

## AGENDA

A public meeting of the City of Altoona Zoning Hearing Board will be held on Wednesday, **April 10, 2024 at 1:15 p.m.** in the 4<sup>th</sup> Floor Conference Room at City Hall, 1301 12<sup>th</sup> Street, Altoona, Pennsylvania.

### 1201 4<sup>th</sup> Avenue/ David Hite

Requesting variances from lot area, rear setback and side setback abutting 4<sup>th</sup> Avenue for a new single-family residence on a nonconforming vacant lot. The proposed lot is located in a Multiple-Household Residential zone, §800-50(G) & (K) & §800-18.

### 313 23<sup>rd</sup> Avenue/ Douglass DeAntonio

Requesting to construct an accessory dwelling unit on lot with an existing single-family residence located in a Single-Household Residential zone, §800-48(E).

### 2621 5<sup>th</sup> Avenue/ Pamela Kinkade

Requesting to construct a single-family residence on a nonconforming lot to replace the previous home lost. Premises is located in a Single-Household Residential zone, §800-18 & §800-48(K).



CODES & INSPECTIONS DEPARTMENT  
 1301 12<sup>TH</sup> STREET, SUITE 103  
 ALTOONA, PA 16601  
 (814) 949-2456

**ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE**

(INSTRUCTIONS LOCATED ON REVERSE SIDE)

PROPERTY LOCATION:	1201 4 <sup>th</sup> Avenue, Altoona, PA 16602
PURPOSE OF APPEAL:	Lot has been sitting vacant for a couple of years now and also has had violations/licenses on the property that we are taking over & paid for so far.
DESCRIPTION OF PREMISES:	Vacant Lot / Corner Lot
USE OF PREMISES:	to build affordable housing / blight - Single Family Home
OFF-STREET PARKING:	Yes, however we need to do it according to the city

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

**PROPERTY OWNER INFORMATION**

NAME:	Humbb Homes & Rentals LLC		
ADDRESS:	1106 Church St. Hollidaysburg PA 16648		
PHONE:	814-889-9125	EMAIL:	dave@laborstuffers.com

**APPLICANT INFORMATION**

NAME:	David Hite		
ADDRESS:	1106 Church Street Hollidaysburg PA 16648		
PHONE:	814-889-9125	EMAIL:	dave@laborstuffers.com

**DESIGN PROFESSIONAL INFORMATION**

NAME:	P. Joseph Lehman, Inc.		
ADDRESS:	P.O. Box 419 Hollidaysburg, PA 16648		
PHONE:	814-695-7500	EMAIL:	K.Szala@lehmanengineers.com

SIGNATURE OF APPLICANT

3-7-24

DATE

**OFFICE USE ONLY**

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

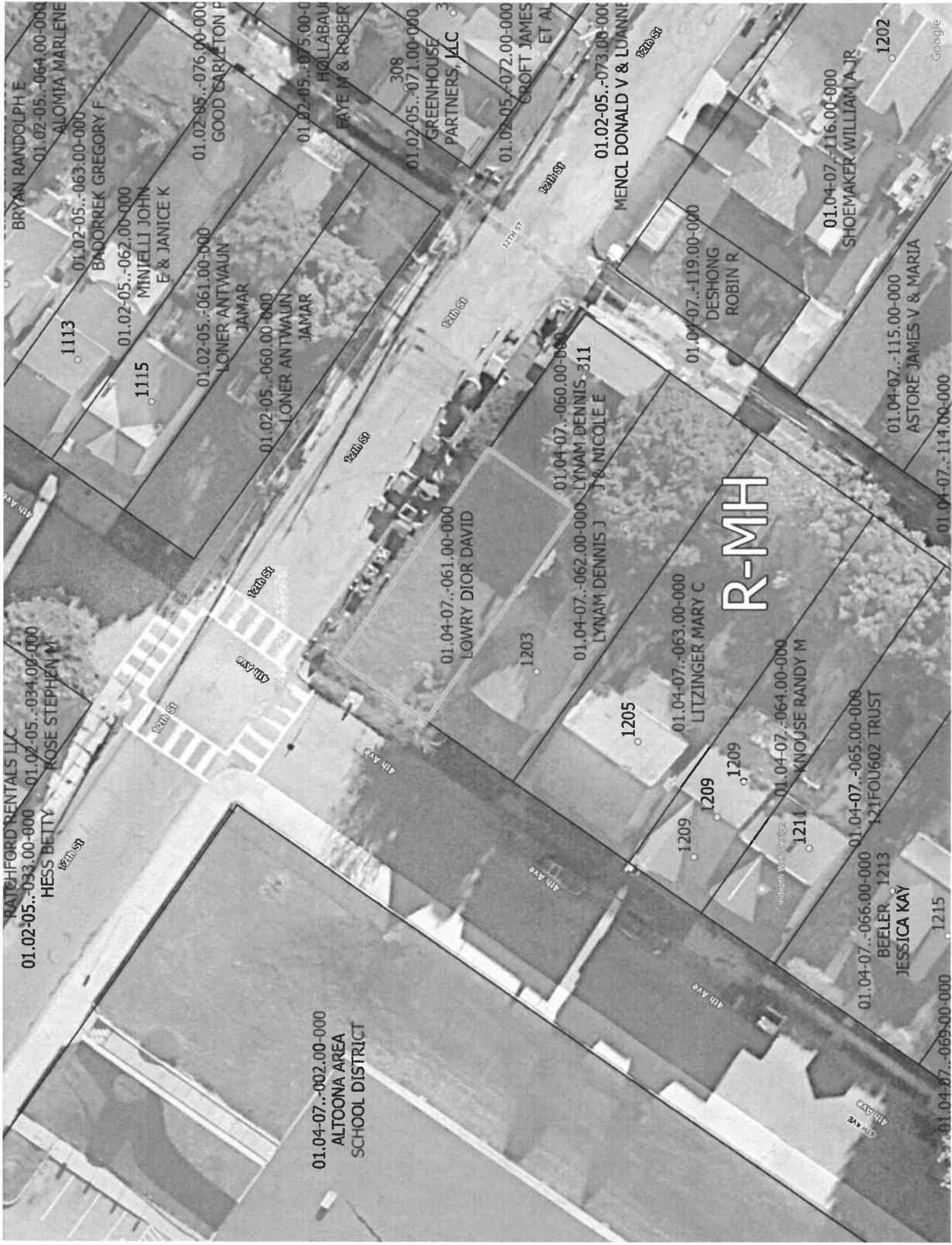
## Narrative

My intention for the lot at 1201 4<sup>th</sup> Avenue in Altoona is to acquire it under an LLC that I created. The LLC is Humble Homes & Rentals. The purpose is to build a single 1 story home on the lot as a first home to build and then replicate it to build more homes on vacant lots in the Altoona area. We will also be acquiring homes that need fixed up and then rented or sold. The home on the lot will be one that we will sell. If we cannot sell it we will rent it out.

My goal is to help with the blight and vacant lots in the area to help with making blocks in the area more desirable. The single-family homes we will build are highly sought after in the area. Also, I have been trying to buy properties in the area for the past 2 years now and there is a shortage of inventory which with building homes we can help with this by offering new affordable housing in the area.

Along with building homes that people need in the area and helping with the some of the issues currently facing tenants and people with handicap or disabilities we can accommodate them. Houses that need fixing up we can flip, houses needing fixed up we can make them better and rent them out and build from scratch on the empty lots in town. Once we get the first one built we will buy another lot from the seller and start building the second one. I recently got my real estate license so the company that is formed will also be a builder/real estate sales company.

If you have any questions or concerns please contact me at 814-889-9125. Thank You



01.02-05.-033.00-000 HATCHFORD RENTALS LLC  
01.02-05.-034.00-000 HESS BETTY ROSE STEPHEN M

01.02-05.-064.00-000 BRYAN RANDOLPH E  
01.02-05.-063.00-000 ALOMIA MARLENE

1113 01.02-05.-063.00-000 BADORREK GREGORY F  
1115 01.02-05.-062.00-000 MINJELLI JOHN E & JANICE K

01.02-05.-061.00-000 LONER ANTWAUN JAMAR  
01.02-05.-060.00-000 LONER ANTWAUN JAMAR

01.02-05.-075.00-000 FAYE M & ROBERT HOLLABAUGH  
01.02-05.-071.00-000 GREENHOUSE PARTNERS, LLC

01.02-05.-072.00-000 GROFT JAMES ET AL  
01.02-05.-073.00-000 MENCL DONALD V & LUANNE

01.04-07.-060.00-000 LYNAM DENNIS J & NICOLE E  
01.04-07.-062.00-000 LYNAM DENNIS J & NICOLE E

01.04-07.-119.00-000 DESHONG ROBIN R  
01.04-07.-116.00-000 SHOEMAKER WILLIAM A JR

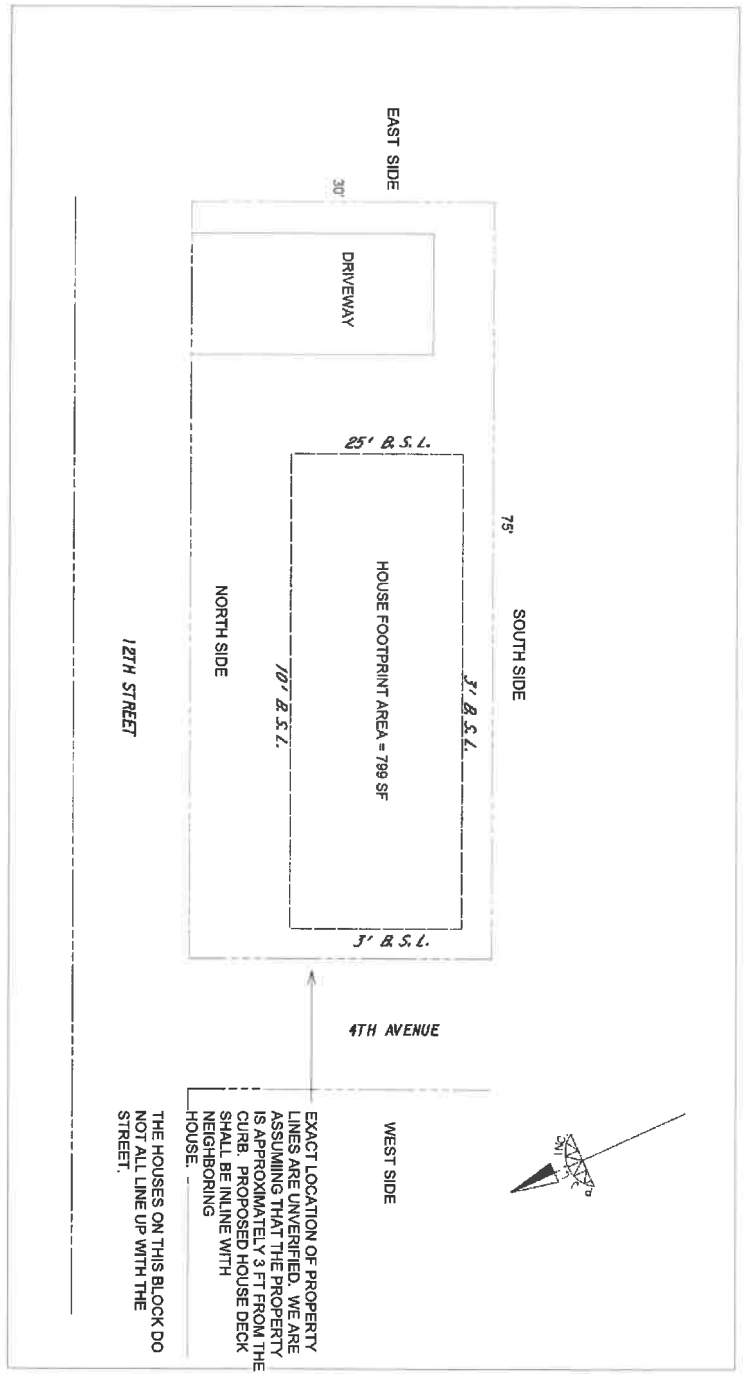
01.04-07.-115.00-000 ASTORE JAMES V & MARIA  
01.04-07.-114.00-000

01.04-07.-063.00-000 LITZINGER MARY C  
01.04-07.-064.00-000 KNOUSE RANDY M

01.04-07.-065.00-000 BEELER JESSICA KAY  
121FOU602 TRUST

01.04-07.-002.00-000 ALTOONA AREA SCHOOL DISTRICT

R-MH



EXACT LOCATION OF PROPERTY LINES ARE UNVERIFIED. WE ARE ASSUMING THAT THE PROPERTY IS APPROXIMATELY 3 FT FROM THE CURB. PROPOSED HOUSE DECK SHALL BE IN LINE WITH NEIGHBORING HOUSE.

THE HOUSES ON THIS BLOCK DO NOT ALL LINE UP WITH THE STREET.

NOTE: DRAWING NOT TO SCALE. SEE FLOOR PLAN FOR PROPOSED LOCATION OF NEW HOUSE

	<b>JOSEPH LEHMAN INC.</b> CONSULTING ENGINEERS <small>POST OFFICE BOX 19, ALTOONA, PA 16602</small>		DATE: 03/27/24	PROJECT NO: 7296
	DATE: 03/27/24	REVISION	DAVID HITE 1201 4TH AVENUE LOT BLAIR COUNTY, PENNSYLVANIA	SHEET OF 1

SCALE: #0000  
**C1**  
 DRAWN BY: CG

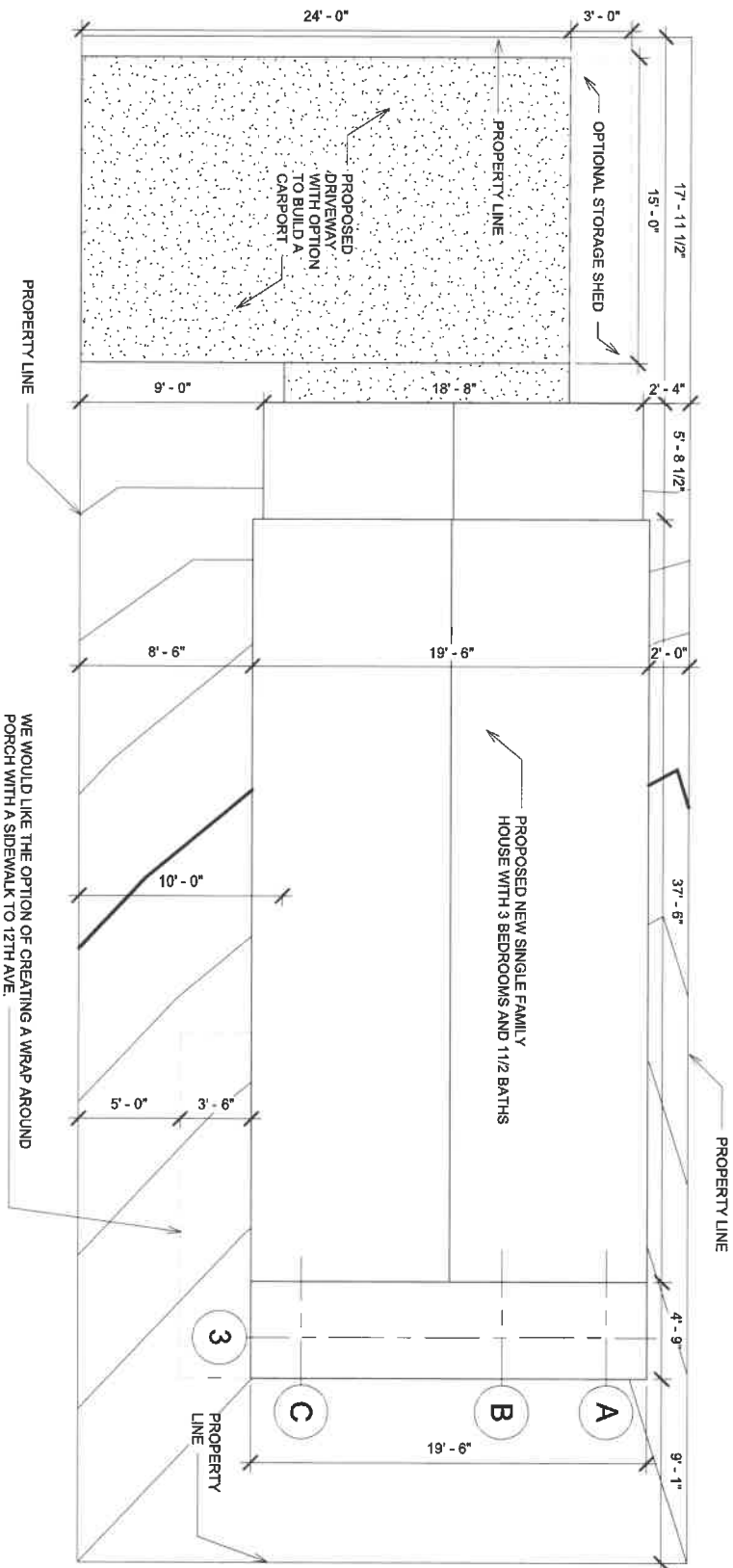
**Hite Proposed Home**  
 1201 4TH Ave.  
 Altoona, PA 16602

NO.	REVISION	DATE

**BOTTEGA + DESIGN DRAFTING**  
 507 W. 3RD AVE.  
 DUBLIN, PA 15827  
 Tel: 717-265-1128  
 Email: info@bottega-design.com  
 www.bottega-design.com







1 Attic - Roof Plan  
3/16" = 1'-0"

**BOTTIGA  
DRAFTING**

**DESIGN**

707 W. 2ND AVE.  
DEPT. 17A (S10)  
ALTOONA, PA 16602  
PH: 717.265.1111  
WWW.BOTTIGADRAFTING.COM

DATE	DESCRIPTION

**Hite Proposed Home**  
1201 4TH Ave.  
Altoona, PA 16602

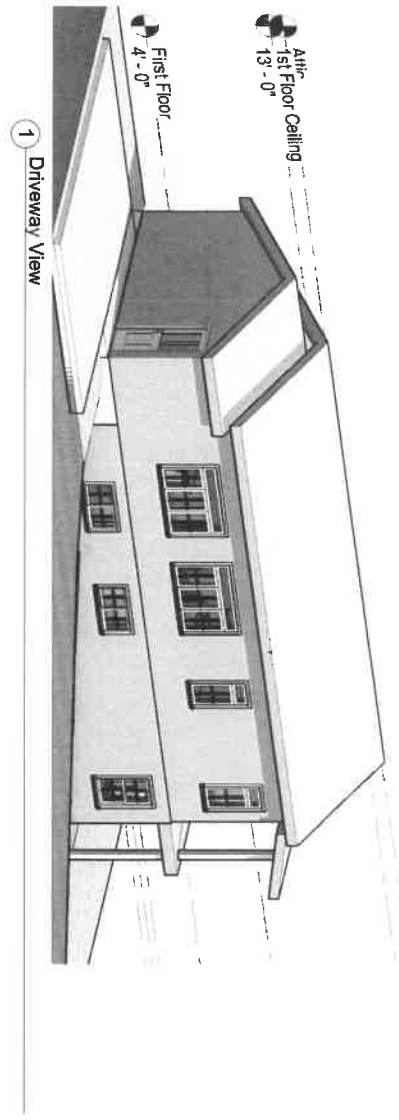
FOR ZONING  
APPROVAL

SCALE: 3/16" = 1'-0"

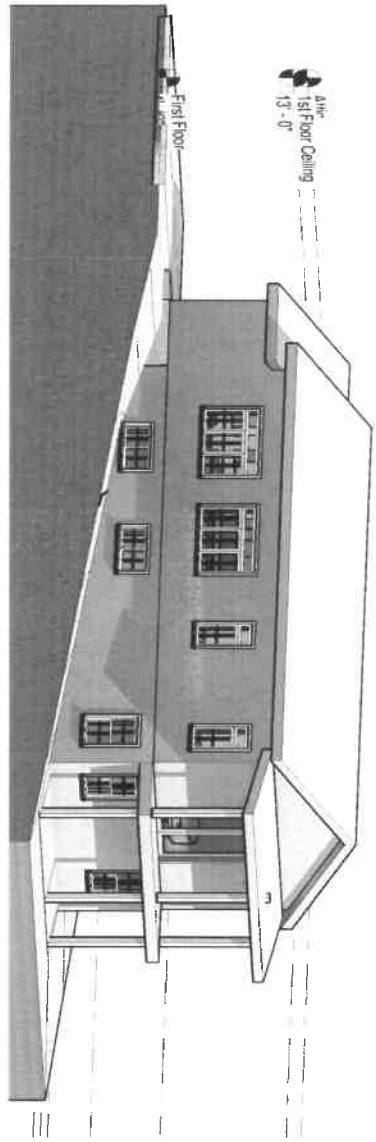
**A2**

CG





1 Driveway View



2 Front Porch View

**BOTTEGA  
DRAFTING**

**DESIGN**

501 W. AND AVE.  
SEASIDE, PA 19381  
717.235.1125  
E-mail: info@bottegadrafting.com  
www.bottegadrafting.com

**REVISIONS**

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**Hite Proposed Home**  
1201 4TH Ave.  
Altoona, PA 16602

FOR ZONING  
APPROVAL

SCALE: ##/##

**A3**

CG





CODES & INSPECTIONS DEPARTMENT  
1301 12<sup>TH</sup> STREET, SUITE 103  
ALTOONA, PA 16601  
(814) 949-2456

### ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON REVERSE SIDE)

PROPERTY LOCATION: 313 23rd Avenue
PURPOSE OF APPEAL: Looking to add additional cottage-type structure to our land for use for our elderly family member who has early onset dementia/alzheimers. She recently became widowed, and we are looking to have her close to us so that we may be able to take care of her throughout the remainder of her life.
DESCRIPTION OF PREMISES: Housing
USE OF PREMISES: Housing
OFF-STREET PARKING: We have off street parking as well as parking area in the back of our property.

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

#### PROPERTY OWNER INFORMATION

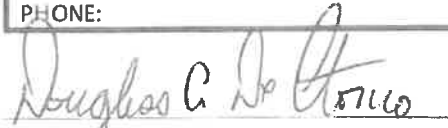
NAME: Douglass C. & Dolores M. DeAntonio	
ADDRESS: 313 23rd Avenue, Altoona, PA 16601	
PHONE: 814-207-9847	EMAIL: Doug.DeAntonio@gmail.com

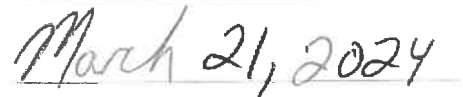
#### APPLICANT INFORMATION

NAME: Douglass C. DeAntonio	
ADDRESS: 313 23rd Avenue, Altoona, PA 16601	
PHONE: 814-207-9847	EMAIL: Doug.DeAntonio@gmail.com

#### DESIGN PROFESSIONAL INFORMATION

NAME: NON-APPLICABLE	
ADDRESS:	
PHONE:	EMAIL:

  
SIGNATURE OF APPLICANT

  
DATE

#### OFFICE USE ONLY

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

Douglass C. DeAntonio  
313 23rd Avenue  
Altoona, PA 16601  
March 21, 2024  
**Zoning Variance Request**

I am requesting this variance to build a structure on our property. We are looking to build a cottage-type in-law suite on our land for the purpose of housing our elderly family member who, after recently being widowed, has been suffering with dementia/Alzheimer's disease. We want to have her close to us so that we are able to take care of her throughout the remainder of her life. This would entail being available when nursing comes to the home and to easily assist in daily life activities as well as providing comfort and support through this difficult time.

Included is a rough sketch of the property with placement of existing structures as well as where the new structure would be placed. Also included is a plan of how the structure would be developed.

The following are responses to the subsections of the §800-48 R-SH Single-Household Residential Zone document:

- I. Pursuant to §800-48 subsection H:
  - A. Proposed coverage is less than 50% of the entire area.
  - B. Proposed structure would be less than 400 square feet.
- II. Pursuant to §800-48 subsection L:
  - A. The setback for the proposed structure is greater than 10 feet.
  - B. The proposed structure is at least 3 feet from the lot lines.
- III. Pursuant to §800-48 subsection N:
  - A. There is off-street parking as well as parking behind the property which both can accommodate two cars each for a total of four cars.

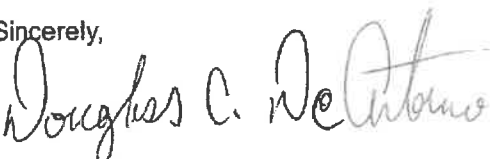
This proposed structure will be primarily used for the family member. And although persons with dementia/Alzheimers have a shortened lifespan, they can live up to 20 years depending on the treatments.

With that in mind, we do realize that the variance is contingent on the possible use of the property after the family member's death. We have considered the following scenarios for use of the structure after the family member is no longer with us, and is subject to the conditions that may be placed on us from the Zoning Board:

1. To be used when family and/or friends visit when coming from out of town.
2. To be used as an office space as I do work from home and can convert it easily for that use.
3. To be used as a temporary rental for traveling nurses from the UPMC Altoona Hospital.

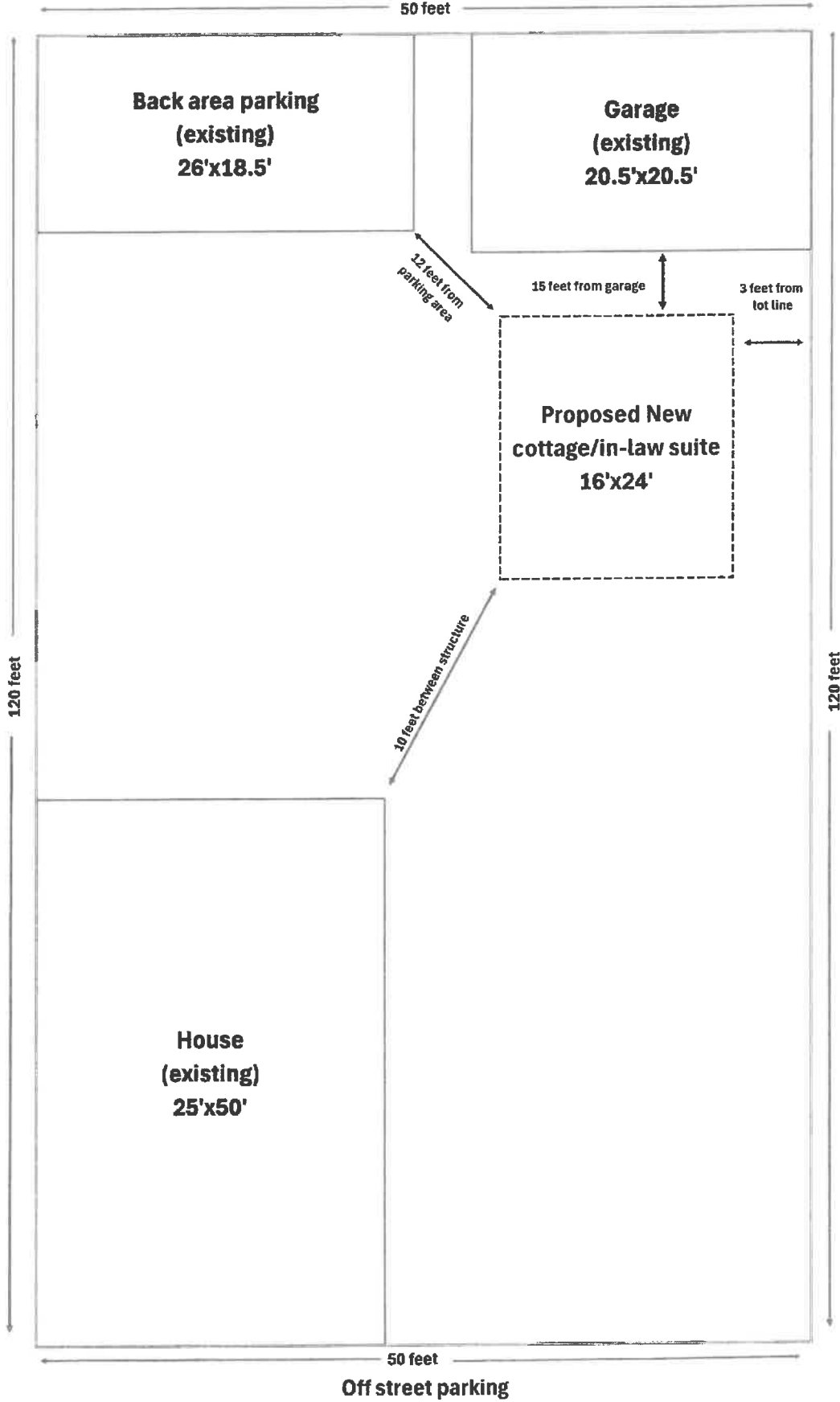
We would appreciate your consideration in granting this variance and thank you for taking the time to look over this request.

Sincerely,

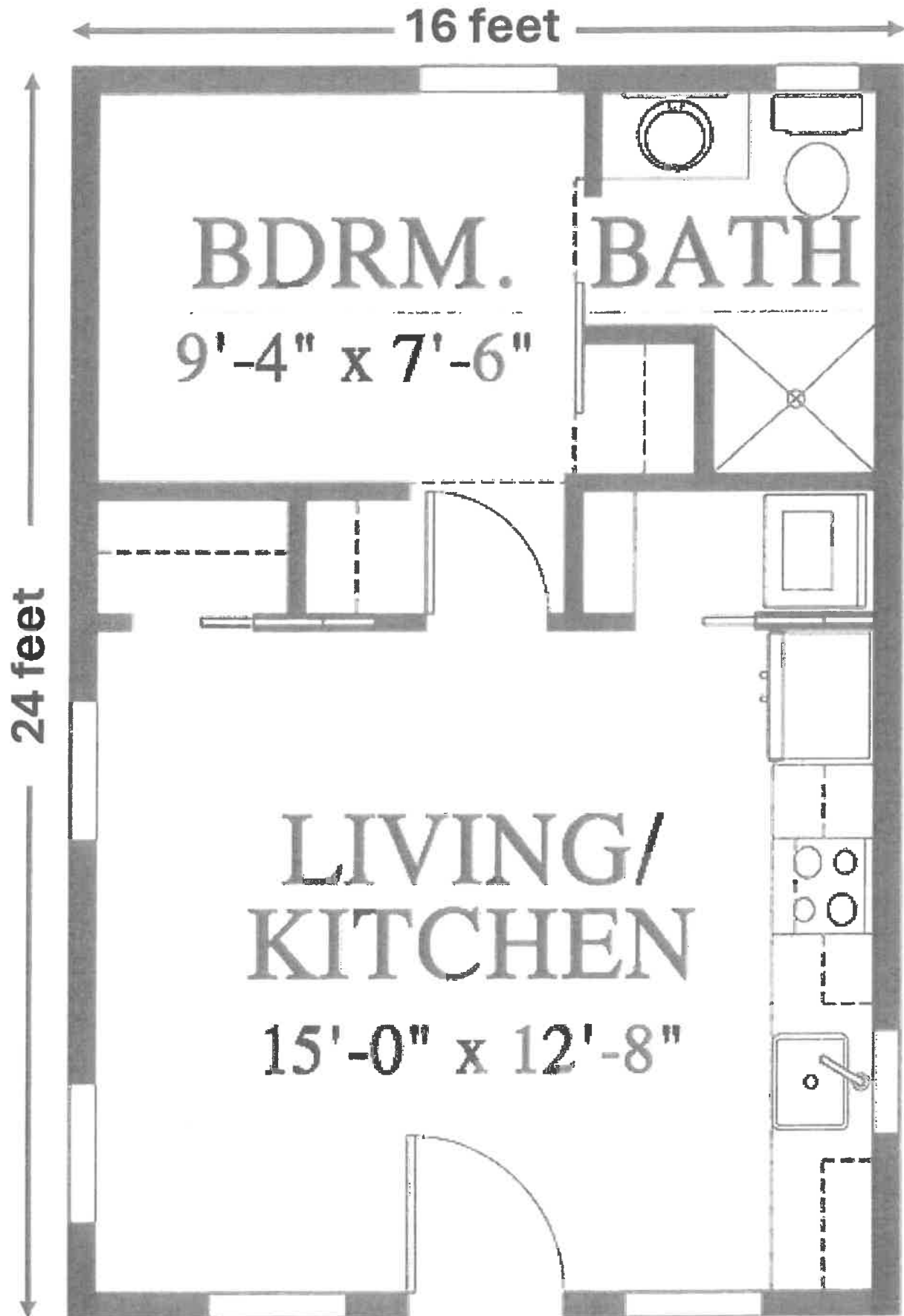


Douglass C. DeAntonio

313-15 23rd Avenue, Altoona, PA 16601



Proposed new structure.  
313-15 23<sup>rd</sup> Avenue, Altoona, PA 16601





# R-SH

01.11-15.-057.00-000 ROESCH FRANK D

01.11-15.-059.00-000 MENTZER BRENDA K & FAILLA GIUSEPPE 316

01.11-15.-063.00-000 KLINGER KENNETH F & DEBORAH A

01.11-15.-068.00-000 BARNES JIMMY DALE 322

01.11-15.-069.00-000 SALCH MARTHA A

01.11-15.-056.00-000 BARRETT GARY L & DEBORAH J 310

01.11-15.-056.00-000 A & VICKI N

01.11-15.-117.00-000 DALANSKY KAYLEIGH E 2215

01.11-15.-118.00-000 THRIVE ACQUISITIONS INC 2211

01.11-15.-116.00-000 RUBINE MICHAEL R & JANIS E 307

01.11-15.-115.00-000 SHARP ANDREW M 311

01.11-15.-114.00-000 DEANTONIO DOLORES M & DOUGLASS 313

01.11-15.-113.00-000 SIPES DANIEL L & JANICE A 319

01.11-15.-112.00-000 LEE DANETTE C REIDY PATRICIA M 321

01.11-15.-110.00-000 DIEHL JUDITH & CHADNEY 325

01.11-15.-109.00-000 CLAPPER VIOLA M 317

01.11-15.-108.00-000 LONG ASHLEY L & MINNIOIA PATRICK A 327

01.11-15.-107.00-000

01.11-15.-126.08-000 PROFESSIONAL HOUSING SOLUTIONS LLC DEAMER DONALD 314

01.11-15.-125.00-000 MICCOY SAMUEL H & BROOKE R 316

01.11-15.-124.00-000 NYIRI ALTARA L 312

01.11-15.-123.00-000 BAUGHMAN KATHY C & DANIEL J 314

01.11-15.-122.00-000 LEDFORD MARK 308

01.11-15.-121.00-000 CAROTHERS NICKOL J & GOMES ASPIN 316

01.11-15.-120.00-000 HAME DALTON 316

23rd Ave

24th Ave

25th Ave

26th Ave

27th Ave

28th Ave

29th Ave

30th Ave

31st Ave

32nd Ave

33rd Ave

34th Ave

35th Ave

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97th Ave

98th Ave

99th Ave

100th Ave



CODES & INSPECTIONS DEPARTMENT  
1301 12<sup>TH</sup> STREET, SUITE 103  
ALTOONA, PA 16601  
(814) 949-2456

**ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE**

(INSTRUCTIONS LOCATED ON REVERSE SIDE)

PROPERTY LOCATION: <del>2313 23th Avenue Altoona PA 16602</del> 2621 5TH AVE ALTOONA PA 16602
PURPOSE OF APPEAL: SEE MAIL RECOMMENDATION FROM 5TH AVE PLANNING CODE AND 27TH ST.
DESCRIPTION OF PREMISES:
USE OF PREMISES: Residential
OFF-STREET PARKING: YES - REAL/ALLOT

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

**PROPERTY OWNER INFORMATION**

NAME: Pamela Kinkade	
ADDRESS: Same	
PHONE: 814-330-7795	EMAIL: pamrn0728@gmail.com

**APPLICANT INFORMATION**

NAME: same	
ADDRESS: same	
PHONE: same	EMAIL: same

**DESIGN PROFESSIONAL INFORMATION**

NAME: Non-Applicable	
ADDRESS:	
PHONE:	EMAIL:

*Pamela A. Kinkade*  
SIGNATURE OF APPLICANT

3/27/24  
DATE

**OFFICE USE ONLY**

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		



Pamela Kinkade

2621 5<sup>th</sup> Ave

Altoona PA 16602

I am looking to replace a residential home that was lost to a fire back in 2021/2022 at 2621 5<sup>th</sup> Avenue Altoona PA 16602.

I had two parcels combined into one on February 2, 2024.

In order to keep with the direction of the homes on the street, I am requesting a variance from 5<sup>th</sup> Street to align the front of the new home with the others on both sides of the street to be 3 feet setback.

Given the layout of the two parcels, I will need a distance variance from my neighbor and from 27<sup>th</sup> Street.

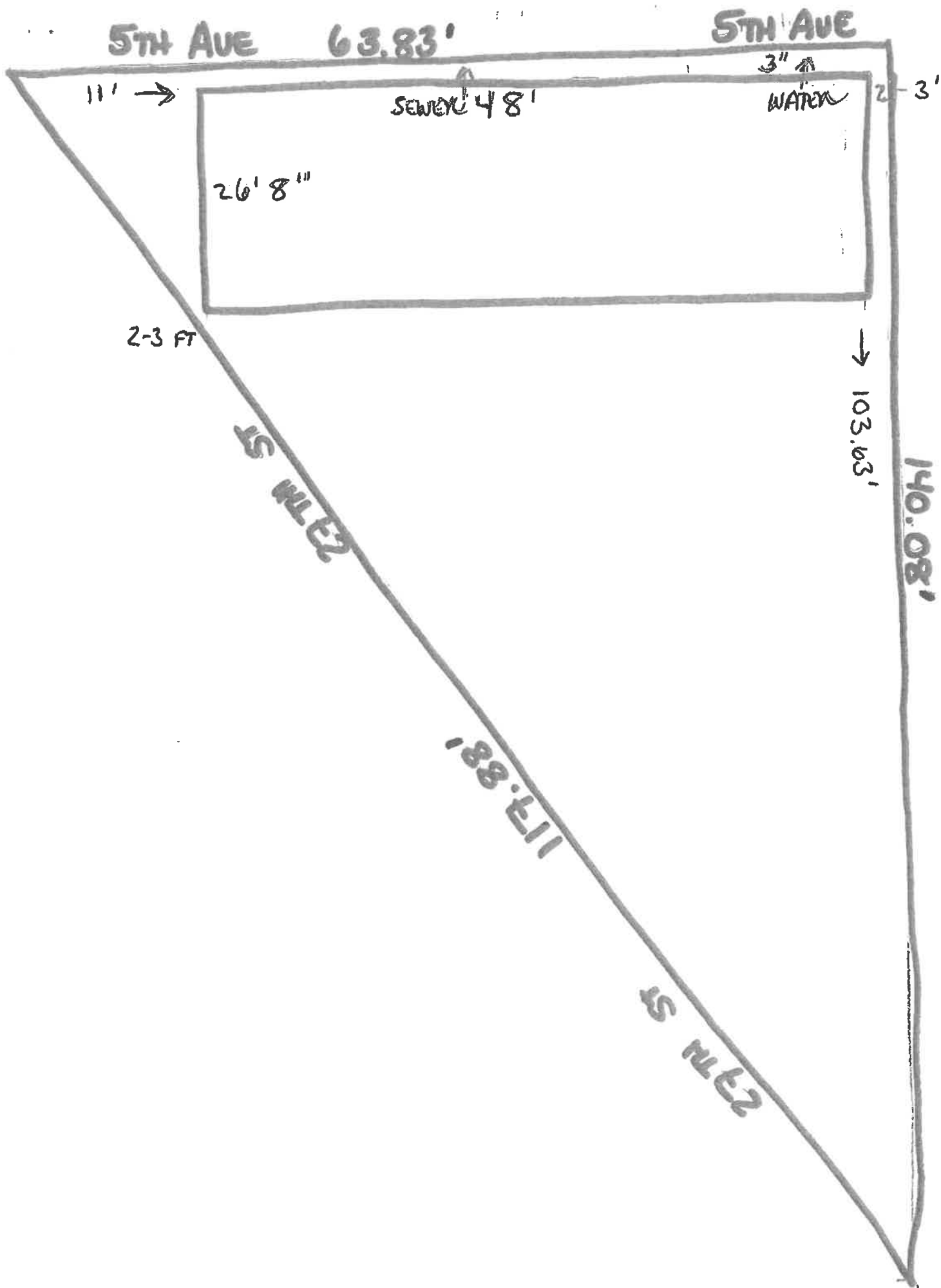
Neighbor parcel to house: 2-3 feet

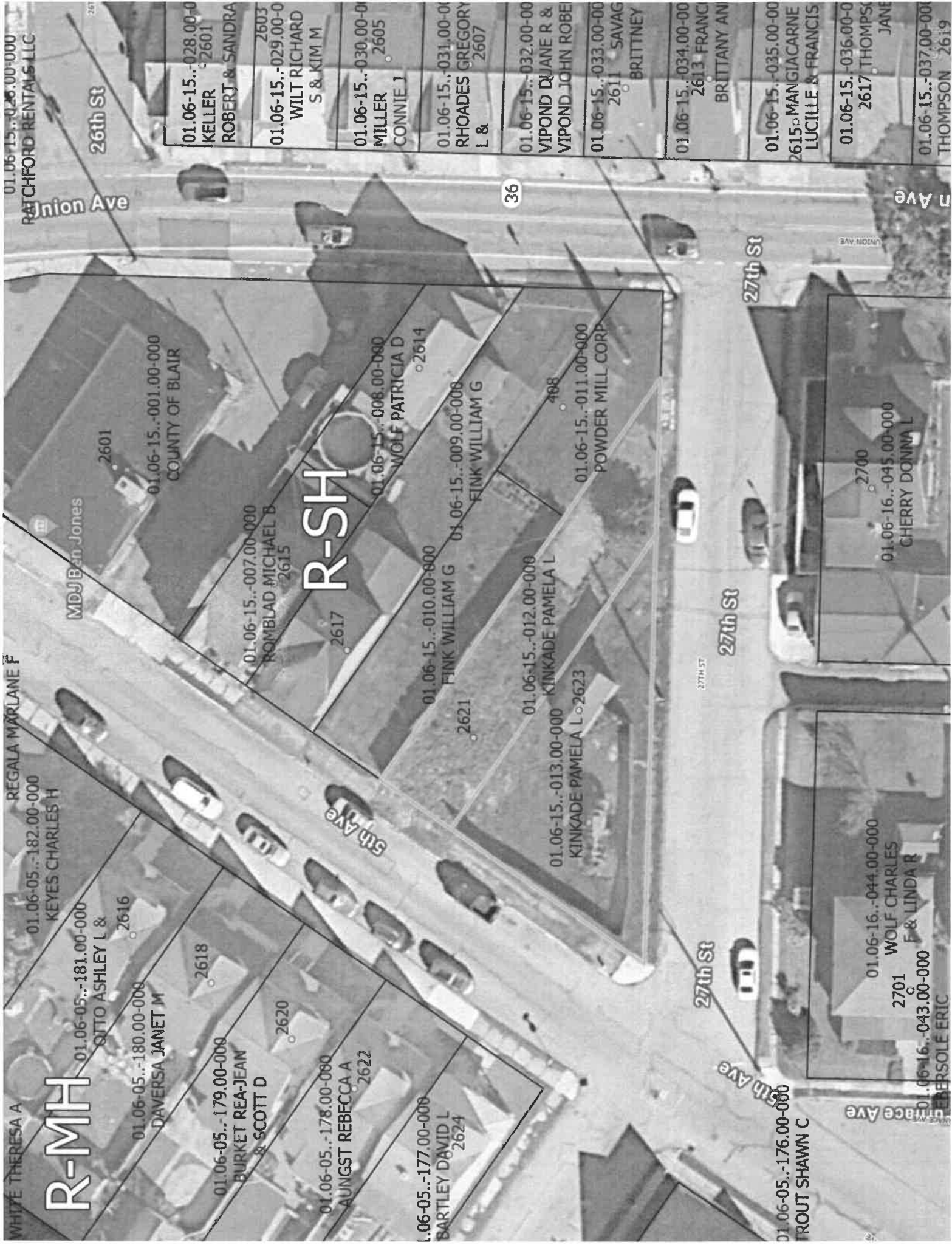
27<sup>th</sup> Street to home Front Left corner: 11 feet

27<sup>th</sup> Street to home Back Left corner: 2-3 feet

Home and contractors are ready to begin work to allow us to get our lives back to a normal routine after 2 years of uncertainty and chaos since losing our home.

Your consideration is greatly appreciated.





01.06-15.-026.00-000  
PATCHFORD RENTALS LLC

26th St

01.06-15.-028.00-000  
KELLER ROBERT & SANDRA  
2601

01.06-15.-029.00-000  
WILT RICHARD S & KIM M  
2603

01.06-15.-030.00-000  
MILLER CONNIE I  
2605

01.06-15.-031.00-000  
RHOADES GREGORY L &  
2607

01.06-15.-032.00-000  
VIPOND DJANE R & VIPOND JOHN ROBE  
2611 SAVAG BRITTNEY

01.06-15.-034.00-000  
2613 FRANC BRITTANY AN

01.06-15.-035.00-000  
2615 MANGIACARNE LUCILLE & FRANCIS

01.06-15.-036.00-000  
2617 THOMPSON JANE

01.06-15.-037.00-000  
THOMPSON 2619

Union Ave

36

Union Ave

01.06-15.-001.00-000  
COUNTY OF BLAIR  
2601

01.06-15.-007.00-000  
ROMBLAD MICHAEL B  
2615

R-SH

01.06-15.-008.00-000  
WOLF PATRICIA D  
2614

01.06-15.-009.00-000  
FINK WILLIAM G  
2621

01.06-15.-011.00-000  
POWDER MILL CORP  
408

REGALA MARLANE F  
01.06-05.-182.00-000  
KEYES CHARLES H

01.06-05.-181.00-000  
GITTO ASHLEY L &  
2616

01.06-05.-180.00-000  
DAVERSA JANET M  
2618

01.06-05.-179.00-000  
BURKET REA-JEAN & SCOTT D  
2620

01.06-05.-178.00-000  
AUNGST REBECCA A  
2622

01.06-05.-177.00-000  
BARTLEY DAVID L  
2624

5th Ave

01.06-15.-010.00-000  
FINK WILLIAM G  
2621

01.06-15.-012.00-000  
KINKADE PAMELA L  
2623

27th St

27th St

27th St

01.06-16.-044.00-000  
WOLF CHARLES F & LINDA R  
2701

01.06-16.-043.00-000  
BERSOLE ERIC

5th Ave

01.06-16.-045.00-000  
CHERRY DONNA L  
2700

**§ 800-18. Nonconforming vacant lots.**

- A. A "prerecorded nonconforming lot" is a lot consisting entirely of a tract of land that:
- (1) Has less than the prescribed minimum lot size, width, depth, or any combination thereof, for the district in which it is located.
  - (2) Is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of such size, width, depth, or any combination thereof, at such location would not have been prohibited by any zoning ordinance.
  - (3) Has remained in separate and individual ownership from adjoining tracts or land continuously during the entire time that the creation of such lot has been prohibited by the applicable zoning ordinance.
- B. If the development on such a lot cannot conform to the side yard requirements of the district in which it is located, then the development must conform to a requirement of three feet for each side yard. On a corner lot, the side yard abutting the street shall not be less than 10 feet. In no case shall any obstruction be permitted in the areas defined by § 800-39, Obstruction to vision.

## Chapter 800. Zoning

### Article V. District Provisions

#### § 800-48. R-SH Single-Household Residential Zone.

- A. Purpose. The purpose of this zone is to provide areas within the City for the development of medium, low density, primarily residential single-household detached homes, and to protect those areas presently developed in this manner.
- B. Permitted uses.
- (1) Residential uses.
    - (a) Single-household detached dwellings.
    - (b) Group homes for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments. (Such classes include the elderly, the homeless, recovering drug addicts, persons with AIDS, the mentally challenged, and the mentally ill.)
    - (c) Halfway houses for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments.
    - (d) Row house/townhouse dwellings on lots of at least 1/2 acre.
    - (e) Accessory buildings and uses on the same lot which are customarily incidental to the above use.
  - (2) Nonresidential uses.
    - (a) Cemeteries.
    - (b) Forestry activities.
    - (c) Governmental facilities.
    - (d) Houses of worship.
    - (e) Minor-impact home-based businesses.
    - (f) Parks, playgrounds, and open space.
    - (g) Public utility transmission and distribution lines, substations, water pumping stations, and reservoirs.
    - (h) Accessory buildings and uses on the same lot which are customarily incidental to the permitted nonresidential uses in this section.
- C. Special exceptions. The following uses may be permitted by the Zoning Hearing Board if it finds the conditions listed for the use are met. The Zoning Hearing Board may work in conjunction with the Planning Commission and its responsibilities under Chapter 640 in granting approval.

(1) Bus shelters.

- (a) Shall not impair sight distances at intersections or otherwise pose a hazard to moving traffic.
- (b) Shall not contain advertising of any kind except identification of the bus company and a posting of relevant schedule and service information.
- (c) Shall be perpetually maintained and kept clean and sanitary. This guarantee can be made through an agreement or other binding legal instrument.
- (d) Shall not be placed on private property without the owner's consent.
- (e) Shall be completely removed and the site restored to its original condition if the location no longer warrants a shelter. This guarantee can be made through an agreement or other binding legal instrument.
- (f) Shall not interfere with adjacent property owners' use and enjoyment of property.

(2) Educational services.

- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
- (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.

(3) Public libraries and museums.

- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
- (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.
- (f) The facilities shall not hold public gathering functions unless specifically permitted by the Zoning Hearing Board. If such function is granted, it shall be conditional on the applicant's ability to comply with the provisions of Chapter **640**.

(4) Major-impact home-based businesses.

- (a) Shall not alter the residential appearance of the building or any accessory buildings.
  - (b) The business shall be owned and operated by the person (or a member of his or her immediate family) owning and occupying the premises on which the business is to be conducted.
  - (c) Not more than one nonfamily member is on the premises at any given time who assists or engages in the business.
  - (d) Any use of space outside of the principal structure shall be screened from the street and abutting properties. If the business does not trigger the requirements of Chapter 640, the Zoning Hearing Board shall apply the standards contained in Chapter 640 to the business.
  - (e) Traffic shall not be noticeably increased above that normally associated with a single-household dwelling.
- (5) Bed-and-breakfast facilities.
- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
  - (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
  - (c) Off-street parking shall be provided at a ratio of one parking space per available room. This shall be in addition to the required parking for a single-family dwelling. The Zoning Hearing Board may approve off-site parking to accommodate this requirement as part of the approval of the special exception for the bed-and-breakfast.
  - (d) Lodging shall not be rented for more than one month for any given person in any six-month period.
  - (e) The property owner must use the building as his or her principal residence and manage the bed-and-breakfast.
  - (f) The area reserved for the owner's residence and the bed-and-breakfast areas shall be connected internally, and each shall share a common main entrance.
  - (g) As part of any approval, the Zoning Hearing Board may require an applicant for a bed-and-breakfast to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them for as long as the bed-and-breakfast is in operation.
- (6) Accessory structures on adjacent lots in common ownership.
- (a) The size, scale and type of structure is normally associated with a single-family home in the affected neighborhood.
  - (b) No public street runs between the principal structure and the proposed accessory structure. An alley shall not be considered a street for this finding.
  - (c) The structure is designed so that it cannot be converted into a second dwelling unit or other principal use unless it is to be directly attached and fully integrated into the principal structure for use by a member of the immediate family of the occupant of the principal structure.
  - (d) The involved parcels of land are legally tied together such that they cannot be individually conveyed into separate ownership until the accessory structure(s) approved under this subsection have been fully removed.
- (7) Student home. Student homes are permitted in all zoning districts that allow residential uses, pursuant to district provisions applicable for one (single) family and twin, semidetached,

duplex and/or row house family dwelling use. However, student homes are permitted only when all of the following standards are met:

- (a) The maximum number of occupants permitted in a student home shall be determined, as it is for all dwellings, by Chapter Four, Section 404 ("Occupancy Limitations") of the applicable version of the International Property Maintenance Code. A Building Inspector from the City's Inspections. Department will determine this number at his or her initial inspection.
  - (b) No student home shall be located on a lot any portion of which is closer than 250 feet to another lot used for a student home.
  - (c) No more than one dwelling unit in a twin, semidetached, duplex and/or row house dwelling may be used as a student home.
  - (d) No more than one building on a lot may be used as a student home.
  - (e) A minimum of two paved parking spaces shall be provided per dwelling unit in driveways or off-street parking areas, plus one space for every student over four students. All off-street parking must be provided on the same parcel as the student home.
  - (f) No student home shall be occupied or used as such until a zoning permit and residential rental unit license have been issued. Plans showing the lot layout, parking area, landscaping, interior rooms, and floor area dimensions are required.
- (8) Commercial uses. New office, retail, restaurant uses, and these uses mixed with residences may be established in existing former commercial public school and industrial buildings and government facilities within this district so long as the Zoning Hearing Board does the following. Note that this special exception is to be used to allow the reuse and preservation of existing buildings and not new construction. Former buildings that have already been converted to residences are not eligible for this special exception.  
[Amended 2-13-2019 by Ord. No. 5741]
- (a) Finds a demonstrated history of the building being used for commercial, retail, office, public school, governmental, or industrial purposes.
  - (b) Finds exterior features of the building demonstrating that it was designed for commercial, retail, office, public school, governmental, or industrial purposes. The essential architectural character of the building is to be preserved.
  - (c) Finds that converting the building into a conforming permitted use or activity would be cost-prohibitive.
  - (d) Finds that the proposed use of the building is similar to the use for which the building was designed and used, or will have less of an impact than that use, especially on traffic and parking.
  - (e) Finds that the required public notice was given.
  - (f) Finds that enough parking exists on site and on the adjacent streets and avenues so that the activity proposed for the building will not compete with the surrounding neighborhood's parking needs. In counting the number of parking spaces available for the building, the on-street spaces adjacent to its lot shall be counted. Estimates of parking needs shall not exceed those given at Chapter **640**.
  - (g) Sets reasonable limits on the hours of operation, number of employees, noise levels, and odors of the proposed business.
  - (h) Requires that the building not be expanded more than 20% of its existing height or footprint unless this is otherwise required by building codes. Note that all existing lot coverage and setback requirements shall apply.



- (i) Finds that the traffic and deliveries generated by the proposed business will not significantly change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
  - (j) Requires that no exterior loudspeaker systems or other audible signals which can be heard at the property line will be used.
  - (k) Finds that signage will be limited to either the building's existing signage or one wall sign per each street frontage not exceeding 10 square feet. Traffic signs shall be permitted as necessary through the land development process, and off-premises outdoor advertising shall be prohibited on such buildings.
  - (l) Hears staff recommendations on the above requirements.
  - (m) As part of any approval, the Zoning Hearing Board may attach any reasonable conditions and safeguards, in addition to the requirements of this chapter, that it deems necessary to protect the surrounding neighborhood from the impacts of the building being reused.
  - (n) As part of any approval, the Zoning Hearing Board may require the applicant to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them and any other conditions imposed by the Board for as long as the business is in operation.
- (9) Off-site parking.
- (a) No space exists on the principal lot for adequate parking.
  - (b) The center of the lot is within 400 feet of the principal use.
  - (c) Space is sufficient to allow full compliance with the land development standards set forth in Chapter 640.
  - (d) The lot will not allow the principal use to exceed the maximum parking allowances set forth in the land development standards.
  - (e) The installation of parking at this location will not have a deleterious effect on the overall neighborhood in terms of residential stability and economic development.
  - (f) The installation of the parking facility will not necessitate the demolition of a viable and structurally sound building.
- D. Conditional uses: none.
- E. Prohibited uses. Any use not complying with the specifications of this article is prohibited.
- F. Height. The height of a structure shall be not greater than 35 feet. The height of a dwelling unit shall be not less than one story.
- G. Area. The lot area per dwelling unit shall not be less than 3,000 square feet.
- H. Coverage. The coverage shall be no more than 50%.
- I. Width. The lot width at the building line shall not be less than 25 feet.
- J. Frontage. All lots shall have a minimum of 25 feet frontage on a street that meets PennDOT and/or current subdivision and land development standards.
- K. Setbacks.
- (1) Each lot shall have setbacks of not less than the depth or width indicated below:

<b>Location</b>	<b>Setback Characteristic</b>	<b>Lot Characteristics</b>	<b>Minimum Setback (feet)</b>
Front	Depth	—	15 or the average front setback distance on the property's block, whichever is less
Rear	Depth	—	30
Side	Width	Interior lot	2
Side	Width	Corner lot nonstreet	2
Side	Width	Corner lot abutting a street	15

- (2) Additions to an existing building may be built in line with that building in side yards so long as:
- (a) The addition does not encroach any further into the side yard than the existing building already does; and
  - (b) The addition does not encroach on any front or rear setback requirements.

L. Accessory structures.

- (1) An accessory structure and/or swimming pool shall not be erected nor shall its dimensions be increased in front of the main structure.
- (2) An accessory structure, patio and/or swimming pool may be erected within the rear yard or side yard, provided that the height, area, width and coverage requirements contained in this section and the following are met:
  - (a) An accessory structure shall be erected according to the following setbacks:

<b>Setback From</b>	<b>Minimum Setback</b>
Rear of principal structure	10 feet
Side lot line with lot width 25 feet or less	18 inches
Side lot line with lot width 26 feet or greater	3 feet
Rear lot line	7 feet

M. Permitted setback encroachments.

- (1) Cornices, eaves, gutters, bay windows, or chimneys may encroach into the required setback of a lot not more than 24 inches. However, no cornices, eaves, gutters, bay windows, or chimneys may be closer than one foot from any side lot line.
- (2) A covered carport or covered patio or porch open on three sides may be erected within one of the side yards or rear yard when attached to a main structure existing at the effective date of this chapter, provided the covered carport or covered patio or porch open on three sides shall be not less than 3 1/2 feet from the side or rear lot line and shall never be enclosed.
- (3) A wheelchair ramp or lift may be installed within setbacks if it is approved by the Zoning Hearing Board as a special exception using the following conditions: the structure has no other available means of ADA access, the incursion into the setback is as small as possible, and the owner agrees to remove the ramp or lift when it is no longer needed and the City requests the removal. As always, the Zoning Hearing Board may attach additional conditions. [Added 7-12-2017 by Ord. No. 5706]

N. Off-street parking. Parking for the uses in the Single-Household Residential Zone shall be as follows:

- (1) Residential uses not subject to land development review under Chapter 640 shall be provided with a minimum of one and a maximum of three off-street parking spaces per dwelling unit.
  - (2) Minor-impact home-based businesses shall neither increase nor decrease the number of spaces required for the property.
  - (3) Uses governed by a land development review under Part 7 shall meet the parking requirements established as a result of the requisite review.
  - (4) All other uses shall be provided with a minimum of one off-street parking space and a maximum of four off-street parking spaces.
- O. Signs. Signs, when provided, shall conform to those regulations contained in Article VI of this chapter, Signs.
- P. Floodplains. All permitted uses located within a floodplain as identified on the Flood Boundary and Floodway Maps must comply with the provisions and requirements of Chapter 362.
- Q. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.
- R. Fences and walls.
- (1) Fences and walls may be erected, altered, and maintained in any residential district within the setbacks, provided that:
    - (a) Any wall or fence forward of the front yard setback shall not exceed four feet in height. Commercial businesses or institutions may build security fences up to 10 feet in height forward of the front setback line if the fences are at least 50% open and do not block visibility at intersections.
    - (b) Any fence in the rear yard or side yard shall be permitted a maximum height of seven feet. Such fences may extend upward a maximum height of 10 feet if the fence is at least 50% open.
    - (c) This provision shall not apply to retaining walls or vegetated screening.
  - (2) Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § 800-39 Obstruction to vision, and Subsection R(1)(a) of this section are met.
  - (3) Barbed wire, razor wire and aboveground electric fences shall not be permitted.<sup>[1]</sup>
- [1] Former Subsection R(4), regarding a special exception from the Zoning Hearing Board, which immediately followed this subsection, was repealed 8-14-2019 by Ord. No. 5748.

## Chapter 800. Zoning

### Article V. District Provisions

#### § 800-50. R-MH Multiple-Household Residential Zone.

- A. Purpose. It is the purpose of this zone to provide areas for medium-density residential use, relatively small lot sizes, duplexes, townhomes, and attached as well as detached dwellings, while protecting the characteristics of these areas.  
[Amended 7-12-2017 by Ord. No. 5706]
- B. Permitted uses.
- (1) Residential uses.
    - (a) Single-household detached dwellings.
    - (b) Two-household duplex, two-household double dwellings, or row houses/townhomes.
    - (c) Group homes for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments. (Such classes include the elderly, the homeless, recovering drug addicts, persons with AIDS, the mentally challenged, and the mentally ill.)
    - (d) Halfway houses for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments.
    - (e) Accessory buildings and uses on the same lot which are customarily incidental to the permitted residential uses in this section.
  - (2) Nonresidential uses.
    - (a) Cemeteries.
    - (b) Emergency shelters.
    - (c) Forestry activities.
    - (d) Governmental facilities.
    - (e) Houses of worship.
    - (f) Minor-impact home-based businesses.
    - (g) Parks, playgrounds, and open space.
    - (h) Public utility transmission and distribution lines, substations, water pumping stations, and reservoirs.
    - (i) Shelters for victims of domestic abuse.
    - (j) Accessory buildings and uses on the same lot which are customarily incidental to the permitted nonresidential uses in this section.

C. Special exceptions. The following uses may be permitted by the Zoning Hearing Board if it finds the conditions listed for the use are met. The Zoning Hearing Board may work in conjunction with the Planning Commission and its responsibilities under Chapter 640 in granting approval.

(1) Bus shelters.

- (a) Shall not impair sight distances at intersections or otherwise pose a hazard to moving traffic.
- (b) Shall not contain advertising of any kind except identification of the bus company and a posting of relevant schedule and service information.
- (c) Shall be perpetually maintained and kept clean and sanitary. This guarantee can be made through an agreement or other binding legal instrument.
- (d) Shall not be placed on private property without the owner's consent.
- (e) Shall be completely removed and the site restored to its original condition if the location no longer warrants a shelter. This guarantee can be made through an agreement or other binding legal instrument.
- (f) Shall not interfere with adjacent property owners' use and enjoyment of property.

(2) Educational services.

- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
- (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.

(3) Public libraries and museums.

- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
- (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.
- (f) The facilities shall not hold public gathering functions unless specifically permitted by the Zoning Hearing Board. If such function is granted, it shall be conditional on the applicant's

ability to comply with the provisions of Chapter **640**.

(4) Major-impact home-based businesses.

- (a) Shall not alter the residential appearance of the building or any accessory buildings.
- (b) The business shall be owned and operated by the person (or a member of his or her immediate family) owning and occupying the premises on which the business is to be conducted.
- (c) Not more than one nonfamily member is on the premises at any given time who assists or engages in the business.
- (d) Any use of space outside of the principal structure shall be screened from the street and abutting properties. If the business does not trigger the requirements of Chapter **640**, the Zoning Hearing Board shall apply the standards contained in Chapter **640** to the business.
- (e) Traffic shall not be noticeably increased above that normally associated with a single-household dwelling.

(5) Bed-and-breakfast facilities.

- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- (c) Off-street parking shall be provided at a ratio of one parking space per available room. This shall be in addition to the required parking for a single-family dwelling. The Zoning Hearing Board may approve off-site parking to accommodate this requirement as part of the approval of the special exception for the bed-and-breakfast.
- (d) Lodging shall not be rented for more than one month for any given person in any six-month period.
- (e) The property owner must use the building as his or her principal residence and manage the bed-and-breakfast.
- (f) The area reserved for the owner's residence and the bed-and-breakfast areas shall be connected internally, and each shall share a common main entrance.
- (g) As part of any approval, the Zoning Hearing Board may require an applicant for a bed-and-breakfast to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them for as long as the bed-and-breakfast is in operation.

(6) Accessory structures on adjacent lots in common ownership.

- (a) The size, scale and type of structure is normally associated with a single-family home in the affected neighborhood.
- (b) No public street runs between the principal structure and the proposed accessory structure. An alley shall not be considered a street for this finding.
- (c) The structure is designed so that it cannot be converted into a second dwelling unit or other principal use unless it is to be directly attached and fully integrated into the principal structure for use by a member of the immediate family of the occupant of the principal structure.
- (d) The involved parcels of land are legally tied together such that they cannot be individually conveyed into separate ownership until the accessory structure(s) approved under this subsection have been fully removed.

- (7) Conversion apartments. Any single-family dwelling existing at the effective date of this chapter may be converted into a multifamily dwelling, providing that:
  - (a) It does not exceed density standards.
  - (b) The lot area per dwelling unit shall conform to the regulations for the zone in which it is located.
  - (c) Fire escapes, where required, shall be in the rear of the structure and shall not be located on any wall facing a street.
  - (d) Parking shall be provided in accordance with the provision of Subsection N of this section.
- (8) Student homes. Student homes are permitted in all zoning districts that allow residential uses, pursuant to district provisions applicable for one (single) family and twin, semidetached, duplex and/or row house family dwelling use. However, student homes are permitted only when all of the following standards are met:
  - (a) The maximum number of occupants permitted in a student home shall be determined, as it is for all dwellings, by Chapter Four, Section 404 ("Occupancy Limitations") of the applicable version of the International Property Maintenance Code. A Building Inspector from the City's Inspections Department will determine this number at his or her initial inspection.
  - (b) No student home shall be located on a lot any portion of which is closer than 200 feet to another lot used for a student home.
  - (c) No more than one dwelling unit in a twin, semidetached, duplex and/or row house dwelling may be used as a student home.
  - (d) No more than one building on a lot may be used as a student home.
  - (e) A minimum of two paved parking spaces shall be provided per dwelling unit in driveways or off-street parking areas, plus one space for every student over four students. All off-street parking must be provided on the same parcel as the student home.
  - (f) No student home shall be occupied or used as such until a zoning permit and residential rental unit license have been issued. Plans showing the lot layout, parking area, landscaping, interior rooms, and floor area dimensions are required.
- (9) Commercial uses. New office, retail, restaurant uses, and these uses mixed with residences may be established in existing former commercial, public school and industrial buildings and government facilities within this district so long as the Zoning Hearing Board does the following. Note that this special exception is to be used to allow the reuse and preservation of existing buildings and not new construction. Former buildings that have already been converted to residences are not eligible for this special exception.  
[Amended 2-13-2019 by Ord. No. 5741]
  - (a) Finds a demonstrated history of the building being used for commercial, retail, office, public school, governmental, or industrial purposes.
  - (b) Finds exterior features of the building demonstrating that it was designed for commercial, retail, office, public school, governmental, or industrial purposes. The essential architectural character of the building is to be preserved.
  - (c) Finds that converting the building into a conforming permitted use or activity would be cost-prohibitive.
  - (d) Finds that the proposed use of the building is similar to the use for which the building was designed and used, or will have less of an impact than that use, especially on traffic and parking.

- (e) Finds that the required public notice was given.
- (f) Finds that enough parking exists on site and on the adjacent streets and avenues so that the activity proposed for the building will not compete with the surrounding neighborhood's parking needs. In counting the number of parking spaces available for the building, the on-street spaces adjacent to its lot shall be counted. Estimates of parking needs shall not exceed those given at Chapter **640**.
- (g) Sets reasonable limits on the hours of operation, number of employees, noise levels, and odors of the proposed business.
- (h) Requires that the building not be expanded more than 20% of its existing height or footprint unless this is otherwise required by building codes. Note that all existing lot coverage and setback requirements shall apply.
- (i) Finds that the traffic and deliveries generated by the proposed business will not significantly change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (j) Requires that no exterior loudspeaker systems or other audible signals which can be heard at the property line will be used.
- (k) Finds that signage will be limited to either the building's existing signage or one wall sign per each street frontage not exceeding 10 square feet. Traffic signs shall be permitted as necessary through the land development process, and new off-premises outdoor advertising shall be prohibited on such buildings.
- (l) Hears staff recommendations on the above requirements.
- (m) As part of any approval, the Zoning Hearing Board may attach any reasonable conditions and safeguards, in addition to the requirements of this chapter, that it deems necessary to protect the surrounding neighborhood from the impacts of the building being reused.
- (n) As part of any approval, the Zoning Hearing Board may require the applicant to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them and any other conditions imposed by the Board for as long as the business is in operation.

(10) Off-site parking.

- (a) No space exists on the principal lot for adequate parking.
- (b) The center of the lot is within 400 feet of the principal use.
- (c) Space is sufficient to allow full compliance with the land development standards set forth in Chapter **640**.
- (d) The lot will not allow the principal use to exceed the maximum parking allowances set forth in the land development standards.
- (e) The installation of parking at this location will not have a deleterious effect on the overall neighborhood in terms of residential stability and economic development.
- (f) The installation of the parking facility will not necessitate the demolition of a viable and structurally sound building.

(11) Group homes for people not in a protected class.

[Added 7-12-2017 by Ord. No. 5706]

- (a) The owner of the property agrees to the arrangement.
- (b) The facility may be single-room occupancy if all other codes governing such arrangements can be met.



- (c) The owner of the property shall agree to make himself readily available to neighbors and City representatives to discuss and correct any problems arising from this use of the property.
- (d) The rental does not impair the normal peace of the neighborhood.
- (e) The exterior of the property appears as a single- or two-family house.
- (f) There shall be no signs advertising the property other than a sign informing the public when a room may be available for rent.
- (g) All required licenses and certificates, including the certificate of occupancy, must be obtained before this special exception may be granted. In addition, the group home shall provide off-street parking as detailed by § 640-63 of this Code. Finally, it shall demonstrate adequate security measures to the Zoning Hearing Board.

(12) Halfway houses for people not in a protected class.

[Added 7-12-2017 by Ord. No. 5706]

- (a) The owner of the property agrees to the arrangement.
- (b) The facility may be single-room occupancy if all other codes governing such arrangements can be met.
- (c) The owner of the property shall agree to make himself readily available to neighbors and City representatives to discuss and correct any problems arising from this use of the property.
- (d) The rental does not impair the normal peace of the neighborhood.
- (e) The exterior of the property appears as a single- or two-family house.
- (f) There shall be no signs advertising the property other than a sign informing the public when a room may be available for rent.
- (g) All required licenses and certificates, including the certificate of occupancy, must be obtained before this special exception may be granted. In addition, the group home shall provide off-street parking as detailed by § 640-63 of this Code. Finally, it shall demonstrate adequate security measures to the Zoning Hearing Board.

D. Conditional uses. None.

[Amended 7-12-2017 by Ord. No. 5706]

E. Prohibited uses. Any use not complying with the specifications of this article is prohibited.

F. Height. The height of a structure shall not be greater than 35 feet and shall not be less than one story.

G. Area. No lot shall be less than 2,725 square feet in area. The lot area per multifamily dwelling unit shall not be less than 2,160 square feet per unit.

H. Coverage. Building coverage shall be no more than 60% of the involved lot.

I. Width. Excepting row houses/townhomes, the lot width at the building line shall not be less than 25 feet.

J. Frontage. Excepting row houses/townhomes, the lot shall have a minimum of 25 feet frontage at the street right-of-way.

K. Setbacks. Each lot shall have setbacks of not less than the depth or width indicated below:

<b>Location</b>	<b>Setback Characteristic</b>	<b>Lot Characteristics</b>	<b>Minimum Setback (feet)</b>
Front	Depth	—	15 or the average front setback distance on the property's block, whichever is less
Rear	Depth	—	25
Side	Width	Interior lot	2
Side	Width	Corner lot nonstreet	2
Side	Width	Corner lot abutting a street	15

- (1) Low-rise apartments and townhouses must meet the above front and rear setback requirements and meet the following side setback requirements:
  - (a) No individual side yard setback will be required except for end-of-row dwellings. In such case, the side yards' setback shall be of a width not less than 20 feet total, with one side yard of at least eight feet in width. On a corner lot, the side yard abutting the street shall not be less than 20 feet in width, and the other side shall be not less than eight feet.
- (2) Additions to an existing building may be built in line with that building in side yards, so long as:
  - (a) The addition does not encroach any further into the side yard than the existing building already does; and
  - (b) The addition does not encroach on any front or rear setback requirements.

L. Accessory structures.

- (1) An accessory structure and/or swimming pool shall not be erected nor shall its dimensions be increased in front of the main structure.
- (2) An accessory structure, patio and/or swimming pool may be erected within the rear yard or side yard, provided that the height, area, width and coverage requirements contained in this section and the following are met.
  - (a) An accessory structure shall be erected according to the following setbacks:

<b>Setback From</b>	<b>Minimum Setback (feet)</b>
Rear of principal structure	10
Side lot line with lot width 25 feet or less	1 1/2
Side lot line with lot width 26 feet or greater	3
Rear lot line	7

M. Permitted setback encroachments.

- (1) Cornices, eaves, gutters, bay windows, or chimneys may encroach into the required setback of a lot not more than 24 inches. However, no cornices, eaves, gutters, bay windows, or chimneys may be closer than one foot from any side lot line.
- (2) A covered carport or covered patio or porch open on three sides may be erected within one of the side yards or rear yard when attached to a main structure existing at the effective date of this chapter, provided the covered carport or covered patio or porch open on three sides shall be not less than one foot from the side or rear lot line and shall never be enclosed.
- (3) A wheelchair ramp or lift may be installed within setbacks if it is approved by the Zoning Hearing Board as a special exception using the following conditions: the structure has no other

available means of ADA access, the incursion into the setback is as small as possible, and the owner agrees to remove the ramp or lift when it is no longer needed and the City requests the removal. As always, the Zoning Hearing Board may attach additional conditions.

[Added 7-12-2017 by Ord. No. 5706]

- N. Off-street parking. Parking for the uses in the Multiple-Household Residential Zone shall be as follows:
- (1) Residential uses not subject to land development review under Chapter **640** shall be provided with a minimum of one and a maximum of three off-street parking spaces per dwelling unit.
  - (2) Minor-impact home-based businesses shall neither increase nor decrease the number of spaces required for the property.
  - (3) Uses governed by a land development review under Chapter **640** shall meet the parking requirements established as a result of the requisite review.
  - (4) All other uses shall be provided with a minimum of one off-street parking space and a maximum of four off-street parking spaces.
- O. Signs. Signs, when provided, shall conform to those regulations contained in Article **VI** of this chapter, Signs.
- P. Floodplains. All permitted uses located within a floodplain as identified on the Flood Boundary and Floodway Maps must comply with the provisions and requirements of Chapter **362**.
- Q. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.
- R. Fences and walls.
- (1) Fences and walls may be erected, altered, and maintained in any residential district within the setbacks, provided that:
    - (a) Any wall or fence forward of the front yard setback shall not exceed four feet in height. Commercial businesses or institutions may build security fences up to 10 feet in height forward of the front setback line if the fences are at least 50% open and do not block visibility at intersections.
    - (b) Any fence in the rear yard or side yard shall be permitted a maximum height of seven feet. Such fences may extend upward a maximum height of 10 feet if the fence is at least 50% open.
    - (c) This provision shall not apply to retaining walls or vegetated screening.
  - (2) Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § **800-39**, Obstruction to vision, and Subsection **R(1)(a)** of this section are met.
  - (3) Barbed wire, razor wire and aboveground electric fences shall not be permitted.<sup>[1]</sup>
- [1] Former Subsection R(4), regarding a special exception from the Zoning Hearing Board, which immediately followed this subsection, was repealed 8-14-2019 by Ord. No. 5748.