

ARTICLE 1

PURPOSE, DISTRICTS AND ADMINISTRATION

100 Title

This Ordinance shall be known and may be cited as the Sharon Hill Borough Zoning Ordinance of 1995.

101 Purposes

The zoning regulations and districts set forth in this Ordinance are designed to achieve the following purposes as stated in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988.

1. To promote, protect and facilitate any or all of the following: the public health, safety and general welfare; coordinated and practical community development and growth and proper population density; guidance on uses of land and structures, type and location of public grounds and facilities; promotion of energy conservation through planning practices and promotion of the effective utilization of renewable energy sources; the provision of adequate light, water and air, access to incident solar energy, police and fire protection, transportation, sewerage and schools; and preservation of the natural, scenic and historic values in the environment as well as the preservation of wetlands, aquifers and floodplains.
2. To prevent one or more of the following: overcrowding of land; blight; danger and congestion in travel and transportation; or loss of health, life or property from fire, flood, panic or other dangers.
3. To provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and a reasonable range of multi-family dwellings in various arrangements.
4. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

102 Establishment of Districts

For the purposes of this Ordinance, Sharon Hill Borough is hereby divided into the following zoning districts:

- R-1 Residence District
- R-2 Residence District
- R-3 Residence District
- C- Commercial District
- LI- Limited Industrial District

103

Establishment of Controls

1. Minimum and Uniform Regulations

Unless specifically indicated otherwise, the regulations set forth in this Ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structures or land.

2. Proposed Uses and Structures

In all zoning districts, after the effective date of this Ordinance, any new building or other structure or any tract of land shall be constructed, developed and used only in accordance with the regulations specified herein, except where a variance has been authorized by the Zoning Hearing Board in accordance with Article 14.

3. Existing Uses and Structures

In all districts, after the effective date of this Ordinance, any lawful, existing building or other structure or any tract of land which is not in conformity with the regulations of the district in which it is located shall be deemed to be nonconforming and subject to the regulations of Article 15.

104

Zoning Map, District Boundary Lines and Tolerances

1. The zoning district locations and boundaries are those that exist on the legally adopted official Zoning Map, a copy of which is attached hereto and made a part of this Zoning Ordinance. The original Zoning Map shall be kept on file in the office of the Zoning Officer. Whenever changes are made in the boundaries or other matter included on the said Zoning Map, such changes in the map shall be made by the Borough Engineer within five (5) days after the amendment has been approved by the Borough Council.

2. Where possible, the boundaries between districts shall follow natural or man-made boundaries and lines. Unless otherwise indicated, boundaries shall be the centerline or extension of the centerline of a street, alley, or highway, railroad rights-of-way, streams or other natural or man-made features which can form logical boundaries to districts.
3. Where a district boundary line divides a lot held in single and separate ownership at the effective date of this Ordinance, the regulations of the less restricted district shall extend over the portion of the lot in the more restricted district a distance of not more than twenty-five (25) feet from the district boundary.
4. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines. Distances not specifically indicated on the official Zoning Map shall be determined by the scale of the map. In any other circumstances not covered above or in the event of any uncertainty as to the boundary of any district, the Zoning Hearing Board shall interpret the district boundaries.

105

Interpretation

In the interpretation and application of the provisions of this Ordinance, the said provisions shall be held to be the minimum requirements for the promotion and protection of the public health, welfare and safety. Where the provisions of this Ordinance impose greater restrictions than those of any other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, ordinance or regulation shall be controlling. In interpreting the language of this Zoning Ordinance to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body, in favor of the property owner and against any implied extension of the restriction.

106

Municipal Liability

The grant of a permit or approval under this Ordinance shall not constitute a representation, guarantee or warranty of any kind by the Borough as to the safety of the proposed use and shall create no liability upon the Borough, its officials or employees.

106

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110

107

Severability

If any article, section, subsection, paragraph, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or of any other part.

108

Repealer

The existing zoning regulations, as amended, are hereby repealed.

109

Effective Date

This Ordinance shall become effective immediately upon final enactment.

Enacted and ordained this 26th day of October, 1995 as Ordinance 1248

ATTESTED:

BOROUGH OF SHARON HILL

Mildred D. Enderle
Secretary

By: Albert R. Cortese Jr.
President

Approved this 26th Day of October, 1995

John Z. Refina
Mayor