

 previous

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]

1. Article IV is no longer a "by-right" option for new subdivision of land. 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 M.

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 handicraft 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 handicrafts. (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 502.13.3 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 8 10. 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.

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 from conservation districts (exclusive of steep slopes), ponds, lakes, bogs, creeks and streams and wetlands. [Amended 1/27/97] 10 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

 next  top