

Part 4

Preservation, Conservation, Rural and Residential Zoning Districts

A. R-P Rural Preservation District.

§401. Specific Intent. It is the purpose of this district to encourage the preservation of rural portions of the Township containing wooded areas, which have increased importance because they are generally located on steep slopes. Through the preservation of these areas, watersheds and wildlife habitats can be maintained and the adverse effects of erosion and sedimentation minimized. It is also the purpose of this district to discourage intensive development in areas which have severe limitations to development because of such factors as steep slope and wetness. (Ord. 41, 12/29/1989, §401)

§402. Uses Permitted by Right. Land and buildings in an R-P District may be used for the following purposes and no others unless a special exception as provided for in §403 below is granted:

A. Woodland or game preserve, wildlife sanctuary, or similar conservation use.

B. Agriculture, subject to §607 of this Chapter, provided that intensive agriculture shall be prohibited.

C. Municipal use.

D. Single-family detached dwelling.

E. Home occupation, subject to §616 of this Chapter.

F. Accessory uses and structures to the above permitted uses when on the same lot as the permitted use.

(Ord. 41, 12/29/1989, §402)

§403. Uses Permitted by Special Exception. The following uses are permitted when special exceptions are granted by the Zoning Hearing Board pursuant to §903 of this Chapter:

A. Recreation areas, including park (not including amusement park); picnic ground; hiking trail; gun club; playground; boating, hunting, gunning, fishing, skiing or swimming area; or ecological center. These uses are subject to:

(1) No commercial activity shall be permitted except for the charging of admission, sale of refreshments or prepared food, rental or sale of athletic equipment, or such other purpose as is clearly incidental to the permitted recreational use.

B. Grange, club or lodge, provided that the chief activity of such use shall not be one (1) which is customarily carried on as a business

and provided that all buildings and services shall be primarily for the use of owners, members, and their guests only.

C. Public utility uses, subject to §627 of this Chapter.

D. Television or radio transmission tower. For each two (2) feet that the front, side and rear yards are all increased above the minimum required by this Chapter, the tower may exceed the maximum building height established for this district by one (1) foot.

E. Accessory uses and structures to the above permitted uses when on the same lot as the permitted use.

(Ord. 41, 12/29/1989, §403)

§404. Area, Yard and Height Regulations. (Except as permitted in §405.)

	<u>Maximum Permitted</u>
Building Height	35 Feet
Lot Coverage	5 Percent
Paved Area	5 Percent
Clear Cutting of Wooded Areas	20 Percent
	<u>Minimum Requirements</u>
Lot Size	5 Acres
Lot Width	
At Street Line	250 Feet
At Building Setback Line	250 Feet
Building Setback line	50 Feet
Side Yard	
Total	100 Feet
One Side	50 Feet
Rear Yard	50 Feet

(Ord. 41, 12/29/1989, §404; as amended by Ord. 41 Amendment, 4/10/1991)

§405. Exception to Area, Yard and Height Regulations.

1. In the case of a lot to be used only for a single-family detached dwelling and a driveway and buildings accessory thereto, where no portion of the dwelling, driveway or accessory buildings will be placed in an area where the existing slope exceeds ten (10) percent and where no grading necessary

for construction of the dwelling, driveway or accessory buildings will be done in an area where the existing slope exceeds ten (10) percent, the minimum lot size may be reduced to one (1) acre. For a lot less than five (5) acres in size, the maximum lot coverage shall be ten (10) percent, the maximum paved area shall be ten (10) percent, the maximum clear cutting of wooded areas shall be twenty (20) percent, the minimum lot width at the street line shall be one hundred (100) feet, the minimum lot width at the building setback line shall be one hundred fifty (150) feet, the minimum building setback shall be fifty (50) feet, the minimum side yard shall be thirty (30) feet for each side yard, the minimum rear yard shall be thirty (30) feet, and the maximum building height shall be thirty-five (35) feet.

2. The following table indicates the maximum number of lots less than five (5) acres in size that may be created from each parcel of land existing on the date of enactment of this Section:

<u>Size of Parcel at Date of Enactment of Section</u>	<u>Maximum Permitted Number of Lots Less Than 5 Acres in Size</u>
0 - 10 acres	0
10.001 - 20 acres	1
20.001 - 30 acres	2
30.001 - 40 acres	3
40.001 - 50 acres	4
50.001 - 60 acres	5
Over 60 acres	5 plus 1 lot for each 10 acres over 60 acres

3. The provisions of this Section shall apply to parcels of land legally existing on the date of enactment of this Section. Regardless of size, no lot subsequently divided from its parcel shall qualify for additional lots less than five (5) acres in size pursuant to this Section. In addition, any subsequent owner of any parcel of land legally existing on the date of enactment of this Section shall be bound by actions of previous owners in that such subsequent owner may subdivide only that number of lots less than five (5) acres in size, if any, remaining from the original number permitted by §405(2).

4. No more than three (3) lots less than five (5) acres in size shall be subdivided within any calendar year.

5. A lot less than five (5) acres in size created pursuant to this Section shall not be further subdivided.

6. A lot less than five (5) acres in size created pursuant to this Section shall have driveway access to an improved Township or State street existing at the time of subdivision of the lot. A new street shall not be created in order to provide access to the lot.

7. Prior to the construction of a dwelling, driveway or accessory building on a lot less than five (5) acres in size, and before the issuance of a zoning permit, an erosion and sedimentation control plan shall be

(27, §405(7), cont'd)

(27, §405(7), cont'd)

submitted to and approved by the Township.

8. Prior to the construction of a dwelling, driveway or accessory building on a lot less than five (5) acres in size, and before the issuance of a zoning permit, a grading plan shall be submitted to and approved by the Township. The grading plan shall indicate the location of the proposed dwelling, driveway and accessory buildings on the lot and existing and proposed contours at intervals of no more than five feet (5) in elevation.

(Ord. 41, 12/29/1989; as added by Ord. 41 Amendment, 4/10/1991)