

ORDINANCE NO. 70 - 1996

HONEY BROOK TOWNSHIP

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 1979, AS AMENDED, BY AMENDING , REVISING AND DELETING CERTAIN SECTIONS OF ARTICLE III, ARTICLE IV AND ARTICLE IX TO ADD REGULATIONS FOR EXPANSION OR CONVERSION OF A RESIDENTIAL UNIT TO ACCOMMODATE A SECOND DWELLING UNIT.

Article III, Section 302.4 is hereby amended to include the following paragraph and subparagraphs: "*A residential dwelling may be used for, expanded or converted so as to accommodate a second dwelling unit so long as the following requirements are met:*

- (a) The second dwelling unit shall be attached to the first or shall be wholly contained within the first.*
- (b) The building, as expanded, must meet all set back requirements and other area and bulk requirements.*
- (c) The area in use for the second dwelling shall not exceed fifty (50%) percent of the area of the principal dwelling.*
- (d) The owner of the principal dwelling shall reside therein and the second dwelling may be used by and resided in only be a person/persons related to such owner, who is one of the following: grandfather/grandmother, mother/father, brother/sister, daughter/son and/or the spouse of one of the foregoing.*
- (e) The units shall be inter-connected, shall share the principal entrance and shall have the same mailing address (if permissible under the Chester County 911 program).*
- (f) The owner shall make sure that the records of the Township indicate the persons in residence in the second unit and a new use and occupancy permit shall be issued whenever there is a change in the use or in the person or persons residing in the second unit.*
- (g) The Chester County Health Department must approve the septic and water systems for use at the premises and such approval shall occur prior to occupancy of the second unit.*

**Article III, Section 302.1 (d)** is hereby deleted.

**Article IV, Section 402.1 (d)** is hereby amended by adding the following language:  
*"A residential dwelling may be used for, expanded, or converted so as to accommodate a second dwelling unit so long as the following requirements are met:*

*(a) The second dwelling unit shall be attached to the first or shall be wholly contained within the first.*

*(b) The building as expanded, must meet all set back and other area and bulk requirements.*

*(c) The area in use for the second dwelling shall not exceed fifty (50%) percent of the area of the principal dwelling.*

*(d) The owner of the principal dwelling shall reside therein and the second dwelling may be used by and resided in only by a person related to such owner, who is one of the following: grandfather/grandmother, mother/father, brother/sister, daughter/son, and/or the spouse of one of the foregoing.*

*(e) The units shall be inter-connected, shall share the principal entrance, and shall have the same mailing address (if permissible under the Chester County 911 program).*

*(f) The owner shall make sure that the records of the township indicate the persons in residence in the second unit and a new use and occupancy permit shall be issued whenever there is a change in the use or in the person or persons residing in the second unit.*

*(g) The Chester County Health Department must approve the septic and water systems for use at the premises and such approval shall occur prior to occupancy of the second unit.*

**Article IX, Section 901.6** is amended by adding a new subparagraph (e) and renumbering existing subparagraph (e) to become subparagraph (f) as follows:

*(e) The owner of the principal dwelling shall reside therein and the second dwelling may be used by and resided in only by a person related to such owner, who is one of the following: grandfather/grandmother, mother/father, brother/sister, daughter/son, and or the spouse of one of the foregoing. The owner shall make sure that the records of the township indicate the persons in residence in the second unit and a new use and occupancy permit shall be issued whenever there is a change in the use or in the person or persons residing in the second unit. The conversion shall conform to all other governmental regulations, including applicable regulations of the Chester County Health Department regarding the septic and water systems which shall approve same prior to occupancy of the second unit.*

*(f) The Zoning Hearing Board may prescribe such further conditions and restrictions with respect to the conversion of use of such dwelling and to the use of the lot, as the Board may consider appropriate.*

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

**ENACTED AND ORDAINED THIS 12TH DAY OF JUNE 1996.**

**ATTEST:**

**BOARD OF SUPERVISORS  
HONEY BROOK TOWNSHIP**

*Ruby M. Fitzan*

*Dallas D. Ford*  
*Jonel Johnson*  
*John Deagan*