

**BOROUGH OF SWARTHMORE  
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE BOROUGH OF SWARTHMORE, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND/OR SUPPLEMENTING THE ZONING CODE OF THE BOROUGH OF SWARTHMORE TO PERMIT THE CONSTRUCTION OF (i) A SHED WITH AN AREA NOT IN EXCESS OF 100 SQUARE FEET IN THE RA, RB AND RC RESIDENTIAL DISTRICTS AS CLOSE AS BUT NO CLOSER THAN THREE FEET FROM A SIDE AND/OR REAR PROPERTY LINE OF A PROPERTY BY RIGHT AND (ii) A GARAGE IN THE RA, RB AND RC RESIDENTIAL DISTRICTS AS CLOSE AS BUT NO CLOSER THAN THREE FEET FROM A SIDE AND/OR REAR PROPERTY LINE OF A PROPERTY BY SPECIAL EXCEPTION WHEN SUCH GARAGE COMPLIES WITH CERTAIN BULK AND AREA REQUIREMENTS**

BE IT ENACTED AND ORDAINED by the Borough Council and Mayor of the Borough of Swarthmore as follows:

**Section 1: Amendment of §1246.03. Area and Bulk Regulations for Accessory Buildings in RA Residential Districts.** The following subsection (k) of §1246.03 of the Codified Ordinances of the Borough of Swarthmore, relating to bulk and area requirements for accessory buildings in RA Residential Districts, is hereby amended to read as follows:

- (k) (1) No accessory building is permitted within a front yard.
- (2) No accessory building shall exceed twenty-five feet in building height.
- (3) Except as permitted by subsections (4) and (5) below, accessory buildings shall be located a minimum of ten feet from any side and/or rear property line.
- (4) Up to one shed, with a footprint size not exceeding one hundred square feet and a building height not exceeding eleven feet, may be placed as close as but no closer than three feet from a side and/or rear property line by right, provided that any such shed can be situated entirely to the rear of an imaginary line that represents an extension of any adjacent principal building's rear building line. A shed permitted hereunder is excluded from the maximum lot coverage calculations for purposes of complying with such maximum lot coverage requirement, unless the property owner has previously applied for and received a special exception to construct a garage pursuant to (5) below, or applies for a special exception to construct a garage pursuant to (5) below, in which case the area of the shed shall be included in the calculation of maximum lot coverage.

(5) A garage may be placed as close as but no closer than three feet from a side and/or rear property line by special exception if such garage complies with the following criteria and standards and the general standards for a special exception set forth at § 1264.17 of this zoning ordinance: (a) the garage shall have a building area not to exceed 300 square feet; (b) the width of the garage (being the side facing the street) shall not exceed fifteen feet (15'); (c) the height of the garage shall not exceed thirteen feet (13'); (d) the side wall height of the garage (to the top plate of the wall) shall not exceed nine feet (9'); (e) the building materials shall be of consistent quality on all sides; (f) the entire garage shall be situated to rear of an imaginary line that represents an extension of the principal building's rear building line; and (g) the garage allowed under this exception (and any shed permitted under subsection (4) above) shall be included in the calculation of the maximum lot coverage requirement and shall be in compliance with such maximum lot coverage requirement.

**Section 2: Amendment of §1248.03. Area and Bulk Regulations for Accessory Buildings in RB Residential Districts.** The following subsection (n) of §1248.03 of the Codified Ordinances of the Borough of Swarthmore, relating to bulk and area requirements for accessory buildings in RB Residential Districts, is hereby amended to read as follows:

- (n) (1) No accessory building is permitted within a front yard.
- (2) No accessory building shall exceed twenty-five feet in building height.
- (3) Except as permitted by subsections (4) and (5) below, accessory buildings shall be located a minimum of ten feet from any side and/or rear property line.
- (4) Up to one shed, with a footprint size not exceeding one hundred square feet and a building height not exceeding eleven feet, may be placed as close as but no closer than three feet from a side and/or rear property line by right, provided that any such shed can be situated entirely to the rear of an imaginary line that represents an extension of any adjacent principal building's rear building line. A shed permitted hereunder is excluded from the maximum lot coverage calculations for purposes of complying with such maximum lot coverage requirement, unless the property owner has previously applied for and received a special exception to construct a garage pursuant to (5) below, or applies for a special exception to construct a garage pursuant to (5) below, in which case the area of the shed shall be included in the calculation of maximum lot coverage.
- (5) A garage may be placed as close as but no closer than three feet from a side and/or rear property line by special exception if such garage complies with the following criteria and standards and the general standards for a special exception set forth at § 1264.17 of this zoning ordinance: (a) the garage shall have a building area not to exceed 300 square feet; (b) the width of the garage (being the side facing the street) shall not exceed fifteen feet (15'); (c) the height of the

garage shall not exceed thirteen feet (13'); (d) the side wall height of the garage (to the top plate of the wall) shall not exceed nine feet (9'); (e) the building materials shall be of consistent quality on all sides; (f) the entire garage shall be situated to rear of an imaginary line that represents an extension of the principal building's rear building line; and (g) the garage allowed under this exception (and any shed permitted under subsection (4) above) shall be included in the calculation of the maximum lot coverage requirement and shall be in compliance with such maximum lot coverage requirement.

**Section 3: Amendment of §1250.03. Area and Bulk Regulations for Accessory Buildings in RC Residential Districts.** The following subsection (n) of §1250.03 of the Codified Ordinances of the Borough of Swarthmore, relating to bulk and area requirements for accessory buildings in RC Residential Districts, is hereby amended to read as follows:

- (n) (1) No accessory building is permitted within a front yard.
- (2) No accessory building shall exceed twenty-five feet in building height.
- (3) Except as permitted by subsections (4) and (5) below, accessory buildings shall be located a minimum of ten feet from any side and/or rear property line.
- (4) Up to one shed, with a footprint size not exceeding one hundred square feet and a building height not exceeding eleven feet, may be placed as close as but no closer than three feet from a side and/or rear property line by right, provided that any such shed can be situated entirely to the rear of an imaginary line that represents an extension of any adjacent principal building's rear building line. A shed permitted hereunder is excluded from the maximum lot coverage calculations for purposes of complying with such maximum lot coverage requirement, unless the property owner has previously applied for and received a special exception to construct a garage pursuant to (5) below, or applies for a special exception to construct a garage pursuant to (5) below, in which case the area of the shed shall be included in the calculation of maximum lot coverage.
- (5) A garage may be placed as close as but no closer than three feet from a side and/or rear property line by special exception if such garage complies with the following criteria and standards and the general standards for a special exception set forth at § 1264.17 of this zoning ordinance: (a) the garage shall have a building area not to exceed 300 square feet; (b) the width of the garage (being the side facing the street) shall not exceed fifteen feet (15'); (c) the height of the garage shall not exceed thirteen feet (13'); (d) the side wall height of the garage (to the top plate of the wall) shall not exceed nine feet (9'); (e) the building materials shall be of consistent quality on all sides; (f) the entire garage shall be situated to rear of an imaginary line that represents an extension of the principal building's rear building line; and (g) the garage allowed under this exception (and

any shed permitted under subsection (4) above) shall be included in the calculation of the maximum lot coverage requirement and shall be in compliance with such maximum lot coverage requirement.

**Section 4: Severability.** The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

**Section 5: Repealer.** All resolutions or ordinances, or parts thereof, which are inconsistent herewith are hereby repealed to the extent of the inconsistency.

**Section 6: Adoption.** This Ordinance shall take effect and be in force from and after its enactment as required by law.

ENACTED AND ORDAINED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

SWARTHMORE BOROUGH COUNCIL

\_\_\_\_\_  
SUSAN SMYTHE  
PRESIDENT

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010

ATTESTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010

\_\_\_\_\_  
RICHARD H. LOWE  
MAYOR

\_\_\_\_\_  
JANE C. BILLINGS  
BOROUGH MANAGER/SECRETARY