

ORDINANCE NO. 300

AN ORDINANCE OF THE TOWNSHIP OF OHIO, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 132-109 OF THE CODE OF THE TOWNSHIP OF OHIO TO PERMIT CONSTRUCTION OF NEW STRUCTURES, WHICH MAY EXTEND TO ADJACENT LOTS, AS EXPANSIONS OF EXISTING NONCONFORMING INSTITUTIONAL USES AND STRUCTURES IN R-2 DISTRICTS.

WHEREAS, prior to 2006, Ohio Township's ("Township") Zoning Ordinance dated June 23, 2003 ("Zoning Ordinance") provided that Institutional Uses were permitted as Conditional Uses in an R-2 District; and

WHEREAS, the Zoning Ordinance defines Institutional Use as a nonprofit, religious or public use, such as a church, library, public or private school, hospital or government owned or operated building, structure, or land used for public purpose; and

WHEREAS, the Zoning Ordinance was amended on November 6, 2006 where it removed public and semi-public uses as Conditional Uses in R-1 and R-2 Districts; and

WHEREAS, Institutional Uses, which includes public uses, are no longer permitted uses in R-1 and R-2 Districts; and

WHEREAS, there exist in the Township Institutional Uses and Structures that were lawful existing uses in R-2 Districts prior to the September 6, 2006 amendment, which are now Nonconforming Institutional Uses and Structures; and

WHEREAS, Section 132-109 of the Zoning Ordinance provides for restricted expansions, enlargements and extensions of Nonconforming Uses and Structures existing on a lot; and

WHEREAS, the Zoning Ordinance excludes (a) construction of new structures as legal expansions of existing Nonconforming Institutional Structures and Uses in R-2 Districts, and (b) extensions of Nonconforming Institutional Uses over adjacent lots; and

WHEREAS, the doctrine of natural expansion authorizes municipalities to permit new construction and expansion of nonconforming uses and structures on existing lots and extensions over adjacent lots; and

WHEREAS, pursuant to Section 132-132 of the Zoning Ordinance, the Township desires to amend the Zoning Ordinance and recognize the doctrine of natural expansion of Nonconforming Institutional Uses and Structures in R-2 Districts; and

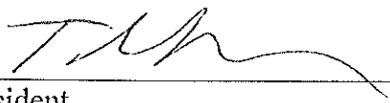
WHEREAS, pursuant to Section 132-132 of the Zoning Ordinance, the Township desires to permit (a) construction of new structures as expansions of existing Nonconforming Institutional Structures and Uses on lots in R-2 Districts and (b) extensions of Nonconforming Institutional Uses and Structures over adjacent lots in R-2 Districts.

THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Ohio, as follows

1. Section 132-109. Administration of Nonconforming Uses and Structures is hereby amended to permit:
 - a. construction of new structures as expansions of existing Nonconforming Institutional Structures and Uses on lots in R-2 Districts and
 - b. extensions of Nonconforming Institutional Uses and Structures over adjacent lots in R-2 Districts.
2. The Township may set forth specific conditions with respect to all new construction permitted under this provision of the Zoning Ordinance.
3. All new construction must comply fully with all other applicable requirements set forth in the Zoning Ordinance, including, but not limited to, providing sufficient parking for the expansion and extension as required by the Township.

DULY ENACTED this 5th day of July, 2011.


Secretary



President
Board of Supervisors