

TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA

ORDINANCE NO. 80

AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF WAHSINGTON TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA, BY AUTHORITY OF AND PURSUANT TO THE PROVISIONS OF ARTICLES VI THROUGH X OF ACTO NO. 247 OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, APPROVED JULY 31, 1968, KNOWN AND CITED AS THE "PENNSYLVANIA MUNICIPALITIES PLANNING CODE," AND ANY AMENDMENTS AND SUPPLEMENTS THERETO, AMENDING ORDINANCE NO. 44, ADOPTED BY THE BOARD OF SUPERVISORS OF WASHINGTON TOWNSHIP ON JULY 16, 1973 AND KNOWN AS THE WASHINGTON TOWNSHIP ZONING ORDINANCE.

WHEREAS, the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, adopted on July 16, 1973 Washington Township Ordinance No. 44, known as the Washington Township Zoning Ordinance; and

WHEREAS, the Board of Supervisors of Washington Township deem it to be in the best interest and welfare of the residents of the Township to amend Article IV of the said Washington Township Zoning Ordinance in order to provide for more efficient administration thereof.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, that Ordinance No. 44, known as the Washington Zoning Ordinance, be amended as follows:

ARTICLE IV

NONCONFORMING BUILDINGS AND USES

All lawful uses of lнад or of a building, sign, or other structure existing on the effective date of this Ordinance may be continued, altered, reconstructed, changed, sold, or maintained, even though such use may not conform to the use, height, area, yard, and other regulations of the district in which it is located, provided such nonconforming conditions shall comply with the following:

Section401. REGISTRATION OF NONCONFORMING USES

1. The Zoning Officer shall identify and register all nonconforming uses and nonconforming structures. Evidence of such registration shall be provided to the owner of record of any nonconforming use or nonconforming structure in the form of a Certificate of Nonconformace issued by the Municipality. The nature of the nonconformity shall be described and made a matter of public record.

Section 402. ALTERATIONS.

1. Repairs and structural alterations may be made to a nonconforming building or a building occupied by a nonconforming use.
2. A nonconforming building which is damaged by fire, explosion or Act of God, may be rebuilt and used for the same purposes, provided that:
 - a. The reconstruction of the building is commenced within one year from the date of the destroying of the building and is carried to completion without undue delay.
 - b. The reconstructed building shall comply with the area regulations of the district in which it is located.

SECTION 403. EXTENSIONS OR ENLARGEMENTS

1. Permits issued by the Zoning Officer
 - a. The Zoning Officer may issue a building permit for the extension or enlargement of the following:
 - (1) A nonconforming building occupied by a conforming use, subject to provisions of Section 403.3.
 - (2) A nonconforming or conforming building occupied by a nonconforming use, subject to the provisions of Section 403.3 and subject to the provision that the extension or enlargement shall be no more than forty (40%) percent of the existing floor area of the building.
 - (3) Any single family dwelling in any district, subject to the provisions of Section 403.3
 - b. Administration and Procedure
 - (1) Plans: The applicant shall submit to the Zoning Officer for his review a sketch plan containing the following information:
 - (a) Lot area
 - (b) Location and size of existing buildings.
 - (c) Location and size of proposed extension or enlargement.
 - (d) Other pertinent information required by the Zoning Officer to permit to review the application.
 - (2) Notification of adjoining property owners: There shall be a minimum of ten (10) days delay after the application for the building permit has been completed, so that the Township can notify all abutting property owners. This notification shall be by regular mail at the address listed in the most recent edition of the Tax Duplicate.

- (3) Aggrieved parties: Any abutting property owner who is aggrieved by this proposed enlargement shall file written notice with the Township within ten (10) days of the date of the mailing. Upon receiving this written notice the enlargement shall be come void and the applicant shall then apply to the Zoning Hearing Board for a special exception in accordance with Section 403.2 of this Ordinance.
 - (4) Fees: In addition to the building permit fee, an additional fee shall be charged for review of applications under this Section.
- c. Applications limited: Extensions or enlargements permitted under this Section shall not be cumulative, but shall be limited to a total of forty (40%) percent of the size of the building at the time of the first application. Any further extensions or enlargements may be permitted only after the granting of a Special Exception under Section 403.2.
2. Special Exception by the Zoning Hearing Board - The Zoning Hearing Board may authorize as a special exception the following types of extensions and enlargements for nonconforming uses and buildings existing on the effective date of this Ordinance and not otherwise regulated under Section 403.1 of this Ordinance, subject to the provisions of Section 403.3
 - (a) The extension of a nonconforming use of land upon a lot occupied by such use.
 - (b) The extension or enlargement of a conforming building occupied by a nonconforming use.
 - (c) The extension or enlargement of a nonconforming building occupied by a nonconforming use
 - (d) The extension or enlargement of a nonconforming building occupied by a conforming use.
3. The foregoing extensions or enlargements shall be subject to the following conditions:
 - a. The extension or enlargement shall conform to the height and yard regulations of the district in which it is located; provided, however, that a building nonconforming as to yard requirements may be extended or enlarged so long as the extension or enlargement does not project further than the existing building.
 - b. The extension or enlargement of the building use shall be provided with off-street parking and loading spaces as required by the Off-street Parking Article.
 - c. The extension or enlargement does not replace a conforming use.
 - d. The area of the lot and the percentage of lot coverage shall conform to the minimum requirements of the district in which the building is located.

SECTION 404. CHANGE OF USE.

1. A nonconforming use may be changed to another nonconforming use of the same or more restricted classification by obtaining a Zoning Permit.
2. Whenever a nonconforming use has been changed to a more restricted classification, or to a conforming use, such use shall not hereafter be changed to a use of less restricted classification.

SECTION 405. DISCONTINUANCE.

1. If a nonconforming use of a building or land ceases or is discontinued for a continuous period of one (1) year or more, subsequent use of such building or land shall be in conformity with the provisions of this Ordinance, except when the discontinuance is due to a death and the settling of the estate. In such cases, the discontinuance shall not be presumed to start until the estate is settled or a court order concerning the disposition of the estate has been entered.

SECTION 406. AGRICULTURAL OR FARM STRUCTURES.

1. This provision of the Article shall not apply to nonresidential farm structures necessary to the farm activity conducted on the property, except that replacement structures shall comply with Section 300.1.

SECTION 407. BUSINESS IDENTIFICATION SIGNS.

1. Nonconforming Business Identification Sign on existing nonconforming uses may be contained and maintained provided that such signs shall conform to the Sign Article when replaced, relocated, or structurally altered.

SECTION 408. SINGLE FAMILY UNITS.

1. Existing nonconforming single family dwellings in any district may be enlarged by obtaining a zoning permit, provided the yard setback requirements are met.
2. Existing nonconforming mobile homes in any district may be replaced with another mobile home of the same size or larger by obtaining a zoning permit, provided the yard setback requirements are met.

Section 2. In all other respects the provisions of Ordinance No. 44, as amended, shall remain in full force and effect.

Section 3. This ordinance shall take effect in accordance with law.

Duly enacted and ordained this 15th. day of August, 1983, by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

WASHINGTON TOWNSHIP BOARD OF SUPERVISORS

Shirley B. Grove, Secretary

By *Larry L. Price*
Larry L. Price, Chairman