

OFFICIAL
BOROUGH OF DRAVOSBURG
ORDINANCE NO. 2021-05

AN ORDINANCE OF THE BOROUGH OF DRAVOSBURG, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, ACCEPTING, APPROVING AND ADOPTING AN AMENDMENT TO ARTICLE 2, SECTION 207.1 OF THE DRAVOSBURG BOROUGH ZONING ORDINANCE, BOROUGH OF DRAVOSBURG ORDINANCE NO. 569, ENACTED OCTOBER 11, 1976, AS AMENDED, AS CODIFIED IN THE CODE OF THE BOROUGH OF DRAVOSBURG, CHAPTER 310 THEREOF, AS AMENDED, AND PARTICULARLY 310-18(A) OF SAID CODE TO PROVIDE THAT LOTS WHICH ABUT ON MORE THAN ONE STREET SHALL PROVIDE THE REQUIRED FRONT YARD ONLY ALONG THE STREET WHERE THE FRONT DOOR OF THE HOME AND/OR STRUCTURE IS LOCATED THEREON.

WHEREAS, because the vast majority of homes and/or structures in the Borough of Dravosburg were built prior to October 11, 1976, which was the enactment and effective date of the Dravosburg Borough Zoning Ordinance, Borough of Dravosburg Ordinance No. 569, enacted October 11, 1976, as amended, as codified in the Code of the Borough of Dravosburg, Chapter 310 thereof, as amended; and

WHEREAS, because of the "grandfather" provisions of the Pennsylvania Municipalities Planning Code, as amended, and the prevailing statutory and case law of the Commonwealth of Pennsylvania, all homes and/or structures built or erected prior to the enactment and effective date of the Dravosburg Borough Zoning Ordinance are permitted to remain as constructed and utilized prior to the enactment and effective date of said Zoning Ordinance, being October 11, 1976, regardless of the provisions of the Dravosburg Borough Zoning Ordinance that would otherwise limit or restrict the size, use or lot areas of said homes and/or structures; and

WHEREAS, the Council of the Borough of Dravosburg has determined that some homes, structures and accessory structures built in all Zoning Districts of the Borough of Dravosburg prior to the enactment and effective date of the Dravosburg Borough Zoning Ordinance were not built within the front yard set back requirements on lots which abut on more than one street as set forth in the Dravosburg Borough Zoning Ordinance, enacted October 11, 1976, which requires that lots that abut on more than one street shall provide the required front yards along every street; and

WHEREAS, as a matter of fairness and equity for all property owners in the Borough of Dravosburg, and to avoid the cost and inconvenience for property owners to seek Variances from the Borough of Dravosburg Zoning Hearing Board to construct or erect

homes, structures or accessory structures within the current front yard set-back requirements on that part of their property on which the front door is not located; and

WHEREAS, based on the foregoing, it is the desire of the Council of the Borough of Dravosburg to accept, approve and adopt an amendment to the Dravosburg Borough Zoning Ordinance to require that lots which abut on more than one street shall be required to provide for the required front yard set back requirement only along the street on which the front door of the structure is located; and

WHEREAS, based on the foregoing, it is desire of the Council of the Borough of Dravosburg to accept, approve and adopt an amendment to Article 2, Section 207.1 of Dravosburg Borough Ordinance No. 569, enacted October 11, 1976, as amended, as codified in the Code of the Borough of Dravosburg, Chapter 310 thereof, as amended, and particularly Section 310-18(A) to provide that lots which abut on more than one street shall be required to comply with front yard requirements only along the street on which the front door of the home and/or structure is located.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED By the Council of the Borough of Dravosburg, County of Allegheny, Commonwealth of Pennsylvania, and IT IS HEREBY ORDAINED AND ENACTED by authority of the same, that:

Section 1. The Council of the Borough of Dravosburg hereby accepts, adopts and approves an amendment to Article 2, Section 207.1 of the Borough of Dravosburg Zoning Ordinance, Borough of Dravosburg Ordinance No. 569, enacted October 11, 1976, as amended, as codified in the Code of the Borough of Dravosburg, Chapter 310 thereof, as amended, and particularly Section 310-18(A) to provide that lots which abut on more than one street shall be required to comply with front yard requirements only along the street on which the front door of the home and/or structure is located.

Section 2. The appropriate officers of the Borough of Dravosburg are hereby authorized to execute any and all documents necessary to effectuate the content and purposes of this Ordinance.

Section 3 - Repealer. Any Ordinance or part of any Ordinance conflicting with the provisions of this Ordinance be and the same are hereby repealed, but only to the extent of such conflict.

Section 4 - Effective Date. This Ordinance shall be immediately effective, or effective as of the earliest date permitted by law.

ORDAINED AND ADOPTED by the Council of the Borough of Dravosburg, County of Allegheny and Commonwealth of Pennsylvania, meeting in regular and public session, this 21st day of December, 2021.

ATTEST:

BOROUGH OF DRAVOSBURG



Brenda Honick, Secretary

By: 

Jay McKelvey
President of Council

EXAMINED AND APPROVED this ____ day of _____, 2021.

Kevin McKelvey, Mayor

Effective and Enactment date of Ordinance: January 3, 2022, pursuant to Pennsylvania Consolidated Statutes, Title 8, Pa.C.S.A. Section 3301.3(b)(3) which states that, for an Ordinance not returned by the Mayor at the next scheduled meeting of Council occurring at least 10 days after the meeting at which the Ordinance was enacted by the Council, the date of the succeeding meeting of Council shall be the effective date. With regard to the within Ordinance, Council approved and adopted the Ordinance at its regular and public meeting on December 21, 2021, and the Ordinance was then presented to the Mayor; the Mayor did not sign and approve the Ordinance; neither did the Mayor veto the Ordinance; and neither did the Mayor return the Ordinance to Council at its next scheduled meeting on January 3, 2022, which occurred at least ten (10) days after the Council meeting of December 21, 2021. Accordingly, the Ordinance becomes effective and enacted as of January 3, 2022.