

FRANCONIA TOWNSHIP

ORDINANCE #383

AN ORDINANCE AMENDING THE FRANCONIA TOWNSHIP ZONING ORDINANCE AS FOLLOWS: (1) THE DEFINITIONS OF ACCESSORY BUILDING AND HEIGHT OF BUILDING SECTION 145-5 (DEFINITIONS); (2) SECTION 145-18 (ACCESSORY USES, BUILDINGS, AND STRUCTURES) TO PROVIDE SIZE AND SETBACK RESTRICTIONS FOR ACCESSORY BUILDINGS AND STRUCTURES IN THE R-50, R-100, VC, R-130, R-175, AND RR ZONING DISTRICTS; (3) SECTION 145-28.10 TO PROVIDE FOR STORAGE SHEDS IN THE RR RURAL RESOURCE RESIDENTIAL DISTRICT, R-175 RESIDENTIAL DISTRICT, AND R-130 RESIDENTIAL DISTRICT; (4) SECTION 145-65 TO MODIFY THE MINIMUM REQUIRED DEPTH OF FRONT YARDS IN THE C COMMERCIAL DISTRICT TO 30 FEET; (5) SECTION 145-200.1 MODIFYING THE APPLICABILITY OF THE ARTICLE XXIX (RR RURAL RESIDENTIAL DISTRICT) FOR PROPERTIES EXISTING PRIOR TO JANUARY 16, 2006; (6) SECTION 145-201 TO ADD A BY-RIGHT USE TO THE RR RURAL RESIDENTIAL DISTRICT; AND (7) SECTION 145-203(G) TO APPLY THE DIMENSIONAL RESTRICTIONS IN SECTION 145-18 TO ACCESSORY BUILDINGS IN THE RR RURAL RESIDENTIAL DISTRICT.

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NOW THEREFORE IT IS HEREBY ENACTED AND ORDAINED by the Franconia Township Board of Supervisors that the Franconia Township Zoning Ordinance shall be amended as follows:

SECTION 1. Amendment to Section 145-5

The definitions of “Accessory Building” and “Height of Building” in Section 145-5 (Definitions and word usage) shall be revised to read as follows:

Accessory Building

A building, as defined in this Article, subordinate to the principal building on the lot and used for purposes customarily incidental to those of the principal building.

Height of Building

The vertical distance measured from the mean elevation of the finished grade surrounding a building or structure to the mid-span of the roof of the building or structure. Chimneys, stair towers, elevator penthouses, tanks, mechanical penthouses and solar

energy or signal apparatuses may project above the highest point of the roof of a building a maximum of 10 feet, zero inches. In an instance where the mean elevation of the grade surrounding the building is above the main floor level of the building, the height shall be measured from the main floor level of the building. In an instance where, for single-family residential use, the natural grade lends itself to the provision of a walk-out basement, the computation shall not include the portion of grade set below the basement floor, provided it does not exceed 35% of the perimeter of the building.

SECTION 2. Amendment to Section 145-18

Section 145-18 (Accessory uses) of the Franconia Township Code is hereby amended to change the section's title and add subsections "D" and "E" which shall read as follows:

§145-18 Accessory uses, buildings, and structures.

...

- D. The total size of any accessory building shall not exceed the square footage designated herein or 25% of the area of the principal building, whichever is greater, unless approved as a special exception. Accessory buildings shall not be located in the front yard.
 - (1) R-50, R-100, VC Zoning Districts: Accessory buildings shall not exceed 600 square feet;
 - (2) R-130, R-175, RR Zoning Districts: Accessory buildings shall not exceed 800 square feet;
 - (3) The height of an accessory building shall not exceed 14 feet and shall not be more than 1 story.

- E. Accessory buildings or structures must adhere to the setback requirements as described herein or noted within the individual zoning district dimensional requirement section of this code, with the exception of storage sheds, which are regulated in Section 145-28.10.
 - (1) In the Rural Resource Residential Zoning District, any by-right accessory buildings or structures must be contained within the developable portion of the parcel and not within the designated open space and may not be placed less than 20 feet off of the rear

and side property lines of the developable portion of the property not designated as open space.

SECTION 3. Adoption of Section 145-28.10

Article IV, Chapter 145 shall be amended to include a new Section 145-28.10 which shall read as follows:

§145-28.10. Storage Sheds.

Storage sheds may be erected in the RR Rural Resource Residential District, the R-175 Residential District, and the R-130 Residential District in accordance with the following regulations:

- A. The storage shed shall be a maximum 200 square feet.
- B. The storage shed may only be used for the storage of lawn and garden equipment, hand tools, bicycles or related materials. The shed shall not be used for the housing of automobiles or trucks.
- C. The storage shed may only be placed in the rear yard, shall be a minimum of 10 feet from the rear property line, and shall be a minimum of 10 feet from the side property line.
- D. There shall be no exterior signage of any kind on the side or rear of the storage shed that abuts a neighbor's property.

SECTION 4. Amendment to Section 145-65

Section 145-65(C) is amended to increase the minimum required depth of front yards to 30 feet and shall be revised to read as follows:

§ 145-65. Dimensional regulations for by-right use.

...

- C. Front yard. There shall be a front yard on every lot, the depth of which shall be at least 30 feet.

SECTION 5. Amendment to Section 145-200.1

Section 145-200.1 providing the applicability of regulations in the RR Rural Residential District shall be revised as follows:

§ 145-200.1. Applicability.

In the RR Rural Resource Residential District, the following regulations shall apply. For properties in the RR Rural Resource Residential District existing prior to January 16, 2006, the by-right dimensional requirements of the R-175 Residential District, Section 145-31 shall apply.

SECTION 6. Amendment to Section 145-201

Section 145-201 providing by-right use regulations in the RR Rural Residential District shall be revised as follows:

§ 145-201. By-right use regulations.

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

- A. Agriculture
- B. Open Space
- C. One Single-Family Detached Dwelling
- D. Municipal
- E. Accessory use to any of the above by-right uses, subject to the regulations in § 145-18.

SECTION 7. Amendment to Section 145-203(G)

Section 145-203(G) (Dimensional regulations for by-right uses in the RR Rural Resource Residential District) shall be revised as follows:

§145-203 Dimensional regulations for by-right uses.

...

- G. Accessory buildings or structures shall be subject to the dimensional restrictions cited in §145-18.

SECTION 8. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 9. Severability.

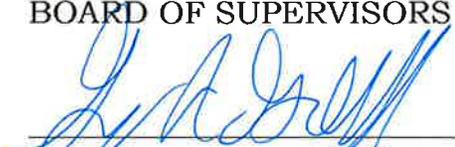
Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 10. Effective Date.

This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED this 8th day of JULY, 2015, by the Board of Supervisors of Franconia Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

FRANCONIA TOWNSHIP
BOARD OF SUPERVISORS



Grey R. Godshall, Chairman

(Township Seal)
Attest:



Jon Hammer, Secretary