

**Independence Township  
Washington County**

ORDINANCE NO. 2023-01

**AN ORDINANCE OF THE TOWNSHIP OF INDEPENDENCE, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP CODE, SPECIFICALLY CHAPTER 27, ZONING, INCLUDING ARTICLE III § 410-9 THE OFFICIAL TOWNSHIP MAP TO RE-ZONE CERTAIN PROPERTIES FROM THE MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) TO EITHER THE AGRICULTURAL ZONING DISTRICT (A) OR RURAL RESIDENTIAL ZONING DISTRICT (R-1).**

**WHEREAS**, the Municipalities Planning Code, 53 P.S. §10101 *et seq.* (the “MPC”), authorizes the Township of Independence (the “Township”) to create ordinances providing for Township zoning ordinances, codes, etc.; and,

**WHEREAS**, pursuant to its authority under the MPC, the Board of Supervisors of the Township (the “Board”) has the authority to adopt and amend a Township Zoning Ordinance and Official Zoning District Map setting forth various zoning districts for properties throughout the Township; and,

**WHEREAS**, upon review, the Township believes that large areas of the Medium Density Residential District (R-2) to not necessarily reflect the general characteristics, and development objections of Independence Township and its comprehensive plan; and,

**WHEREAS**, certain parcels currently zoned currently zoned R-2 Medium Density Residential will be re-zoned to either the Agricultural District (A) or the Rural Residential District (R-1);

**WHEREAS**, the proposed re-zoning has been reviewed by the Independence Township Planning Commission and the Washington County Planning Commission; and

**WHEREAS**, following a hearing held on the matter and after careful consideration, the Board believes that rezoning the parcels will not detrimentally impact the properties adjoining the parcels and said parcels will not prove to be inconsistent with the purpose and design of the Township’s comprehensive plan and overall zoning map;

**NOW THEREFORE**, the Board hereby ordains and enacts as follows, incorporating the above recitals by reference:

**SECTION 1. TITLE.**

This Ordinance shall be referred to as the "Independence Township Medium Density Residential Re-Zoning Ordinance of 2023".

**SECTION 2. PURPOSE AND RE-ZONING.**

The purpose of this Ordinance is to rezone various properties of the Township from the Medium Density Residential District (R-2) to either the Agricultural District (A) or Rural Residential District (R-1). A list of the properties to be Re-Zoned to the Agricultural District (A) is attached herein and incorporated herein as Exhibit A. A list of the properties to be Re-Zoned to the Rural Residential District (R-1) is attached herein and incorporated herein as Exhibit B.

**SECTION 3. AMENDMENT TO TOWNSHIP MAP.**

The Independence Township Official Map shall hereby be amended to rezone the subject parcels referenced in Section 2 and further set forth in Exhibit A and Exhibit B. A copy of the amended Township Map reflecting the re-zoned properties is hereby attached hereto and incorporated herein as Exhibit C.

**SECTION 4. SEVERABILITY.**

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.


**SECTION 5: REPEALER.**


All Ordinances or parts of Ordinances that are found to be conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**ORDAINED AND ENACTED** into an Ordinance at a regular meeting of the Board of Supervisors of the Township of Independence, Washington County, Pennsylvania, this 23 day of June, 2023.

Attest:  
Supervisors

Independence Township Board of

  
Secretary

By:   
Chairman

**EXHIBIT A**

**PROPERTY CURRENTLY ZONED MEDIUM DENSITY RESIDENTIAL DISTRICT  
(R-2) BEING RE-ZONED TO AGRICULTURAL DISTRICT (A)**

**CURRENT OWNERS OF RECORD, PROPERTY ADDRESS, TAX PARCEL I.D. NUMERS:**

STANLEY PAINTER & REBECCA L GRUSENMEYER- Property address 37 PAINTERS LN,  
Tax ID: 370-005-00-00-0006-00;

CHERYL WALGE & RONALD MICHELUCCI- Property address 1142 SCENIC RD  
AVELLA, Tax ID: 370-005-00-00-0004-00;

AVOLIO GUY- Property address 20 CARDINAL LN, Tax ID: 370-005-00-00-0004-01;

BRIAN & TAMMY CONNOLLY- Property address 1148 SCENIC DR AVELLA, Tax ID: 370-  
005-00-00-0004-03;

DONALD & DIANE GOSSETT- No property address (Vacant Land), Tax ID: 370-005-00-00-  
0005-00- & 1146 SCENIC DR, Tax ID: 370-005-00-00-0004-04;

**EXHIBIT B**

**PROPERTY CURRENTLY ZONED MEDIUM DENSITY RESIDENTIAL DISTRICT  
(R-2) BEING RE-ZONED TO RURAL RESIDENTIAL DISTRICT (R-1)**

**CURRENT OWNERS OF RECORD, PROPERTY ADDRESS, TAX PARCEL I.D. NUMBERS:**

LELA CHECCO- No property address (Vacant Lands), Tax ID: 370-005-06-00-0002-00 & 370-005-05-00-0005-00 & 370-005-05-00-0006-00 & 370-005-05-00-0009-00 & 370-005-05-00-0007-00 & 1775 AVELLA RD, Tax ID: 370-005-05-00-0008-00 & 1151 SCENIC DR, Tax ID: 370-005-06-00-0001-00;

STEPHEN J & DAVID M & WILLIAM TACZAK-No property address (Vacant Land), Tax ID: 370-005-00-00-0001-00 & 1851 AVELLA RD, Tax ID:370-005-03-00-0010-0;

SETH BEAULAC- Property address 1847 AVELLA RD, Tax ID: 370-005-03-00-0011-00;

TAMARA DIANA BRANDENBURG- Property address 1855 AVELLA RD, Tax ID: 370-005-03-00-0009-00;

JOHN HARDING- Property address 1859 AVELLA RD, Tax ID: 370-005-03-00-0008-00;

JOSEPH JR & ANGELA- Property address 1863 AVELLA RD, Tax ID: 370-005-03-00-0007-00;

WILLIAM SILHOL -Property address 1867 AVELLA RD, Tax ID: 370-005-03-00-0006-00;

TIMOTHY PROFFITT- Property address 1871 AVELLA RD, Tax ID: 370-005-03-00-0005-00;

FRED & MELISSA SIMONS- Property address 1875 AVELLA RD, Tax ID: 370-005-03-00-0004-00;

JAMES & MARION GORDON- Property address 1879 AVELLA RD, Tax ID: 370-005-03-00-0003-00;

HUGH COLIN & JUDY LYNN KELLY- Property address 1881 AVELLA RD, Tax ID: 370-005-03-00-0002-00;

FRANK CHECCO III- Property address 1885 AVELLA RD, Tax ID: 370-005-03-00-0001-00;

MICHAEL & AMY DZURKO- Property address 1923 AVELLA RD, Tax ID: 370-005-02-01-0010-00;

**EXHIBIT C**  
**PROPOSED MAP**