

**PERKASIE BOROUGH
ORDINANCE NO. 1027**

AN ORDINANCE OF THE BOROUGH OF PERKASIE, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE PERKASIE BOROUGH ZONING ORDINANCE SO AS TO INCREASE THE HEIGHT OF RESIDENTIAL BUILDINGS FROM THIRTY (30) FEET TO THIRTY-FIVE (35) FEET AND TO INCREASE THE MAXIMUM ACCESSORY BUILDING HEIGHT FOR ACCESSORY RESIDENTIAL STRUCTURES IN THE TOWN CENTER OVERLAY DISTRICT FROM FIFTEEN (15) FEET TO TWENTY (20) FEET

WHEREAS, the Borough Code at 8 Pa.C.S.A. §101 *et seq.*, authorizes the Borough Council of the Borough of Perkasia (“Borough Council”) to make and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government and welfare of the Borough and its citizens;

WHEREAS, the Borough Council has determined that it will be in the best interest of the Borough to amend the Zoning Ordinance so as to increase the maximum building height for residential dwellings from thirty (30) feet to thirty-five (35) feet in all zoning districts and increase maximum accessory building height for residential accessory structures from fifteen (15) feet to twenty (20) feet in the Town Center Overlay District; and

WHEREAS, the Borough Council has met and will meet the procedural requirements for the adoption of the proposed ordinance; and

WHEREAS, the Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the best interest and general welfare of Perkasia Borough will be served by the amendment to the Zoning Ordinance of the Borough of Perkasia.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Perkasie, Bucks County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. The provisions of Article V. Zoning Districts, §186-20 Districts Regulations, Section A. R-1A-Residential District, Subsections (2) and (3), shall be amended so as to increase the maximum building height from 30 feet to 35 feet.

SECTION 2. The provisions of Article V. Zoning Districts, §186-20 Districts Regulations, Section B. R-1B-Residential District, Subsections (2), (3) and (4), shall be amended so as to increase the maximum building height from 30 feet to 35 feet.

SECTION 3. The provisions of Article V. Zoning Districts, §186-20 Districts Regulations, Section C. R-2-Residential District, Subsections (2) and (3), shall be amended so as to increase the maximum building height from 30 feet to 35 feet.

SECTION 4. The provisions of Article V. Zoning Districts, §186-20 Districts Regulations, Section D. R-3-Residential District, Subsections (2) and (3) shall be amended so as to increase the maximum building height from 30 feet to 35 feet.

SECTION 5. The provisions of Article V. Zoning Districts, §186-20 Districts Regulations, Section E. A-Apartment District, Subsection (2), shall be amended to increase the maximum building height from 30 feet to 35 feet, so as to read as follows:

35 feet maximum height may be exceeded by 1 foot for each foot by which the width of the front, rear, and side yards is increased beyond the minimum yard requirements, up to a maximum of 50 feet

SECTION 6. The provisions of Article V. Zoning Districts, §186-20 Districts Regulations, Section G. C-2-General Commercial District, Subsections (2), (3) and (4), shall be

amended so as to increase the maximum building height from 30 feet to 35 feet for residential uses.

SECTION 7. The provisions of Article V. Zoning Districts, §186-20 Districts Regulations, Section J. TC-Town Center Overlay District, Subsections (3)(a)(7) shall be amended so as to increase the maximum residential accessory building height from 15 feet to 20 feet.

SECTION 8. The provisions of Article V, Zoning Districts, §186-41, Building Heights for Accessory Structures or Uses, shall be amended so as to increase the maximum residential accessory building height from 15 feet to 20 feet in the TC-Town Center Zoning District, but in all other Zoning Districts the height shall remain at 15 feet.

SECTION 9. All ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed, it being understood and intended that all ordinances and the Perkasio Borough Code, such as are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

SECTION 10. The Council of the Borough of Perkasio does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments to the Perkasio Borough Code, including this Ordinance.

SECTION 11. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, by any court of competent jurisdiction, such provision shall be separate, distinct and independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 12. The failure of the Borough of Perkasio to enforce any provisions of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION 13. This Ordinance shall be effective five (5) days after enactment.

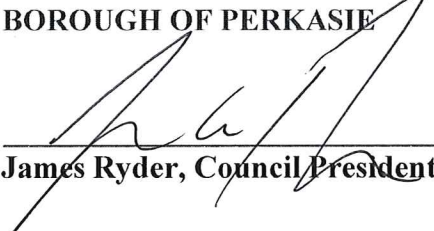
SECTION 14. Under the authority conferred by the Borough Code, 8 Pa.C.S.A. § 101, *et seq.*, the Municipalities Planning Code and other relevant statutory law, the Council of the Borough of Perkasio in the County of Bucks, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance for the Borough of Perkasio.

Approved by the Borough Council of the Borough of Perkasio, this 6th day of April, 2020.

ATTEST:




Andrea L. Coaxum, Secretary

BOROUGH OF PERKASIE


James Ryder, Council President

Examined and approved this 6th day of April, 2020.



John Hollenbach, Mayor