

ORDINANCE NO. 72 _____

**AN ORDINANCE AMENDING THE BERWICK TOWNSHIP ZONING ORDINANCE
OF 1999, AS AMENDED, BY AMENDING SECTIONS 201,
305.B (1), 602.B (3), 602.B (4) AND 500.D**

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Berwick Township, Adams County, Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED, as follows:

SECTION I

Section 201., Definitions is amended to read as follows:

DWELLING UNIT - SINGLE FAMILY ATTACHED (Townhouses) - A dwelling unit included in a grouping of at least three (3) such dwelling units, arranged in a manner that the dwelling unit has its own direct, ground floor access to living space, designed in a manner so that the dwelling unit is located neither above nor under another dwelling unit, and oriented in a manner that the dwelling unit shares at least one (1) vertical common fire-resistant wall with at least one (1) other dwelling unit.

PUBLIC SERVICE OFFICES AND USES: An office of a governmental agency, social service organization, district justice, or of the peace, notary, public or private utility, or political organization; a station or operations center for police, fire, ambulance, or other equivalent emergency management service.

SETBACKS - The minimum required distance between a street line or property line and any building or structure on a lot.

SETBACK, FRONT - The minimum required distance between the street line and any building or structure on a lot.

SETBACK, REAR - The minimum required distance between the rear lot line and any building or structure on a lot.

SETBACK, SIDE - The minimum required distance between the side lot line and any building or structure on a lot. Side setback requirements are applied only along the portion of the side lot line between the front setback and rear setback lines.

YARD, FRONT - The area between the street line (as defined in this Ordinance) and the closest portion of any building or structure on the lot. The front yard extends the full width of the lot from one side lot line to the other side lot line in the case of typical lots. The front yard extends the full width of both street rights-of-way in the case of corner lots.

YARD, REAR - The area between the street line (as defined in this Ordinance) and the closest portion of any building or structure on the lot. The rear yard extends the full width of the lot from one side lot line to the other side lot line in the case of typical lots. The rear yard extends from the minimum front setback line to the opposing rear yard setback in the case of corner lots.

YARD, SIDE - The area between the side lot line (as defined in this Ordinance) and the closest portion of any building or structure on the lot. The side yard extends from the minimum front setback line to the minimum rear setback line.

SECTION II

Section 305.B (1) is amended to include the following in the "Nonresidential Uses-Institutional Centers and Places of Assembly" use category.

Public Service Uses, with the exception of Communications Towers	P	
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SECTION III

Section 602.B (3) is amended to read as follows:

- (3) Corner Lots: The front setback requirement shall be applied along each street line of a corner lot. The rear setback requirement shall be applied along all other lot lines.

SECTION IV

Section 602.B (4) is amended to read as follows:

- (4) Reverse Frontage or Through-Lots: The front setback requirement shall be applied along each street line of a reserve frontage lot or through lot. The side yard setback requirement shall be applied along all other lot lines.

SECTION V

Section 500.D is amended to read as follows:

- D. Extension or Expansion: A nonconforming building or structure may be extended or expanded in accordance with the following requirements:
 - (1) The extension or expansion of the building or structure may result in additional nonconforming building footprint, provided the following standards are achieved:

- (a) The maximum amount of additional nonconforming building footprint shall be the lesser of the following:
 - An increase of one hundred (100%) percent of the nonconforming portion of the total existing building footprint; or,
 - An increase of two thousand (2,000 sq.ft.) square feet of additional nonconforming building footprint.
 - (b) The extension or expansion of the building or structure shall not encroach beyond the furthest extent of the current nonconformity.
 - (c) The maximum amount of additional nonconforming building footprint to be authorized shall be calculated based on the building footprint on the day the building or structure became a nonconforming building or structure. The maximum amount of additional nonconforming building footprint shall be cumulative, regardless of the number of individual extensions or expansions proposed for a specific building.
 - (d) No part of the extension or expansion of the nonconforming portion of the building or structure shall violate the clear sight distance requirements of the Berwick Township Subdivision and Land Development Ordinance.
- (2) The extended or expanded building or structure shall continue to comply with all dimensional standards and other regulations of this Ordinance with which the existing building or structured currently complies.

SECTION VI

The revision, modification, and amendment herein provided shall not be construed to in any manner conflict or abrogate the provisions of the Berwick Township Zoning Ordinance of 1999, and as amended, other than as herein provided.

SECTION VII

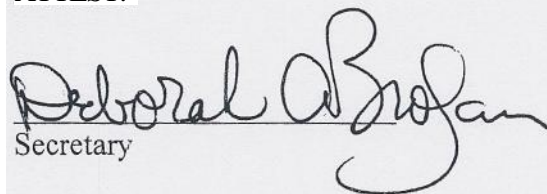
All ordinances or portions of ordinances inconsistent herewith are hereby repealed.

SECTION VIII

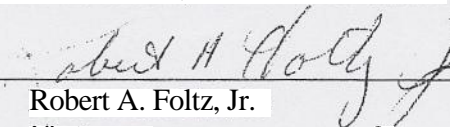
This amendment shall be effective five (5) days from the date of its adoption.

ENACTED AND ORDAINED the 28th day of January, 2008.

ATTEST:


Secretary

BERWICK TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA

By: 
Robert A. Foltz, Jr.
Chairman