

ORDINANCE NO. 1 of 2023-

**TOWNSHIP OF INDEPENDENCE
BEAVER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE TOWNSHIP OF INDEPENDENCE, BEAVER COUNTY, PENNSYLVANIA, A SECOND CLASS TOWNSHIP UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AMENDING THE INDEPENDENCE TOWNSHIP ZONING MAP ADOPTED VIA ORDINANCE NO. 1-92, IN ORDER TO CORRECT ERRORS IN SAID ZONING MAP, SPECIFICALLY: (i) TAX PARCEL NOS. 66-212-0112.006 and 66-212-0112.007, OWNED BY BENNETT P CRISI & PAULA CRISI REVOCABLE LIVING TRUST, LOCATED AT 4016 STATE ROUTE 151, SHALL BE REZONED FROM A (AGRICULTURAL DISTRICT) TO C-2 (HIGHWAY COMMERCIAL DISTRICT); (ii) TAX PARCEL NO. 66-212-0112.008, OWNED BY MIDWAY MACHINE INC., LOCATED ADJACENT TO STATE ROUTE 151, SHALL BE REZONED FROM A (AGRICULTURAL DISTRICT) TO C-2 (HIGHWAY COMMERCIAL DISTRICT); (iii) TAX PARCEL NO. 66-212-0112.012, OWNED BY SCOTT D CONLEY & KELLY BARBER, LOCATED AT 4000 STATE ROUTE 151, SHALL BE REZONED FROM C-2 (HIGHWAY COMMERCIAL DISTRICT) TO A (AGRICULTURAL DISTRICT); (iv) TAX PARCEL NO. 66-222-0111.004, OWNED BY D&M WESTON TRUCKING LLC, LOCATED AT 632 STATE ROUTE 30, SHALL BE REZONED FROM A (AGRICULTURAL DISTRICT) TO C-1 (GENERAL COMMERCIAL DISTRICT); (v) TAX PARCEL NO. 66-222-0111.002, OWNED BY RONALD J & JUNEAN M TRANTER, LOCATED AT 631 STATE ROUTE 30, SHALL BE REZONED FROM A PORTION OF THE PROPERTY BEING A (AGRICULTURAL DISTRICT) AND A PORTION OF THE PROPERTY BEING C-1 (GENERAL COMMERCIAL DISTRICT) TO THE ENTIRE PROPERTY BEING C-1 (GENERAL COMMERCIAL DISTRICT); (vi) TAX PARCEL NOS. 66-222-0112.000 & 66-222-0111.001, OWNED BY MILFORD L & NANCY J ANKROM, LOCATED AT 598 STATE ROUTE 30 AND 613 STATE ROUTE 30, SHALL BE REZONED FROM A PORTION OF THE PROPERTIES BEING A (AGRICULTURAL DISTRICT) AND A PORTION OF THE PROPERTIES BEING C-1 (GENERAL COMMERCIAL DISTRICT) TO BOTH PROPERTIES BEING ENTIRELY C-1 (GENERAL COMMERCIAL DISTRICT).

WHEREAS, Independence Township became aware of inaccuracies in its Zoning Map adopted via Ordinance No. 1-92 and deemed it necessary to amend/correct said Zoning Map to accurately reflect the zoning districts in the Township. As such, Independence proposes a Zoning Map amendment as follows:

- (i) Tax Parcel Nos. 66-212-0112.006 (1 acre) and 66-212-0112.007 (1 acre), owned by Bennett P Crisi & Paula Crisi Revocable Living Trust, located at 4016 State Route 151, shall be rezoned from A (Agricultural District) to C-2 (Highway Commercial District);

- (ii) Tax Parcel No. 66-212-0112.008 (1 acre), owned by Midway Machine Inc., located adjacent to State Route 151, shall be rezoned from A (Agricultural District) to C-2 (Highway Commercial District);
- (iii) Tax Parcel No. 66-212-0112.012 (2.55 acres), owned by Scott D Conley & Kelly Barber, located at 4000 State Route 151, shall be rezoned from C-2 (Highway Commercial District) to A (Agricultural District);
- (iv) Tax Parcel No. 66-222-0111.004 (.35 acres), owned by D&M Weston Trucking LLC, located at 632 State Route 30, shall be rezoned from A (Agricultural District) to C-1 (General Commercial District);
- (v) Tax Parcel No. 66-222-0111.002 (2.50 acres), owned by Ronald J & Junean M Tranter, located at 631 State Route 30, shall be rezoned from a portion of the property being A (Agricultural District) and a portion of the property being C-1 (General Commercial District) to the entire property being C-1 (General Commercial District); and
- (vi) Tax Parcel Nos. 66-222-0112.000 (22.19 acres) & 66-222-0111.001 (8.02 acres), owned by Milford L & Nancy J Ankrom, located at 598 State Route 30 and 613 State Route 30, shall be rezoned from a portion of the properties being A (Agricultural District) and a portion of the properties being C-1 (General Commercial District) to both properties being entirely C-1 (General Commercial District).

WHEREAS, the Independence Planning Commission and Board of Supervisors have reviewed the proposed Zoning Map amendment along with the consideration that this Map change will allow the subject properties to be correctly zoned/identified; and

WHEREAS, the Independence Township Consulting Engineer, EADS GROUP, reviewed the Zone Map amendment, drafted the new Zoning Map and recommended approval of same to the Board of Supervisors in correspondence dated October 6, 2023; and

WHEREAS, the Beaver County Planning Commission received the Zone Map amendment request on October 5, 2023 and have not provided comments to date.

WHEREAS, the Independence Township Planning Commission reviewed the Zone Map amendment on September 27, 2023 and recommended approval of this Amendment dated September 27, 2023; and

WHEREAS, the Board of Supervisors advertised the Public Hearing and the notice of intent to consider for adoption the Zone Map Amendment as provided by the Independence Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code; and

WHEREAS, the Board of Supervisors held a Public Hearing on November 8, 2023 at 4 p.m. as provided by the Independence Zoning Ordinance and the Pennsylvania Municipalities Planning Code at which time testimony and evidence was received concerning the Zone Map amendment request; and

WHEREAS, in the judgment of the Board of Supervisors of Independence Township, the amendment to the Zone Map of the Township of Independence, Beaver County, Pennsylvania is in the Township's best interests, the change requested will not result in a detrimental effect on abutting properties and the change requested will be consistent with the overall Comprehensive Plan adopted by the Township promoting development of the property.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Supervisors of the Township:

SECTION 1. Independence Township Zoning Ordinance No. 1-92, the Official Zoning Map, incorporated under Section 200-8. Zoning Map of the Independence Code, is hereby amended as follows:

Tax Parcel Nos. 66-212-0112.006 (1 acre) and 66-212-0112.007 (1 acre), owned by Bennett P Crisi & Paula Crisi Revocable Living Trust, located at 4016 State Route 151, shall be rezoned from A (Agricultural District) to C-2 (Highway Commercial District);

Tax Parcel No. 66-212-0112.008 (1 acre), owned by Midway Machine Inc., located adjacent to State Route 151, shall be rezoned from A (Agricultural District) to C-2 (Highway Commercial District);

Tax Parcel No. 66-212-0112.012 (2.55 acres), owned by Scott D Conley & Kelly Barber, located at 4000 State Route 151, shall be rezoned from C-2 (Highway Commercial District) to A (Agricultural District);

Tax Parcel No. 66-222-0111.004 (.35 acres), owned by D&M Weston Trucking LLC, located at 632 State Route 30, shall be rezoned from A (Agricultural District) to C-1 (General Commercial District);

Tax Parcel No. 66-222-0111.002 (2.50 acres), owned by Ronald J & Junean M Tranter, located at 631 State Route 30, shall be rezoned from a portion of the property being A (Agricultural District) and a portion of the property being C-1 (General Commercial District) to the entire property being C-1 (General Commercial District); and

Tax Parcel Nos. 66-222-0112.000 (22.19 acres) & 66-222-0111.001 (8.02 acres), owned by Milford L & Nancy J Ankrom, located at 598 State

Route 30 and 613 State Route 30, shall be rezoned from a portion of the properties being A (Agricultural District) and a portion of the properties being C-1 (General Commercial District) to both properties being entirely C-1 (General Commercial District).

The A mended Zoning Map is marked Exhibit "A" and attached hereto and incorporated herein.

SECTION 2. Severability

If any chapter, section, subsection, paragraph, sentence or phrase of this Ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 3. Repealer

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this 8th day of November 2023, by the Board of Supervisors of the Township of Independence.

ATTEST:



Township Secretary

Board of Supervisors
Independence Township



Township Supervisor

