

ARTICLE IV - RESIDENTIAL/AGRICULTURAL DISTRICT

Section 401 - Statement of Intent

- A. This Article IV is included for the purpose of clarifying the underlying zoning, provide for legality of existing lots, and as a conditional use design where a proven hardship exists. [Amended 5/8/87 and 5/22/00] (Amended 10/14/02)
1. Article IV is no longer a "by-right" option for new subdivision of land except for Mini-Subdivisions. A new land subdivision may follow Article IV as a conditional use upon proof of hardship with respect to conforming to the "by-right" options of Article XIII.
 - B. The original purpose of Article IV was to encourage and promote agricultural and conservation uses and to provide for limited density of residential development, preserve natural features and to protect the natural ground water. These purposes are better served using the provisions in Article XIII.
 1. The requirements contained in Article IV shall be used in new subdivisions only upon favorable ruling by the Board of Supervisors and requires a Conditional Use Hearing.

Section 402 - Use Regulations

A. Permitted Uses

1. Agricultural uses, including crop and livestock farming utilizing such accessory buildings as barns, chicken houses, corn cribs and similar farm outbuildings, but excluding mushroom production.
2. The sale of farm products grown or produced within the Township and of such products of home handcraft produced within the Township and the erection of a roadside stand for such purposes. This shall not include the sale of gasoline and products produced outside of the Township.
3. One (1) single family detached dwelling on each lot created. [Amended May 22, 2000]
4. Such home occupations as professional office for private practice involving one individual; dressmaking, millinery, antique dealing, and similar handcrafts. (See Section 807).
5. Renting of rooms within a single-family dwelling.
6. Bed and Breakfast establishments provided all agricultural/residential criteria are met. Parking shall be in compliance with Section 806.H. [Amended 6/10/91]
7. Veterinary hospitals and animal boarding establishments provided that no objectionable sound from the animals is audible at lot boundaries as per Section 502.B.3 or this ordinance. [Amended 6/10/91]
8. The removal of any top soil in excess of ten (10) percent of the area of any lot or farm existing at the time of passage of this Ordinance shall not be permitted anywhere in the Township. Areas having more than fifteen (15) inches of topsoil shall be exempt from this restriction.
9. Storage of motorized vehicles shall comply with Section 803.A and 811 of this Ordinance. [Amended 6/10/91]
10. Public uses conducted by municipal, county, state and federal governments, excluding corrective or penal institutions or any dump, landfill or area used for the application or disposal of sewerage, industrial, or like waste. [Amended 6/22/81]

B. Accessory Uses

Only the customary accessory uses associated with Residential/Agricultural Districts shall be permitted. [Amended 5/8/87][Amended 6/10/91]

Examples

1. Private swimming pools. Section 820.A and 810.C of this Ordinance shall apply to all existing and proposed pools. Section 810.B of this Ordinance shall apply to all proposed pools.
2. Shed workshop, or storage building.
3. Man-made ponds.
4. Fences [Amended 11/8/93]

C. Conditional Uses

1. Mushroom houses in accordance with the provisions of farm regulations, Section 403(B) of this Ordinance.
2. Cemeteries
3. Non-Profit Organizations [Amended 6/10/91]
4. Places of Worship
5. Telephone Central Office and Electric Substations
6. Dump, landfill or area used for the disposal of sewage, industrial, or like waste, provided that such area or facility is owned and operated only by London Britain Township or a Municipal Authority, of which London Britain Township is a member; and provided further that any such dump, landfill or disposal area, whether operated by the Township or such Municipal Authority, or operated by another entity or person by virtue of any preemptive law or regulation of any governmental body superior to the Township, shall only be located and operated in accordance with the provisions of Section 808 of this Ordinance. [Amended 6/22/81]
7. Single family houses on each lot created after May 22, 2000.

D. Seasonal and Occasional Businesses

Seasonal and Occasional businesses as defined in Section 201 B may be operated in the township when a Township permit for their operation has been granted.

1. Permit

- a. Seasonal Business Permit - A seasonal business permit will be issued by the Zoning Officer for periods of time not to exceed calendar days in any calendar year. It establishes permission to operate a seasonal business on a specific lot. After the permit period has expired, sixty (60) days must elapse before another seasonal business or occasional business permit can be issued for the lot.
- b. Occasional Business Permit - An occasional business permit will be issued by the Zoning Officer for a maximum period of one hundred eighty (180) calendar days. It establishes permission to operate an occasional business on a specific lot. No more than ten occasional business permits will be issued for a specific lot during a calendar year. After the three (3) day period has expired, 10 days must elapse before another occasional business permit or a seasonal business permit can be issued for the lot.
- c. Application by Property Owner - The application for a permit to operate a seasonal or occasional business must be made by the property owner of the lot where the business will be located. Application can be made to the Zoning Officer at the Township building in person.
- d. Display of Permit - The permit for a seasonal or occasional business must be prominently displayed.
- e. Limit of Business Operating Period - Multiple seasonal and occasional business permits can be issued for a parcel subject to the limits described in paragraphs 1a) and 1b) above. Seasonal and/or occasional business may not be operated on a parcel for more than one hundred eighty (180) days total in a calendar year.

2. Operation

- a. Performance Standards - A seasonal or occasional business must be conducted in such a way that it meets the Commercial district performance standards of Sections 502.B.1, 502.B.2, 502.B.3, and 502.B.5 of the LBT Zoning Ordinance.
- b. Parking and Traffic - A seasonal or occasional business must be situated so that it provides adequate parking for up to ten (10) automobiles in a manner that does not impede traffic and which allows for entry or exit to the business location without posing a danger to business patrons or other traffic. The property owner is required to demonstrate the adequacy of the parking plan as a part of the Permit Application process. The property owner must clearly designate a parking area using signs, traffic cones or similar indicators.
- c. Signs - All signs used by a Seasonal or Occasional business will conform to the conditions established in Sections 701 and 703 of the LBT Zoning Ordinance. A sign permit may be obtained at the same time the seasonal or occasional business permit is obtained.
- d. Enforcement - Seasonal and Occasional businesses may be noticed by the Zoning Officer for failure to obtain or display an LBT permit. Once noticed, the business must obtain and/or display a valid permit within five calendar days. If the permit has not been displayed by the end of the five (5) day period, the business must be closed and may not re-open for a period of one hundred eighty (180) days.
- e. Fees - Fees will be determined by resolution.

Section 403 - Area and Dimension Regulations

A. Any use permitted in this district shall comply with the following minimum standards for lot area and dimensions. In addition, where a property is being subdivided, the area of the parcel being divided shall result in an average lot size of no less than one and three quarters (1 3/4) acres exclusive of existing, proposed and future street rights-of-way or easements for future public or private streets. All subdivision applications after May 22, 2000 shall meet the requirements of Article XIII [Amended 5/8/87][Amended 6/10/91] [Amended May 22, 2000] .

- 1. Minimum Lot Area: exclusive of public rights-of-way and conservation districts. The net area of the lot may not be comprised of more than two parts, which need not be contiguous. [Amended 6/10/91] 43,560 square feet - 1 (acre)

Clustering Option: As an encouragement to set aside environmentally sensitive areas, such as riparian areas, stream corridors, steep slopes, wetlands and floodplains and scenic feature into open space on a particular site the applicant can opt to use lands designated as Low Intensity Slope District to meet the minimum net area requirement for Slope District to meet the minimum net area requirement for each lot. The number of lots resulting from the use of this option cannot, however, exceed the number of lots permitted under the one and three quarters (1 3/4) acres average lot size requirement stated in section 403. Further, any open space created under this option shall be exclusive of any individual lot areas. Open space created under this option shall be owned by Brandywine Conservancy, White Clay Watershed Association, London Britain Township Land Trust or similar land conservation trust. . [Amended 9/14/98]

- 2. Minimum lot width at building line 150 feet
- 3. Minimum lot width at minimum front yard setback [Amended 5/8/87] 150 feet
- 4. Minimum lot width at street line. If cluster design is used, then access need only be a road or driveway under the lot owner's sole or joint control. [Amended 6/10/91] 50 feet
- 5. Minimum front yard - 40 feet from the street right of way line or 40 feet from each lot boundary when a lot is reached by a right of way or access strip. 40 feet
- 6. Minimum side yard aggregate 70 feet
 feet for each side 25 feet
- 7. Minimum rear yard 50 feet

- 8. Maximum lot coverage by all impervious surfaces including structures and paving.
[Amended 6/10/91] 15%
- 9. Maximum building height 35 feet
- 10. Temporary structures must be located a minimum of 5 feet from any property line with the exception of temporary fences which may be placed on or near a property line. [Amended 11/8/93] 5 feet
- 11. Minimum Impervious Surface Setback
 - a. From conservation districts (exclusive of steep slopes), ponds, lakes, bogs, creeks and streams and wetlands. [Amended 1/21/97] 10 feet
 - b. from side and rear property lines [Amended April 12, 2004] 5 feet

B. Mushroom production and the housing of mushroom beds shall comply with the following minimum standards. Compost for filling mushroom houses may not be processed within London Britain Township.

- Minimum setback from public road right of way 500 feet
- from all lot boundaries 500 feet

All waste from mushroom houses must be spread not more than one foot deep rather than piled.

Section 404 - Design Standards

The following standards shall apply to all uses under Article IV, Residential/Agricultural District:

- A. Off street parking as required by Section 806 of this Ordinance.
- B. Impervious surfaces as required by Section 812 of the Zoning Ordinance. [Amended 6/10/91]
- C. Driveways as required by Section 805.E. (Driveways) of the Zoning Ordinance. [Amended 6/10/91]
- D. Fences as required by Section 814B (Fences) of the Zoning Ordinance. [Amended 11/8/93]