

PART 2

DEFINITIONS

§27-200. General.

1. Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this Chapter the meanings given in the following clauses.
2. For the purpose of this Chapter, words and terms used herein shall be interpreted as follows:
 - A. Words used in the present tense include the future.
 - B. The singular includes the plural.
 - C. The word “person” includes a corporation, partnership, and association as well as the individual.
 - D. The singular includes the plural.
 - E. The word “lot” includes the word “plot” or “parcel.”
 - F. The term “shall” is mandatory.
 - G. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged or designed to be occupied.”
 - H. The word “Commission” and the words “Planning Commission” always mean the Hulmeville Borough Planning Commission.
 - I. The word “Council” or the words “Borough Council” always mean the Hulmeville Borough Council.
 - J. The word “Board” or the words “Zoning Hearing Board” always mean the Hulmeville Borough Zoning Hearing Board.
 - K. The words “municipality” or “Borough” always means the Borough of Hulmeville.
3. Any word or term not defined herein shall be used with a meaning of standard usage.

§27-201. Specific.

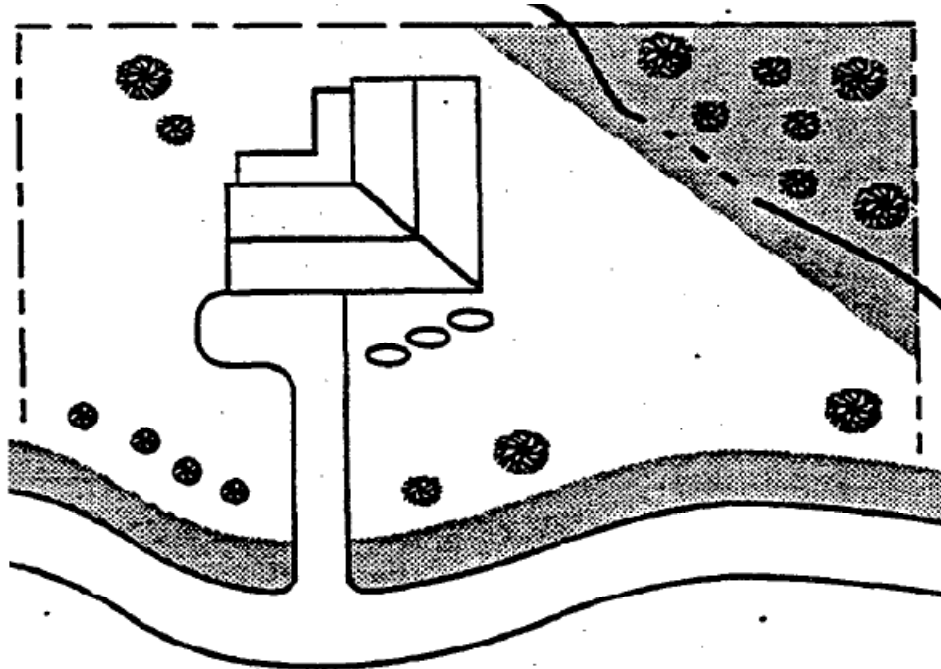
ACT – The Pennsylvania Municipalities Planning Code of July 31, 1968, P.L. 53 P.S. (Act 247, as amended).

ALLEY - a right-of-way which provides secondary service access for vehicles to the side or rear of abutting properties.

ALTERATIONS - as applied to a building or structure, a change or rearrangement in the structural parts, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

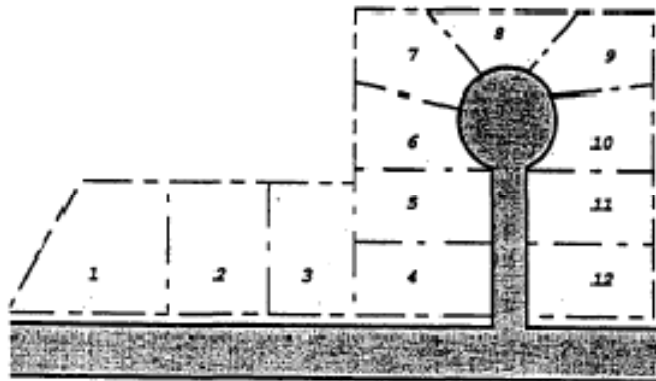
AREA

- A. **LOT AREA** - the area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Chapter, excluding any area within an existing or designated future street right-of-way, or any area required as open space under this Chapter, and including the area of any easements.



LOT AREA = total area - (area in r.o.w.+ area in open space)

- B. **AVERAGE LOT AREA PER DWELLING UNIT** - the average lot area for all dwelling units of a single type. Individual lots may be smaller or larger than the average, provided that the average size is maintained and that all other standards of this Chapter are met.



Average Lot Area Per Dwelling Unit

$$\frac{\text{area lot 1} + \text{area lot 2} \dots \text{area lot 12}}{\text{site area}}$$

AVERAGE LOT AREA PER DWELLING UNIT

BUILDING AREA - the total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.

FLOOR AREA - the sum of the areas of the several floors of building structure, including areas used for human occupancy and basements, attics, and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, attics not used for human occupancy, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this Chapter, or any such floor space intended and designed for accessory heating and ventilating equipment.

BASEMENT - a story partly underground, but having one-half or more of its height (measured from floor to ceiling) above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement or determining square footage, only if the vertical distance between the ceiling and the average level of the adjoining ground is more than 4 feet, or if used for business or dwelling purposes.

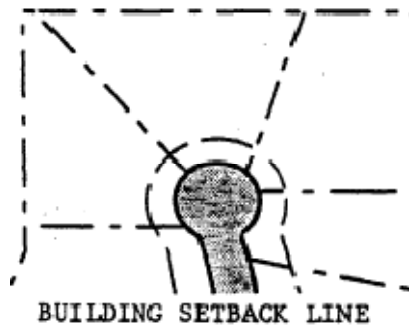
BUILDING - a structure having a roof which is used for the shelter or enclosure of persons, animals or property. The word "building" shall include any part thereof.

BUILDING, ACCESSORY - a subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building.

BUILDING, PRINCIPAL - a building in which is conducted, or is intended to be conducted, the principal use of the lot on which it is located.

BUILDING HEIGHT - a vertical distance measured from the mean elevation of the proposed finished grade at the street side of the building to the highest point of the roof for flat roofs, to the deck lines for mansard roofs, and to the mean heights between eaves and ridge for gable, hip and gambrel roofs.

BUILDING SETBACK LINE - the rear line of the minimum front yards, as herein designated for each district, measured from the street line as defined in this §27-201. The building setback line on a cul-de-sac is a parallel line of the minimum front yard measured along the curve of the street line.

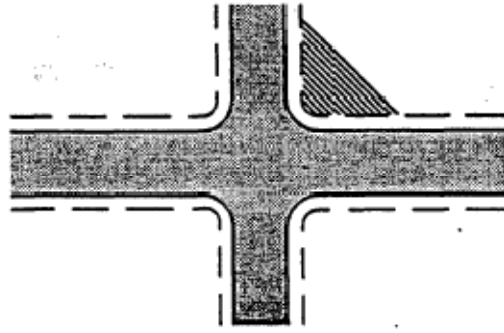


BUILDING COVERAGE - that percentage of the plot or lot area covered by the building area.

CARTWAY OR ROADWAY - the hard or paved surface portion of any street, or that portion of a street customarily used by vehicles in the regular course of travel over the street.

CELLAR - a story partly underground and having more than one-half of its height (measured from floor to ceiling) below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories or square footage, nor shall it be used for dwelling purposes.

CLEAR SIGHT TRIANGLE - an area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street right-of-way lines. (See §27-603.)



CLEAR SIGHT TRIANGLE

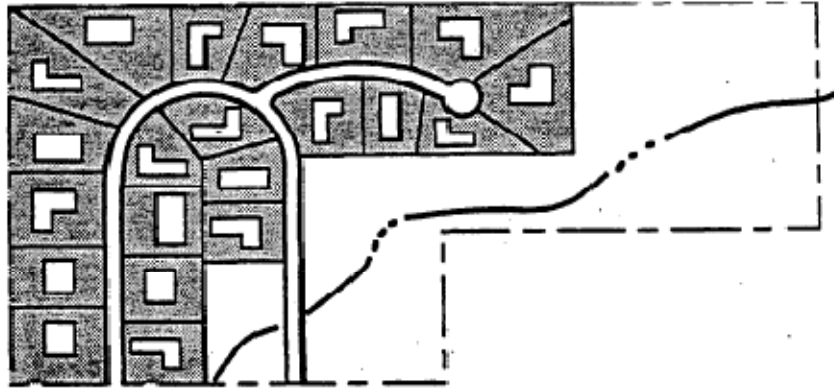
COMMERCIAL VEHICLE – Any vehicle other than a passenger vehicle used in the conduct of a business and which either exceeds a loading capacity of $\frac{3}{4}$ ton or is marked with a sign indicating a business use, or both. Farm vehicles shall not be considered commercial vehicles.

CONDOMINIUM - a condominium is an ownership arrangement and not a land use; therefore, it is allowed in any district under the restrictions of the residential land use that comprises it. A condominium is a dwelling unit which has all of the following characteristics:

- A. The unit, the interior and associated exterior area designated for private use in the development plan, is owned by the occupant.
- B. The unit may be any permitted dwelling type.
- C. All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Pennsylvania Uniform Condominium Act, and in accordance with the provisions for open space, roads, or other development features in this Chapter and Subdivision and Land Development Regulations [Chapter 22].

DENSITY

- A. **NET DENSITY** - this is the maximum density permitted on the buildable portion of the site as determined in §27-702, Site Capacity Calculation. The net density is controlling for all subdivisions or developments with density requirements. Net density is calculated by dividing the total number of dwelling units by the Net Buildable Site Area.



$$\frac{\text{Total Dwelling Units}}{\text{Net Buildable Site Area}} = \frac{21 \text{ DU}}{32.3 \text{ AC}} = 0.65$$

dbh (diameter at breast height) - 4.5 feet above grade.

DORMITORY - a building occupied by and maintained exclusively for faculty, students or other such persons affiliated with a school, church, recreational or educational facility or other recognized institution, and when regulated by such institution. (See §27-406.)

DWELLING

- A. **DWELLING** - a building containing one or more dwelling units.
- B. **DWELLING UNIT** - any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one family.

EASEMENT - a grant of the use of a parcel of land to the use of the public, a corporation, or a person, for a specified purpose.

EMPLOYEES OR NUMBER OF EMPLOYEES - the greatest number of persons to be employed on the premises in question at any one time of the day or night.

FAMILY - one or more persons related by blood, marriage or adoption, and in addition, any domestic servants or gratuitous guests thereof; or a group of not more than five persons who need not be so related, and in addition, domestic servants or gratuitous guests thereof, who are living together in a single non-profit dwelling unit and maintaining a common household with single cooking facilities. A roomer, boarder or lodger shall not be considered a member of the family.

FAMILY, IMMEDIATE - Limited to parents, grandparents, siblings, sons and daughters.

FENCE - any structure of wood, metal, wire mesh, masonry or other material erected for the purpose of screening one property from another, either to assure privacy or to protect the property screened. For the purpose of this Chapter, a masonry wall is considered a fence. Also for the purpose of this Chapter, when the term "lot line" is used in relation to fences, it shall be synonymous with "rear yard," "side yard," and "front yard lines.

FLOOD - a temporary inundation of normally dry land areas.

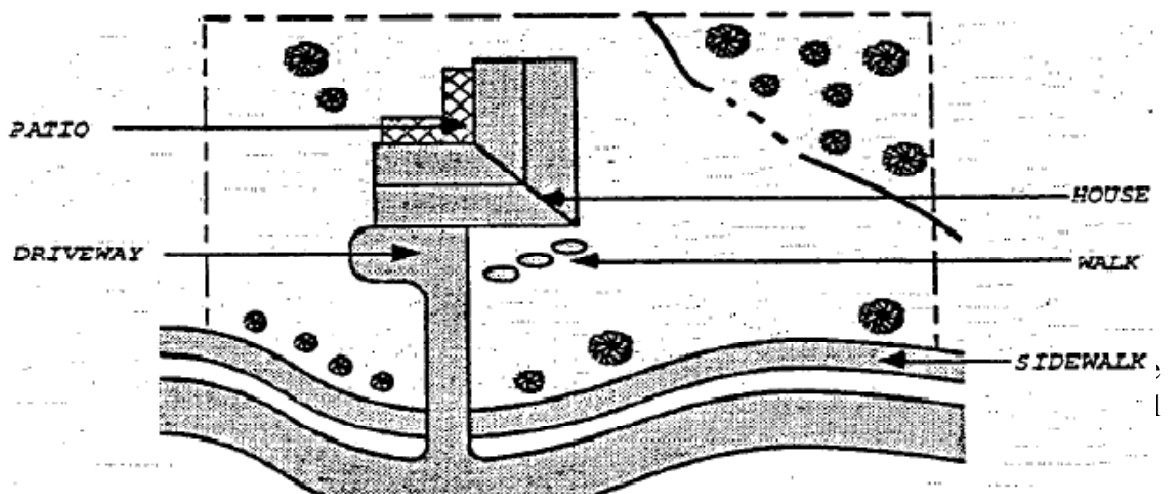
FLOOD DISTRICT DEVELOPMENT - any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations; any use or activity in the Flood District defined as a subdivision or land development in the applicable Subdivision and Land Development Ordinance [Chapter 22].

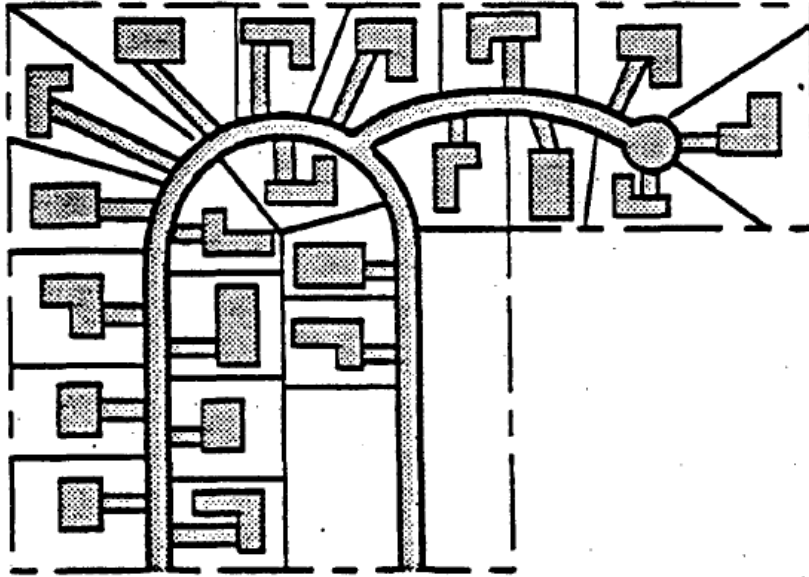
FLOODPLAIN AREA - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FOREST - areas, groves, or stands of mature or largely mature trees (i.e., greater than eight inches caliper) consisting of ten individuals or more covering an area of one quarter of an acre.

HABITABLE FLOOR - any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation or a combination thereof. A basement is considered a habitable floor. A floor used only for storage purposes is not a habitable floor.

IMPERVIOUS SURFACE - impervious surfaces are those that do not absorb precipitation and surface water. All buildings, parking areas, driveways, roads, sidewalks and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.





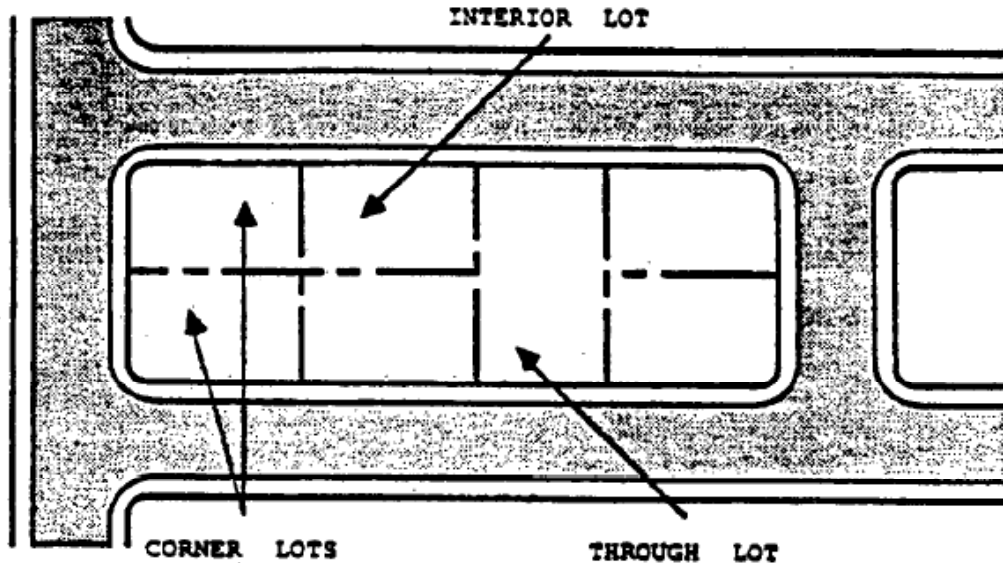
$$\text{Impervious Surface Ratio} = \frac{\text{Impervious Surfaces}}{\text{Net Buildable Site Area}}$$

LIVESTOCK - All cattle, horses, ponies, donkeys, mules, hogs, sheep, rabbits, hares, poultry, and any other similar creatures raised for human use or profit, but shall not include dogs, cats or similar creatures customarily kept as household pets.

LOT -

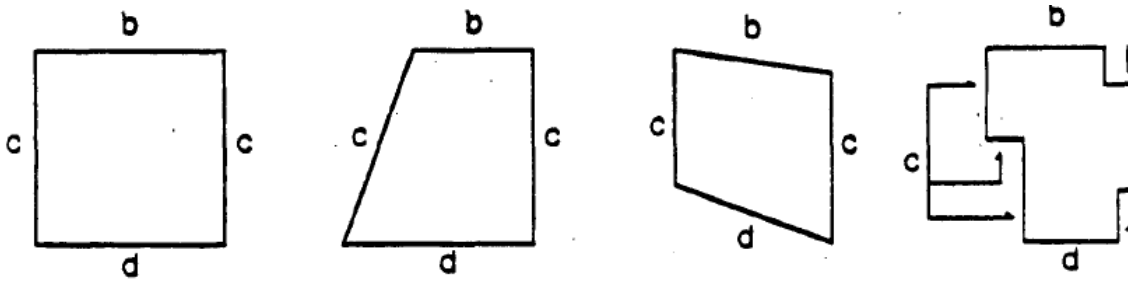
- A. **LOT** - a parcel of land used or set aside and available for use as the site of one or more buildings and buildings accessory thereto or for any other purpose, on one ownership and not divided by a street, nor including any land within the right-of-way of a public or private street upon which said lot abuts, even if the ownership to such way is in the owner of the lot. A lot for the purpose of this Chapter may or may not coincide with a lot of record.
- B. **CORNER LOT** - a lot which has an interior angle of less than 135° at the intersection of two street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersect at an angle of less than 135°.
- C. **THROUGH LOT** - an interior lot having frontage on two parallel or approximately parallel streets.

- D. **DEPTH OF LOT** - the mean distance from the street line of the lot to its opposite rear line, measured in the general direction of the side lines of the lot.
- E. **LOT WIDTH** - the distance measured between the side lot lines, at the required building setback line. In a case where there is only one side lot line, lot width shall be measured between such side lot line and the opposite rear lot line or street line.



LOT LINES -

- A. **LOT LINE** - any boundary line of a lot, including a public right-of-way line.
- B. **LOT LINE REAR** - any lot line parallel to or within 45° of being parallel to a right-of-way, except for a lot line that is itself a legal right-of-way line; and except that in the case of a corner lot, the owner shall have the option of choosing which of the two lot lines that are not legal right-of-way lines is to be considered a rear lot line. In the case of a lot having no right-of-way frontage or a lot of an odd shape, only the one lot line farthest-from any legal right-of-way shall be considered a rear lot line.
- C. **LOT LINE SIDE** - any lot line which is not a legal right-of-way or a rear lot line.
- D. **STREET LINE** - See "street line."

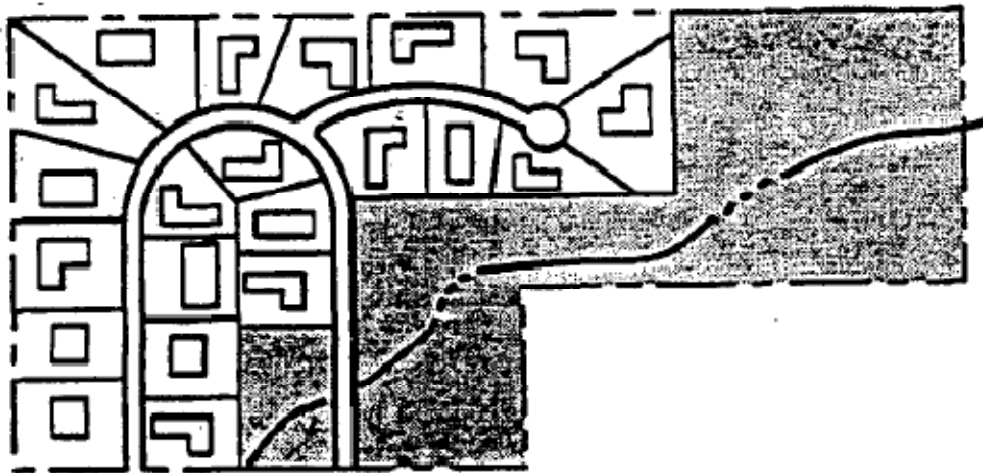


Sample Lot Configurations: Letters correspond to above definitions.

MOBILE HOME or MANUFACTURED HOME – a transportable, single-family detached dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of being again separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. The terms “mobile home” and “manufactured home” shall be synonymous in this Chapter.

OPEN SPACE - open space is land used for recreation, resource protection, or amenity, freely accessible to all residents, and protected by the provisions of this Chapter and the subdivision and land development ordinance to ensure that it remains in such uses. Open space does not include land occupied by buildings, buffers, roads, single or multi-family dwelling units or parking areas as required by the provisions of this Chapter. Open space shall be left in a natural state except in the case of recreation uses which may contain impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio.

OPEN SPACE RATIO - The open space ratio is a measure of the intensity of land use. It is arrived at by dividing total amount of open space within the site by the base site area.



$$\frac{\text{Public Open Space } 20.6 \text{ AC}}{\text{Base Site Area } 53.4 \text{ AC}} = 0.38$$

PUBLIC NOTICE – Notice published once each week for two successive weeks in a newspaper of general circulation in Hulmeville Borough. Such notice shall state the time

and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven days from the date of the hearing.

RECREATIONAL VEHICLE – A vehicle or piece of equipment, whether self-propelled or designed to be towed or carried, intended to be used primarily for leisure time or recreational use. Recreational vehicles or units include travel trailers, truck-mounted campers, motor homes, folding tent campers and automobiles, buses or trucks adapted for vacation use and other vehicles not suitable for general family transportation, snowmobiles, minibikes, all terrain vehicles, go-carts, boats, boat trailers, and utility trailers.

RIGHT-OF-WAY - refer to “street line.”

- A. **RIGHT-OF-WAY** - land set aside for use as a street, alley, or other means of travel.
- B. **EXISTING RIGHT-OF-WAY** - the legal right-of-way as established by the Commonwealth or other appropriate governing authority and currently in existence.
- C. **FUTURE RIGHT-OF-WAY** - the right-of-way deemed necessary to provide adequate width for future street improvements. Future right-of-way widths are designated in §22-505.

ROOMER, BOARDER OR LODGER - a person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes, and paying compensation for lodging or board and lodging by pre-arrangement for a week or more at a time to an owner or operator. Any person occupying such room or rooms and paying such compensation without pre-arrangement or for less than a week at a time shall be classified for purposes of this Chapter not as a roomer, boarder or lodger but as a guest of a commercial lodging establishment (motel, hotel, tourist home).

SEWER, PUBLIC - a public sewer is any municipal or privately owned sewer system in which sewage is collected from buildings and piped to an approved sewage disposal plant. This shall include capped sewers when installed to Borough Specifications.

SITE - the site shall be defined as a parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

SITE AREA - all land area within the site as defined in the deed. Area shall be from an actual site survey rather than from a deed description.

SITE AREA, BASE - the total area of a site, minus existing road and utilities rights-of-way, and:

- A. Land which is not contiguous or is cut from the parcel by a road or railway; or
- B. Land shown on previous subdivisions or land development plans as reserved from development for natural resources reasons, such as floodplain lands.

SITE AREA, NET BUILDABLE - the area of a site remaining for development after the amount of open space necessary for resource protection and recreation has been calculated.

STEEP SLOPES - areas where the average slope exceeds 8% which, because of this slope, are subject to high rates of stormwater run-off and therefore erosion.

STORY - that part of a building located between a floor and the floor or roof next above. The first story of a building is the lowest story having 75% or more of its wall area above grade level. A half-story is a story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above such story.

STORY, GROUND - that story with its floor level immediately above the average finished grade level of the adjoining ground at any particular point or side of the dwelling.

STREET - a public or private way used or intended to be used for passage or travel by automotive vehicles. If private, such way must be used or intended to be used as the principal means of access to abutting lot or lots or to more than two dwelling units on a lot on which a private way is exclusively used.

STREET LINE - the dividing line between the street and the lot. The street line shall be the same as the legal right-of-way, provided that where a future right-of-way width for a road or street has been established, then that width shall determine the location of the street line. (Refer to right-of-way.)

STRUCTURE - a combination of materials assembled, constructed or erected at a fixed location, including a building and fence, the use of which requires location on the ground or attachment to something having location on the ground, but excluding driveways and parking lot areas.

TRAVEL TRAILER - a vehicular portable structure built on a chassis designed as a temporary dwelling for travel, recreation, vacation, and other short-term uses having a body width not exceeding Pennsylvania State regulations.

USE -

- A. **USE** - any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.

- B. **USE, ACCESSORY** - a use located on the same lot with a principal use, and clearly incidental or subordinate to, and customary in connection with, the principal use.
- C. **USE, PRINCIPAL** - the main use on a lot.

UTILITIES - those services customarily rendered by public utility corporations, municipalities, or municipal authorities, in the nature of electricity, gas, telephone, water and sewerage, including the appurtenances used in connection with the supplying of such services (buildings, wires, pipes, poles and the like)

WATER SUPPLY -

- A. **WATER SYSTEM, PUBLIC** - a public water system is any municipal water supply system, or any private system dedicated to the public. Such systems shall include any existing private franchise area and the entire system; or a water supply capable of supporting the entire development, or a standpipe or water storage system meeting Borough specifications.
- B. **PRIVATE WATER** - water supplied to a building from an individual well on the lot on which the building is located.

WETLANDS - areas known as marshes or swamps, including all areas greater than one-quarter of an acre, where standing water is retained for a portion of the year and unique vegetation has adapted to the area.

YARD -

- A. **YARD** - an open space unobstructed from the ground up, on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.
- B. **YARD, FRONT** - a yard between a structure and a street line and extending the entire length of the street line. In the case of a corner lot, the yards extending along all streets are front yards. In the case of lot other than a corner lot that fronts on more than one street, the yards extending along all streets are front yards.
- C. **YARD, REAR** - a yard between a structure and a rear lot line and extending the entire length of the rear lot line.
- D. **YARD, SIDE** - a yard between a structure and a side lot line, extending from the front yard to the rear yard. In the case of a lot having no street frontage or

a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.