

Borough of Wormleysburg
Cumberland County, Pennsylvania
Ordinance No. 475

AN ORDINANCE OF THE BOROUGH OF WORMLEYSBURG, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE ZONING ORDINANCE BY AMENDING SECTION 104 TO ADD THE DEFINITION OF CLEAR SIGHT TRIANGLE; BY AMENDING SECTIONS 302 AND 402 TO PROHIBIT PARKING IN THE FRONT AND SIDE YARD AREA OTHER THAN ON THE DRIVEWAY IN THE RR-1, RR-2 RESTRICTED RESIDENTIAL ZONING AND THE R-1 AND R-2 RESIDENTIAL DISTRICTS; AND, BY AMENDING SECTION 304 TO ESTABLISH A SIX FOOT SETBACK FOR SHEDS, GARAGES AND OTHER ACCESSORY BUILDINGS IN THE SIDE AND REAR YARDS OF THE RR-1 RESTRICTED RESIDENTIAL ZONING DISTRICT; BY AMENDING SECTION 1202 TO ESTABLISH A CLEAR SIGHT TRIANGLE ON ALL CORNER LOTS; AND BY DELETING SECTION 1219-DOMESTIC AND WILD ANIMALS.

Be it Ordained and Enacted by the Borough Council for the Borough of Wormleysburg, Cumberland County, Pennsylvania, pursuant to the Municipalities Planning Code as follows.

Section 1: Part 1, Section 104-Definition of Terms, of the Zoning Ordinance, is amended by the addition of the definition of "Clear Sight Triangle" which shall read as follows.

CLEAR SIGHT TRIANGLE - A triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Section 2: Part 3, RR-1 Restricted Residential District, of the Zoning Ordinance, is amended by the amendment of Section 302. Permitted Uses as follows.

§ 302. Permitted Uses. A building may be erected or used, and a lot may be occupied, for any of the following purposes and no other:

- 1.....
- 2.....
3. Accessory uses permitted are private garages, sheds, garden structures and carports. A private garage, shed, garden structures and carport structurally attached to the main residential building is considered part of the building for yard coverage purposes. Parking in the front and side yard area other than on the driveway is prohibited.
- 4.....

Section 3: Part 3, RR-1 Restricted Residential District, of the Zoning Ordinance, is amended by the amendment of Section 304. Area Regulations as follows.

§ 304. Area Regulations

- 1....
- 2....
- 2a...
3. Each lot shall have a front, side and rear yard of not less than the following widths and depths:
 - A. Front yard depth-thirty-five feet (35’).
 - B. Side yard width-fifteen feet (15’) each side. For sheds, garages and other accessory buildings, a minimum of six (6) feet from the one side.
 - C. Rear yard depth-thirty-five feet (35’). For sheds, garages and other accessory buildings, a minimum of six (6) feet from the rear property line.

Section 4: Part 4, RR-2 Restricted Residential District, of the Zoning Ordinance, is amended by the amendment of Section 402. Permitted Uses as follows.

§402. Permitted Uses. A building may be erected or used, and a lot may be occupied for any of the following purposes and no other:

- 1....
- 2....
- 3....
4. Accessory uses permitted are private garages, garden structures, sheds and carports. A garden structure, private garage, shed or carport is considered part of the building for yard coverage purposes. Sheds shall be permitted in accordance with the criteria set forth in Part 12 of this Chapter. Parking in the front and side yard area other than on the driveway is prohibited.
- 5....

Section 5: Part 5. R-1 Residential District, of the Zoning Ordinance, is amended by the amendment of Section 502. Permitted Uses as follows:

Permitted Uses. A building may be erected or used, and a lot may be occupied for any of the following purposes and no other:

- 1....
- 2....
- 3....
- 4....
- 5....
- 6....
- 7....
- 8....
- 9....

10. Accessory uses on the same lot, customarily incidental to any of the above permitted uses, including private garages and carports. A private garage or carport structurally attached to the main residential building is considered a part of the building for yard and coverage purposes. A driveway not to exceed twenty feet (20') in width is permitted in the front yard area for access to a private garage or carport. Parking in the front and side yard area other than on the driveway is prohibited.
11. Sheds shall be permitted in accordance with the criteria set forth in Part 12 of this Chapter.

Section 6: Part 6. R-2 Residential District, of the Zoning Ordinance, is amended by the amendment of Section 502. Permitted Uses as follows:

Permitted Uses. A building may be erected or used, and a lot may be occupied for any of the following purposes and no other:

- 1....
- 2....
- 3....
- 4....
- 5....
- 6....
- 7....
- 8....
- 9....
- 10....
11. Accessory uses on the same lot, customarily incidental to any of the above permitted uses, including private garages and carports. A private garage or carport structurally attached to the main residential building is considered a part of the building for yard and coverage purposes. A driveway not to exceed twenty feet (20') in width is permitted in the front yard area for access to a private garage or carport. Parking in the front and side yard area other than on the driveway is prohibited.
12. Sheds shall be permitted in accordance with the criteria set forth in Part 12 of this Chapter.

Section 7: Part 12, General Provisions, of the Zoning Ordinance, is amended by the amendment of Section 1202 in its entirety.

Section 1202. Clear Sight Triangle Required on Corner Lots.

1. On any corner lot within the Borough, a clear sight triangle shall be maintained to provide clear sight lines for vehicles stopped at or approaching street intersections. The dimensions of the required clear sight triangle are shown on Figures CST-1 and CST-2 of this Ordinance.

2. Within the clear sight triangle, no wall, structure, hedge, shrub, or other plant growth shall be three (3) feet higher than the street elevation at the intersection of the street centerlines. Trees, hedges, shrubs, of other growth may be planted outside the clear sight triangle so long as their branches and limbs do not overhang the triangle any lower than eight (8) feet above the street elevation.

Section 8: Part 12, General Provisions, of the Zoning Ordinance, is amended by the deletion of Section 1219. Domestic and Wild Animals in its entirety.

Section 9: Repealer.

All provisions of previous ordinances of the Borough of Wormleysburg or parts thereof, which are contrary or inconsistent to this Ordinance, are expressly repealed.

Section 10. Severability.

If any section, paragraph, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 11. Savings Clause.

In all other respects, the ordinances of the Borough of Wormleysburg shall remain as previously enacted and ordained.

Section 12. Effective Date.

This Ordinance shall take effect this _____ day of _____, 2010.

ENACTED AND ORDAINED by the Borough Council of the Borough of Wormleysburg into law this _____ day of _____, 2010.

ATTEST:

BOROUGH OF WORMLEYSBURG

Gary Berresford, Borough Secretary

BY: _____
Thomas L. Martini, President

Approved this _____ day of _____, 2010.

George O. Preble, Mayor
Borough of Wormleysburg