

11/11/14

CHELTENHAM TOWNSHIP

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF CHELTENHAM, CHAPTER 295, THEREOF, ENTITLED "ZONING" BY ADDING A NEW ZONING DISTRICT ENTITLED R3-A AND ENACTING REQUIRED AREA AND BULK REGULATIONS; AND AMENDING ARTICLE XXIV PRESERVATION OVERLAY DISTRICT.

SECTION 1. Chapter 295, entitled "Zoning", is hereby amended by adding a new Article XXXV, entitled R3-A Residence District, §295-255 to read as follows:

§295-255. Applicable regulations.

In the R3-A District, the regulations contained in this article shall apply. The purpose of this Article is to recognize and address the particular difficulties of properties which lie within two municipalities with varying zoning district requirements, and to develop regulations that allow for a coordinated development plan.

§295-256. 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. Accessory use on the same lot and customarily incidental to any of the foregoing permitted uses. The term "accessory use" shall not include an office for the conduct of business or any commercial enterprise but shall include:
 - (1) Private garage for use of the occupants.
 - (2) No-impact home-based business, as defined in the Pennsylvania Municipalities Planning Code.
 - (3) A private swimming pool for the use of the occupants.
 - (4) A satellite earth station for the use of the occupants, provided that such satellite earth station complies with the requirements set forth in Article XXIX.
 - (5) A greenhouse, garden area, or accessory maintenance building.

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- C. Signs when erected and maintained in accordance with the provisions of Article XXV hereof and other applicable Township ordinances.

§295-257. Lot area and lot width.

- A. A lot area of not less than 8,500 square feet and a lot width of not less than 70 feet at the street line and extending of that width from the street line to the depth of the rear yard shall be provided for every principal building hereafter erected, altered or used in this district.

§295-258. Lot Coverage.

- A. The building coverage shall not exceed 30% of the lot area.
- B. The impervious coverage shall not exceed 50% of the lot area.

§295-259. Yard regulations.

- A. Front yard.

- (1) There shall be a front yard, the depth of which shall be at least 25 feet.
- (2) In the case of a corner lot, a front yard as provided for in Subsection A.(1) shall be required for each street on which the lot abuts.

- B. Side yards.

- (1) In the case of a single-family detached dwelling, there shall be two side yards, each having a width of at least 10 feet.

- C. Rear yard. There shall be a rear yard, the depth of which shall be at least 25 feet.

§295-260 Building height.

- A. The height of any principal building shall not exceed three stories, and may in no case exceed 35 feet in height.
- B. The height of any accessory building or structure shall not exceed one story or 16 feet in height.

§295-261 Special Regulations

- A. Density. In an R3-A Residential District the number of units per acre shall not exceed 1.9 over the entire tract area within Cheltenham Township, excluding the ultimate right

of way of any existing public streets. In addition, one existing building per tract may be adaptively reused as one dwelling unit.

- B. No new building shall be located within 50 feet of the ultimate right of way of a state highway. Existing trees and shrubbery, walls, fences and other structures within such required 50 foot buffer shall be retained and perpetually maintained in accordance with a maintenance and operations plan to be approved as a part of any development of the property; and existing trees and shrubbery, walls, fences and other structures within the ultimate right of way shall be retained and perpetually maintained in accordance with a maintenance and operations plan to be approved as part of any development of the property
- C. No new road, driveway or building shall be located closer than 50 feet to an existing residential lot on any property within a zoning district other than R3-A.
- D. Pedestrian circulation shall be provided throughout the tract. Trail and sidewalk interconnection shall be provided to trails and sidewalks on adjoining properties both within Cheltenham Township and other surrounding municipalities. All trails and sidewalks shall be open to the public.

§295-262 Architectural Guidelines

- A. All buildings shall be designed with a single unifying architectural theme which shall reflect and enhance the visual and historic character of the area, both within Cheltenham Township and other surrounding municipalities.
- B. The use of dormers, cupolas, bay windows, offsets, chimneys, balconies, and other architectural details is encouraged and shall be included where appropriate.
- C. Exterior wall and detail materials are to be brick, stone (natural or manmade), stucco, wood or other approved materials on at least 50% of all building facades. Blank or windowless walls are not permitted. Building facades which face residentially zoned properties or properties with a predominately residential character shall be designed to complement those uses.
- D. As part of any land development application, the applicant shall provide architectural renderings of all proposed buildings along with samples of the actual materials to be used. The applicant shall also provide graphic representations showing the relationship between the proposed development and structures in the surrounding area.

SECTION 2. Chapter 295 entitled “Zoning”, Article XXIV Preservation Overlay District, §295-187 B. is hereby amended to read as follows:

§295-187. District Established.

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B. Notwithstanding the foregoing, multiple-dwelling housing for the elderly projects, and the R3-A District (only if the tract under development under single and separate ownership extends into another municipality), are exempt from the requirements of this Article.

SECTION 3. Nothing in this Ordinance or in the Code of the Township of Cheltenham shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued or any cause or causes of action existing under the said Code prior to the adoption of this amendment.

SECTION 4. In all other respects, the Code of the Township of Cheltenham, Chapter 295, entitled "Zoning" is hereby ratified and reaffirmed except where the same is inconsistent with the provisions contained in this Ordinance.

SECTION 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Cheltenham Township Board of Commissioners that this Ordinance would have been adopted if such legal, invalid or unconstitutional section, sentence, clause, part or provisions had not been included herein.

SECTION 6. This Ordinance shall take effect and be in force from and after it is approved as required by law.

ENACTED into an ORDINANCE this _____ day of _____ 2014.

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS

BY: _____
Harvey Portner, President

ATTEST:

Bryan Havir, Cheltenham Township Manager/Secretary

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWNSHIP OF CHELTENHAM, ATTACHED TO AND INCORPORATED IN CHAPTER 295, SECTION 4, OF THE CHELTENHAM TOWNSHIP CODE, BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND FROM THE R3 RESIDENTIAL DISTRICT TO R3-A RESIDENTIAL DISTRICT

THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, DO HEREBY ENACT AND ORDAIN:

Section 1: That Chapter 295, Section 4, Zoning Map of Cheltenham Township, shall be amended to change the hereafter described tract of land presently zoned R3 Residential District to the R3-A Residential District.

All that certain tract or parcel of ground situate in Cheltenham Township, Montgomery County, PA described as follows:

BEGINNING at a concrete monument set on Township line dividing Cheltenham and Springfield Townships and being set on the westerly side of Willow Grove Avenue, said monument being set South 35 degrees 03 minutes 56 seconds West 20.57 feet from a concrete monument set on the westerly side of Willow Grove Avenue marking a corner of lands of David Lloyd and now or formerly Michael F. Harkins; thence leaving said point of beginning and along said right of way the following five courses and distances to wit:

1. South 02 degrees 01 minutes 50 seconds West 78.36 feet to a point,
2. By a curved line curving to the left having a radius of 512.40 feet and an arc length of 5.32 feet to a point,
3. South 03 degrees 12 minutes 07 seconds West 223.91 feet to a point,
4. By a curved line curving to the right having a radius of 1583.50 feet and an arc length of 324.60 feet to a point,
5. South 14 degrees 56 minutes 48 seconds West 161.03 feet to a point thence leaving said right of way and crossing to title line in said Willow Grove Avenue South 55 degrees 03 minutes 18 seconds East 17.89 feet to a point in the bed of said road thence along said road South 12 degrees 33 minutes 42 seconds West 651.57 feet to a point thence leaving said road and along various lots in the Laverock Manor Subdivision North 55 degrees 00 minutes 39 seconds West 651.41 feet to a concrete monument set on the aforementioned township line thence along said township line North 36 degrees 07 minutes 55 seconds West, crossing a water line easement and a driveway easement, 1306.43 feet to a concrete monument being the first mentioned point and place of beginning.

CONTAINING: 10.556 Acres

Such property is also known as Cheltenham Township, Parcel Numbers 31-00-29050-007, 31-00-29053-004, 31-00-29056-019, and 31-00-29056-001.

10-30-14

Section 2: That the proper officers of the Township of Cheltenham shall be directed to amend the Zoning Map of Cheltenham Township in accordance with this ordinance.

ENACTED AND ORDAINED THIS ____ day of ____, 2014.

BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP

By: _____
Harvey Portner, President

ATTEST:

Bryan Havis, Cheltenham Township Manager/Secretary