

ORDINANCE NO. 345

EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF EAST NORRITON TOWNSHIP, SPECIFICALLY, THE EAST NORRITON TOWNSHIP ZONING ORDINANCE BY ADDING THE DEFINITIONS OF "DAY CARE", "DAY CARE CENTER", "GREEN AREA", "SENIOR CITIZEN" AND "TEMPORARY STRUCTURE"; AMENDING SECTION 205-102b(2) (o) WHICH ALLOWS FOR REDUCED PARKING REQUIREMENTS FOR PARCELS WITH MULTIPLE ESTABLISHMENTS; AMENDING SECTION 205-105.1 TO ESTABLISH GREEN AREA REQUIREMENTS FOR PARKING LOTS AND LOADING AREAS; AMENDING SECTION 205-25 TO PERMIT CERTAIN PORCHES, DECKS AND PATIOS IN THE REQUIRED FRONT AND REAR YARDS; AMENDING SECTION 205-26 RELATED TO PATIOS, DECKS AND PORCHES IN REQUIRED REAR YARDS; AMENDING SECTION 205-16 TO PROVIDE THAT IN-LAW QUARTERS MUST BE LOCATED IN EXISTING DWELLINGS OR ATTACHED TO EXISTING DWELLINGS; AMENDING SECTION 205-17 TO PERMIT ONE TEMPORARY STRUCTURE AND ESTABLISHING THE LOCATION WHERE TEMPORARY STRUCTURES ARE PERMITTED.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by virtue of the authority granted by the Second Class Township Code, does hereby enact and ordain;

SECTION 1. The Code of East Norriton Township, Section 205, being the East Norriton Township Zoning Ordinance is hereby amended as follows:

Article II, Section 205-5 Shall be amended by adding the following amendments to definitions:

DAY-CARE - "A service providing out of home care for up to twelve (12) hours per day for children under sixteen (16) years of age and/or senior citizens."

DAY-CARE CENTER - "A facility in which day care is provided for seven (7) or more children or senior citizens, at any one (1) time, where the child and/or senior citizen care areas are not being used as a family residence, and the facility meets all state requirements, including licensing by the Commonwealth of Pennsylvania if required."

GREEN AREA - "Land composed of pervious surfaces set aside for the growing of vegetation, including lawn area, trees, shrubs, grasses, plants, flowers and also including lakes, ponds, streams and other natural features."

SENIOR CITIZEN - "Persons 62 years of age or older."

TEMPORARY STRUCTURE - "A combination of materials assembled, constructed or erected, the use of which does not require attachment to the ground nor attachment to something having location on the ground. No structure containing more than one hundred sixty (160) square feet shall be considered a "temporary structure."

Article XVIII, Parking and Loading, shall be amended by adding the following new subsection 205-102.B.(2)(o) to read as follows: "When the uses set forth in Subsection B. (2) (e) and (f) are developed on one parcel having five (5) or more establishments sharing common parking and access and providing a total of at least seventy-five thousand (75,000) square feet of total building area, overall parking calculated for these uses may be reduced to a ratio of five (5) spaces per every one thousand (1,000) square feet of total floor area which shall be inclusive of employee parking."

Article XVIII, Section 205-105 is amended by adding new subsection 205-105.1 to read as follows: "Section 205-105.1 Green area requirements for parking lots and loading areas. An area amounting to ten percent (10%) of all paved parking areas in excess of two thousand (2,000) square feet per each lot, whether constructed immediately or reserved for future needs, shall be devoted to permanent green areas, which must be interspersed within the paved parking areas to channel traffic or divide parking spaces, and shall be landscaped in accordance with the provisions of the Subdivision and Land Development Ordinance. The exact design and location of the green areas, as well as the landscape material therein, shall be disclosed on the land development, subdivision or site plan and be permanently maintained as such."

Article V, Section 205-25 C (1) is amended by adding the following: "provided, however, than an unenclosed porch, patio or deck that does not exceed the width of the residence, such encroachment shall be permitted, provided that there remains an open front yard of at least forty (40) feet and the width does not exceed the width of the residence."

Article V, Section 205-25 C (3) is hereby deleted and new Section 205-25 C (3) is added as follows:

"Rear yard: Sixty (60) feet, provided, however, that a covered patio, deck or porch which, when attached to the rear line of the existing dwelling, would encroach into the rear yard area for a patio, porch or deck having a width of not more than sixteen (16) feet, such encroachment shall be permitted, provided that there remains a rear yard of at least forty-five (45) feet. A covered patio which encroaches into the rear yard area may not be enclosed in any manner with the exception of screening and may at no time be used for or become a habitable room. It is further provided that an uncovered patio, deck or porch which when

attached to the rear line of the existing dwelling, would encroach into the rear yard area, provided the structure does not exceed the width of the existing dwelling, then such encroachment shall be permitted, provided that there remains an open rear yard of at least forty-five (45) feet."

Section 205-26 C (2)(d) shall be amended by adding the following: "provided, however, that a covered patio, deck or porch which, when attached to the rear line of the existing dwelling, would encroach into the rear yard area, and if the patio, deck or porch has a width of not more than sixteen (16) feet, then such encroachment shall be permitted, provided that there remains an open rear yard of at least thirty-five (35) feet. The covered patio which encroaches into the rear yard area may not be enclosed in any manner with the exception of screening and may at no time be used for or become a habitable room. It is further provided that an uncovered patio, deck or porch which, when attached to the rear line of the existing dwelling, would encroach into the rear yard area, such patio, deck or porch having a width no greater than the width of the existing dwelling, shall be permitted, provided that there remains an open rear yard of at least thirty-five (35) feet and the width of the patio, deck or porch does not exceed the width of the residence".

Section 205-16 B (4)(e) is deleted and new Section 205-16 B(4)(e) is added as follows: "In-Law quarters must be located in the existing dwelling or must be attached to the existing dwelling and there shall always be maintained the standard doorway and/or passageway connecting the principal residence and the in-law quarters. In-Law quarters shall not be located in a separate freestanding building."

Section 205-17 A is deleted and new Section 205-17 A is added as follows: "Not more than one (1) temporary structure is permitted for each property provided that it is located no further forward than the building line of the principal building facing the rear yard. For temporary structures of up to 120 square feet, there shall be a minimum setback of five (5) feet from any side or rear property line. Temporary structures of up to 160 square feet are permitted provided the yard requirements for an an accessory building are observed."

SECTION 2. Severability.

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

SECTION 3. Ratification.

This Ordinance shall in no other way affect, amend or modify the said Zoning Ordinance contained in Chapter 205 of the Code of East Norriton Township.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this *15th* day of *November*, 1994.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

BY: *John A. Sawley*
Chairman

ATTEST:

Helmut J. Farnwald
Secretary