

**WEST PENN TOWNSHIP**  
**COUNTY OF SCHUYLKILL AND THE COMMONWEALTH OF PENNSYLVANIA**  
**ORDINANCE NO.: 11515**

**AN ORDINANCE OF THE TOWNSHIP OF WEST PENN AMENDING THE WEST PENN TOWNSHIP ZONING ORDINANCE REGARDING REQUIREMENTS FOR RESIDENTAL ACCESSORY BUILDINGS AND STRUCTURES AND FORESTRY PROVISIONS**

*WHEREAS*, the Board of Supervisors of the Township of West Penn has duly adopted and does maintain a Zoning Ordinance within the said Township of West Penn; and

*WHEREAS*, Section 609 of the Pennsylvania Municipalities Planning Code authorizes municipalities to amend their zoning ordinances; and

*WHEREAS*, after consideration of comment from the Planning Commission and after a public hearing duly conducted thereon, pursuant to the terms and provisions of the Pennsylvania Municipalities Planning Code, as amended, and the Township of West Penn Zoning Ordinance.

*NOW BE IT ORDAINED*, that the Board of Supervisors of the Township of West Penn does hereby adopt the following:

**Section 1: Residential Accessory Building.** Section 317.C.11.b, governing residential accessory buildings is hereby repealed and replaced with the following:

**317.C.11.b. Residential Accessory Buildings & Structures**

(i) Residential Accessory Buildings & Structures on which a permitted residential dwelling unit exists shall comply with the following general provisions:

- (1) Unless otherwise permitted by this Zoning Ordinance, the accessory building or structure shall not be located in the front yard. Where front yard setback requirements are not specified by this Zoning Ordinance, the minimum front yard setback shall be forty (40) feet.
- (2) Unless otherwise specified by this Zoning Ordinance, the accessory building or structure shall not be located within the side yard setback or within ten (10) feet to the rear lot line. Where side yard setback requirements are not specified by this Zoning Ordinance, the minimum side yard setback shall be twenty (20) feet.
- (3) The land area occupied by the accessory building or structure shall account towards the building coverage calculations for the lot and zoning district to which it is located.

- (4) The land area occupied by the residential accessory building or structure shall account towards the impervious surface ratio calculations for the lot and zoning district to which it is located.
- (5) The maximum height of any accessory building or structure shall be thirty (30) feet.
- (6) The maximum square footage combined for all accessory residential buildings and structures located on a residential lot shall not exceed the following:

For residential lots up to 30,000 sq. ft	– 1000 sq. ft. maximum
For residential lots of 30,001 sq. ft. to 65,000 sq. ft	– 1500 sq. ft. maximum
For residential lots of 65,001 sq. ft. to 5 acres	– 2500 sq. ft. maximum
For residential lots over 5 acres	– no maximum

(ii) Permanent non-commercial recreation facilities, structures and uses, including, but not limited to, tennis courts, hockey rinks, skateboard facilities, basketball courts, and other similar accessory facilities, structures or uses exceeding a cumulative playing surface area of one thousand (1,000) square feet shall be located at least fifteen (15) feet from the rear or side property lines. The exterior lighting facilities for all such non-commercial recreation facilities, structures or uses shall be located at least ten (10) feet from all property lines, which shall be directed downward to the playing surface area and shielded to prevent light spillage onto adjacent properties.

(iii) Alternative energy systems, including windmills, solar energy panels, geothermal systems, or other similar systems, shall be permitted as an accessory structure, provided they are located in a manner to comply with the building setback lines and building height for the underlying zoning district to which it is located.

**Section 2: Commercial Forestry.** Commercial Forestry is hereby permitted by right in all zoning districts of the Township, subject, however, to the requirements currently set forth in Section 316.E.2. These provisions shall be deleted from Section 316 and relisted under Section 314, Additional Requirements for Certain Uses Permitted By Right.

**Section 3: Repealer.** All Ordinances or Resolutions, or parts of Ordinances or Resolutions, insofar as they are inconsistent herewith, shall be in the same or hereby repealed.


**Section 4: Validity.** If any Section or part of a Section of this Ordinance shall be declared invalid, such invalidity shall not affect the remaining parts or Sections of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been enacted as if such invalid Section or portion thereof had not been included therein.

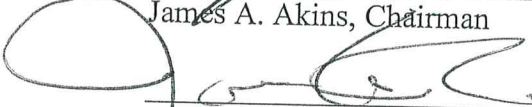
**Section 5: Effective Date.** This Ordinance shall become effective upon adoption.

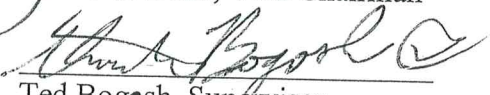
**ORDAINED AND ENACTED** this 5<sup>th</sup> day of January, 2015, by a vote of 2 Yes  
0 No 0 Abstained 1 Absent.


BOARD OF SUPERVISORS  
OF WEST PENN TOWNSHIP

ATTEST:

  
James A. Akins, Chairman

  
James G. Dean, Vice Chairman

  
Ted Bogash, Supervisor

  
Bobbjean Muffley, Secretary