

ORDINANCE NO. 58, 1994

HONEY BROOK TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 1979, AS PREVIOUSLY AMENDED, BY REVISING AND AMENDING: ARTICLE II, DEFINITIONS; AND, ARTICLE VII, FLOOD HAZARD DISTRICT, 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 1979, as amended, is hereby further amended as follows:

I. Article II, Definitions, Section 202, is hereby amended to revise the definitions for "Development", "Structure", and "Recreational Vehicle" within this Ordinance as follows:

Development. Any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, drilling operations, the storage of equipment or materials, and the subdivision of land."

Structure. Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, sheds, mobile homes, and other similar items. A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Recreational Vehicle. A vehicle without motive power which may be towed on the public highways by a passenger automobile or light-duty truck without a special hauling permit, and which is designed for human occupancy under transient circumstances, such as camping, travel, or other recreation purposes, sometimes variously known as "travel trailer" or a "camping trailer." A vehicle which is: built on a single chassis; contains 400 square feet or less when measured at the largest horizontal projection; is designed to be self-propelled or permanently towable by a passenger vehicle or by a light-duty truck; and, is designed primarily

not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use."

II. Article II, Section 202, Definitions is hereby further amended by adding the following new definitions and adopting same as if inserted alphabetically in said existing Ordinance section:

"Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Historic Structure. Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the United States Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

New Construction. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of

this Ordinance amendment adopted by Honey Brook Township and includes any subsequent improvements to such structures.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred."

III. Article VII, Flood Hazard District, is hereby amended in Section 709.3.f), to add the following requirements to the existing paragraph in said section:

"For all new construction and substantial improvements, those fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exist of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the follow minimum criteria:

- 1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- 2) The bottom of all openings shall be no higher than one foot above grade.
- 3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters."

IV. Article II, Definitions, Section 202 is hereby further amended to incorporate the following new definitions which are hereby adopted and are to be inserted in Section 202 in accordance with the alphabetical order:

"Manufactured Home. The term "Manufactured Home" shall be considered as identical to the definition for "Mobile Home" as defined in this Ordinance and as used throughout this Ordinance.

Manufactured Home Lot. The term "Manufactured Home Lot" shall be considered to be the same as "Mobile Home Lot" as defined in this Ordinance and as used throughout this Ordinance.

Manufactured Home Park. The term "Manufactured Home Park" shall be considered to be the same as "Mobile Home Park" as defined in this Ordinance and as used throughout this Ordinance."

EFFECTIVE DATE: THIS ORDINANCE SHALL BECOME EFFECTIVE FIVE (5) DAYS AFTER ENACTMENT AS PROVIDED BY LAW.

ENACTED AND ORDAINED this 13th day of July, 1994

Attest:

Board of Supervisors of
Honey Brook Township

Ruby M. Skatman
Township Secretary

John Super
Donald Johnson
Dallas D. Ford