

ZONING ORDINANCE

Venango Borough

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ZONING ORDINANCE
BOROUGH OF VENANGO
CRAWFORD COUNTY, PENNSYLVANIA

AN ORDINANCE regulating the location and the use of structures and land for residences, business, industry and other purposes; regulating the location and height of structures, size of yards and other open spaces, automobile parking and the density of population; providing a method of administration by establishing a Zoning Hearing Board and prescribing duties and powers of officials; and prescribing penalties for violations.

BE IT HEREBY ORDAINED by the Council of the Borough of Venango, County of Crawford, Commonwealth of Pennsylvania:

ARTICLE ONE:
BASIC PROVISIONS

101 **REACTION CLAUSE:** It is hereby ordained and enacted by the Council of the Borough of Venango, County of Crawford, Commonwealth of Pennsylvania that from and after the passage and approval of this Ordinance, the several classes of districts specified herein shall be established, and the following regulations shall be in full force and effect. The provisions of this Ordinance shall be held to be the minimum requirements for the protection of the health, safety and welfare of the people at large, and to be designed to encourage the establishment and maintenance of reasonable community standards of physical environment.

102 **TITLE:** This ordinance may be cited as Venango Borough Zoning Ordinance.

103 **EFFECTIVE DATE:** The effective date of this Ordinance shall be the date of its approval by signature of the Council.

104 **DEFINED WORDS:** Words used in a special sense in the Ordinance are defined in Article Five.

105 **COMMUNITY DEVELOPMENT OBJECTIVES:** The community development objectives which are the basis for the provisions of this ordinance are set forth in the Comprehensive Plan as adopted and amended by the Governing Body. A summary of the most pertinent of these objectives with regard to the provisions of this ordinance are given as follows:

105.1 To provide for the harmonious arrangement of land uses for future development.

105.2 To encourage the adoption of controls that will protect residential investment and municipal structures, and that will ensure a stable and attractive residential environment.

105.3 To guide commercial development so as to minimize adverse influences on adjacent roads or land values.

106 ZONING MAP: A map entitled "VENANGO BOROUGH ZONING MAP" is hereby adopted as a part of this ordinance. The Zoning map shall be kept on file for examination in the office of the Borough Secretary in the Municipal Building.

107 COMPLIANCE: No structure shall be located, erected, constructed, reconstructed, moved, altered, converted, or enlarged; nor shall any structure or land be used or be designed to be used, except in full compliance with all the provisions of this Ordinance and after the lawful issuance of all permits and certificates required by this Ordinance.

108 SEVERABILITY: If any provision of this ordinance or the application of any provision to particular circumstances is held invalid, the remainder of the Ordinance or the application of such provision to other circumstances shall not be affected.

ARTICLE TWO:
DISTRICT REGULATIONS

201 ZONING DISTRICTS: The Borough shall be divided into the following districts which are displayed on the Zoning map as redrafted March 1996 attached hereto and incorporated herein by reference, the zoning districts are enumerated as follows:

R-1 Residential District
B-1 Business District

Regulations for each district are set forth as follows and in other sections of this ordinance. No land shall be used or occupied and no structure or part thereof shall be constructed, reconstructed, moved, or structurally altered except in conformity with the regulations specified for the district in which it is located, and except as regulated in applicable sections of this ordinance. It should be noted that additional regulations apply to properties located in the 100 year flood plain as identified by the Federal Emergency Management Agency Flood Insurance Rate Map for Venango Borough. These regulations are outlined in the Venango Borough Floodplain Ordinance (Ordinance No. 1996-1).

201.1 Residential District

201.1 (a): Permitted uses

1. Single Family Dwelling
2. Duplexes
3. Schools and Parks
4. Churches
5. Accessory Uses
6. Professional Activity

201.1 (b): Special Exceptions

1. Home Occupations
2. Mobile Home Parks

201.1 (c): Bulk Regulations

1. Minimum Lot Area...10,890 sq.ft.
2. Minimum Lot Area/Family...5,000 sq.ft.
3. Front Yard...25 feet
4. Side Yard...20 feet
5. Rear Yard...20 feet
6. Minimum Width of Lot...60 feet

201.2 B-1 Business District

201.2 (a): Permitted Uses

1. Stores and Shops
2. Cafes
3. Offices
4. Theaters and Amusements
5. Gas Stations
6. Single Family Dwellings
7. Duplexes
8. Schools and Parks
9. Churches
10. Accessory Uses
11. Professional Activity

201.2 (b): Special Exceptions (see section 306)

201.2 (c): Bulk Regulations

1. Minimum Lot Area...10,890 sq.ft.
2. Minimum Lot Area/Family...5,000 sq.ft.
3. Front Yard...10 feet
4. Side Yard...10 feet
5. Rear Yard...10 feet
6. Minimum Width of Lot...40 feet

.02

DISTRICT BOUNDARIES: District boundaries shown on the lines of roads, streams, and transportation rights of way shall be deemed to follow the centerlines. The vacation of roads shall not affect the location of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such centerlines, by the scale of dimensions stated on the Zoning map, or by the fact that it clearly coincides with a property line, he shall refuse action, and the Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of this Ordinance. (INSERT)

203

PERMITTED USES: The permitted uses for each district are shown in Section 201 ZONING DISTRICTS as herein amended. Uses not specifically listed shall not be permitted.

204

HEIGHT REGULATIONS: No structure shall exceed thirty-five (35) feet in height above average ground level unless approved by the Zoning Hearing Board. The Board may authorize a special exception to the height regulations in any district if:

204.1 All front, side, and rear yard depths are increased one (1) foot for each additional foot of height; or

204.2 The structure is any of the following and does not constitute a hazard to the airport, television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers, ornamental towers, spires, chimneys, elevator bulkheads, smokestacks, conveyors, and flagpoles.

205

FLOOR AREA REQUIREMENTS: No single family dwelling shall have a floor area of less than 750 square feet.

206

LOT AND YARD REQUIREMENTS: The minimum lot area, minimum width of lot, minimum depth of front yard, and minimum width of each side yard for each district shall be as shown in Section 201 as herein amended..

206.1 Lots which abut on more than one street shall provide the required front yards along every street.

206.2 All structures, whether attached to the principal structure or not, and whether open or enclosed, including decks, porches, carports, balconies, or platforms above normal grade level, shall not project into any minimum front, side or rear yard, except however, for the specified projections and obstructions listed below: (the yards into which the projections are permitted are indicated by F for Front Yard, S for Side Yard, and R for Rear Yards.)

206.2 (a): Arbors or trellises attached to the principal structure, not more than three (3) feet. F,S,R

206.2 (b): Arbors or trellises, free standing. R

206.2 (c): Air conditioning units, not less than three (3) feet from any lot line. S,R

206.2 (d): Awnings or canopies for a window, porch, or door, not more than four (4) feet. F,S,R

206.2 (e): Balconies, open, not more than (4) four ft. F,S,R

206.2 (f): Chimneys, not more than three (3) feet. F,S,R

206.2 (g): Cornices, eaves, belt courses, sills, one-story bay windows, and other similar architectural features, not more than three (3) feet. F,S,R

- 206.2 (h): Fences and walls, not more than 3 1/2 feet height. F
- 206.2 (i): Fences and walls, not more than six (6) feet in height. S,R
- 206.2 (j): Fire escapes open or enclosed, not more than six (6) feet. R
- 206.2 (k): Flag poles. F,S,R
- 206.2 (l): Garages, private, attached or detached, not less than five (5) feet from any rear lot line and not less than three (3) feet from any side lot line. S,R
- 206.2 (m): Lawn furniture such as permanent benches, sun dials, bird baths. F,S,R
- 206.2 (n): Open off-street parking and loading spaces. S,R
- 206.2 (o): Ornamental light standards, not over six (6) feet in height. F,S,R
- 206.2 (p): Playground and laundry-drying equipment. S,R
- 206.2 (q): Play houses and outdoor fireplaces, not less than three (3) feet from any lot line. S,R
- 206.2 (r): Porches, open, with or without roof, and not more than one-story in height, not more than eight (8) feet high. F,S,R
- 206.2 (s): Signs and nameplates as regulated in this Ordinance. F,S,R
- 206.2 (t): Steps, open. F,S,R
- 206.2 (u): Swimming pools and tennis courts, not less than ten (10) feet from any lot line. R
- 206.2 (v): Terraces and patios, open. F,S,R
- 206.2 (w): Tool houses and other similar structures for the storage of accessory supplies, not less than five (5) feet from any rear lot line and not less than three (3) feet from any side lot line. S,R
- 206.2 (x): Satellite dishes for private entertainment use over 20" in diameter, and not less than 10 feet from any lot line. R

206.3 Any lot of record existing at the effective date of this ordinance and then held in separate ownership different from the Ownership of adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this Ordinance, as per Section 201.

206.4 Where an on-lot septic tank is to be used, no zoning certificate shall be issued until a septic tank permit has been issued.

206.5 Any portion of a lot once used as a yard or as lot area per family in compliance with the area requirements of the district regulations of this Ordinance, shall not be counted again as required yard or lot area per family for another building.

206.6 One and only one principal structure together with permitted accessory structures may be located on any lot except that two or more principal structures may be permitted only after approval and recording of a land development plot as required by law.

ARTICLE THREE:
GENERAL REGULATIONS

301 NON-CONFORMING USES: The following provisions shall apply to all non-conforming uses:

301.1 Any lawful use of a structure or land existing at the effective date of this Ordinance, may be continued although such use does not conform to the provisions of the Ordinance. Such lawful use may be sold, leased, conveyed or otherwise legally transferred and the new owner may continue such lawful nonconforming use.

301.2 A zoning certificate must be obtained within one year by the owner of any nonconforming use as evidence that the use lawfully existed prior to the adoption of the provision which make the use non-conforming.

301.3 Extensions of the non-conforming use of a building

301.3 (a) A non-conforming use of a building may be extended throughout the building if no structural alterations are made therein; and, provided, it is specifically authorized as a special exception by the Zoning Hearing Board such extension may include structural alterations.

301.3 (b) A non-conforming use of a building may be extended upon a lot occupied by such use and held in single and/or separate ownership at the effective date of this Ordinance when authorized as a special exception by the Zoning Hearing Board; providing, however, that such extension does not replace a conforming use and does not extend or expand the building more than 50% of the area it occupied at the effective date of this Ordinance.

301.4 A non-conforming use of a building or land may be changed to a use of an equal or more restricted classification but not to a use of less restricted classification.

301.5 A non-conforming building that has been damaged or destroyed by fire, windstorm, explosion, or a similar cause deemed to be no fault of the owner may be rebuilt provided that the owner applies for and receives authorization for such rebuilding from the Zoning Hearing Board subject to the following:

301.5(a) If the damage is less than 75% of the real value prior to destruction, rebuilding may take place upon the original foundation; however, if any expansion is proposed and approved, the rebuilding shall be controlled by all set back and open space requirements for the district in which it is located.

301.6 In the event that any non-conforming use, conducted in a structure or otherwise, ceases, for whatever reason, for a period of one year, or is abandoned for any period, such non-conforming use shall not be resumed.

302 **ACCESSORY USES:** Accessory uses and structures shall be defined and interpreted in this Ordinance including, but not limited to, following:

302.1: Home occupations. See section 306

302.2: Garages, Private, non-commercial.

302.3: Tool houses and other similar structures for the storage of accessory supplies.

302.4: Swimming pools and tennis courts.

302.5: Signs as regulated in Section 305.

302.6: Accessory radio and television antennas when less than twelve (12) feet above the building on whichb they are mounted.

302.7: Foster homes not exceeding more than six (6) children in number in each home.

302.8: Greenhouses used to grow plants and a hobby for the residents personal use.

302.9: Storage of building materials and equipment and temporary structures for on-site construction purposes, for a period not to exceed the duration of active construction.

302.10 Every swimming pool, in ground or above ground, shall be enclosed by a fence or wall not less than five feet high to prevent uncontrolled access by small children. Every pool shall be set back at least 10 feet from any property line.

303 **OFF-STREET PARKING:** Off-street parking spaces shall be provided whenever any new use is established or existing use is enlarged. Two spaces will be provided for each dwelling unit. For non-residential uses the off-street parking area will not be less than two times greater than the ground floor area of the structure.

304 **MOBILE HOMES:** Any grouping of two or more mobile homes on one property, whether the wheels are attached or not, shall be permitted only in mobile home parks which meet the requirements of this section and the Department of Environmental Resources or State Regulations.

304.1 No mobile home park shall have an area of less than five (5) acres.

304.2 Each mobile home site within the mobile home park shall have an area no less than 4,000 square feet in the park.

304.3 There shall be a minimum distance of 20 feet between each mobile home, including accessory structures attached thereto, and any portion of any other structure in the development. There shall be a minimum distance of 15 feet between each mobile home and the boundary of the nearest abutting internal street or common area. There shall be a minimum distance of 35 feet between each mobile home and the development's boundary lines.

304.4 Not less than ten percent (10%) of the gross area of the mobile home park shall be improved for recreational activities for the residents of the park.

304.5 The mobile home park shall be appropriately landscaped and screened from the adjacent properties.

304.6 The mobile home shall be installed upon, and securely fastened to, a frost-free foundation or footer, and in no event shall it be erected on jacks, loose blocks, or other temporary materials.

304.7 An enclosure or skirting of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

304.8 Every mobile home shall be tied down to prevent overturning or lifting from sustained winds of eighty (80) miles per hour. The installation of a mobile home shall conform to one of the following:

304.8(a) Strap type tie downs: A minimum of four (4), No. 29 gauge or stronger, rust resistant, non-perforated metal straps or rails, shall be required to anchor the mobile home. Each strap or rail shall be attached with "I" bolts to the foundation or attached to augers and anchored a minimum of 6 feet below grade. The straps or rails shall be secured to the sides and across the roof trusses of the mobile home.

304.8(b) Cable or Chain Type tie down: A minimum of six (6) rust resistant cables or chains, each of which shall be a minimum of 3/8" in diameter shall be required. Three chains or cables on each side shall be securely anchored from the chassis of the mobile home to the foundation.

304.9 Any individual mobile home located on a single lot shall conform to all of the minimum lot area and setback requirements for single-family homes of the Zoning District in which it is located as well as the regulations in 304.6, 304.7, and 304.8.

305

SIGNS: No sign, billboard, or exterior graphic display shall be permitted in any district except as herein provided.

305.1 In any district a sign not exceeding two (2) square feet in surface size is permitted which announces the name, address, or professional activity of the occupant of the premises on which said sign is located.

305.2 A bulletin board not exceeding twenty-four (24) square feet is permitted in connection with any church, school or similar public structure.

305.3 A temporary real estate or construction sign of reasonable size is permitted on the property being sold, leased or developed. Such sign shall be removed promptly when it has fulfilled its function.

305.4 Business signs shall be permitted in connection with any legal business or industry when located on the same premises, and if they contain no advertising for any product not sold on the premises; have a combined aggregate surface size no greater than five square feet for each foot of width of the principal structure on the premises; and do not project over public rights of way.

305.5 Directional signs of a reasonable size shall be permitted in connection with any legal business or institution provided they contain no information other than instructions for convenience of vehicular traffic in reaching such business or institution.

306

SPECIAL EXCEPTION USES: HOME OCCUPATIONS & PROFESSIONAL ACTIVITIES: The following standards and criteria shall apply to special exception uses:

306.1 Special Exception uses shall not change the character of the residential dwelling unit and shall be consistent with the surrounding residential district.

306.2 Signs shall be limited to nameplates, as permitted in Section 305.1 of the Ordinance.

306.3 No commodity shall be sold upon the premises except that which is produced by or is directly related to such home occupation.

306.4 Not more than 2 persons shall be engaged in such use occupation or profession.

306.5 No mechanical or electrical equipment shall be permitted except such as might normally be used for domestic or avocational purposes.

306.6 The use shall not cause any electrical disturbance that would effect radio, television or other equipment in the vicinity.

306.7 The use shall not generate more than 6 vehicular trips to and from the premises at the busiest hour of the normal operating day, unless off-street parking is provided.

306.8 Outdoor work, service and storage areas (if any) shall be adequately screened from the view of the public roads and from adjacent residences.

306.9 The use shall not produce any noise, odor, dust, fumes, glare or flashing light, which is perceptible without instruments, more than 50 feet from the boundaries of the lot.

**ARTICLE FOUR:
ADMINISTRATION AND ENFORCEMENT**

401 **ZONING OFFICER:** The Zoning Officer, who shall be appointed by the governing Body, shall:

401.1 Administer and enforce the provisions of this Ordinance in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this Ordinance.

401.2 Issue Zoning Certificates and Occupancy Permits.

401.3 Maintain a permanent file of all Zoning Certificates, Occupancy Permits, and Applications as public records.

401.4 Identify and register all non-conforming uses and structures as required by law. A Zoning Certificate shall then be issued to the owner of said use or structure.

402 **ZONING CERTIFICATES:** A Zoning Certificate shall be obtained before any person may:

402.1 Occupy or use any vacant land; or

402.2 Construct, reconstruct, move, alter, or enlarge any structure or building; or

402.3 Change the use of a structure or land to a different use; or

402.4 Change a non-conforming use.

402.5 Applications for a Zoning Certificate shall be accompanied by a plot plan showing clearly and completely the location, dimensions and nature of any structure involved and such other information as the Zoning Officer may require for administration of this Ordinance, together with a filing fee in accordance with a schedule annually affixed by resolution of the Borough Council.

402.6 The Zoning Certificate shall become null and void one year from date of issue. A new Zoning Certificate must be obtained prior to the establishment of a use or the continuation of a construction program authorized by a original Zoning Certificate which has not been completed before said Zoning Certificate expires.

403 **OCCUPANCY PERMIT:** An occupancy permit shall be obtained before any person may occupy or use any structure hereinafter constructed, reconstructed, moved, altered, or enlarged.

404 **ENFORCEMENT PENALTIES:** Any person, partnership, or corporation who or which shall violate the provisions of this Ordinance shall, upon conviction thereof in a civil proceeding, be sentenced to pay a fine of not more than five hundred dollars (\$500.00). In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation shall be liable to imprisonment for not more than sixty (60) days. Each day that a violation is continued shall constitute a separate offense.

405 **ENFORCEMENT REMEDIES:** In case any building, structure or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Council, in addition to other remedies, may institute in the name of Venango Borough any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

406 **AMENDMENTS:** The Council may amend this Ordinance as proposed by a member of the Council, by the Planning Commission or by a petition of a person residing or owning property within Venango Borough in accordance with the following provisions:

406.1 Petitions for amendment shall be filed with the Planning Commission, and the petitioner, upon such filing, shall pay an advertising deposit and a filing fee in accordance with a schedule annually affixed by resolution. The Planning Commission shall review the proposed amendment and report its findings and recommendations in writing to the Council and to the petitioner. The proposed amendment shall be introduced before the Council only if a member of the Council elects to do so. If an amendment proposed by petition is not introduced the advertising deposit shall be refunded to the petitioner; otherwise, such deposit shall be paid to Venango Borough.

406.2 Any proposed amendment introduced by a member of the Council without written findings and recommendations from the Planning Commission shall be referred to the Planning Commission for review at least thirty (30) days prior to public hearing by the Council.

406.3 At least thirty (30) days prior to a public hearing on the Zoning Ordinance, a copy of the proposed amendment shall be forwarded to the Crawford County Planning Commission for review and comment.

406.4 Before voting on the enactment of an amendment, the Council shall hold a public hearing thereon pursuant to public notice. If, after any public hearing held upon the amendment the proposed amendment is revised or further revised to include land previously not affected by it, the Council shall hold another public hearing pursuant to public notice, before proceeding to vote on the amendment.

407

ZONING HEARING BOARD: Creation and Appointment - A Zoning Hearing Board is hereby created. The Board shall consist of three members appointed by the Borough Council. Each member shall be a resident of the Borough. The terms of office of the members shall be three years and shall be so fixed that the terms of office of one member shall expire each year. The Board shall promptly notify the Borough Council of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board may also be a member of the Planning Commission.

407.1 **ORGANIZATION** - The Board shall elect from its own membership a Chairman and a secretary who shall serve annual terms as such and may succeed themselves. The Board may make and alter rules and forms for its procedures, consistent with the laws of the Borough and the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to the Borough once a year. For the conduct of any hearing and the taking of action, a quorum shall be not less than a majority of all members of the Board but where two members are disqualified to act in a particular matter, the remaining members may act for the Board. Within the limits of funds appropriated by the Borough Council, the Board may employ or contract for a secretary, a clerk, or legal counsel.

407.2 FUNCTIONS

407.2(a) The Board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Officer in the Administration of this Ordinance.

407.2(b) The Board shall hear challenges to the validity of the Zoning Ordinance and/or map and any parts thereof; except it may not hear challenges pertaining to the process of enactment or adoption of the Ordinance and map. At the conclusion of the hearing the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the Court.

407.2(c) The Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance, strictly applied, inflict unnecessary hardship upon the applicant. The Board may vary the application of any requirements of this Ordinance whereby strict enforcement would result in practical difficulty or unnecessary hardship that would deprive the applicant of the reasonable use of his land or building. A variance may be granted provided the following findings are made by the Board:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size and shape, or exceptional topographic or other physical conditions peculiar to the property and that the unnecessary hardship is due to these conditions generally created by the provisions of the Zoning Ordinance;
2. That because of such physical circumstances there is no possibility that the property can be developed in strict conformity with the provisions of this Ordinance;
3. That such unnecessary hardship has not been created by the applicant;
4. That the variance, 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 of adjacent property nor be detrimental to the public welfare;

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Ordinance.

407.2(d) The Board shall issue special exception permits for any of the uses requiring such permits under the terms of this Ordinance. The Board shall hear and decide requests in accordance with the established standards and criteria. In granting special exception permits the Board shall prescribe the basis upon which the permit was issued and the conditions deemed necessary or desirable for the protection of public interests. No special exception permits shall be granted by the Board unless it finds that the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and that the use will be in harmony with the general purpose of this Ordinance.

407.2(e) Where the Board has jurisdiction over a zoning matter pursuant to the above subsections the Board shall also hear all appeals which an applicant may elect to bring before it.

with respect to any other municipal ordinance or requirement pertaining to the same development plan or development. In any such case, the Board shall have no power to pass upon nonzoning issues, but shall take evidence and make a record thereon as provided in this Ordinance. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact which shall become part of the record on appeal to court.

407.3 PROCEDURE: The hearing procedure of the Zoning Hearing Board shall be governed by the provisions of the Pennsylvania Municipalities Planning Code (Act 247) of 1968 as amended and such rules, not inconsistent therewith, as the Board may adopt. The Board shall conduct the hearings and make decisions in accordance with the following requirements:

407.3 (a): 1. Any appeal from the strict requirements of the Zoning Ordinance shall be taken by filing a notice of appeal with Zoning Officer and with the Zoning Hearing Board. The grounds of the appeal shall be stated in the notice of appeal. The Zoning Officer shall transmit to the Board all of the documentary material constituting the record upon which the action appeals was taken.

407.3 (b): The appellant shall, at the time of filing his appeal, pay the Zoning Officer a fee as determined by the Borough Council to defray or help defray the cost of the appeal including advertising.

407.3 (c): Each appeal shall be tried on its merits at a public hearing. Public notice of such appeal shall be given. The Board also shall give notice to the applicant, the Zoning Officer and such other persons as the Borough Council may designate by ordinance. Notices shall be given at such time and in such manner as shall be prescribed by ordinance or, in the absence of ordinance provision, by rules of the Board. The Board may adjourn any hearing for the purpose of giving further notice.

407.3 (d): The Planning Commission shall furnish all pertinent narrative material, maps, charts and other data relative to the problem for reference by all concerned. The Board may adjourn any hearing for the purpose of reviewing such data as may be pertinent to the problem and request interpretations of said data by a representative of the Planning Commission.

407.3 (e): The Chairman of the Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers.

407.3 (f): The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.

407.3 (g): Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

407.3 (h): The Board shall keep a stenographic record of the proceedings and a transcript of the proceedings and copies of graphic or written material received in evidence which shall be made available to any party at cost.

407.3 (i): The Board shall render a written decision or, when no decision is called for, make written findings on the application within forty-five days after the last hearing before the Board. Each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore.

407.3 (j): Where the Board fails to render a decision within the period required the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing to an extension of time.

407.3 (k): A copy of the final decision or, where no decision is called for, the findings shall be delivered to the applicant personally or mailed not later than five (5) work days following its date.

407.3 (l): No person shall be allowed to file any proceeding with the Board later than thirty (30) days after any application for development has been approved by an appropriate municipal official, agency, or body if such procedure is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given.

**ARTICLE FIVE:
DEFINITIONS**

501

GENERAL: Certain words used in this Ordinance are defined below. Words used in the present tense shall include the future. The singular number shall include the plural, and the plural the singular. The word "shall" is mandatory and not permissive.

501.1 ACCESSORY USES: A use customarily incidental and subordinate to the principal use and located on the same lot as the principal use.

501.2 AREA: Area of the lot or site shall be calculated from dimensions derived by horizontal projection of the site.

501.3 BOARD: The Zoning Hearing Board established by this Ordinance.

501.4 COUNCIL: The Council of the Borough of Venango, Crawford County, Commonwealth of Pennsylvania.

501.5 DWELLING: Any structure designed or used as the living quarters for one or more families.

501.6 FAMILY: One or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.

501.7 LOT: A parcel of land occupied or capable of being occupied by one or more structures.

501.8 LOT OF RECORD: Any lot which individually or as a part of a subdivision, has been recorded in the office of Recorder of Deeds of the County.

501.9 LOT, MINIMUM AREA OF: The horizontally projected area of a lot computed exclusive of any portion of the right of way of any public thoroughfare.

501.10 LOT, WIDTH OF: The mean width measured at right angles to its depth.

501.11 MOBILE HOME: A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

501.12 MOBILE HOME LOT: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

501.13 MOBILE HOME PARK: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

501.14 NON-CONFORMING USE: A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

501.15 NON-CONFORMING STRUCTURE: A structure or part of a structure manifestly not designed to comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such non-conforming structures include, but are not limited to, non-conforming signs.

501.16 SINGLE DWELLING: A dwelling occupied by one and only one family.

501.17 STRUCTURE: Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including, in addition to buildings, billboards, carports, porches, and other building features but not including sidewalks, drives and patios.

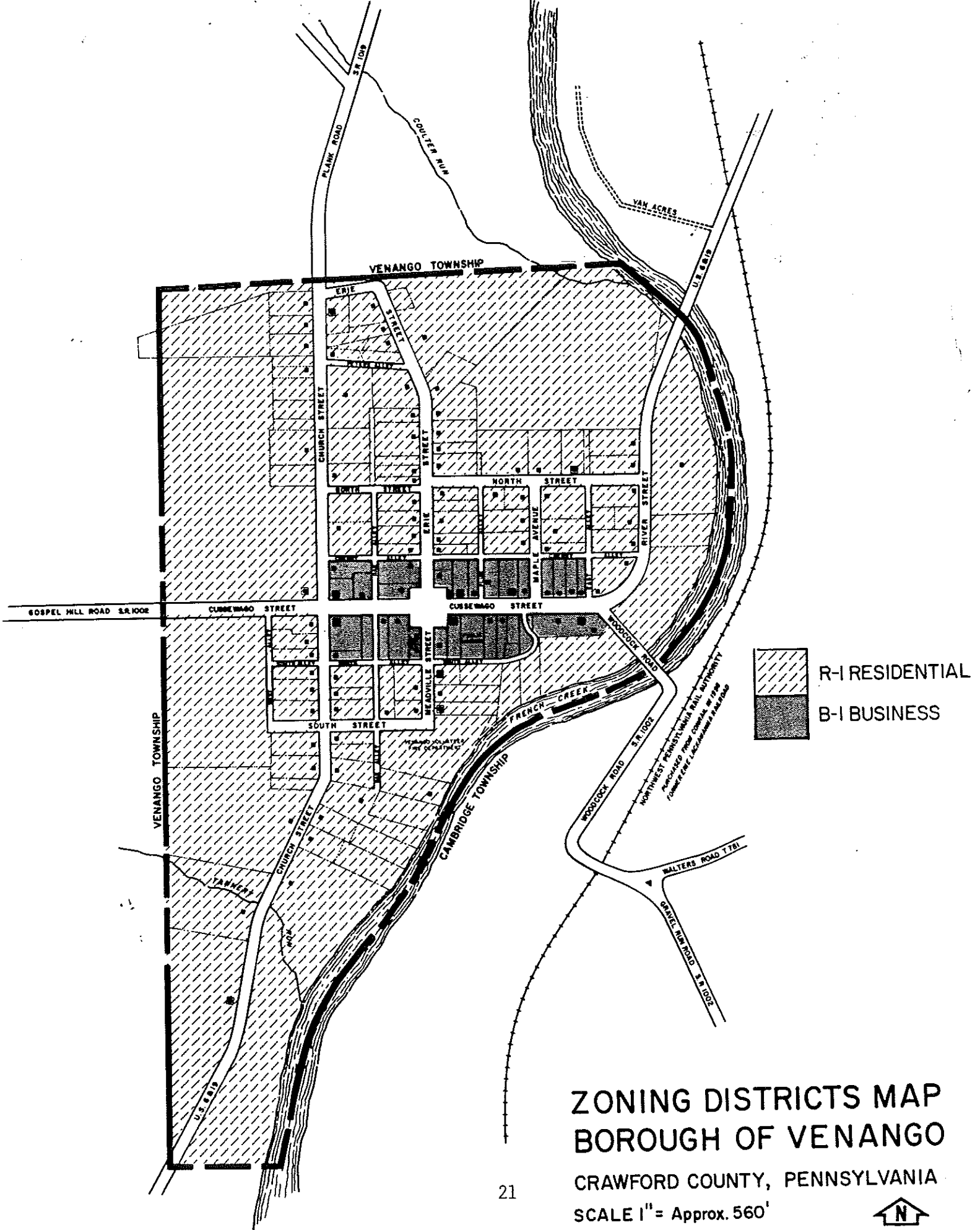
501.18 HOME OCCUPATION: Any customary use, occupation, or profession conducted on the premises by a member of the immediate family residing in the dwelling on said premises which use, occupation, or profession is secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and is consistent with the surrounding residential district.

501.19 YARD, FRONT: A yard extending along the full length of a front lot line to a line drawn parallel with such front lot line at a distance equal to the required front yard.

501.20 YARD, REAR: A yard extending along the full length of a rear lot line and back to a line drawn parallel with such rear lot line at a distance therefrom equal to the required rear yard.

501.21 YARD, SIDE: A yard extending along the side lot line to a line drawn parallel with such side lot line at a distance therefrom equal to the required side yard.

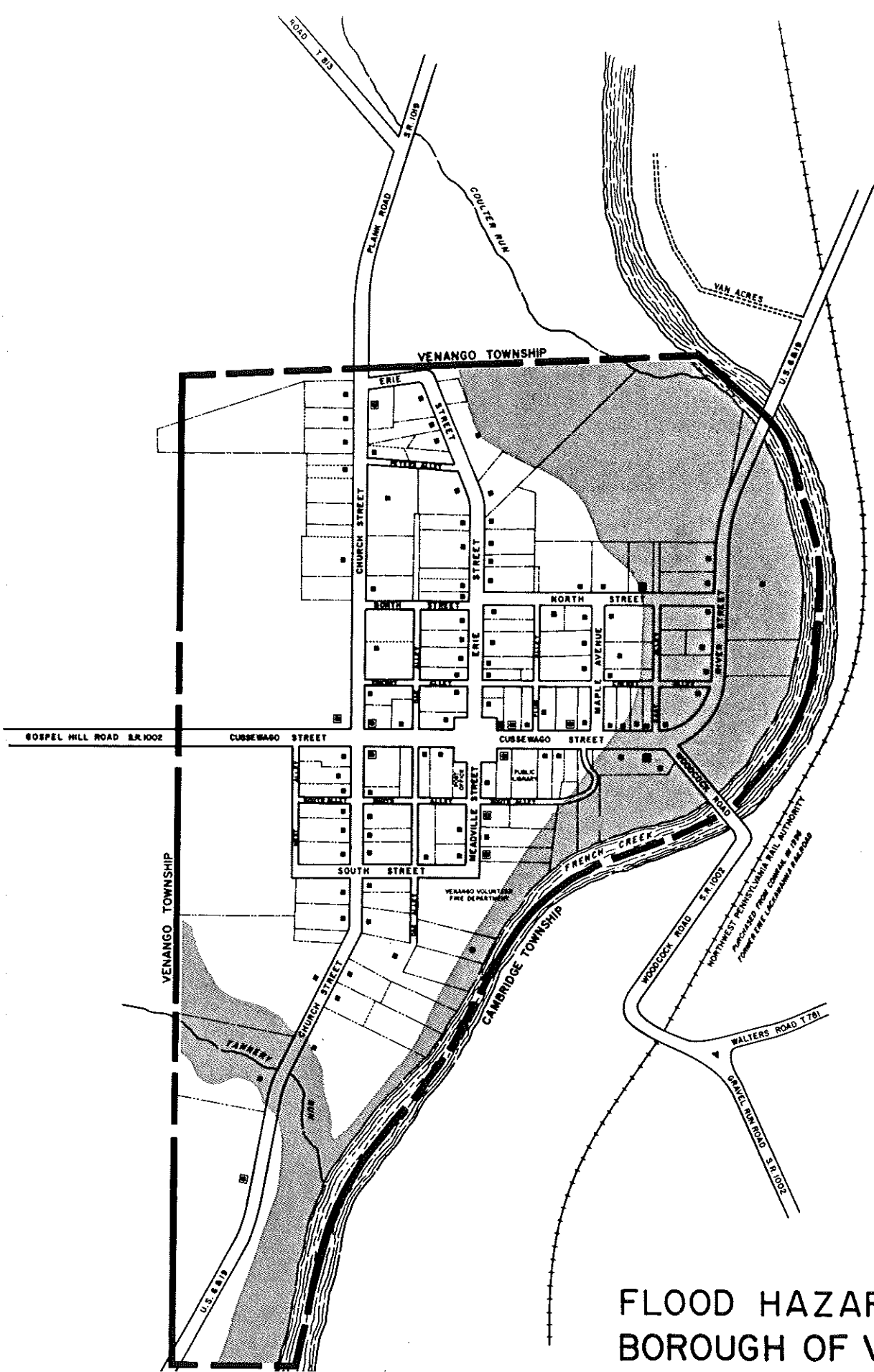
501.22 VARIANCE: A variance is a relaxation of requirements where the same will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this ordinance would result in unnecessary and undue hardship.



ZONING DISTRICTS MAP BOROUGH OF VENANGO

CRAWFORD COUNTY, PENNSYLVANIA
SCALE 1" = Approx. 560'





FLOOD HAZARD AREA BOROUGH OF VENANGO

CRAWFORD COUNTY, PENNSYLVANIA

SCALE 1" = Approx. 560'



PREPARED BY CRAWFORD COUNTY, PLANNING COMMISSION

THIS MAP IS FOR REFERENCE PURPOSES ONLY
 For floodplain information, please use the Federal
 Emergency Management Agency (FEMA) Flood
 Insurance Rate Map, Community Panel # 420355
 0001B, June 18, 1990

Enacted January 1997