

BILL NO. 97-5

ORDINANCE NO. 97-5

AN ORDINANCE AMENDING THE CITY OF JEANNETTE ZONING ORDINANCE NO. 84-4, AMENDING THE CITY OF JEANNETTE ZONING MAP CHANGING AN R-2 ZONING DISTRICT TO AN R-1 ZONING DISTRICT; REMOVING TOWNHOUSES AS CONDITIONAL USES IN THE R-1 ZONING DISTRICT; AMENDING SECTION 402.8.E(7) OF THE ZONING ORDINANCE TO REQUIRE A MAXIMUM COVERAGE FOR TOWNHOUSES OF FIFTY (50%) PERCENT IN THE R-2 ZONING DISTRICT; ADDING A DEFINITION FOR DAY CARE CENTER TO ARTICLE II OF THE ZONING ORDINANCE; REMOVING DAY CARE CENTERS AS A CONDITIONAL USE IN R-1 ZONING DISTRICTS; INCLUDING DAY CARE CENTERS AS A CONDITIONAL USE IN AN R-2 ZONING DISTRICT; REMOVING SCHOOLS AS A CONDITIONAL USE IN R-1 AND R-2 RESIDENTIAL DISTRICTS; PERMITTING SELECTIVE PRIVATE SCHOOLS AS CONDITIONAL USES IN THE R-3 ZONING DISTRICTS; AND ESTABLISHING AREA AND BULK REQUIREMENTS FOR NONSPECIFIED CONDITIONAL AND SPECIAL EXCEPTION USES.

WHEREAS, the Council of the City of Jeannette has previously enacted Zoning Ordinance No. 84-4, hereinafter referred to as the City of Jeannette Zoning Ordinance, such Ordinance permitting, prohibiting, regulating, restricting and determining the uses of land, water courses, and other bodies of water; the size, height, bulk, location, erection, construction, alteration and use of structures; the areas and dimensions of land to be occupied by uses and structures; the density of population and intensity of use; the location and size of signs; creating Zoning Districts and establishing the boundaries thereof; creating the office of Zoning Officer; creating a Zoning Hearing

Board; and providing for the administration, amendment and enforcement of the Ordinance, including the imposition of penalties for violations thereof; and

WHEREAS, the Council of the City of Jeannette deems it necessary to protect the continuing health, safety and welfare of its citizens to make certain amendments to its Zoning Ordinance; and

WHEREAS, the Council of the City of Jeannette has received certain recommendations for modifications to the Zoning Ordinance that merit consideration and adoption.

NOW, THEREFORE, BY A VOTE OF THE MAJORITY OF THE COUNCIL OF THE CITY OF JEANNETTE TAKEN AT A PUBLIC MEETING, IT IS HEREBY ORDAINED AND ENACTED AS FOLLOWS:

1. The Zoning classification of the following Zoning District within the City of Jeannette, County of Westmoreland and Commonwealth of Pennsylvania, previously designated as R-2 Residential, is hereby reclassified as R-1 Residential;

BEGINNING at the intersection of Pine Street and Welty Avenue, where same intersects with the common boundary line of the City of Jeannette and Hempfield Township, thence along the common line of Welty Avenue and the Hempfield Township boundary line in a generally Northwest direction to the intersection of Welty Avenue and Western Avenue at the point where the line of Welty Avenue leaves the City of Jeannette; thence, along the common boundary line dividing the City of Jeannette and Hempfield Township, in a generally Northwest direction to Palmer Road; thence, along the common line of Palmer Road and the Hempfield Township boundary line to

the intersection of Palmer Road and Old Hill Road; thence, along the line of Old Hill Road, in a generally Southeast direction to a point where Old Hill Road intersects with an unopened paper street known as Shrader Avenue; thence, in a Southerly direction along the aforesaid line of the unopened Shrader Avenue to the intersection of Shrader Avenue and an unopened street known as Shivley Street; thence, along the line of the unopened roadway known as Shivley Street in a generally easterly direction to the intersection of Shivley Street and Western Avenue; thence, along the center line of Western Avenue in a generally Southern direction to the intersection of Western Avenue and Highland Avenue; thence, along the center line of Highland Avenue in a generally Easterly direction to the intersection of Highland Avenue and Second Street (also known as Charles Street); thence, along Second Street (also known as Charles Street) in a generally Northwest direction to the intersection of such street with an unopened alleyway running parallel to Chestnut Street between Chestnut Street and Highland Avenue; thence, along the line of said unopened alleyway in a generally Easterly direction to its intersection with Lavelle Street, said point of intersection being at or near the unopened portion of Lavelle Street where same intersects with an unopened portion of Highland Avenue; thence, along the line of the unopened portion of Highland Avenue in a generally Easterly direction to a point where same intersects with that opened portion of Highland Avenue, (commonly referred to as Prospect Avenue); thence, along the opened portion of Highland Avenue (also known as Prospect Avenue), in a generally easterly direction to the point where such roadway intersects with Patterson Avenue and an opened public alleyway running parallel between Patterson Avenue and Wylie Avenue; thence along the line of such alleyway, in a generally Southerly direction across Broad Street and Vine Street to a point where such alleyway intersects with another opened alleyway running parallel between Baughman Avenue and Vine Street; thence, along

the line of such alleyway in a generally Northwestern direction to a point where such alleyway intersects with Patterson Avenue and an unopened continuation of such alleyway running parallel between Baughman Avenue and Vine Street; thence, along the unopened portion of such alleyway in a generally Northwest direction across Adams Avenue to the intersection of Pine Street and Welty Avenue, such point being the place of beginning.

This description is prepared in accordance with that portion of the City of Jeannette Zoning Map designating the above described District in yellow and labeled as R-1. Such Zoning Map being attached hereto, made a part hereof and marked Exhibit "A".

2. That Sections 401.3 (d) and 401.6 (d) of the City of Jeannette Zoning Ordinance be deleted in their entirety, so as to remove "Townhouses" as Conditional Uses in the R-1 Residential Zoning District.

3. That Section 402.8 (e) (7) referring to Maximum Coverage for Townhouses in the R-2 Residential Zoning District be and is hereby increased from forty (40%) percent to fifty (50%) percent.

4. That Article II, the definitional section of the City of Jeannette Zoning Ordinance, be and is hereby amended to include as Section 217.1 the definition of "Day Care Center", said paragraph to read as follows:

"217.1 DAY CARE CENTER. Any premises operated to provide care in lieu of parental care to seven (7) or more children under sixteen (16) years of age who are not relatives of the operator, or care to four (4) or more adults

requiring assistance to meet personal needs, but who do not require nursing care, and who are not relatives of the operator, and where such operators are licensed by the Commonwealth of Pennsylvania Department of Public Welfare to operate the Day Care Center."

5. That Section 401.3 (b) relating to "Public Schools" as a Conditional Use in the R-1 Residential District and Section 402.3 (e) relating to "Schools" as Conditional Uses in the R-2 Zoning District be deleted in their entireties.

6. That Section 403.3 (e) of the City of Jeannette Zoning Ordinance relating to "Public Schools" as Conditional Uses in the R-3 Residential District be deleted and replaced with Section 403.3 (e), such Section to read as follows:

"403.3 (e). Schools for music, dance, business or other form of education in the arts or business areas provided, however, that such school shall not include educational programs involving machining, auto mechanics, welding, auto body work or any other form of mechanical or industrial education."

7. That Section 513 of the City of Jeannette Zoning Ordinance relating to Conditional Uses be amended to include Section 513.10, such Section to read as follows:

"513.10 Any Conditional Use approved herein shall comply with the Area and Bulk Regulations for single-family detached dwellings within its Zoning District unless such Conditional Use is subject to Area and Bulk Regulations within its Zoning District specifically intended therefore."

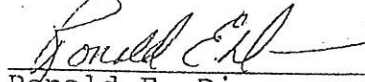
8. That Section 808 of the City of Jeannette Zoning Ordinance relating to Special Exceptions be amended to add Section 808.10, such Section to read as follows:

"808.10 Any Special Exception approved herein shall comply with the Area and Bulk Regulations for single-family detached dwellings within its Zoning District unless such Special Exception is subject to Area and Bulk Regulations within its Zoning District specifically intended therefore."

9. To the extent the modifications and amendments made herein affect the numerical or alphabetical sequence of the existing Ordinance No. 84-4, then such Ordinance shall be renumbered or realphabetized so that the Ordinance is sequential.

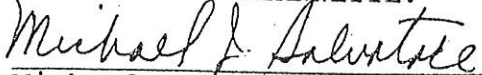
THIS ORDINANCE IS DULY ORDAINED AND ENACTED by the Council of the City of Jeannette at a regularly scheduled public meeting held on the 18th day of JUNE, 1997, and is effective immediately thereupon.

ATTEST:



Ronald E. Dinsmore,
City Clerk

THE CITY OF JEANNETTE:



Michael J. Salvatore,
Mayor and President of Council

