

LAND DEVELOPMENT CODE

12-11 R-8 SINGLE FAMILY ATTACHED RESIDENCE DISTRICT

12-11.1 Primary Intended Use.

The R-8 District is designed for single family attached residential units. For the purpose of administering this Article, single family attached residential units shall be defined as a dwelling accommodation within a building containing more than one (1) but not more than six (6) single family dwelling units, provided each separate dwelling unit:

a. Is attached to other similar dwelling units by one (1) or more party walls, or portions thereof, extending from the foundation to the roof;

b. Provides at least two (2) separate means of access to the outside for each dwelling unit.

A single family attached residential unit may include a building or structure in fee simple, condominium, or cooperative ownership, or any combination thereof.

(Ord. No. 581 § 12-11.1)

12-11.2 Prohibited Use.

Any use other than those listed in subsection 12-11.1 above is prohibited. (Ord. No. 581 § 12-11.2)

12-11.3 Required Conditions.

The following conditions must be complied with in the R-8 Zone District.

a. *Height.* No building shall exceed a maximum of thirty-five (35) feet in height.

b. *Setbacks.* No building or structure shall be located closer than:

1. One hundred (100) feet from the right-of-way line of any State highway;
2. Fifty (50) feet from the right-of-way line of any municipal or county road;
3. Thirty-five (35) feet from any residence district boundary line;
4. Thirty-five (35) feet from any nonresidential district boundary line;
5. Twenty-five (25) feet from the curb line of any internal private roads.

c. *Buffer Areas.* Those setbacks required in subsection 12-11.3b1, 2 and 3 above shall be buffer landscaped areas and shall not contain any building, structure or improvements other than access into the interior of the tract as approved by the Planning Board. Vehicular access from any state highway is specifically prohibited. Off-street parking is permitted within the setback required in paragraph 4 above provided the parking is not closer than ten (10) feet from any nonresidential district boundary line. This ten (10) foot buffer area must be landscaped as approved by the Planning Board. The twenty-five (25)-foot setback required in paragraph 5 above shall not permit a parking area other than that permitted on the driveway leading to an attached garage. This setback shall be landscaped as approved by the Planning Board.

d. *Density.* The gross density for any development in the R-8 Zone shall not exceed seven (7) single family attached dwelling units per acre, notwithstanding any other provisions of this chapter. The maximum number of dwelling units for any project shall be determined by multiplying the total area of the tract in acres within the R-8 Zone exclusive of any abutting public streets by seven (7). Any fractional number of units shall be deleted.

e. *Minimum Floor Area.* Every single family attached residential unit hereafter erected and containing one (1) bedroom shall have a minimum floor area of seven hundred (700) square feet per unit and every single family attached residential unit hereafter erected and containing more than one (1) bedroom shall have a minimum floor area of an additional two hundred (200) square feet for each additional bedroom.

f. *Off-Street Parking.* Off-street parking shall be provided in accordance with Section 9-10 of this chapter.

g. *Rooms.* Any room other than a living room, dining room, kitchen, bathroom, laundry room, utility room, foyer or hallway shall be construed as a bedroom and every unit constructed shall be presumed to have at least one (1) bedroom. The number of bedrooms per single family attached residential unit is unrestricted provided, however, the total number of more than two (2) bedroom units shall not exceed the total number of two (2) or less bedroom units and there shall not be more than eighteen (18) bedrooms per gross acre. Under no circumstances shall the bedroom mix result in a gross density that exceeds seven (7) single family attached residential units per acre.

h. *Open Space.* There shall be a minimum distance of thirty (30) feet between all structures containing dwelling units.

i. *Landscaping.* A Landscaping Plan shall be submitted and be subject to review and approval by the Planning Board at the same time as the Site Plan. The Landscaping Plan will show in detail the location, size, and type of all plantings including lawns to be used on the site. All areas not used for buildings or off-street parking shall be including in the Landscaped Plan. All parking and service areas shall be so screened that said areas are shielded from residential areas adjacent to the site.

j. *Access.* All ingress and egress streets and driveways shall only be located within the R-8 Zone at locations approved by the Planning Board. All recreation areas shall be shown on the Site Plan and shall be subject to review and approval by the Planning Board.

k. *Lighting.* Yard lighting shall be provided during the hours of darkness to provide illumination for the premises and all interior sidewalks, walkways and parking areas thereon. All wiring shall be laid underground and all lighting fixtures shall be arranged so that the direct source of light is not visible from any residential areas adjacent to the site.

l. *Architecture and Construction.* From a design and construction standpoint, a single family attached residence structure has two (2) basic options.

1. It shall be designed and constructed to resemble a large single family residence, or
2. It shall be designed and constructed, with appropriately different single family attached residences, setbacks, and rooflines so as to reflect the combination of more than one (1), but not more than six (6) single family attached residences.

The architecture employed shall be aesthetically in keeping with the surrounding area and shall be subject to approval by the Planning Board. All buildings shall be constructed in accordance with the Building Code and shall comply with the following requirements:

(a) The exterior of each building wall of single family attached residences shall be of wood, brick or stone facing, solid brick or stone, or some other acceptable durable material. Asbestos shingle and cinder or concrete block as exterior finishes are prohibited. The applicant shall submit to the Planning Board for review and approval, in addition to any and all other documents required by any other ordinance concerning Site Plan Review, floor plans, elevation drawings, color rendering and detailed finish schedules.

(b) The exterior of accessory structures shall harmonize architecturally with and be constructed of materials of a like character to those used in principal structures.

(c) There shall be between single family attached residences a soundproof fire wall constructed according to the specifications approved by the Borough Engineer. Such noncombustible wall shall have a sound transmission classification (STC) of not less than fifty-two (52) based on the laboratory test procedure specified in the ASTM (American Society of Testing Materials) recommended practice E-90-66-T.

m. *Utilities.* Every single family attached residential unit must be connected to the public sanitary sewer and water systems as approved by the Borough Engineer. All utilities shall be installed underground. Every dwelling unit shall be serviced by a fire hydrant within five hundred (500) feet of the unit which hydrant shall be connected to a six (6)-inch main. If more than one (1) fire hydrant is required, the hydrants shall be connected to an eight (8)-inch main.

n. *Roads.* All internal roads and driveways within the project shall be private roads constructed and maintained by the developer pursuant to specifications prepared by the Borough Engineer and subject to approval of the Planning Board. All internal roadways shall be designed for maximum safety and convenience and shall not be less than twenty (20) feet in width for two-way traffic nor less than twelve (12) feet in width for one-way traffic. Additional width shall be provided when curbside parking in a roadway is provided.

o. *Storage Space.* A storage area having a minimum floor area of forty-eight (48) square feet, and having both width and length of at least four (4) feet may be located in the basement, cellar, or garage serving the unit or in a structure with exterior access attached to the unit. If in a garage, the space shall be located beyond an area for vehicle parking having minimum dimensions of nine (9) feet in width and eighteen (18) feet in length.

p. *Fees.* At the time of filing an application for Site Plan Approval, the applicant will file with the Borough Clerk a fee of seventy-five (\$75.00) dollars per dwelling unit within the project. The fees shall be used to defray the cost of processing the application. No part of the application fee is refundable. At such time as the Site Plan is approved by the Planning Board but prior to the issuance of a Building Permit, the applicant shall file with the Borough Clerk an inspection fee equal to or not less than five (5%) percent of the estimated costs of all improvements on site exclusive of the dwelling structures. The fee shall be determined by the Borough Engineer and will be used to defray any engineering inspections made by the Borough. Any part of the fee that is not used as above outlined will be returned to the developer after approval by the Borough Council.

q. *Easements.* Any easements as required by the Planning Board, after review by the Borough Engineer, shall be shown on the Site Plan and the easements shall be given to the Borough

at such time as the Site Plan is approved. The easements may include but are not necessarily limited to utility lines, public improvements, and ingress and egress for emergency vehicles.

r. *Guarantees.* The developer shall furnish to the Borough as a condition of Site Plan approval such guarantees, covenants, Master Deed or Developer's Agreement, which shall satisfy the requirements of the Planning Board for the construction and maintenance of common areas, landscaping, recreational areas, public improvements and buildings.
(Ord. No. 581 § 12-11.3)