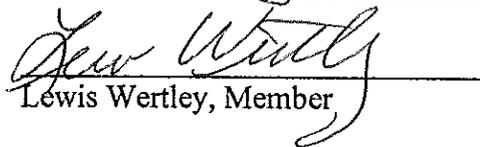
ATTEST:

\_\_\_\_\_  
Secretary

HONEY BROOK TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Gregory M. Cary, Chairman

  
\_\_\_\_\_  
Donald E. Johnson, Vice-Chairman

  
\_\_\_\_\_  
Lewis Wertley, Member