

Article IV – Regulations for R-1 Low-Density Residential District

§ 21-401 Purpose.21-50

§ 21-402 In General.21-50

§ 21-403 Uses Permitted By Right.....21-50

§ 21-404 Conditional Uses.....21-51

§ 21-405 Special Exceptions.21-51

§ 21-406 Accessory Uses.21-52

 (a) Residential Accessory Building or Structure or Use 21-52

 (b) Temporary Structure or Use..... 21-52

 (c) Noncommercial Swimming Pool..... 21-52

 (d) Fences..... 21-53

§ 21-407 Area and Height Regulations.....21-53

§ 21-408 Minimum Yard Requirements.21-54

Article IV — Regulations for R-1 Low-Density Residential District

§ 21-401 Purpose.

The purpose of this district is to continue and encourage residential development in close proximity to existing concentrations of development and near existing and planned places of employment. It is also the purpose of this district to provide for a variety of housing types and to provide standards preventing undue crowding of the land and congestion of the highways. Creating conditions conducive to carrying out the broad purposes of this Chapter is an additional purpose of this district.

[Ord. 415 10-29-2003]

§ 21-402 In General.

A building may be erected or used, and a lot may be used or occupied, for any of the following purposes and no other, subject to the applicable provisions of Article IX (relating to General Regulations).

[Ord. 415 10-29-2003]

§ 21-403 Uses Permitted By Right.

The following uses and their accessory uses are permitted by right by the Zoning Officer without further conditions and provided the use type, dimensional, and all other applicable requirements of this Chapter are satisfied:

- (a) Crop farming and tilling of the soil.
- (b) Forestry and wildlife preserve.
- (c) Farmstead and related accessory buildings necessary for farm operations, but specifically excluding the raising or keeping of livestock.
- (d) Single-family detached dwelling, not a mobile home, but including a sectional or modular dwelling.
- (e) Non-intrusive home office or business, *provided* that the person(s) conducting the use obtains an annual permit therefor from the Zoning Officer upon payment of a fee of Ten Dollars (\$10.00) or such other amount as shall be provided by resolution of Council.

[Ord. 415 10-29-2003]

§ 21-404 Conditional Uses.

The following conditional uses and their accessory uses may be permitted following a review and recommendation by the Planning Commission in accordance with the provisions of Article XIII (relating to Conditional Uses and Special Exceptions), any other applicable provisions of this Chapter, and approval by Council:

- (a) Places of worship.
- (b) Public and private educational institutions, but excluding commercial dance and music studios, commercial educational institutions, and institutions of correction and detention.
- (c) Public facility owned or operated by the Borough, but excluding outdoor storage.
- (d) Utility substations, including accepted easements for local need and serving the Borough.
- (e) Bed and breakfast facilities.
- (f) Mobile home on individual lot.
- (g) Commercial Communications Antenna.
- (h) Commercial Communications Tower.

[Ords. 415 10-29-2003, 519 03-12-2014]

§ 21-405 Special Exceptions.

The following uses and their accessory uses may be permitted when authorized as a special exception by the Zoning Hearing Board, subject to the provisions of Articles XIII (relating to Conditional Uses and Special Exceptions) and XVIII (relating to Zoning Hearing Board):

- (a) Intrusive home office or business.

[Ord. 415 10-29-2003]

§ 21-406 Accessory Uses.

Accessory uses on the same lot as, and customarily incidental to, the permitted use are permitted by right. The term “accessory use” shall not include a business, but may include the following uses, which shall comply with all yard regulations and applicable provisions listed below:

- (a) **Residential Accessory Building or Structure or Use**, including but not limited to:

- (1) Parking spaces for the parking of passenger automobiles. The parking of commercial vehicles is prohibited except for a maximum of two (2) vehicles, each of which does not exceed one-half (1/2) ton loading capacity, and which are needed for travel to and from work by residents of the principal building.

- (2) Structures such as fences and walls.

- (3) Buildings such as detached garages, storage sheds, bathhouses, and private greenhouses.

- (b) **Temporary Structure or Use**. A temporary permit may be issued by the Zoning Officer for structures or uses necessary during construction or other special circumstances of a non-recurring nature, subject to the following additional provisions:

- (1) The life of such permit shall not exceed one (1) year.

- (2) Such structure or use shall be removed completely upon expiration of the permit without cost to the Borough.

- (c) **Noncommercial Swimming Pool**. A noncommercial swimming pool shall not be located, constructed, or maintained on any lot or land area except in conformity with the following requirements:

- (1) A permit shall be required to locate, construct, or maintain a noncommercial swimming pool.

- (2) Such pool shall be located in a rear or side yard only.

- (3) Every noncommercial swimming pool, or the portion of a lot surrounding a non-commercial swimming pool area, shall be completely enclosed (whether by fencing, pool walls, or otherwise) by a barrier which is sufficient to prevent children from passing under or through and which is at least four (4) feet high from the ground to the top of the barrier at all points along the perimeter of the enclosure. The enclosure may include gates for entrance to the pool or pool area, *provided* that all gates are self-latching with latches placed at least four (4) feet above the

level of the ground at that location or otherwise made inaccessible to small children, and that all gates are locked when the pool is not in use.

(4) No portion of such pool shall be located less than three (3) feet from any lot line, and none of the water contained within the pool shall be closer than five (5) feet from any lot line.

(5) Such pool shall not occupy more than thirty percent (30%) of the rear or side yard area, including all private garages or other accessory buildings or structures.

(6) If the water for such pool is supplied from a private well, there shall be no cross-connection with the public water supply system.

(7) If the water for such pool is supplied from the public water supply system, the inlet shall be above the overflow level of said pool.

(8) No permit shall be granted for the installation or construction of any in-ground pool, permanent pool, or any portable pool having a capacity of ten thousand (10,000) gallons or more unless the Borough Engineer has certified that the drainage of such pool is adequate and will not interfere with the public water supply system, with existing sanitary facilities, or with the public streets.

(9) No loudspeaker or amplifying device shall be permitted which will project sound beyond the boundaries of the property or lot where such pool is located.

(10) No lighting or spotlight shall be permitted which will shine directly upon or beyond the bounds of the property or lot where such pool is located.

(11) No portion of a noncommercial swimming pool shall be located within any utility easement without the permission of the utility(ies) involved, nor within three (3) feet of any point directly underneath any overhead utility lines.

(d) **Fences.** Fences not to exceed six (6) feet in height may be placed within a required yard area, *provided that*:

(1) No part of any fence shall be closer than one (1) foot from any property line, unless the owner(s) of the adjoining property file a notarized consent with the Borough to permit the fence to be placed on the property line or less than one (1) foot from the property line;

(2) No part of any fence shall be located closer than twenty-five (25) feet from the legal right-of-way line of the street or alley on which the principal structure of the lot fronts.

(3) No part of any fence shall be closer than ten (10) feet from the legal right-of-way line of any street or alley; and

(4) No part of any fence shall be within any of the clear sight triangles established under § 21-906 (relating to Traffic Visibility at Intersections).

§ 21-407 Area and Height Regulations.

The following dimensional requirements in this section apply to each use permitted in the R-1 District by right, by condition, or by special exception, subject to further applicable provisions of this Article, Article IX (relating to General Regulations), and Article XIII (relating to Conditional Uses and Special Exceptions). The most restrictive dimensional requirements for each use shall apply. The minimum lot area requirements shall apply unless larger minimum lot areas are required by the Pennsylvania Department of Environmental Protection. All uses in the R-1 District shall hook up with the existing public centralized water and sewerage systems.

Principal Use	Minimum Lot Area	Minimum Lot Width (feet)	Maximum Building Coverage (%)	Maximum Building Height (feet)
Single-family detached dwelling, sectional or modular house	8,000 ft ²	80	35	35
Two-family detached dwelling*	5,000 ft ² per dwelling	40	35	35
Farmstead	1 acre	130	15	35
Crop farming	1 acre	—	10	35
Public and private institutions	3 acres	200	15	35
Places of worship	2 acres	150	25	35
Utility substation	1 acre	150	15	35
All other uses	20,000 ft ²	100	15	35

* Two-family detached dwellings are not permitted by right, conditional use, or special exception in the R-1 District. However, there are a number of permitted nonconforming two-family detached dwellings in the R-1 District which came into existence before April 4, 1975 and have not lost their status as a permitted non-conforming use. Where a single lot contains two or more permitted nonconforming two-family detached dwellings, the lot may be subdivided into two or more lots so long as each resulting lot satisfies the dimensional requirements of this Section, *and* either satisfies all other dimensional requirements of this Chapter or is not more non-conforming with respect to any other dimensional requirement of this Chapter than the pre-existing lot prior to the subdivision.

[Ords. 415 10-29-2003, 488 03-31-2010]

§ 21-408 Minimum Yard Requirements.

The following are the minimum yard requirements for principal uses in the R-1 District.

Principal Use	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)
		One	Both	
All uses	25	10	20	25

[Ord. 415 10-29-2003]