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HONEY BROOK TOWNSHIP  
CHESTER COUNTY, PA  
ORDINANCE #174-2014

**AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 2003, AS AMENDED, TO ALLOW ACCESSORY APARTMENTS IN THE A-AGRICULTURAL DISTRICT AND THE RC-RESOURCE CONSERVATION DISTRICT AND SETTING STANDARDS THEREFOR.**

**BE IT ENACTED AND IT IS HEREBY ENACTED**, by the Board of Supervisors of Honey Brook Township, that the Zoning Ordinance of Honey Brook Township is amended as follows:

**SECTION 1.** Amend §27-402.1 *Uses Permitted by Right*, to add a new paragraph "S.", to read "S. Accessory Apartment, in accordance with the standards of §27-1602.AA".

**SECTION 2.** Amend §27-502.1 *Uses Permitted by Right*, to add a new paragraph "Q.", to read "Q. Accessory Apartment, in accordance with the standards of §27-1602.AA".

**SECTION 3.** Amend §27-1602 *Uses Permitted by Right*, to add a new paragraph "AA." and subsections 1-11, to read as follows:

*"AA. Accessory Apartment*

1. An Accessory Apartment unit shall be permitted as a matter of right either by conversion of or addition to a principal single-family detached dwelling on any lot or tract of land when in compliance with the standards of this Section. Alternatively, the Accessory Apartment may be located in an accessory building or free-standing building upon the property, provided there is an existing single-family dwelling on the property. Only one (1) Accessory Apartment shall be permitted on any single property.
2. Such apartment unit shall be permitted only on a lot or tract which is two (2) acres or more.
3. The habitable floor area of the Accessory Apartment shall not exceed fifty (50%) percent of the habitable floor area of the principal dwelling unit.
4. All applicable area and bulk regulations of the zoning district shall be met.
5. When expanding or converting a principal dwelling unit, the Accessory Apartment unit shall be attached to the principal dwelling unit by a common wall which encloses habitable space and gives the appearance of a single dwelling unit from the exterior view; alternatively, the accessory dwelling unit shall be wholly contained within the principal dwelling unit.
6. Approval from the Chester County Health Department shall be required for the sewer and water systems to be used at the premises for the accessory apartment; such approval shall occur prior to issuance of any building permit.
7. Sketch plans and building plans for any Accessory Apartment unit shall be submitted to the Zoning Officer as part of a building permit application.
8. A sketch plan shall show ingress and egress to existing and proposed buildings and compliance with applicable area and bulk regulations. It shall also demonstrate that adequate

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and suitable parking space for not less than two (2) cars per dwelling unit is provided, beyond the road right-of-way.

9. If required for safety reasons, fire escapes and/or outdoor stairways shall be located to the side or rear of the dwelling.
10. Prior to issuance of a Use and Occupancy Permit, the Accessory Apartment shall be inspected for compliance with applicable zoning regulations. Thereafter, every three (3) years, or at a change in tenancy, the Accessory Apartment shall be inspected by the Township for compliance with applicable zoning regulations.
11. The property owner shall notify the Township of any change in tenancy within thirty (30) days of said change. The required inspection shall occur within thirty (30) days of the date the notification is received by the Township.

**SECTION 4. 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 5. 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 6. EFFECTIVE DATE.** This Ordinance shall become effective five days after enactment as provided by law.

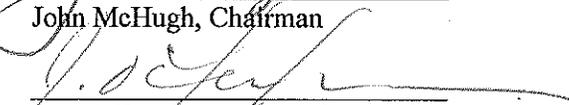
SO IT IS ENACTED AND ORDAINED this 13<sup>th</sup> day of August, 2014.

ATTEST:

  
Antoinette Antonini, Secretary

HONEY BROOK TOWNSHIP  
BOARD OF SUPERVISORS

  
John McHugh, Chairman

  
Joseph Fenstermacher, Vice-Chairman

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Tracy Olsen, Member