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**BOROUGH OF ORWIGSBURG
SCHUYLKILL COUNTY, PENNSYLVANIA**

ORDINANCE NO. 362

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE PLANNING PROGRAM OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA BY ADDING A NEW ZONING DISTRICT ENTITLED THE RESIDENTIAL ESTATE DISTRICT (R-E).

SHORT TITLE: RESIDENTIAL ESTATE DISTRICT

WHEREAS, the Borough of Orwigsburg enacted its Official Zoning Ordinance and Official Zoning Map on February 12, 2002, which has been subsequently periodically amended through December 11, 2002; and

WHEREAS, Orwigsburg Borough Officials believe that the Borough has a variety of residential types and densities that contribute to the composition of its population and that of Schuylkill County; and

WHEREAS, Borough Officials acknowledge that specific neighborhoods on the periphery of the Borough have been developed with low-density large-lot single family detached residences; and

WHEREAS, Borough Officials believe that such low-density neighborhood also contribute to the diversity of housing opportunities within the Borough and in Schuylkill County; and

WHEREAS, Borough Officials believe that the identification of these existing low-density neighborhoods and the reservation of similar adjoining areas for future low-density residential neighborhoods promotes improved compatibility; and

WHEREAS, Borough Officials believe that the rezoning of areas located along the Southern edge of the Borough for low-density residential neighborhoods would reduce the potential generation of vehicular traffic along key roads that connect the

“center” of the Borough with Pennsylvania Route 61 (Schuylkill County’s primary traffic artery), and therefore improve traffic flow for most commuters who reside within the Borough; And

WHEREAS, Borough Officials believe that the rezoning of areas located along the Southern edge of the Borough for low-density residential neighborhoods would reduce adverse impact upon the sensitive natural features that remain in this undeveloped area yet provide for reasonable use of these properties;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED THAT THE FOLLOWING AMENDMENTS BE MADE TO THE OFFICIAL ZONING ORDINANCE OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA:

REVISION 1: The Table of Contents is amended to add the following new Sections 6.40 through 6.43 under Article VI RESIDENTIAL DISTRICTS:

“Section 6.40	R-E Residential Estate District”
“Section 6.41	Intended Purpose”
“Section 6.42	Permitted Uses”
“Section 6.43	Lot Width, Lot Area and Yard Requirements”

REVISION 2: A new Section 6.40 is numerically added to Article VI RESIDENTIAL DISTRICTS as follows:

“Section 6.40 - R-E RESIDENTIAL ESTATE DISTRICT”

REVISION 3: A new Section 6.41 is numerically added to Article VI RESIDENTIAL DISTRICTS as follows:

“Section 6.41 - INTENDED PURPOSE. The R-E Residential Estate District is intended to reserve settings for large-lot estate housing which has become increasingly prevalent within the Borough. Selected locations adjoin existing neighborhoods of similar housing styles as well as vacant areas with attractive rolling topography to maximize visual appeal. This Zone generally straddles roads that provide for key vehicular access between the “center” of the Borough and Pennsylvania Route 61. Permitted uses have generally been limited to principal residences and related accessory uses”.

REVISION 4: A new Section 6.42 is numerically added to Article VI RESIDENTIAL DISTRICT as follows:

“Section 6.42- PERMITTED USES

- A. Single family detached dwelling units.**
- B. Group homes**
- C. Essential service facilities provided that they do not include materials storage, storage for trucks, repair facilities or housing for repair crews, subject to the requirements of Section 10.25**
- D. Public parks, playgrounds and open space**
- E. General gardening and the growing of trees and nursery stock; not including roadside displays, advertising signs or the sale of such items.**
- F. Customary accessory uses and buildings incidental to any of the permitted uses, including:**
 - 1. Private garages;**
 - 2. Parking lots;**
 - 3. Garden houses, tool houses, playhouses or greenhouses not used for commercial purposes;**
 - 4. Swimming pools’**
 - 5. Home occupations;**
 - 6. Family child care homes;**
 - 7. Signs, as provided for in Article X.**

G. The following Special Exception uses, subject to approval by the Zoning Hearing Board as provided for in Article XIV of this Ordinance:

1. Golf courses and country clubs;
2. Cemeteries;
3. Home businesses.”

REVISION 5: A new Section 6.43 is numerically added to Article VI RESIDENTIAL DISTRICTS as follows:

“Section 6.43 - LOT WIDTH, LOT AREA AND YARD REQUIREMENTS. Lot width, lot area and setbacks of not less than the dimension shown in the following table shall be provided for every dwelling unit and/or principal non-residential building hereafter erected or altered for any use permitted in this district:

**SINGLE-FAMILY DETACHED DWELLINGS AND
PERMITTED NON-RESIDENTIAL USES**

Minimum Lot Area*	1 acre (43,560 square feet)
Minimum Lot Width	150 feet

SETBACK REQUIREMENTS

Front Yard	40 feet
Rear Yard	30 feet
Side Yard	20 feet
Maximum Lot Coverage	30%

*Minimum lot area based upon availability of public sewer service. Where on-lot sewage disposal is proposed, lot area in addition to the stated minimum may be required, subject to Pennsylvania Department of Environmental Protection approval.

Certain uses may have additional dimensional requirements from those noted above.”

REVISION 6: The Official Zoning Map is amended in accordance with the attached Sketch Map.

REVISION 7: The Official Comprehensive Planning Program is hereby amended in accordance with the above described zoning revisions.

REPEALER:

Any Ordinance, or any part thereof, inconsistent herewith and any amendments thereof are hereby expressly repealed.

SEVERABILITY

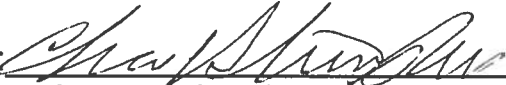
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough of Orwigsburg that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herewith.

EFFECTIVE DATE

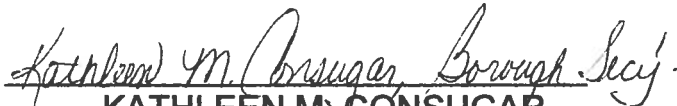
This Ordinance shall become effective immediately upon its enactment by the Borough Council of the Borough of Orwigsburg, County of Schuylkill, Commonwealth of Pennsylvania

ORDAINED and ENACTED into an Ordinance this 8TH day of October, 2003, by the Borough Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania in lawful session duly assembled.

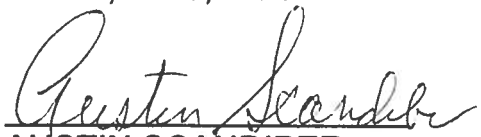
BOROUGH OF ORWIGSBURG

BY: 
CHARLES J. STERNER
COUNCIL PRESIDENT

ATTEST:


KATHLEEN M. CONSUGAR
BOROUGH SECRETARY

EXAMINED AND APPROVED this 8TH day of October, 2003, A.D.


AUSTIN SCANDIBER
MAYOR OF ORWIGSBURG

RE: ORDINANCE NO. 362



rezoning sketch map (2112x1549x24b jpeg)