

Township of West Goshen, PA
Thursday, September 26, 2013

Chapter 84. ZONING

Article IV. R-3 Residential District

§ 84-12. Use regulations.

A building may be erected, altered or used and a lot or premises may be used for any of the following purposes and for no other:

- A. Single-family detached dwelling.
- B. Agriculture. (See § 84-50.)
- C. Forestry, subject to the standards in § 84-57.8. **[Added 5-9-2001 by Ord. No. 6-2001**
Editor's Note: This ordinance also redesignated former Subsections C, D and E as D, E and F, respectively.]
- D. Any of the following accessory uses shall be permitted:
 - (1) Customary residential accessory uses.
 - (2) Swimming pool, provided that it is located in the rear yard or side yard of the dwelling to which it is accessory and is a minimum of 10 feet from any lot line. On a lot which fronts on two or more streets and on corner lots, a swimming pool may be erected within the building envelope to the rear of the dwelling. A swimming pool shall be enclosed by a minimum four-foot-high continuous barrier. **[Amended 4-15-2009 by Ord. No. 3-2009]**
 - (3) Home occupation and no-impact home-based business. **[Amended 2-12-2003 by Ord. No. 3-2003]**
 - (4) Family day-care homes. **[Added 4-18-1989 by Ord. No. 3-1989]**
 - (5) A noncommercial athletic court, such as, but not limited to, a tennis court, paddle tennis court or basketball court, shall be permitted as an accessory use to a single-family dwelling on a lot containing a minimum of one acre, provided that the following conditions are met: **[Added 8-10-2005 by Ord. No. 7-2005]**
 - (a) The court is not located in the front or side yard;

- (b) The court is set back at least 50 feet from any side or rear property line;
- (c) There shall be no lighting facilities installed to illuminate the court; and
- (d) Any side of the court which is visible from a public street or adjacent residential lot shall be screened with a completely planted visual barrier consisting of evergreen plantings having a minimum height of six feet (after planting) and placed no more than 10 feet apart on center. A stockade fence having a minimum height of six feet constructed without gaps or breaks may be substituted for the evergreen screen.

E. The following uses shall be permitted as a special exception when authorized by the Zoning Hearing Board subject to Article **XVII** of this chapter. The area and bulk regulations for uses permitted by special exception, § **84-13B** of this article, and design standards for uses permitted by special exception, § **84-14B** of this article, shall apply to all uses permitted by special exception in the R-3 Residential District except the conversion of private residence to college dormitory use.

- (1) Religious or philanthropic uses, excluding correctional or penal institution.
[Amended 9-25-2002 by Ord. No. 11-2002]
- (2) (Reserved) *Editor's Note: Former Subsection D(2), Golf course and golf house, was repealed 1-23-1993 by Ord. No. 1-1993.*
- (3) Public utility facility.
- (4) Noncommercial recreational use, such as nonprofit swimming pools, provided that the principal activity shall not be one which is customarily carried on as a business and provided that all services shall be for members and their guests.

F. Conversion of private dwelling suitable for lodging room use by college students shall be permitted as a special exception when authorized by the Zoning Hearing Board in areas designated on the Zoning Map for the Township. This use shall be subject to regulations established in § **84-56** and Article **XVII** of this chapter.

G. The following uses shall be permitted as a conditional use when authorized by the Board of Supervisors. In allowing a conditional use, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Zoning Chapter, as it may deem necessary to implement the purposes of the MPC and this Zoning Chapter.

[Added 9-25-2002 by Ord. No. 11-2002]

- (1) The educational uses specified in § **84-57.10** of this chapter, subject to the regulations specified in § **84-57.10** of this chapter.
- (2) (Reserved) *Editor's Note: Former Subsection G(2), added 6-28-2006 by Ord. No. 9-2006, which permitted as a conditional use development pursuant to the flexible design option, was repealed 12-10-2008 by Ord. No. 9-2008.* **[Added 6-28-2006 by Ord. No. 9-2006]**

- (3) Independent living facility subject to the following: **[Added 12-10-2008 by Ord. No. 10-2008]**
- (a) Area and bulk requirements of § **84-13C**;
 - (b) Design standards of § **84-14C**; and
 - (c) Requirements of § **84-57.15**.

§ 84-13. Area and bulk regulations.

The following area and bulk regulations shall apply:

A. Single-family detached dwelling.

- (1) Lot size with both on-site sewer and water services: 30,000 square feet minimum.
- (2) Lot size with either public off-site sewer or water service only: 22,000 square feet minimum.
- (3) Lot size with both public off-site sewer and water services: 18,000 square feet minimum.
- (4) Lot width at building line: 100 feet minimum.
- (5) Lot width at street right-of-way line: 50 feet minimum.
- (6) Lot coverage: 25% maximum.
- (7) Green area: 50% minimum.
- (8) Building setback line: 40 feet minimum.
- (9) Side yards: 10 feet minimum for each with 25 feet total for both yards.
- (10) Rear yard: 30 feet minimum.
- (11) Maximum building height: three stories, not to exceed 30 feet.

B. Uses permitted by special exception.

- (1) Lot size: one acre minimum.
- (2) Lot width at building line: 200 feet minimum.
- (3) Lot width at street right-of-way line: 50 feet minimum.
- (4) Lot coverage: 25% maximum.
- (5) Green area: 50% minimum.

- (6) Building setback line: 50 feet minimum.
- (7) Side yards: 50 feet minimum, for each.
- (8) Rear yard: 50 feet minimum.
- (9) Maximum building height: three stories, not to exceed 30 feet.
- (10) Public water and public sewer facilities shall be required. **[Amended 9-24-1991 by Ord. No. 5-1991]**

C. Independent living facility. **[Added 12-10-2008 by Ord. No. 10-2008]**

- (1) Lot size: five acres minimum.
- (2) Lot width at building setback line: 300 feet minimum.
- (3) Lot width at street right-of-way line: 50 feet minimum.
- (4) Lot coverage: 40% maximum.
- (5) Green area (landscaped): 55% minimum.
- (6) Building setback line: 50 feet minimum.
- (7) Front yard parking setback: 30 feet minimum.
- (8) Side yard: 30 feet minimum.
- (9) Rear yard: 70 feet minimum.
- (10) Building height of principal building: 45 feet.

§ 84-14. Design standards.

The following design standards shall apply:

A. Single-family detached dwelling.

- (1) Parking: as required by § **84-55J** of this chapter.

B. Uses permitted by special exception.

- (1) Screening: as required by § **84-55A** of this chapter, or as directed by Zoning Hearing Board.
- (2) Storage: as required by § **84-55B** of this chapter.
- (3) Landscaping: as required by § **84-55C** of this chapter.
- (4) Parking: as required by § **84-55I** of this chapter.

C. Independent living facility by conditional use. **[Added 12-10-2008 by Ord. No. 10-2008]**

- (1) Storage: as required by § **84-55B** of this chapter.
- (2) Landscaping requirements. All portions of the property which are not utilized for buildings, structures or paved areas shall be landscaped in accordance with an approved landscape plan which utilizes combinations of landscaping, fencing, shrubbery, lawn areas, ground cover, rock formations, existing foliage and planting of conifers and deciduous trees native to the area in order to lessen the visual impact of the buildings, structures and paved areas. Landscaping berms a minimum of three feet in height shall be constructed between the street line and any parking areas and between the rear lot line and any parking areas so as to minimize the visibility of parking areas from the street line and adjacent properties in the rear. As part of the conditional use approval, the Board of Supervisors may waive the requirement for a landscaping berm in cases where existing vegetation and trees provide a suitable screen or if an alternative buffer or screen is proposed. **[Amended 4-14-2010 by Ord. No. 02-2010]**
- (3) Side and rear yard buffers. The screening requirements in § **84-55A** shall apply to the side yard areas. The rear yard shall be screened with a vegetative buffer which has a minimum width of 40 feet measured from the rear property line. The vegetative buffer shall be primarily composed of evergreen shrubs and evergreen trees which are placed in alternating rows to produce a more effective barrier and to provide space for future growth. The landowner shall maintain the screen planting and replace any plant material which does not live and which is necessary to form a complete visual screen.
- (4) Parking: as required by § **84-55I** of this chapter. *Editor's Note: Former § 84-14.01, Flexible design option, added 6-28-2006 by Ord. No. 9-2006, was repealed 12-10-2008 by Ord. No. 9-2008. See now Article IVB, R-3B Flexible Design Conservation District.*