

## **ARTICLE IX. EXCEPTIONS AND MODIFICATIONS**

### **SECTION A. REQUIREMENTS AND REGULATIONS**

Requirements and regulations specified in this Resolution shall be subject to the exceptions, modifications and interpretations set forth in this Article.

### **SECTION B. EXISTING LOTS OF RECORD**

In any district where dwellings are permitted, a one-family detached dwelling may be erected on any lot of official record as of the effective date of this Resolution, irrespective of its area or width, provided the owner of such lot does not own any adjoining property, except that no lot shall be deemed to be less than forty (40) feet wide for the calculation of yard requirements and provided further:

1. The sum of the side yard widths on any such lot need not exceed thirty percent (30%) of the width of the lot, but in no case shall the width of any side yard be less than ten percent (10%) of the width of the lot; provided, however that on a corner lot, the width of the side yard adjoining the side street lot line shall not be less than eight (8) feet or twenty percent (20%) of the frontage, whichever is the greater.
2. The depth of the rear yard of any such lot need not exceed twenty percent (20%) of the depth of the lot, but in no case shall it be less than twenty (20) feet.

### **SECTION C. HEIGHT REGULATIONS**

1. The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage tower, or scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, energy producing wind apparatus and flagpoles, except where the height of such structures will constitute a hazard to the safety of surrounding area or to the safe landing and take-off of military, public, commercial and private aircraft at any established airport.
2. Public, semi-public or public service buildings, hospitals, institutions or schools, where permitted, may be erected to a height not exceeding sixty (60) feet and churches and temples may be erected to a height not exceeding seventy-five (75) feet when the required side and rear yards are each increased by one foot for each foot of additional building height above the height regulations for the district in which the building is located.

### **SECTION D. FRONT YARDS**

1. When forty percent (40%) or more of the frontage on one (1) side of the street between two (2) intersecting streets is improved with buildings that have a front yard which is greater or less than the required front yard in the district, no building shall project beyond the average front yard so established, provided, however, that a front yard depth shall not be required to exceed fifty percent (50%) in excess of the front yard otherwise required in the district in which the lot is located.
2. On lots having double frontage, the required front yard shall be provided on both streets.

**SECTION D. FRONT YARDS (CONT'D):**

3. In a residential district, no fence, structure or planting higher than three (3) feet above the established street grades shall be maintained within twenty (20) feet of any street intersection.
4. An open, uncovered porch or paved terrace may project into a required front yard for a distance of not more than ten (10) feet, but this shall not be interpreted to include or permit fixed canopies.
5. Filling station pumps and pump islands may be located within a required yard, provided they are not less than fifteen (15) feet from any street line and not less than fifty (50) feet from the boundary of any residential district.
6. Off-street parking facilities may be located within the required front yard of any "B" District or "M" District but shall not be nearer than fifty (50) feet to any "A" or "R" District and no off-street parking shall be permitted in the required front yard of any "A" or "R" District.
7. Outdoor advertising signs hereinafter erected shall conform to the front yard requirements of the district in which they are located.

**SECTION E. SIDE YARDS**

1. On a corner lot, the width of the yard along the side street shall not be less than any required front yard on such street, provided, however, the buildable width of a lot of record shall not be reduced to less than thirty-two (32) feet.
2. No accessory building shall project beyond a required side yard setback for any district.
3. Where dwelling units are erected above commercial establishments, no side yard is required except when required for the commercial building on the side of a lot adjoining a residential district.
4. A porte-cochere or canopy may project into a required side yard, provided every part of such porte-cochere or canopy is unenclosed and not less than seven (7) feet from any side lot line.
5. For the purpose of side yard regulation, a two-family dwelling or multiple dwelling shall be considered as one (1) building occupying one (1) lot.
6. An owner of a dwelling erected prior to the effective date of this Resolution shall be permitted to enlarge or structurally alter such dwelling to provide additional enclosed space for living or garage purposes, provided, however, that no side yard shall be reduced to less than five (5) feet.
7. Where a lot of record at the time of the effective date of this Resolution is of less width than the minimum lot width required in the district in which the lot is located, the minimum side yard may be reduced to ten percent (10%) of the width of the lot, provided, however, that no side yard shall be less than five (5) feet.

**SECTION F. REAR YARDS**

1. Where a lot abuts upon an alley, one-half (½) the alley width may be considered as part of the required rear yard.
2. An accessory building, not exceeding twenty-four (24) feet in height may not occupy more than thirty percent (30%) of the lot; but no accessory building shall be closer than ten (10) feet to the main building nor closer than three (3) feet to any rear lot line. A building covering more than 120 square feet must be ten (10) feet from the lot line.
3. The ordinary projections of sills, belt courses, cornices, and ornamental features may extend to a distance not to exceed eighteen (18) inches into a required yard.
4. Open or lattice enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a rear yard may be permitted by the Township Zoning Inspector for a distance not to exceed five (5) feet when these are so placed as not to obstruct light and ventilation.

**SECTION G. SETBACK FROM ESTABLISHED DRAINAGE DITCHES**

In all districts a setback of forty (40) feet from the center line of an established drainage ditch shall be provided for all buildings or structures erected along such ditch.

**NOTE:** Ditch requirements for setback are thirty (30) feet from top of the bank with a minimum of twenty-five (25) feet in emergencies. Enclosed ditches should have a forty-foot (40 - ft.) setback from the center of the pipe.