

ORDINANCE 2011-2

WRIGHTSVILLE BOROUGH

YORK COUNTY PENNSYLVANIA

AN ORDINANCE AMENDING CHAPTER 4, PART 2 (BUILDING CONSTRUCTION) AND PART 3 (BUILDING LINES), SECTIONS 202, 203, 204 AND 303 OF THE WRIGHTSVILLE BOROUGH CODE OF ORDINANCES ESTABLISHING BUILDING CONSTRUCTION AND BUILDING LINES REGULATIONS.

BE IT ENACTED AND ORDAINED by the Council of Wrightsville Borough, York County, Pennsylvania, as follows:

Section 202. DEFINITIONS

(definition of ALTERATION changed as follows.)

ALTERATION- any change, change of use, rearrangement, enlargement, moving, relocation, removal or demolition of any structure or part thereof. Provided, "alteration" shall not include any of the following; Repairs, unless such repairs are addressed by or require the oversight of the Pennsylvania Uniform Construction Code. Provided "alteration" shall not include any interior painting, papering or decorating of any structure.

Section 203. REQUIREMENT FOR PERMIT

(parts 1 and 2 changed as follows. Part three remains unchanged.)

1. It shall be unlawful for any person to build, alter or change the use of any building or structure in Wrightsville Borough without first having obtained a permit therefore as herein provided.

2. It shall be unlawful for any person to begin any work for the building, alteration, or the change of the use of any building or structure, unless or until a building permit has been duly issued therefore.

Section 204. APPLICATION FOR PERMIT

(part 5 added)

5. All applications for permits shall indicate there on the Pennsylvania Home Improvement Contractors License Number of the primary or general contractor. In the event that a property owner shall be the general or primary contractor they shall attach a list of all secondary and/or sub-contractors and the secondary and/or sub-contractors license numbers to the application. This provision shall only apply when the contractors performing such work are required to be licensed by the Pennsylvania Home Improvement Contractors Licensing Act.

Section 303. BUILDING LINES ESTABLISHED, EXCEPTIONS AUTHORIZED:

(replaced as follows:)

1. The location of building lines for principal buildings (for example residences, commercial buildings) shall be as follows:
 - a. From each street, the building line shall be located twenty five (25) feet from the right of way line of such street, and
 - b. From each alley, the building line shall be located ten (10) feet from the right of way line of such alley, and
 - c. From each abutting property line, the building line shall be located ten (10) feet from the property line.
2. The location of building lines for additional buildings, clearly accessory to the principal structure (for example sheds or garages), shall be as follows:
 - a. From each street, the building line shall be located twenty five (25) feet from the right of way line of such street, or the setback of the principal structure, whichever is greater, and
 - b. From each alley, the building line shall be located ten (10) feet from the right of way line of such alley, and
 - c. From each abutting property line, the building line shall be located three (3) feet from the property line plus one (1) foot for each foot of accessory building eave height in excess of eight (8) feet, to a maximum required setback of ten (10) feet. Eave height shall be determined by measuring from the finished floor to the highest rain drip off edge of the roof.
3. The Wrightsville Borough Council may, in its sole discretion, grant an exception to the required setbacks based upon facts set forth in a request for such an exception

by the property owner. An exception may be granted by Borough Council, provided that all of the following findings are made where relevant in a given case;

a. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of the lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this ordinance in the neighborhood in which the property is located.

b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this ordinance and that an exception is therefore necessary to enable the reasonable use of the property.

c. That such unnecessary hardship has not been created by the applicant.

d. That the exception, if authorized, will not alter the essential character of the neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, nor be detrimental to the public welfare.

e. That the exception, as authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. In granting any exception, Borough Council may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this ordinance.

ANY ORDINANCE OR PARTS OF ORDINANCES WHICH ARE INCONSISTENT HEREWITH
ARE HEREBY REPEALED.

ENACTED AND ORDAINED THIS _____ DAY OF _____, 2011.

ATTEST:

BOROUGH COUNCIL:

MELISSA WIRLS
BOROUGH SECRETARY

THOMAS GROFT
COUNCIL PRESIDENT

APPROVED

This ____ day of _____, 2011

BY:

NEIL HABECKER
MAYOR