

ARTICLE VII: VILLAGE (V) DISTRICT

Section 700: Statement of Legislative Intent

In expansion of the Community Development Objectives contained in Article I of this Ordinance, it is hereby declared to be the intent of the V District to establish reasonable standards to provide for a mix of residential and limited commercial and office uses within the V District. Furthermore, it is the intent of this Article to:

- A. Preserve the existing village framework by requiring infill development within Gardners and Heidlersburg and new development around the perimeter of these villages to be consistent with existing development patterns in term of lot design, building placement, and building architecture and size.
- B. Maintain the existing mixture of residential, limited commercial, and institutional uses that are found in the Gardners and Heidlersburg settings.
- C. Encourage the full economic use of older historic structures within the village core by permitting not only a reasonable number of separate uses within a single structure, but permitting a mixture of uses within a single structure as well.
- D. Maintain historic streetscapes by adopting placement standards, reasonable landscaping requirements for new development, and parking, area, and bulk regulations which are sympathetic to the traditional village designs found in Gardners and Heidlersburg.
- E. Encourage the retention and preservation of the historic housing stock in the villages.

Section 701: Uses Permitted By-Right

Within the V District, the following uses are permitted by-right. This section permits, by right, only a single use on each property or within each structure. Properties or structures containing a mixture of uses are permitted provided the conditional use standards of Section 702 and Article XIV are met.

- A. Single-family Detached Dwellings.
- B. Single-family Semi-detached dwellings (Twins).
- C. Two-Family Dwellings (Duplexes).
- D. Professional Offices including offices for physicians, dentists, lawyers, accountants, real estate agents, insurance agents, artists, planners, architects, engineers, travel agencies, and similar professional offices.
- E. Retail Shops such as antique shops, florists, card shops, hobby and craft shops, gift shops, wearing apparel shops, furniture stores, bookstores (excluding adult bookstores and

other "adult entertainment" uses), camera shops, jewelry stores, and similar specialty retail stores, provide such Specialty Retail Shops do not exceed three thousand (3000) square feet in sales area.

F. Personal Service Shops including tailors, dressmakers, barbers, beauty salons, and similar professional service shops.

G. Government Offices.

H. Churches.

I. Wireless Communications Antennae affixed to an existing, conforming building or structure, not including a wireless communications tower as defined by this Ordinance.

J. Home Occupation

1. A Home Occupation may include art studios, barber shops and beauty salons containing a maximum of two (2) chairs; instructional services limited to two (2) pupils at a time; professional office for a physician, lawyer, accountant, real estate agent, architect, or similar professional; sale of specialty "Homemade Food" products; appliance or small machinery repair; or other home businesses of a similar nature.

2. The Home Occupation shall be performed completely within the dwelling unit.

3. Not more than two persons, including the property owner, shall be employed in the Home Occupation.

4. Not more than thirty percent (30%) of the floor area of the dwelling unit shall be devoted to the Home Occupation.

5. Exterior storage of materials shall be prohibited.

6. The residential character of the dwelling unit shall not be altered to indicate the presence of a Home Occupation.

7. A single sign, conforming with the provisions of Section 1203 of this Ordinance, is permitted.

Section 702: Uses Permitted By Conditional Use

Within the V District, the following uses are permitted by conditional use. The Board of Supervisors may authorize a use as a Conditional Use if it conforms, at a minimum, to the stated standards and criteria. The Board of Supervisors may apply additional criteria to specific projects, where relevant, to protect the village framework and architectural integrity of Gardners and Heidlersburg Villages, and in the interests of public health, safety, and welfare.

A. Restaurants (Excluding Drive-through and Drive-in Establishments)

1. Hours of operation shall be limited to 5 am to 12 am.
2. Kitchen exhaust shall be vented through a vertical exhaust system. For restaurants located in a two (2) or three (3) story building, all kitchen exhaust shall be vented to an exhaust outlet located no lower than the second floor of the building. For restaurants located in a single story building, all kitchen exhaust shall be vented to an exhaust outlet located on the roof of the building.
3. Any trash containers, used for the disposal of restaurant waste products, shall be shielded from public view by a decorative wooden fence or evergreen shrubbery.

B. Conversion Apartments

1. Off-street parking shall be provided according to the following scale:

<u>Number of Bedrooms</u>	<u>Number of Parking Spaces</u>
1	2
2	3
3	4

2. Parking areas shall be located and designed according to the applicable standards of and Article XIII.

3. Minimum apartment size shall conform to the following scale:

<u>Number of Bedrooms</u>	<u>Usable Living Area</u>
1	500 Square Feet
2	650 Square Feet
3	850 Square Feet

4. Only existing, single-family detached dwellings may be converted for conversion apartment use.
5. A maximum of three (3) units may be created by the conversion of a single-family detached structure.
6. The property owner shall provide each dwelling unit with smoke alarms, kept in working condition by the property owner at all times. In addition, the property owner shall provide each hallway serving independent dwelling units with smoke alarms, kept in working order by the property owner at all times.
7. The property owner shall provide exit signs in all hallways leading to and from second and third floor apartments

C. Mixed-use Structures

1. Mixed-use structures shall consist of two (2) or more limited specialty retail or professional office uses or one (1) or more specialty retail or professional office uses and one (1) or more residential units.
2. Professional Office uses outlined in Section 701.D may be located on the first and second floors of a structure. The third floor of a structure may also be used for Professional Offices provided that the office space on the third floor is an extension of a Professional Office business which has its primary office space on the first or second floors.
3. Residential apartments may be located on the second and third floors provided that the minimum apartment sizes conform to the scale presented in Section 702.B.3. and that off-street parking is provided according to the scale presented in Section 702.B.1.
4. Access to and from residential units shall be independent of access to and from any Commercial or Professional Office uses located within the mixed-use structure. Independent access may be provided externally to the building or from an internal system of hallways and staircases. Under no circumstances should residents be required to gain access to a residential unit through commercial or professional office spaces.
5. The property owner shall supply all residential and commercial units with smoke alarms, kept in working condition by the property owner at all times. In addition, the property owner shall provide each hallway serving independent residential or commercial units with smoke alarms, kept in working condition by the property owner at all times.
6. The property owner shall provide exit signs in all hallways leading to and from second and third floor uses.

D. Bed-and-Breakfast Inns

1. Such an establishment shall be located in a private residence.
2. The operation shall contain ten (10) or fewer sleeping rooms used to provide overnight accommodations to the public.
3. All served meals shall be included in the lodging charge. No meals may be served to the general public.
4. Appropriate State and Township licenses shall be obtained.
5. In addition to the standards of Article XIII of this Ordinance, vegetative screening, including landscape mulch, grass, and shrubs, shall be located around the perimeter of the parking area to preserve the residential appearance of the property.

Section 703: Area and Bulk Regulations

The following standards shall govern all uses, subdivision projects, and land development plans within the V District.

A. The minimum lot area shall be fifteen thousand (15,000) square feet. Where a new residential development requiring the construction of new streets is proposed within the V District, the minimum lot area may be reduced to seven thousand five hundred (7500) square feet if the following conditions are met.

1. The street layout shall be designed as an extension of the existing grid street and alley network.
2. Automobile access to properties shall be provided by rear alleys. Garages shall be located to the rear of residential buildings in such a fashion that the garages do not become dominant architectural features of the front facade of the residential buildings.
3. The applicant shall achieve one of the two landscaping requirements:
 - a. A street tree shall be planted on each new lot. Each street tree shall have a minimum height of eight (8) feet and a minimum caliper of three (3) inches measured two (2) feet from ground level. The street tree shall be located between the street cartway and the pedestrian sidewalk required by the Tyrone Township Subdivision and Land Development Ordinance.
 - b. Two (2) shade trees shall be planted in the front yard of each new lot. Each shade tree shall have a minimum height of eight (8) feet and a minimum caliper of three (3) inches measured two (2) feet from ground level.

B. The minimum lot width shall be one hundred (100) feet at the required build-to line. Where a new residential development requiring new street is proposed within the V District, the minimum lot width may be reduced to fifty (50) feet if the requirements set forth in Sections 703.A and 703.B are met.

C. The maximum impervious lot coverage shall not exceed sixty-five percent (65%). Impervious lot coverage includes features such as the building and paved parking lots and other such facilities that do not allow for the infiltration of water into the ground.

D. Front yards shall meet the following standards.

1. The front yard build-to line shall be ten (10) feet, measured from the street right-of-way line, unless an adjoining property contains a structure that has been constructed closer to the street right-of-way. In that event, the front yard build-to line shall conform to the existing front yard build-to line of the adjoining properties.

2. The entire front yard shall be maintained as a landscaped area, except for walkways connecting the entrances with the public sidewalk and for one (1) access driveway.

3. No parking shall be permitted in front yard areas except within the permitted access driveway of a single-family detached dwelling.

E. Side yards shall meet the following standards.

1. The minimum side yard width shall be six (6) feet. When the lot is located in an area of the V District where existing structures have been constructed closer to the property line, minimum side lots requirements may be waived by the Zoning Officer.

F. Rear yards shall meet the following standards.

1. The minimum rear yard depth for a principal structure shall be fifteen (15) feet. The minimum rear yard depth for an accessory structure shall be five (5) feet.

G. The maximum height of any structure within the V District shall not exceed thirty-five (35) feet.

H. For corner lots, front yard requirements shall be applied along all property boundaries facing road rights-of-way, and rear yard requirements shall be applied along all other property boundaries.

I. Add-On Lots are permitted, provided that the remainder of the parent tract and parcel to which the Add-On Lot is joined meet the Area and Bulk Requirements of Section 703.