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**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