

ZONING ORDINANCE

TOWNSHIP OF BARRETT  
Monroe County, Pennsylvania

As Amended  
August 1978

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## PROPOSED ZONING ORDINANCE

An Ordinance regulating and restricting the height, number of stories, and size of buildings and other structures, their construction, alteration, extension, repair, maintenance, and all facilities in or about such buildings and structures, the percentage of lot that may be occupied, the size, depth and width of yards and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, manufacturing, residence or other purposes; establishing districts and the boundaries thereof for said purposes; providing for the appointment of a Board of Adjustment and setting forth the duties and functions of said Board; and providing for the administration and enforcement of this Ordinance and Penalties for violation thereof.

ARTICLE I  
TITLE AND PURPOSE

1.100 SHORT TITLE

This Ordinance shall be known and cited as the "Barrett Township Zoning Ordinance."

1.200 PURPOSE

This Ordinance is hereby adopted in order:

- 1.201 To promote public health, safety, morality and the general welfare;
- 1.202 To encourage the most appropriate use of land;
- 1.203 To conserve and stabilize the value of property;
- 1.204 To provide adequate open spaces for light and air, and to prevent the spread of fires;
- 1.205 To prevent undue concentrations of population;
- 1.206 To lessen congestion on streets and highways.

## ARTICLE II

### ESTABLISHMENT AND DESIGNATION OF DISTRICTS

#### 2.100 NAMES OF ZONES

The several districts hereby established and into which the Township is divided are designated as follows:

- R-1 Low Density Residential Zone
- R-2 Medium Density Residential Zone
- B-1 General Business Zone
- M-1 Manufacturing Zone
- T-1 Resort Business Zone
- S-1 Special Use Zone

#### 2.200 ZONING MAP

The location and boundaries of said districts are hereby established as shown on the Zoning Map of the Township of Barrett attached hereto and hereby made a part of this Ordinance. Said map or maps and all notations, references and designations shown thereon shall be as much a part of this Ordinance as if the same were all fully described and set forth herein.

#### 2.300 INTERPRETATION OF BOUNDARIES

Where uncertainty exists as to the boundaries of any of the aforesaid districts as shown on said zoning map, the Board upon written application or upon its own motion shall determine the location of such boundaries.

#### 2.400 LIMITATION OF LAND USE

Except as provided in this Ordinance, no building or part thereof or other structure shall be erected, altered, added to, or enlarged; nor shall any land, building, structure or premises be used, designated, or intended to be used for any purpose other than as for the uses hereinafter listed as permitted in the district in which such building, land or premises is located.

- 3.110 R-1 Districts. No use shall be permitted in any R-1 District other than those enumerated hereunder:
- a. Single-family detached dwellings, except trailers, tourist cabins, or motels.
  - b. Churches and parish houses.
  - c. Colleges and universities.
  - d. Essential services such as police and fire stations.
  - e. Schools, except trade schools for adults.
  - f. Public parks and playgrounds.
  - g. Temporary tract offices and tract signs.
  - h. Other uses which shall be similar in character to those enumerated under this Section 3.110 or shall be determined by the Board.
- 3.120 R-2 Districts. No uses shall be permitted in any R-2 District other than those enumerated hereunder:
- a. All uses permitted in any R-1 District.
  - b. Funeral homes.
  - c. New construction or conversions of dwellings to provide for not more than three (3) dwelling units in a single structure; but no commercial or manufacturing structure, originally designed for other than residential use shall be converted to a dwelling structure, nor shall any such structure which was so converted prior to the adoption of this Ordinance be further converted to provide for additional dwelling units.
- 3.130 B-1 Districts. No uses shall be permitted in any B-1 District other than those enumerated hereunder:
- a. Retail uses such as grocery stores, fruit stores, supermarkets, drug stores, and similar retail es-

tablissements, including residences as part of business structure.

- b. Service establishments such as barber shops, beauty parlors, dry-cleaning and laundromat establishments and other similar services, including residences as part of business structure.
- c. Other retail business or service establishments including offices, banks, restaurants, automobile service stations, automobile repair shops, and similar uses.
- d. Outdoor storage facilities shall be permitted in accordance with Section 3.310.
- e. Wholesale business but not wholesale livestock business or any other type of wholesale activity which would emit objectionable noises, odors, or other nuisance elements which may be detected at the property lines of such uses.
- f. Job Printing establishments.
- g. Other uses which shall be similar in character to those enumerated under this Section 3.130 as shall be determined by the Board.

3.140 M-1 Districts. No uses shall be permitted in any M-1 Districts other than those enumerated hereunder:

- a. Railroad yards, freight stations, animal hospitals and veterinary clinics, laboratories, distribution plants and transportation establishments, and quarries.
- b. The manufacture, assembly or packing of products not objectionable or injurious due to smoke, noise, odors, glare, dust or hazardous nuisances. Such products may include cloth, metal, plastic, paper, wood, leather, precious or semi-precious metals or stones, electronic or electrical instruments or devices, candy, food products, pharmaceuticals and the like, but not including the production of such goods as fish or meat products, sauerkraut, spices, coffee, vinegar, or the rendering or refining of fats and oils.
- c. Other uses which shall be similar in character as those enumerated under this Section 3.140 as shall be determined by the Board.

- d. Outdoor storage facilities shall be permitted in accordance with Section 3.310.

3.150 T-1 Districts. No uses shall be permitted in any T-1 District other than those enumerated hereunder:

- a. All uses permitted in any R-District.
- b. All types of Resort and Tourist uses including hotels, motels, tourist homes, and other similar facilities for transients.
- c. Trailer parks in accordance with the Township's Mobile Home Court Ordinance.
- d. Condominiums of not more than five (5) units per building.
- e. Recreational uses for resident families or guests, including outdoor tennis courts, swimming pools, golf courses, social halls and similar uses.
- f. Beaches and swimming pools, with accessory bath houses and locker rooms.
- g. Eating and drinking places, with entertainment.
- h. Private camps, clubs, resort areas, etc.
- i. Outdoor storage facilities shall be permitted in accordance with Section 3.310.
- j. Service facilities.
- k. Commercial Riding Stables in accordance with Section 3.340 hereof.
- l. New construction or conversions of dwellings to provide for more than three (3) dwelling units in a single structure.
- m. Other uses which shall be similar in character to those enumerated under this Section 3.150 as shall be determined by the Board.

3.160 S-1 Districts. No uses shall be permitted in any S-1 District other than those enumerated hereunder:

- a. Production of forest products.
- b. Electric and telephone public utility transmission and distribution facilities, including substations and water pumping stations.

- c. Single family detached dwellings with a minimum of two (2) acres of land.
- d. Cemeteries.
- e. Hospitals and Sanatoria.
- f. Outdoor storage facilities shall be permitted in accordance with Section 3.310.
- g. Junk yards and automobile graveyards in accordance with Section 3.390.
- h. Other uses which shall be similar in character to those enumerated under this Section 3.160 as shall be determined by the Board.

### 3.200 ACCESSORY USES

3.210 R-1 Districts. No accessory uses shall be permitted in any R-1 District other than those enumerated hereunder:

- a. Home occupations, provided that such home occupations are clearly incidental and secondary to the use of the dwelling unit for residential purposes and provided that such home occupations comply with all of the following conditions:
  - 1. It is operated in its entirety within a single dwelling unit, or in a building or other structure accessory to a dwelling unit and only be the person or persons maintaining a dwelling therein and not more than two (2) additional persons shall be employed in the home occupation.
  - 2. Does not display or create outside the building any evidence of the home occupation except that (1) an unanimated, non-illuminated flat or window sign having an area of not more than one(1) square foot shall be permitted on each street front of the Zone Lot on which the building is situated.
  - 3. Does not utilize more than twenty (20) percent of the gross floor area of the dwelling unit, (except foster family care), and except that professional offices may utilize not more than fifty (50) percent of the gross floor area of the dwelling unit.

- (b) Rooming and/or boarding of not more than eight (8) persons (not to include the care of diseased or mentally ill persons).
  - (c) Custom dressmaking or hair styling.
  - (d) Foster family care (for not more than four (4) children simultaneously).
  - (e) Tutoring for not more than four (4) students simultaneously, but not including music, dancing, or business schools, or similar activities, provided that all music or voice reproductions shall be kept at a level not audible outside the building.
- b. Off-street parking facilities for the sole use of the residents of the site where it is located, except as otherwise provided herein.
  - c. Signs, including sale or rental signs, and directional signs having a gross surface area of not more than six (6) square feet, providing that there shall be not more than one (1) such sign placed upon any property.
  - d. Other accessory uses and structures customarily incidental to a permitted use.
- 3.220 R-2 Districts. No accessory use shall be permitted in any R-2 District other than those enumerated hereunder:
- a. Any accessory use permitted in an R-1 District.
  - b. Any accessory use or structure incidental to a permitted use.
- 3.230 B-1 Districts. No accessory use shall be permitted in any B-1 District other than those enumerated hereunder:
- a. Any accessory use permitted in an R-1 or R-2 District whenever such use shall be incidental to a permitted dwelling use.
  - b. Off-street parking facilities.

- c. Signs, as permitted in R-1 and R-2 Districts.
  - d. Other signs, including business signs, shall have a gross surface area of not more than fifty (50) square feet, bearing the name of the occupant and products sold or displayed on the premises, provided that such signs may be illuminated but shall be of a non-flashing type.
  - e. Other accessory uses customarily incidental to a permitted use.
- 3.240 M-1 Districts. No accessory use shall be permitted in any M-1 District other than those enumerated hereunder:
- a. Any accessory use permitted in a B-1 District.
  - b. Other accessory uses customarily incidental to a permitted use.
- 3.250 T-1 Districts. No accessory use shall be permitted in any T-1 District other than those enumerated hereunder:
- a. Any accessory use permitted in a B-1 District.
  - b. Other accessory uses customarily incidental to a permitted use.
- 3.260 S-1 Districts. No accessory use shall be permitted in any S-1 District other than those enumerated hereunder:
- a. Any accessory use permitted in a B-1 District.
  - b. Other accessory uses customarily incidental to a permitted use.

3.300 SPECIAL REGULATIONS GOVERNING CERTAIN USES

- 3.310 Outdoor Storage Areas. Outdoor storage areas may be operated in areas where permitted provided that such operation shall be in accordance with the following provisions and such other conditions as may be required by the Board to protect the public health, safety, comfort, convenience and general welfare and especially with regard to abutting properties and the occupants thereof:
- a. No highly inflammable or explosive liquids, solids, or gases shall be stored in bulk above ground. Tanks or drums of fuel directly connected with heating devices or appliances located on the same premises as the tanks or drums of fuel are ex-

not less than ten (10) feet from any property line and shall be distant not less than twenty-five (25) feet from any public street. The area between the fence and the property line shall be properly planted and maintained at all times.

- c. No materials or wastes shall be deposited on any premises in such form or manner that they may be transferred off such premises by natural causes or forces.
- d. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise attractive to rodents contained.

3.320 Signs. Signs may be erected and maintained only when in compliance with the following provisions:

- a. Signs in Residential Districts. The following types of non-illuminated, non-advertising signs are permitted in all Residential Districts as follows:
  - 1. Nameplates and Identification Signs.
    - (a) Signs indicating the name or address of the occupant, or a permitted home occupation, provided that they shall not be larger than two (2) square feet in gross surface area. Only one sign per dwelling unit shall be permitted.
    - (b) For hotels and for buildings other than dwellings a single identification sign not exceeding six (6) square feet in gross surface area and indicating only the name and address of the building and the name of the management may be displayed.

2. Sale or Rental Signs. Signs advertising the sale or rental of the premises upon which they are erected by the owner or broker or any other person interested in the sale or rental of such premises, and signs bearing the word "sold" or "rented" with the name of persons effecting the sale or rental may be erected or maintained, provided:
  - (a) The gross surface area of any such sign is not in excess of six (6) square feet; and
  - (b) Not more than one (1) sign is placed upon any property.
3. Signs Accessory to Parking Areas. Signs designating entrances or exits, to or from a parking area and limited to one (1) sign for each such exit or entrance and to a maximum gross surface area of two (2) square feet each shall be permitted. One sign per parking area designating the conditions of use or identity of such parking area and limited to a maximum gross surface area of six (6) square feet shall be permitted.
4. Development Signs. Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer, or other persons interested in such sale or development, may be erected and maintained, provided:
  - (a) The gross surface area of the sign is not in excess of six (6) square feet; and
  - (b) Not more than two (2) signs are placed upon any property.
  - (c) Any such sign shall be removed by the developer within thirty (30) days of the final sale of the property.
5. Artisans' Signs. Signs of mechanics, painters and other artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided:
  - (a) The gross surface area thereof is not in excess of six (6) square feet;

- (b) Such signs are removed promptly upon completion of the work.
6. Private Driveways. Signs indicating the private nature of a driveway, or trespassing sign, provided that the gross surface area of any such sign shall not exceed two (2) square feet.
  7. Height and Projection of Signs. No sign in an R-District shall project into the public way or project higher than one story or twenty (20) feet, whichever is lower.
- b. Signs in B, T, and M Districts. Business signs shall be permitted as follows:
1. Freestanding Signs. Freestanding signs shall be permitted in all B,T, and M Districts only, provided that no such sign shall be located nearer than fifteen (15) feet to any front, side or rear property line or right-of-way. If such sign is located between fifteen (15) feet and twenty-five (25) feet from any front, side or rear property line or right-of-way, then it may have a maximum gross surface area of six (6) square feet. If such sign is located between twenty-five (25) feet and thirty-five (35) feet from any front, side or rear property line or right-of-way, then it may have a maximum gross surface area of thirty-two (32) square feet. If such sign is located between thirty-five (35) feet and fifty (50) feet from any front, side or rear property line or right-of-way, then it may have a maximum gross surface area of forty-eight (48) square feet. If such sign is located beyond fifty (50) feet from any front, side or rear property line or right-of-way, then it may have a maximum gross surface area of one hundred (100) square feet.
- c. General Regulations. The following regulations shall apply to all permitted signs:
1. Maintenance. Signs must be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated.
  2. Projection of Signs. Attached signs shall not project from any building more than three (3) feet in the direction of the street provided

further that no such sign shall extend over the public street or public sidewalk area.

3. Height of Signs. No sign shall be higher than the height limit in the district where such sign is located. No free-standing sign shall be permitted on any roof. Notwithstanding any of the above, no sign attached in any way to any building will be permitted to rise above the level of the roof.

4. Permits and Certificates of Nonconformance.

(For language, see Appendix A, Page 14(a).

5. Maximum Number of Signs. A property with less than four hundred (400) feet of road frontage shall be limited to one (1) sign. A property with more than four hundred (400) feet of road frontage shall be limited to two (2) signs.

6. Fees. Fees for a permit for a sign, a certificate of nonconformance, or any renewal of either as required, shall be set by the Board of Supervisors by resolution. No fee shall be charged for any permit connected with the erection of a sign necessary to the public welfare.

3.330 Amusement Center, Bowling Alley, and Similar Places of Amusement.

- a. Such uses shall be conducted entirely within an enclosed structure.
- b. Parking areas shall be screened from adjoining residential properties.
- c. A principal structure shall be not less than twenty (20) feet from any property line.

## Appendix A

3.320 c.

4. Permits and Certificates of Nonconformance. Every sign in the township shall be evidenced by a permit or certificate of nonconformance (in the case of a prior, nonconforming sign), as the case may be. A sign which is owned by and which advertises or attracts attention to any name, business, enterprise, activity, event, or organization of the owner of the property on which the sign is located and which qualifies for a sign permit need not receive an annual renewal. A sign which is owned by or advertises or attracts attention to any name, business, enterprise, activity, event or organization of someone other than the owner of the property on which the sign is located shall, in addition to the initial sign permit, require an annual renewal of that permit. A sign, erected prior to the passage of this Ordinance, which does not meet the standards required to be permitted shall be eligible for a certificate of nonconformance. Every certificate of nonconformance shall be subject to annual renewal. Any sign which does not receive a permit, certificate of nonconformance or an annual renewal of either as required shall be considered abandoned. If a sign owner fails to obtain a permit or renewal as required, the township shall mail notice of such failure to the owner of the sign (if known) at his last known address. If the township does not know the name of the sign owner but does know the name of the owner of the property on which said sign is located, then the aforesaid notice shall be sent to the property owner. If the name of neither the sign owner nor the property owner is known by the township, then such notice shall be posted in a conspicuous location at the township building. If the sign owner does not obtain the necessary permit, certificate or nonconformance or renewal within thirty (30) days of the mailing or posting of said notice, the township may dismantle or remove the sign.

- d. There shall be no offensive noise or vibration emitted from such uses.

3.340 Outdoor Recreational Facilities.

- a. Such uses shall include golf courses, ice-skating rinks, swimming pools and tennis courts.
- b. Unenclosed recreational facilities shall be located not less than twenty-five (25) feet from any property line except where greater distances are otherwise required herein and shall be effectively screened from adjoining residential purposes.
- c. Illuminated signs and other lights shall be directed away, or shielded, from adjoining residential properties in such a way as not to disturb the occupants thereof.
- d. No public address system is permitted except under provisions of Section 3.380.
- e. ~~Commercial~~ <sup>Riding</sup> Stables, permitted in accordance with Section 3.150, shall be located not less than two hundred (200) feet from the property line.

3.350 Drive-In Theatres.

- a. All drive-in theatres shall be subject to the regulations set forth under Section 3.340 and the following:
- b. The screen shall be obscured from public streets.
- c. There shall be only "one-way" interior circulation.
- d. No property line shall be closer to an R-1 District than five hundred (500) feet, except where topographic consideration makes such a requirement excessive or unnecessary.

3.360 Drive-In Eating and Drinking Places. Such businesses, where persons are served in automobiles shall be not closer than two hundred (200) feet to an R-District.

3.370 Commercial Nurseries and Greenhouses. Permitted in any district in accordance with the following:

- a. The minimum lot size shall be one acre.
- b. The minimum setback shall be fifty (50) feet.

- c. The minimum distance from property lines shall be twenty-five (25) feet except where it abuts an R-District, then it shall be fifty (50) feet.
  - d. Outdoor storage in accordance with Section 3.310.
- 3.380 Public Address or Loudspeaker Systems. No public address system shall be permitted except where such system is not audible at any property line. Public address systems on a temporary basis, although audible at a property line, may be permitted.
- 3.390 Junk Yards, Including Automobile Graveyards. Such uses shall be permitted only in S-1 Districts in accordance with the following:
- a. The maximum lot size for such uses shall be 20,000 square feet.
  - b. All such uses shall be completely enclosed by a solid fence, screen or wall of sufficient height so as to obscure all view of such use.



3.500 SUPPLEMENTARY LOT, YARD AND HEIGHT REGULATIONS

- 3.510 Building Height Exceptions. District height limitations shall not apply to church spires, belfries, cupolas and domes, monuments, water towers, chimneys, smoke-stacks, flag-poles, radio towers, masts and aerials and parapet walls extending not more than four (4) feet above the limiting height of the building.
- 3.520 Minimum Front Yards. The front yard of an unimproved lot situated between two (2) improved lots having a principal building within twenty-five feet of the side lot line of said unimproved lot may be reduced to the greatest depth of the front yard of the two (2) improved lots, but not to less than twenty-five (25) feet.
- 3.530 Minimum Side Yards. No side yard shall be required for any business use in a B-1 District except that when such use shall abut any property in an R-1 District a side yard of twenty-five (25) feet shall be provided. In M-1 and T-1 Districts a side yard of not less than fifty (50) feet shall be provided where the District boundary line abuts an R-1 District.
- 3.540 Yards for Dwelling Uses in B-1 Districts. Whenever a dwelling use shall be erected in a B-1 District, there shall be yards as required in an R-1 District except when the regulations for the district where said use is located shall be greater than for an R-1 District.
- 3.550 Accessory Structures.
- a. No accessory structure or building shall be located within the required front yard area. No accessory building shall be located in any side yard area nearer to the side lot line than fifteen (15) feet.
  - b. Attached Accessory Structures in R-Districts. An accessory structure attached to a principal building shall be considered to be a part of the principal building.
  - c. Non-Dwelling Accessory Structures. Shall have a rear yard of at least ten (10) feet, and side and rear yards at least equal to those required for principal structures in the District in which located.

3.560 Special Zone Lot Provisions.

- a. Corner Lots. Visual obstructions at street intersections (excluding an existing building, post, column or tree) exceeding thirty (30) inches in height shall be prohibited on any lot within the triangle formed by the street lot lines of the lot and a line drawn between points along the street lines thirty (30) feet distant from their points of intersection.
- b. Required Area or Space Cannot be Reduced. No zone lot, yard, parking area or other space shall be reduced in area or dimension so as to make it less than the minimum required by this Ordinance, but if already less, said area of dimension may be continued but not further reduced.

## ARTICLE IV

### NONCONFORMING USES AND BUILDINGS

#### 4.100 CONTINUATION OF NONCONFORMANCE

A use, building or structure which shall be made nonconforming at the passage of this Ordinance or any applicable amendment thereto may be continued except as otherwise provided in this Article IV.

#### 4.200 RESTRICTIONS OF NONCONFORMANCE

4.210 Change of Use. Nonconforming uses or structures shall not be changed into a use which is permitted in a less restricted district; provided, however, that if the nonconforming use or structure is not permitted in any of the districts or permitted only as a special use then any change of use shall require that said new use or structure shall be a conforming use or structure. When nonconforming uses have been changes in accordance with the provisions of this Section, the use of the building, or other structure of tract of land shall not thereafter be changed again except in accordance with these regulations.

4.220 Abandonment. The voluntary discontinuance of a nonconforming use for a period of one (1) year and/or change of use to a more restricted or conforming use of any period of time shall be considered an abandonment thereof and such nonconforming use shall not thereafter be revived. Intent to resume active operations shall not affect the foregoing. The provision of this Section 4.220 shall in no way affect or alter the provisions of Section 4.320 hereinafter set forth.

#### 4.320 Repairs.

- a. Normal maintenance of a building or other structure containing a nonconforming use is permitted, including necessary nonstructural repairs and incidental alterations not extending the nonconforming use, except as otherwise provided herein.
- b. A building or other structure containing residential nonconforming uses may be altered in any way to improve interior livability, provided that no structural alterations shall be made which would increase the number of dwelling units or the bulk of the building.

c. Any nonconforming building or structure damaged less than fifty (50) percent of its then assessed value may be restored, reconstructed or used as before, provided that the volume of such use, building or structure shall not exceed the volume which existed prior to such damage, and that it be completed within one (1) year of such happening; provided however, that the privilege extended under Section 4.240 shall also be applicable hereunder.

4.240 Enlargement. A nonconforming use shall be permitted to be enlarged only up to twenty-five (25) percent of the nonconforming use, structure, or structures as existed at the time of passage of this Ordinance or any applicable amendment thereto; provided that any enlargement thereof shall be in accordance with the regulations governing said use, and the district in which it is situated including conformance with all off-street parking and loading requirements for the entire use and/or structure.

#### 4.300 TERMINATION OF NONCONFORMING USES

4.310 Partial Destruction. When fifty (50) percent or more or the assessed value of a nonconforming building or structure, or use is destroyed by fire or other casualty or act of God, the use of such building, structure, or land as a nonconforming use shall thereafter be terminated.

4.320 Public Nuisances. Upon a complaint registered by the Building Inspector or fifty (50) percent of the property owners within two hundred (200) feet of the nonconforming use which is considered to be a hazard to the health, safety, welfare and morals of uses or structures adjoining such nonconforming use or uses, the Zoning Hearing Board shall hold a public hearing and within thirty (30) days thereafter make a finding in accordance with the standards, purposes, and procedures set forth herein as to necessity of terminating such nonconforming use.

ARTICLE V

OFF-STREET PARKING REQUIREMENTS

5.100 NUMBER OF PARKING SPACES REQUIRED

The number of off-street parking spaces required shall be as set forth in Schedule II below in accordance with the definitions of "floor area" set forth in Article VIII hereof:

SCHEDULE II

MINIMUM REQUIRED OFF-STREET  
PARKING SPACES

<u>USE</u>	<u>NUMBER OF SPACES</u>
1. Churches and Schools	one (1) for each 3.5 seats in an auditorium or one (1) for each classroom whichever is greater.
2. Community Buildings, Social Halls, Country Clubs and Golf Courses	one (1) for each two hundred (200) square feet of floor area.
3. Dwellings, Motels	1.5 for each dwelling unit or rental unit.
4. Funeral Parlors	fifteen (15) for each parlor.
5. Manufacturing and Wholesale Uses	one (1) for each 1,000 square feet of floor area, plus one (1) for each four (4) employees in the maximum working shift; the total parking area shall be not less than twenty-five (25%) percent of the building floor area.
6. Professional Offices	ten (10) for each doctor, five (5) for each dentist, or other professional.
7. Restaurants, etc.	one (1) for each 2.5 seats.
8. Retail and Service Establishments	one (1) for each 150 square feet of floor area.

5.200 SIZE AND ACCESS

Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet exclusive of access drives or aisles, and shall be of usable shape and condition. Except in the case of dwellings, no parking area provided hereunder shall be established for less than three (3) spaces.

There shall be adequate provision for ingress and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive not less than ten (10) feet in width in the case of a dwelling, and not less than twenty (20) feet in width in all other cases, leading to the parking or storage areas or loading or unloading spaces required hereunder in such manner as to secure the most appropriate development of the property in question, but, such easement of access or access drive shall not be located in any R-District which shall provide access to uses other than those permitted in such R-Districts.

Access to off-street parking areas shall be limited to several well-defined locations and in no case shall unrestricted access along the length of a street or alley upon which the parking lots abut be permitted.

5.300 MODIFICATION OF REQUIREMENTS

The Board may authorize on appeal, a modification, reduction or waiver of the foregoing requirements, if it should find that in the particular case appealed the peculiar nature of the use, or the exceptional shape or size of the zone lot or other exceptional situation or condition must justify such action.

ARTICLE VI  
ADMINISTRATION

6.100 ENFORCEMENT

This Ordinance shall be enforced by the Township Supervisors, or Zoning Hearing Board, if in the discretion of the Township Supervisors, such Zoning Hearing Board is authorized and appointed by the Township Supervisors. No building shall be built or altered and no use of land or of a building shall be commenced or changed without the issuance of a permit by the Building Inspector, or Zoning Hearing Board, if such Board is authorized and appointed by the Township Supervisors; said Building Inspector to be named and appointed by the Township Supervisors.

Where a private sewage disposal system is required, no building permit may be issued until a permit for said private sewage disposal system has been issued by the Building Inspector.

6.200 BUILDING INSPECTOR

The Building Inspector is hereby given the duty, power, and authority to enforce the provisions of this Ordinance. He shall examine all applications for permits, issue permits for the construction, alteration, enlargement and occupancy of all uses which are in accordance with the requirements of this Ordinance, and all nonconforming uses, record and file all applications for permits with accompanying plans and documents and make such reports as may be required.

Building permits for a variance from the requirements of this Ordinance, and Building Permits for special uses, and for uses of the same general character as those uses permitted in accordance with Article III, and other provisions of this Ordinance, shall be issued only upon written order of the Township Supervisors, or Zoning Hearing Board, if in the discretion of the Township Supervisors such Zoning Hearing Board is authorized and appointed by the Township Supervisors.

6.300 ZONING HEARING BOARD

The Township Supervisors, or the Zoning Hearing Board, if in the discretion of the Township Supervisors such Zoning Hearing Board is authorized and appointed by the Township Supervisors, shall be responsible for the interpretation of this Ordinance, and shall adopt and make available to the public, rules in ac-

cordance with this Ordinance for the exercise of its functions and shall have the following duties and purposes:

- 6.310 Hear and Decide Appeals. To hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by the Building Inspector in the enforcement of this Ordinance, or of any Ordinance adopted pursuant thereto.
- 6.320 Permit Other Uses. To hear and decide requests for other uses not specifically enumerated herein, and to permit any use so deemed by the Board to be in general keeping with the uses authorized in such a district. In such cases, the Board will:
- a. Refer such requests or applications as required by this Section to the Planning Commission for its review and recommendations.
  - b. Determine that such uses will not adversely affect the public health, safety or welfare as are herein expressly provided for, in harmony with the general purpose and interest of this Ordinance.
  - c. Impose appropriate conditions and safeguards where necessary.
- 6.330 Grant Variances. The Board may vary the strict application of any of the requirements of this Ordinance only for a use which is permitted in the zone district. Such variance will be granted only if it meets the requirements established in Subsection 6.360 and upon appeal, after public notice and public hearing.
- 6.340 Interpretation of Ordinance and Boundaries. Upon appeal from a decision by the Building Inspector to decide any question involving the interpretation of any provision of this Ordinance and where uncertainty exists, as to the boundaries of any zone district, the Board shall, upon written application or upon its own motion, determine the location of such boundaries of such districts as are established in Article II hereof and as designated on the Zoning Map of the Township. Where a district boundary line divides a lot held in single and separate ownership, at the effective date of this Ordinance, the use regulations applicable to the less restrictive district shall extend over the portion of the lot in the more restrictive district a distance of not more than fifty (50) feet beyond the district boundary line.

- 6.350 Other Power and Duties. The Board shall perform such other duties as may be provided or made necessary by this Ordinance including the following:
- a. To authorize the Building Inspector to issue Building Permits for variances, special uses, and other uses.
  - b. To hold public hearings as required and as may be permitted by this Ordinance.
  - c. To refer any pertinent matter to the Planning Commission for review and recommendations, and defer any decision thereon for a period of not more than thirty (30) days pending a report from the Commission.
  - d. To maintain a record of all decisions and the findings, or a summary of such findings, upon which said decision shall be based.
  - e. To grant relief in specific cases where a failure to do so would result in unconstitutional confiscation of property.

6.360 Variances.

- a. Board May Grant Variances. Upon appeal, and after public notice and personal notice and after hearing, and subject to appropriate safeguards and conditions for the protection of public and neighborhood properties, the Board may for a use permitted in the zone district, vary the strict application of any of the requirements of this Ordinance, provided that said variance shall be in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional conditions, whereby such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other case.
- b. Purpose of Variance. The sole purpose of any variance shall be to prevent discrimination, and no variance shall be granted which would have the effect of granting a special privilege not shared by other property in the same vicinity and zone.
- c. Required Showing for Variance. No variance in the strict application of any provision of this Ordinance shall be granted by the Board unless it finds

the following:

1. That there are special circumstances or conditions fully described in the findings, applying to the land or building that do not apply generally to land or buildings in the neighborhood.
2. That said circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.
3. That for reasons fully set forth in the findings, the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board is the minimum variance that will accomplish this purpose.
4. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and District in which the property is located.

6.370 Public Hearing and Notice. Upon filing with the Board, of an appeal, or of a request for a variance as required by the terms of this Ordinance, or for such other purposes as provided herein where the Board deems it in the public interest, the Board shall fix a time and place for a public hearing thereon as follows:

- a. Public Notice. By advertising at least once in a newspaper of general circulation in the Township, not less than one (1) week nor more than three (3) weeks in advance of such hearing.
- b. Notice to Appellant. By mailing a notice thereof by registered mail to the Appellant.
- c. Notice to Local Officials. By mailing a notice to the Township Supervisors and Township Planning Commission.
- d. Notice to Interested Parties. By mailing a notice thereof to every association of residents of the Township, and any other interested party who shall have registered their names and addresses for this purpose with the Board.

- e. Notice to Owner and Neighbors. When the Board shall order, by mailing a notice thereof to the owner, if his residence is known, and to the occupant of every lot on the same street within three hundred (300) feet of the lot or building in question and of every lot not on the same street within one hundred (100) feet of said lot or building; provided that failure to give such notice as specified in this paragraph shall not invalidate any action by the Board.
  - f. Nature of Notice. The notice required shall be posted upon instructions from the Board, and shall state the location of the building or lot in question and the general nature of the question involved.
- 6.380 Filing Fees. Township Supervisors shall by resolution establish separate filing fees for the following categories of permits:
- a. Zoning Permits for uses not requiring Board action.
  - b. Zoning Permits for uses requiring Board action.
  - c. Variance Application
  - d. Reclassification or Amendment
  - e. Certificate of Nonconformance
  - f. Appeals to Zoning Hearing Board
  - g. Application to Amend this Ordinance
- 6.390 Violations.
- a. Township may initiate appropriate action. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance, or of any ordinance or regulation made under authority conferred hereby, the Board or other proper official, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, conversion, maintenance or use, to restrain, correct or abate such violation within ten (10) days and to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises.

- b. Violation punishable. Any person, firm or corporation violating any provision of this Ordinance shall, upon conviction, be punished by a fine not to exceed Five Hundred (\$500.00) Dollars for any offense, recoverable with costs, together with judgment or imprisonment not exceeding ninety (90) days if the amount of said judgment is not paid. Each day that a violation is permitted shall constitute a separate offense. Said fines shall be payable to Barrett Township Supervisors.

ARTICLE VII

AMENDMENTS

7.100 AMENDMENTS

- 7.110 Action by the Board of Township Supervisors. By the affirmative vote of a majority of the members, may from time to time amend, supplement, change, modify, or repeal this Ordinance including the Zoning Map by proceeding in the following manner:
- a. Public Hearing. The Board of Township Supervisors by Resolution adopted at a stated meeting, shall fix the time and place of a public hearing on the proposed amendment. At least fifteen (15) days notice of the time and place of such hearing shall be published in one (1) newspaper of general circulation. The notice shall state the general nature of the proposed amendment in such reasonable detail as will give adequate notice of its contents and shall name the place or places where copies of the proposed amendment may be examined.
  - b. Review by Planning Commission. After the introduction of any bill proposing amendment, supplement or change, the Board of Township Supervisors shall refer such bill to the Planning Commission for review. A report of said review, together with any recommendations, shall be given to the Board of Township Supervisors in writing within fifteen (15) days from the date of said referral. If the Planning Commission shall fail to file such a report, within the specified time and manner, it shall be conclusively presumed that the Planning Commission has approved the proposed amendment, supplement, or change.
  - c. Opportunity to be Heard. At the public hearing, full opportunity to be heard shall be given to any citizen and all parties in interest.
  - d. Majority Required. In case of a protest against such change, signed either by the owners, of twenty (20) percent or more either of:
    1. The area of the lots included in such proposed changes, or of
    2. The area of those lots immediately adjacent

to said affected properties, including  
also all lots any part of which lies  
within one hundred (100) feet of the  
boundary of the area of such change,

then such amendment shall not become effective  
except by favorable vote of the majority of  
the members of the Board of Township Supervisors.

ARTICLE VIII  
OTHER PROCEDURES

8.100 INTERPRETATION

In the interpretation and the application of the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, morals, and general welfare. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances, provided that where this Ordinance imposes greater restrictions upon the use of buildings or premises, or upon the height or bulk of a building, or requires larger open spaces, the provisions of this Ordinance shall control.

8.200 VALIDITY

If any section, subsection, sentence, clause, or phase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby, declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

8.300 REPEALER

All Ordinances or parts of Ordinances of the Township of Barrett in conflict with this Ordinance, to the extend of such conflict and no further, are hereby repealed.

8.400 EFFECTIVE DATE

This Ordinance shall take effect immediately upon the adoption hereof.

ARTICLE IX

DEFINITIONS

9.100 CONSTRUCTION OF ORDINANCE

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of the Ordinance, and words used in the present tense include the future, the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure", the word "used" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used, and the word "shall" is mandatory and not optional; the word "abut" shall include the words "directly across from."

- 9.101 Accessory Use. A use customarily and clearly incident and subordinate to the principal use of the main building on the same lot.
- 9.102 Alteration of Building. Any change or rearrangement in the structural parts or in the exit facilities of a building except such change as may be required for its safety; or any additional enlargement whether by extending or by increasing in height; or the moving from one location or position to another; or any change in use from one district classification to another.
- 9.103 Basement. A building level, the height of which is more than fifty (50%) percent above the average level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement.
- 9.104 Beginning of Construction. The incorporation of labor and materials within the walls of the building or buildings.
- 9.105 Board. The Zoning Hearing Board of Barrett Township.
- 9.106 Building. A structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or property.
- 9.107 Building Accessory. A detached, separate building the use which is customarily subordinate and incidental to that of the main building and which is located on the

same lot occupied by the main building.

- 9.108 Building Height. The height of a building shall be deemed the vertical distance measured from the average level of the highest and lowest portion of the building site covered by the building to the ceiling of the uppermost story.
- 9.109 Building Line. A line parallel to the front, rear and side property lines, at a distance therefrom equal to the minimum yard depths required for the district in which the lot is located.
- 9.110 Building, Main or Principal. A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the main or principal building.
- 9.111 Cellar. A building level partly or wholly underground, the height of which is more than fifty (50%) percent below the average level of the adjoining ground. A cellar shall not be counted as a story for purposes of height measurement.
- 9.112 Condominium. A multi-family dwelling in which the individual dwelling units are separately owned.
- 9.113 Dwelling. A building or portion thereof arranged, designed or used to provide living facilities for one or more families, but not including hotel, motel, tourist cabin, apartment building.
- 9.114 Dwelling, Single Family, Detached. A detached building designed for and used exclusively for occupancy by one family.
- 9.115 Dwelling Unit. One or more living or sleeping rooms together with exclusive cooking and sanitary facilities for one person or one family.
- 9.116 Essential Services. The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies, or underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing

of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

- 9.117 Family. Either an individual or two or more persons related by blood or marriage. A group of not more than three persons not so related by blood or marriage, living in a single dwelling unit.
- 9.118 Floor Area. For the purposes of applying the requirements for off-street parking and loading, "floor area", in the case of offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used by tenants, or for service to the public as customers, patrons, clients or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise. It shall not include areas used principally for non-public purposes such as storage, incidental repair, processing or packaging of merchandise, for shop windows, for offices incidental to the management or maintenance of stores or buildings, for toilet or rest rooms, for utilities or for dressing rooms, fitting or alteration rooms.
- 9.119 Gross Surface Area (Of Sign). The gross surface area of a sign is the area of the smallest triangle, rectangle or circle which can wholly enclose the surface area of the sign. All visible faces of a multi-faced sign shall be counted separately and then totalled in calculating the gross surface area.
- 9.120 Hotel. A building containing restaurant facilities and rental sleeping rooms, none of which contain any cooking facilities but all of which contain private toilet facilities and have entrances from interior hallways.
- 9.121 Lot. A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory or incidental to the operation, thereof, together with such open spaces as required by this Ordinance, and having frontage on a public street, a recorded private road or right-of-way.

- 9.122 Motel. A building or group of buildings containing rental sleeping rooms for the accommodation of transient guests with each rental room containing private toilet facilities and having an outside entrance adjacent to off-street parking facilities.
- 9.123 Nonconforming Building. A structure or sign, the design or size of which does not conform to the regulations of this Ordinance for the district in which it is located; no structure shall be considered nonconforming, the yards of which do not conform to the regulations of this Ordinance.
- 9.124 Nonconforming Lot. Any zone lot in single ownership, where the owner of said lot does not own any adjoining property, the subdivision of which could create one (1) or more conforming lots, which does not conform with the minimum and/or dimensions required in the District where such lot is situated or for any special use, as the case may be.
- 9.125 Nonconforming Use. A building, structure or premises, other than a dwelling, legally existing and/or used at the time of adoption of this Ordinance, or any amendment thereto, and which does not conform with the use regulations for the district in which located.
- 9.126 Sign. A sign is any structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon which shall be used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, word, model, number, banner, flag, penant, insignia, device, or representation used as an announcement, direction or advertisement and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall include signs which are affixed to the inside of windows and glass doors and are intended to be seen from roadways or parking lots. No other indoor sign shall be deemed a sign within this Ordinance. The flag, emblem, insignia, poster or other display of a nation, governmental unit, educational, charitable, religious or similar group shall not be included in this definition.
- 9.127 Sign, Free Standing. A sign supported by one or more uprights, poles or braces placed in or upon the ground.

of number 2004, the wall faces of which on at least two opposite exterior walls are not more than four (4) feet above the floor of such story, provided, however, that any partial story used for residential purposes, other than for a janitor or caretaker and his family shall be deemed a full story.

- 9.129 Tourist Home. A dwelling in which overnight accommodations for not more than six (6) persons are provided and offered to transient guests for compensation.
- 9.130 Trailer. A vehicle with or without its own motive power equipped for or used for living purposes and mounted on wheels or designed to be so mounted and transported.
- 9.131 Trailer Park. Land occupied or designed for occupancy by two or more trailers used for living purposes.
- 9.132 Use. The principal purpose for which a lot, and/or the main building thereof, is designed, arranged or intended and for which it may be used, occupied or maintained.
- 9.133 Yard. An open space, as may be required by this Ordinance, of uniform width, or depth on the same lot with a building or a group of buildings, which open space lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as herein permitted:
- a. Yard, Front. An open space extending the full width of the lot between a building and the street right-of-way, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.
  - b. Yard, Rear. An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.
  - c. Yard, Side. An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

BIKE COUNTY

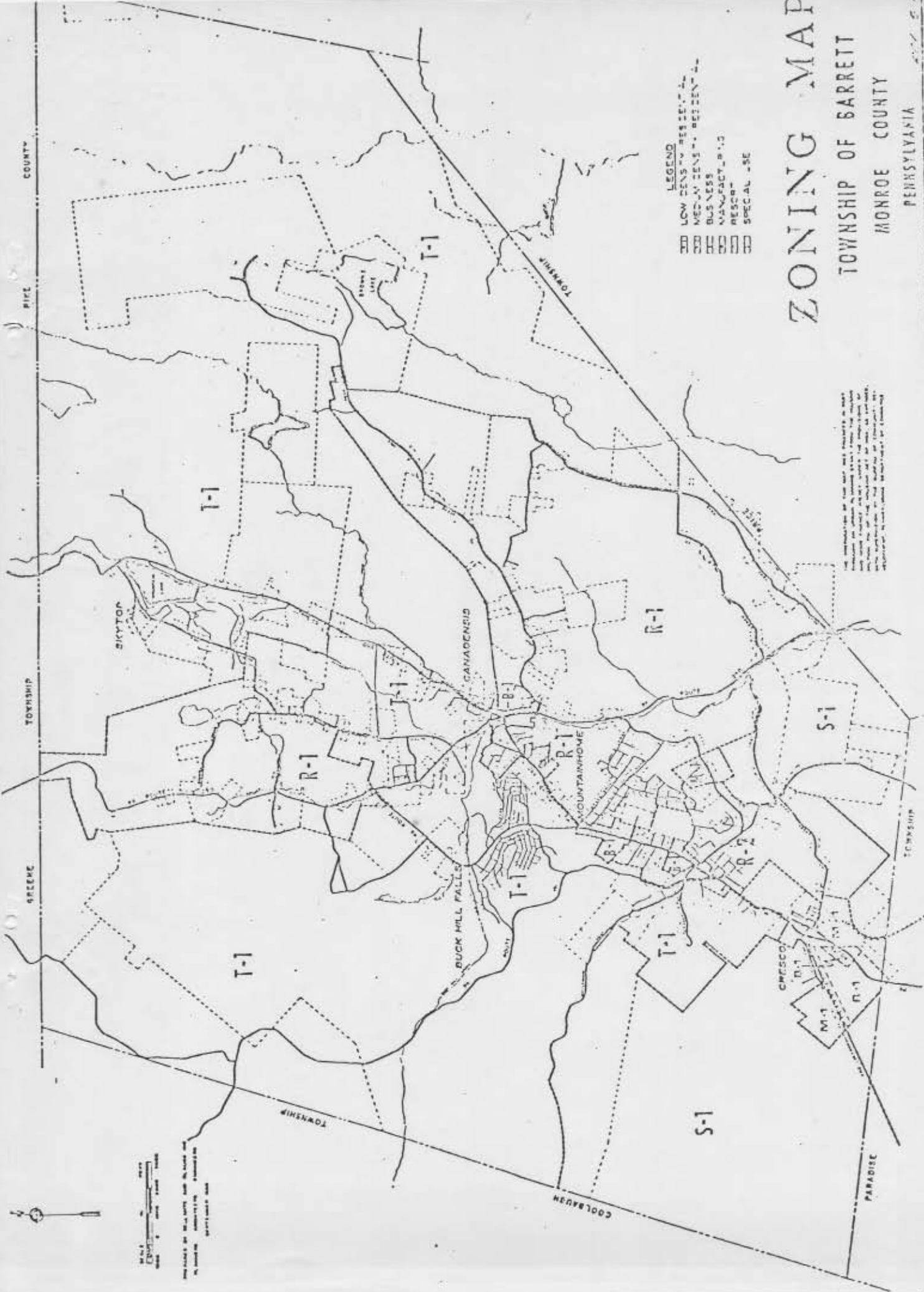
TOWNSHIP

GRECKE



Scale bar showing 0, 100, 200 feet.

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- LEGEND
- LOW DENSITY RESIDENTIAL
  - MEDIUM DENSITY RESIDENTIAL
  - BUSINESS
  - MANUFACTURING
  - RESCUE
  - SPECIAL USE

# ZONING MAP

## TOWNSHIP OF BARRETT

### MONROE COUNTY

PENNSYLVANIA

THE TOWNSHIP ENGINEER HAS BEEN ADVISED BY THE TOWNSHIP BOARD OF SUPERVISORS THAT THIS ZONING MAP IS THE PROPERTY OF THE TOWNSHIP OF BARRETT, MONROE COUNTY, PENNSYLVANIA. IT IS LOANED TO YOU FOR YOUR INFORMATION AND USE ONLY. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE TOWNSHIP ENGINEER.

JOSEPH H. SHULL 1944  
CLAUDE C. SHULL 1939  
SAMUEL E. SHULL 1945

CHRISTIE D. SHULL  
JAMES T. KITSON  
JAMES R. MARSH

LAW OFFICES  
**SHULL & KITSON**  
22 NORTH SEVENTH STREET  
STROUDSBURG, PA.

March 20, 1963

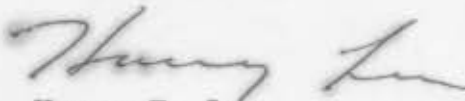
Mr. Rapha C. Sieg  
Canadensis, Pa.

Dear Mr. Sieg:

Please be advised that I have examined the enclosed proposed ordinance and leasing agreement concerning the Mount Pocono Airport Authority and find that they are entirely satisfactory from a legal viewpoint.

I will advise Mr. Shull of their contents upon his return.

Very truly yours,

  
Harry F. Lee

HFL/jsl  
Encs.