

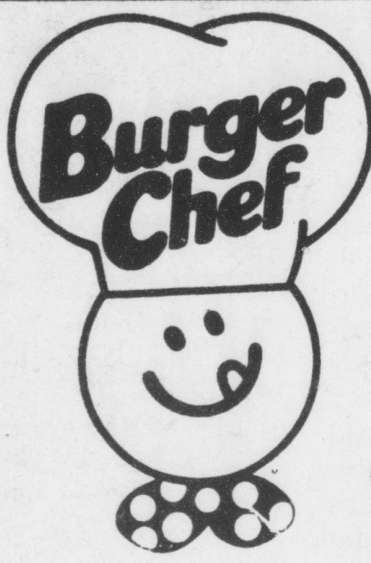
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PUBLIC NOTICE
ORDINANCE NO. 76-1

AN ORDINANCE AMENDING THE MARIETTA BOROUGH ZONING ORDINANCE OF 1971, REPEALING CERTAIN SECTIONS AND ADDING NEW PROVISIONS; CREATING A NEW R-40 RESIDENTIAL DISTRICT; AND GENERALLY REGULATING THE PLACEMENT OF MOBILE HOMES WITHIN THE BOROUGH OF MARIETTA.

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Marietta, Lancaster County, Pennsylvania, and it is hereby Enacted and ordained as follows:

SECTION I. The Act of August 10, 1971, known as the Marietta Borough Zoning Ordinance of 1971 is hereby amended by repealing Sections 502(7), 602(6), and 901(3). Said Sections are hereby repealed.

SECTION II. The Act of August 10, 1971, known as the Marietta Borough Zoning Ordinance of 1971 is hereby amended by adding the following new Sections:

A. SECTION 501(5)--Regardless of any provisions in this Ordinance to the contrary, placement and use of a mobile home is specifically not a permitted use in an R-100 Residential District.

B. SECTION 601(4)--Regardless of any provisions in this Ordinance to the contrary, placement and use of a mobile home is specifically not a permitted use in an R-60 Residential District.

C. SECTION 701(5)--Regardless of any provisions in this Ordinance to the contrary, placement and use of a mobile home is specifically not a permitted use in an NC-Neighborhood Commercial District.

D. SECTION 801(7)--Regardless of any provisions of this Ordinance to the contrary, placement and use of a mobile home is specifically not permitted use in and GC-Commercial District.

E. SECTION 901(3)--Sales offices and sales lots for the retail sales of new and/or used automobiles, trucks, motorcycles, boats and farm equipment.

F. SECTION 901(6)--Regardless of any provisions of this Ordinance to the contrary, placement and use of a mobile home is specifically not a permitted use in an HC-Highway Commercial District.

SECTION III. The Act of August 10, 1971, known as the Marietta Borough Zoning Ordinance of 1971 is hereby amended by adding the following new Article VI-A--R-40 Residential Districts as follows:

**ARTICLE VI-A
R-40 RESIDENTIAL
DISTRICTS**

SECTION 650--**Intended Purpose.** The R-40 Residential Districts, at the time of the enactment of this Article, are composed of largely undeveloped land

within the Borough. The regulations for these Districts are designed to allow the orderly development of all types of residential uses, including the placement and use of mobile homes as dwellings.

SECTION 651--**Permitted Uses.** Land and buildings in an R-40 Residential District shall be used only for the following purposes:

1. Uses permitted in the R-60 Residential Districts subject to the regulations of the R-40 Residential District.

2. Duplex, twin and semi-detached and multiple family structures.

3. Customary accessory uses and buildings incidental to any of the above permitted uses, including those specified in the R-100 Residential District and R-60 Residential District regulations.

4. Mobile homes may be placed in the R-40 Residential District if compliance is made with all other regulations of this Ordinance.

SECTION 652--**Special Exceptions.** The following uses are permitted when special exceptions are granted by the Zoning Hearing Board as provided for in Article XIX and other provisions of this Zoning Ordinance.

1. Uses which, in the opinion of the Board, of the same general character of those listed as permitted uses and which will not be detrimental to the intended purposes of those Districts.

2. Professional and non-professional home occupations.

3. Private nursery and elementary schools; providing, however, that the lot upon which located contains a minimum of one acre plus five hundred (500) square feet of land per pupil.

4. Recreational areas and structures operated by membership clubs for the benefit of their members and not for gain.

5. Swimming pools.

6. Mobile home parks subject to Article XII.

SECTION 653--**Area and Height Regulations.** The area and height regulations for the R-40 Residential Districts shall be the same as in the R-60 Residential Districts.

SECTION IV. The Act of August 10, 1971, known as the Marietta Borough Zoning Ordinance of 1971 is hereby amended as follows:

A. The introductory sentence of Section 1906 of said Ordinance is amended as follows: SECTION 1906--**Apartment dwellings in R-60 Residential Districts and R-40 Residential Districts.** Apartment dwellings in R-60 Residential Districts and R-40 Residential Districts may be allowed as a special exception by the Board provided the following standards are adhered to.

B. Section 1907 of said Ordinance is amended to make said Section applicable to R-40, R-60, and R-100 Residential Districts.

SECTION V. The Marietta Borough Zoning Map is hereby amended by changing the following described areas from R-60 Residential District to R-40 Residential District. All that certain tract of land situated in the Borough of Marietta, County of Lancaster, and Commonwealth of Pennsylvania, bounded and described as follows: Beginning at a point on the southeast intersection of Hazel Avenue and Furnace Road and continuing in a southeastern direction along the northern edge of said Furnace Road to the southwest intersection of Furnace Road and Pennsylvania Route 441. Thence, continuing along the southern edge of said Pennsylvania Route 441 to the southeast corner of the intersection of Hazel Avenue and Pennsylvania Route 441; continuing then in a westerly direction along the southern edge of the aforesaid Hazel Avenue to the point of Beginning.

SECTION VI. The Marietta Zoning Map is hereby amended by changing the following described areas from IND-Industrial to R-40 Residential District. All that certain tract of land situated in the Borough of Marietta, County of Lancaster and Commonwealth of Pennsylvania, bounded and described as follows: Beginning at a point on the southwest intersection of Hazel Avenue and Jones Street and continuing in a westerly direction along the southern edge of the aforesaid Hazel Avenue to a point at the southeast intersection of the aforesaid Hazel Avenue and Decatur Street; thence, extending in a southerly direction along the eastern edge of Decatur Street a distance of two hundred (200') feet to a point; thence, continuing in an easterly direction to a point along the western edge of Jones Street; and, thence, continuing in a northerly direction a distance of two hundred (200') feet more or less to the place of Beginning.

SECTION VII. The Marietta Borough Zoning Map is hereby amended by changing the following described areas from R-100 Residential District to R-40 Residential District. All that certain tract of land situated in the Borough of Marietta, County of Lancaster and Commonwealth of Pennsylvania, bounded and described as follows: Beginning at a point at the southwest intersection of West Market Street and Morris Street and continuing in a westerly direction along the southern edge of West Market Street, a distance of three hundred (300') feet to a point; thence, in a southerly direction, a distance of two hundred twenty-one (221') feet along the boundary line between East Donegal Township and the Borough of Marietta to a point, thence, extending in an easterly direction a distance of three hundred (300') feet

February 18, 1976 to a point; and thence, extending in a northerly direction along the western edge of Morris Street, a distance of two hundred (200') feet more or less, to the point of Beginning.

SECTION VIII. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION XI. This Ordinance shall become effective when advertised by law.

ENACTED AND ORDAINED this 10th day of February, 1976.

**MARIETTA BOROUGH
COUNCIL**

Oliver C. Overlander, II
President

ATTEST: Margaret Booth
Secretary

APPROVED this 10th day of February, 1976.

Bernard R. McDevitt
Mayor

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the ZONING HEARING BOARD of the Borough of Mount Joy will conduct a PUBLIC HEARING on Wednesday, February 25, 1976, at 8:00 p.m., in the Borough Offices Building, 21 East Main Street, Mount Joy, PA to hear the following petitions:

1. D. C. Gohn Associates, Inc., 24 East Main Street, Mount Joy, PA is requesting a variance on lot size and on minimum lot width at the building setback line. The variance is necessary in order to locate single family semi-detached dwellings on the 2.5 acre tract of land along Appletree Alley near North Chestnut Street.

2. The Zoning Officer is requesting an interpretation of Section 504.e and 502.e as it applies to the conditional uses in and R-2 area.

All interested parties are invited to attend.

**BOROUGH OF MOUNT
JOY
ZONING HEARING
BOARD**

PUBLIC NOTICE

Notice is hereby given that the Zoning Hearing Board of the Borough of Marietta will conduct a Public Hearing on Thursday, February 26, 1976 at 7:00 p.m., in the Borough Office building, 111 East Market Street, Marietta, PA to hear the following petitions:

1. Jerry Martin, 258 West Front Street, Marietta, PA is requesting a special exception to operate a Blacksmith Shop at 270-272 West Front Street, Marietta, PA and a variance from side-yard requirements.

2. Ronald Wagner & Gregory Bearers, 226 Marietta Avenue, Mount Joy, PA is requesting a special exception to install and operate a commercial printing shop at 30 Apple Avenue, Marietta, PA.

**BOROUGH OF MARIETTA
ZONING HEARING
BOARD**

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