

MIDDLESEX TOWNSHIP
Cumberland County, Pennsylvania

Ordinance No. 7 -94

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 3-89 ENACTED JUNE 30, 1989, KNOWN AS "MIDDLESEX TOWNSHIP ZONING ORDINANCE", BY ADDING THERETO ARTICLE XXII WHICH CREATES A NEW ZONING DISTRICT KNOWN AS "RT-RESIDENTIAL TOWNE" WHICH PROVIDES CRITERIA, STANDARDS, PERMITTED AND ACCESSORY USES, SPECIAL EXCEPTION USES, VARIOUS REGULATIONS FOR LOT AREA, BUILDING HEIGHT, YARD AND OPEN SPACE/RECREATION REQUIREMENTS, PARKING AND HABITABLE FLOOR AREA REQUIREMENTS; AMENDING SECTION 3.01 OF SAID ORDINANCE TO INCLUDE SAID NEW DISTRICT IN THE LIST OF DISTRICTS; AND AMENDING THE ZONING MAP AS PROVIDED UNDER SECTION 3.02 OF SAID ORDINANCE TO REDUCE THE RF-RESIDENTIAL FARM DISTRICT AND TO REPLACE SAID REDUCED AREA BY THE NEW RT-RESIDENTIAL TOWNE DISTRICT.

BE AND IT IS HEREBY ORDAINED by the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania, as follows:

SECTION 1: Ordinance No. 3-89 entitled "Middlesex Township Zoning Ordinance" enacted and ordained on June 30, 1989, (as subsequently amended), is hereby again and further amended by adding thereto the following article:

ARTICLE XXII

RT - RESIDENTIAL TOWNE DISTRICT

SECTION 22.01 - INTENDED PURPOSE. The RT Residential Towne District is designed to accommodate medium-high density development and composed of areas

in the Township where such development is not presently located. The regulations for these districts are intended to protect and stabilize prevailing characteristics and to promote a safe and healthful environment for family life. To these ends, development is limited to medium-high density, and only where public water and sanitary sewerage services are presently available or are provided by the person or entity seeking to develop the area contained in such district.

All uses within the RT District shall be subject to the following regulations:

SECTION 22.02 - WATER AND SEWER REQUIRED. All uses permitted hereunder are conditioned upon the existence of adequate public water and sanitary sewerage services for the intended uses. The Township does not guarantee nor agree to provide such services if not in existence. Any person or entity intending to develop any such district shall be responsible for providing such water and sewer services.

SECTION 22.03 - PERMITTED USES. Within the RT District shown on the Zoning Map, the following uses shall be permitted as a matter of right:

- A. Single family detached dwelling units.
- B. Churches and places of religious worship. (See Section 14.27)
- C. Public schools. (See Section 14.29)
- D. Public parks, playgrounds and open space.
- E. Necessary municipal and public utility structures and buildings, providing they do not include material storage, storage for trucks, repair facilities or housing quarters for repair crews.

SECTION 22.04 - ACCESSORY USES

The following customary accessory uses and buildings incidental to any permitted uses shall be permitted:

- A. Uses and structures which are customarily associated with the permitted uses such as storage buildings, outdoor storage areas, yards, gardens, play areas and parking areas.

- B. Garden house, tool house, playhouse, wading pool, or swimming pool incidental to the residential use of the premises and not operated for gain. All such wading or swimming pools shall be subject to the provisions of Article XIV of this Ordinance.
- C. Private garages.
- D. The keeping of a reasonable number of customary household pets or domestic animals but excluding the commercial breeding or keeping of same. All such household pets or domestic animals shall not be penned or housed within the applicable minimum yard requirements of any lot. Commercial kennels shall not be permitted.
- E. Signs, as provided in Article XIV of this Ordinance.

SECTION 22.05 - SPECIAL EXCEPTION USES. The following uses and activities may be permitted by Special Exception upon approval of the Zoning Hearing Board after a public hearing and recommendation by the Planning Commission. Uses by Special Exception shall be subject to the requirements specified in Articles XIV and XVIII and elsewhere in this Ordinance.

- A. Uses which, in the opinion of the Zoning Hearing Board, are of the same general character as those listed as permitted uses and which will not be detrimental to the intended purposes of these districts.
- B. Country clubs and golf courses. (See Section 14.31)
- C. Public libraries, community activity buildings, and municipal buildings.
- D. Public kindergarten, elementary and secondary schools and institutions of higher education; provided, however, that the lot upon which located contains a minimum of five (5) acres plus five hundred (500) square feet of land area per pupil capacity. (See Section 14.29)
- E. Recreation areas and structures operated by membership clubs for the benefit of their members and not for gain, provided that the residential character of the neighborhood is preserved to give no impression of a commercial use. (See Section 14.31)

SECTION 22.06 - LOT AREA, BUILDING HEIGHT, YARD AND OPEN SPACE/RECREATION REQUIREMENTS.

A. Lot, Yard and Height Requirements. The following requirements shall be applicable and must be provided for every lot and dwelling unit or other structure hereafter erected or altered for any use permitted in this district: .

1. Lot Area: all lots shall have a minimum area of ten thousand (10,000) square feet.
2. Lot Width: all lots shall have a minimum front width of eighty (80) lineal feet.
3. Front Yard Depth (Set-back): all lots shall have a minimum front yard depth (building line) of twenty-five (25) lineal feet.
4. Rear Yard Depth (Set-back): all lots shall have a minimum rear yard depth (building line) of twenty-five (25) lineal feet.
5. Side Yard Depth (Set-back): all lots shall have an aggregate minimum side yard depth of twenty (20) feet and not less than eight (8) lineal feet on one side yard.
6. Structure Height: no structure shall be erected on any lot having a height greater than thirty-five (35) lineal feet.
7. Lot Coverage: no structure shall be erected on any lot having a lot coverage area in excess of thirty per centum (30%) of the Lot Area.

B. Impervious Area. The maximum impervious area permitted on any lot is fifty percent (50%) of the total lot area.

C. Corner Lots. On the street side, corner lots shall have a side yard dimension of not less than the front yard requirement.

D. Open Space/Recreation Area. In all developments

containing, intended to contain or capable of containing ten (10) or more lots, not less than ten per centum (10%) of the gross area of the subject land shall be committed to permanent common open space to be owned and maintained by an association of the owners of the land within the subject land being developed. The following criteria and rules shall apply:

1. The location, shape, size and character of the common open space should take into consideration the natural features and physical characteristics of the site.

2. Wherever possible, common open space shall be designed as a contiguous area between various sections of the development, with pedestrian and visual access available to all residents of the development.

3. Significant natural features such as woodlands, steep slopes, floodplains, large trees, natural water courses, bodies of water, rock outcroppings, and scenic views shall be included into the common open space wherever possible. Storm water management facilities such as water detention ponds may be included in said common open space.

4. Common open space areas shall contain no structures other than those directly related to outdoor recreational uses and those associated with utilities.

5. Common open space areas shall be shown clearly on land subdivision and development plans, and shall be designated for the common use of all inhabitants of residences located within the subject land. The plan or plans to be recorded for such development shall contain clear language (a) committing the common open space to an association of inhabitants for ownership and maintenance, and (b) prohibiting the future subdivision of said common open space by covenant running with the land.

A parcel of land shall be deemed to be capable of containing ten or more lots when (a) it contains a gross area of at least two and six-tenths (2.6) acres, or (b) requires the construction of new streets to access lots within said original tract. Said determination of capability shall be made upon the first subdivision of any now existing tract of

land within the RT-Residential Towne District.

SECTION 22.07 - MINIMUM OFF-STREET PARKING REQUIREMENTS. Off-street parking shall be provided for in accordance with Section 14.10 of this Ordinance.

SECTION 22.08 - MINIMUM HABITABLE FLOOR AREA. The minimum habitable floor area of every dwelling hereafter erected, altered or designed shall be in accordance with the requirements of Section 14.22 of this Ordinance.

SECTION 2: Section 3.01 of Article III of said Middlesex Township Zoning Ordinance is hereby amended by adding to the List of Districts as paragraph I. the following additional designation:

I. RT - Residential Towne District

SECTION 3: Section 3.02 of Article III of said Middlesex Township Zoning Ordinance is hereby amended by adding thereto as subsection A. the following provisions:

A. Change of Zoning Districts

1. The RF-Residential Farm Zoning District as shown on the Middlesex Township Zoning Map is hereby decreased by deleting therefrom all that certain land more fully described in paragraph 3 below, said land hereby being designated, reclassified and rezoned to be included in and added to the RT-Residential Towne District, as more fully set forth hereinbelow.
2. The RT-Residential Towne District is hereby added, designated, zoned and classified as such with respect to all that certain land more fully described in Paragraph 3 hereinbelow.
3. The following described land situated in the Township of Middlesex is hereby reclassified, rezoned and designated from RF-Residential Farm to RT-Residential Towne:

BEGINNING at the intersection of Claremont Road (S.R. 21066) and South Middlesex Road (T-590); thence proceeding in a clockwise direction as follows: from said intersection the boundary follows South Middlesex Road to the intersection with Horners Road (T-576); thence the boundary line follows the centerline of Horners Road for a distance of 1,000± feet southwest; thence the boundary line proceeds approximately North 20° West for a distance of 300± feet; thence turning approximately due west, the boundary extends a distance of 4,000 ± feet towards Interstate I-81; thence turning North 32° West, the boundary extends a distance of 2,000± feet to its intersection with the Conrail Railroad; thence the boundary follows the Railroad west to its intersection with Interstate I-81; and thence North along I-81 to its intersection with Claremont Road; thence the boundary proceeds east along Claremont Road to the point of origin at the intersection of Claremont Road and South Middlesex Road. Excluding and excepting therefrom the area bordered by Claremont Road to the north which is currently designated VC-Village Center, which area designated VC-Village Center is not changed from such current designation.

SECTION 4: The Township Engineer is directed to revise said Zoning Map to delineate the reclassification and boundary line changes as adopted hereby.

SECTION 5: Except only as amended, modified and changed herein, the Middlesex Township Zoning Ordinance as originally enacted and as previously amended shall remain in all other respects in full force and effect.

SECTION 6: This Ordinance shall become effective in accordance with applicable law.

DULY ENACTED AND ORDAINED this 3rd day of August ,
1994, by the Board of Township Supervisors in and for the
Township of Middlesex, Cumberland County, Pennsylvania.

TOWNSHIP OF MIDDLESEX

By Robert M. Easley
Chairman, Board of Township
Supervisors

ATTEST:

Gail W. Jones
Township Secretary
(Township Seal)