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Fee Amt: \$70.25 Page 1 of 3

201-2019

Mercer County, PA
Dee Dee Zickar Recorder of Deeds

File **2019-00002751**

**ORDINANCE OF THE TOWNSHIP OF PYMATUNING,
PENNSYLVANIA AMENDING CERTAIN PROVISIONS OF THE
ZONING ORDINANCE OF 1966 AS AMENDED ON AUGUST 20, 1975**

WHEREAS, the Township Zoning Ordinance was enacted in 1966, and amended on August 20, 1975; and

WHEREAS, the Township has determined that it is in the best interest to amend the ordinance as set forth below; and

WHEREAS, the proposed ordinance has been reviewed with the Mercer County Regional Planning Commission; and

NOW, THEREFORE, be it ordained and enacted that the Supervisors are authorized to act as follows and the following amendments are made to the Zoning Ordinance:

SECTION 1 - AMENDMENTS AND ADDITIONS

- A. Section 103 has added "The Purposes of Zoning" which provides the purpose of this zoning ordinance is to govern uses of the land. In addition to the Zoning Ordinance, and all other state, federal, and local laws, regulations, procedures and requirements, building code requirements exist. This ordinance does not supplant, replace, or relax the building codes in any way. All construction within this Township must also comply with building code requirements and laws relating thereto. To the extent the Zoning Ordinance and any building codes are inconsistent, the more restrictive law will apply.
- B. Section 104, "Zoning Permit Application" is added which provides the Zoning Permit application may be altered at any time as adopted by the Supervisors, as needed.
- C. Sections 403.3, 503.3, and 803.14 are all titled "Minimum Principal Structure Setback" and are amended as set forth below:
 - i. **Minimum Building Setback Line on All Township Roads** - shall be sixty (60) feet from the centerline of the roadway.
 - ii. **Minimum Distance with regard to any State Road, other than State Route 18** - shall be the greater of sixty (60) feet to the center of the roadway or thirty-five (35) feet from the edge of the state owned right-of-way.

7



- iii. **Minimum Distance to Center of Pavement along State Route 18 in all districts** - shall be one hundred twenty five (125') feet from the centerline of the highway.
- D. All prior versions of sections 403.6, 503.6, 603.6, 703.6 are revoked and replaced with; **Corner Lots**: all property along any street, be it township, state route 18, or any other state road, shall be considered frontage and shall comply with the minimum building line setback applicable to said road. Corner lots shall conform to the building line setback with regard to all streets upon which there is frontage.
- E. Sections 402.23, 502.23, 602.23, 702.27, 803.27, 903.16 are hereby enacted and provide; "accessory structures" - In the case of building additions or accessory buildings where an existing non-conforming primary **structure** does not meet the current setback requirements; an addition may be constructed at the same setback as the existing structure provided other setbacks, percentage of lot coverage, and all other regulations, both zoning, building or otherwise, are met.

Any building additions to existing structures which are non-conforming, pre-existing **uses**, must gain approval of the Zoning Hearing Board.

- F. Section 1410 is hereby enacted and provides, "building permits, and codes" - building permits and building code requirements are separate, apart, and in addition to this zoning ordinance and must also be followed.

SECTION 2:

This ordinance is enacted pursuant to the Pennsylvania Second Class Township Code, as amended, the Laws and Constitution of the Commonwealth of Pennsylvania, and the Supervisors hereby determine, find and declare each and every matter and thing provided for herein is necessary, appropriate, and proper for the promotion of public health, safety, and general welfare and to carry out and effectuate the purposes of the Township.

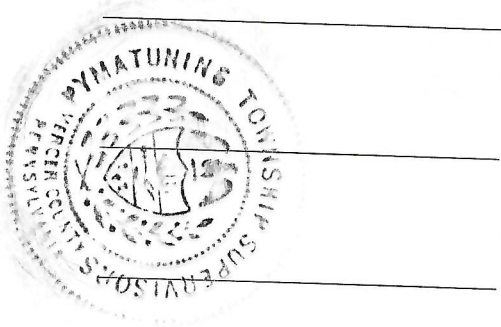
SECTION 3: **SEVERABILITY**.

If any chapter, section, subsection, paragraph, sentence, or phrase in this ordinance is for any reason declared invalid by a Court of Competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or any subsection a part thereof other than the section or part so declared invalid.

SECTION 4: REPEAL.

An ordinance, chapter, section, subsection, paragraph, sentence, or phrase of any ordinance conflicting with the provision of this ordinance is hereby repealed to the extent of such conflict.

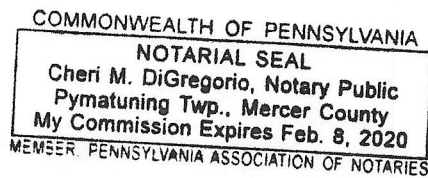
ENACTED AND ORDAINED this 14 day of March, 2019, by the Township Supervisors of Pymatuning Township.



Gary R. Lowers (Seal)
Gary Lowers

John Miller (Seal)
John Miller

David Gregory (Seal)
David Gregory



Cheri M. DiGregorio Secretary/
March 14, 2019 Treasurer