

## ARTICLE 6

### "A" AGRICULTURAL DISTRICT

**PREAMBLE** This district has been established to provide for agricultural activities and related uses and is intended to protect and preserve areas for continued agricultural and agriculturally related uses, natural features, and the rural character of the agricultural district. (Revised January 7, 2008)

#### SECTION 1 PRINCIPAL PERMITTED USES

(P) = Permitted Use

(C) = Conditional Use

		Right of Way Width Required	Special Note
Agriculture	P	Any	
Single Family Dwelling	P	Any	
Public or Private Academic School	P	70	5
Public Library	P	70	
Public Building	P	70	
Public Park	P	Any	
Day Care Center	C	70	
Private Noncommercial Facilities	C	60	2
Church	C	70	5
Rear Dwelling	C	Any	1
Animal Hospitals, Kennels, or Animal Shelters	C	Any	2
Riding Stable	C	Any	2
Radio and/or Television Transmitter	C	Any	2
Temporary Sawmill for less than 12 months	C	Any	2
Circus/Carnival not exceeding 7 days	C	Any	2
Storage and Drilling of Petroleum Products	C	Any	3
Greenhouse or Nursery	C	Any	4
Golf Course or other Outdoor Recreation	C	70	4
Landscaping/ Lawn Care	C	70	4

(Revised January 7, 2008)

#### **Special Notes:**

- (1) Located on a lot of two (2) or more acres.
- (2) Structure(s) must be located two hundred (200) feet or more from all adjacent properties.
- (3) Crude oil, natural gas and accessory minerals provided any installation is located two hundred (200) feet from adjacent property with the exception of a storage tank or relatively permanent derrick which must be at least three hundred (300) feet from building on any adjoining property.
- (4) Structure(s) must be located one hundred (100) feet or more from all adjacent properties.

- (5) Must be located on a minimum of five (5) acres with three hundred (300) feet of lot frontage.

For all uses shown above with right of way requirements, the use shall only be permitted when the lot on which the use is to take place has frontage(s) on a public street(s) with a minimum right of way as listed. All vehicular access shall be directly from the roadway(s) having the minimum of right of way as listed. All right of way(s) are as indicated on the Official Thoroughfare Plan of Montgomery County.

## **SECTION 2 PERMITTED ACCESSORY USES AND REGULATIONS**

Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted use, including private garages, tool sheds, storage buildings or picnic shelters; provided that such accessory uses shall not involve the conduct of any business trade or industry (with the exception of legally permitted Home Occupation as defined in this Resolution). The maximum all combined accessory uses and buildings may occupy in the rear yard is 35%. (Revised January 7, 2008)

- A. Incidental farming, provided any structure in which farm animals are kept is located one hundred (100) feet or more from all adjacent properties and provided all farm animals are penned one hundred (100) feet or more from any dwelling on adjacent property.
- B. Home occupation as defined in this Resolution.
- C. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- D. Temporary storage units for a period not to exceed thirty (30) days per calendar year. Temporary Storage Units shall be placed outside of any public right of way and shall be placed on a paved surface.
- E. Accessory building, when detached cannot exceed seven hundred and twenty (720) square feet.
  - a. Shall be located in the rear or side yard provided it conforms to the side yard requirements of the lot and is placed five (5) feet or more from the rear lot line. However, if placed in the rear half of the rear yard, then it shall be located a minimum of five (5) feet from any lot line, provided each and every part of the building is closer to the rear lot line than to any part of the main building.
- F. A swimming pool, bath house, and other recreational facilities designed for the use of the occupants of residential dwellings and their guests. Swimming pools shall comply with the following conditions and requirements:
  - a. Shall be located in the rear or side yard provided it conforms to the side yard requirements of the lot and is placed five (5) feet or more from the rear lot line. However, if placed in the rear half of the rear yard,

then it shall be located a minimum of five (5) feet from any lot line, provided each and every part of the building is closer to the rear lot line than to any part of the main building.

- b. The swimming pool or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access from the street or from adjacent properties. Said fence or wall shall be not less than four (4) feet in height and maintained in good condition with a gate and lock. Such four (4) foot fence or wall may be an extension of the side walls of the swimming pool if controlled access is reasonably prohibitive.
- G. A child's playhouse, or tree house with the enclosed area not to exceed one hundred (100) square feet.
- H. Statuary, arbors, trellises, barbecue equipment, flag poles, play equipment, non-mechanical laundry drying equipment, fences, walls and hedges, or bird-house.
- a. A fence or wall, may be erected, placed, maintained, or grown along a lot line in an "A" District. The maximum height of fences and walls located in any front yard shall be four (4) feet and shall be subject to the Traffic Visibility Across Corner Lots requirement of this Article. The maximum height of fences and walls in side and rear yards shall be six (6) feet. A tennis court may have a maximum ten (10) foot high fence. Any tennis court fence over six (6) foot high shall be of material that is green, brown or black vinyl clad chain link.
- I. Fallout shelters.
- J. Recreational and camping equipment subject to the following conditions:
- a. Parked or stored camping and/or recreational equipment as defined by this Resolution shall not have fixed connections to electricity, water, gas, or sanitary sewer facilities, and at not time shall this equipment be used for living or housekeeping purposes.
  - b. If the camping or recreational equipment is parked or stored outside a garage it shall not be parked or stored in any front yard but may be located in the side or rear yard if the side yard setback requirement of the Zoning District in which the property is located is maintained and is parked or stored a minimum of five (5) feet from the rear property line.
  - c. Notwithstanding the provisions of paragraph b above, camping and recreational equipment may be parked anywhere on the premises, for loading or unloading,

for a period of not more than seven (7) days at any one time and a maximum of 45 days per year.

- d. All recreational and camping equipment shall be kept in good repair and carry a current year license and registration. The ground area under and immediately surrounding where such camping or recreation equipment is stored shall be maintained free of weeds, overgrowth, and debris.
  - e. The maximum length of recreational and camping equipment shall not exceed thirty-five feet (35').
  - f. The maximum height of recreational and camping equipment shall not exceed twelve feet (12').
- K. Open storage of the following items in locations as designated, and subject to the condition that all specific storage location shall be maintained free from weeds, overgrowth, and debris:
- a. Lawn and patio furniture when in usable condition and kept in good repair, if stored in a reasonable condensed and centralized area located in the rear yard.
    - (1) Carports and covered patios shall be designated also as acceptable locations for open storage of the item or items described, if such storage is located adjacent to the wall or walls of such carport and/or covered patio, when there is such wall or walls.
  - b. Lawn and garden equipment when in usable condition and kept in good repair, if stored in a reasonably condensed and centralized area located either against the buildings' rear wall or within the rear yard in an area well screened from surrounding properties.
    - (1) Carports shall be designated also as acceptable locations for open storage of the item or items described, if such storage is located adjacent to the wall or walls of such carport, when walls exist.
  - c. Customary "can-type" trash containers when in usable condition with securely fitted lids, if stored upright against the building's rear or side wall, or stored within the rear yard in an area well screened from surrounding properties.
    - (1) Carports shall be designated also as acceptable locations for open storage of the item or items described, of such carport, when there is such a wall or walls.

- d. Firewood and other solid heating fuels when stacked or piled in a reasonably compact and orderly fashion within the rear yard. Storage of firewood and other solid heating fuels is limited to a maximum of six (6) cords (as defined in this Resolution). Such storage shall be subject to all applicable fire regulations.
  - e. Liquid and gas heating fuel containers when in use and kept in good repair, if stored to the rear or side of a building, or in the rear yard in an area well screened from surrounding properties. Such storage shall be subject to all applicable fire regulations.
- L. Recreational Courts and/or recreational court lighting shall require approval as a conditional use by the Board of Zoning Appeals unless all of the following conditions are met:
- a. The recreational court is located in the rear yard.
  - b. The recreational court is located on a lot of two (2) acres or larger.
  - c. The recreational court maintains a minimum forty (40) foot side yard and eighty (80) foot rear yard.
  - d. Any lighting used to illuminate the recreational court shall be equipped with a suitable shield or be so designed as to prevent glare at eye level on surrounding public or private property.
- M. On a corner lot, no fence, structure or planting which is an obstruction to vision and which is in excess of three (3) feet in height shall be erected or maintained within thirty (30) feet of the point of intersection of the two (2) lot lines adjoining the two (2) streets.

**SECTION 3**

**PROHIBITED ACCESSORY USES - ON LOTS WITHOUT AGRICULTURE USES** (Revised January 7, 2008)

- A. Overnight parking or open storage of trucks over one (1) ton rated capacity or which has an enclosed storage area greater than eight (8) foot wide, ten (10) foot in length and five (5) foot in height measured from the bed of the truck, trailers (other than recreational vehicles), buses, semi-tractors/trailers, utility trailers, and/or mobile homes.
- B. Open storage of, but not limited to; junk, refuse, miscellaneous discarded items, inoperative items and equipment, inoperative or unlicensed motor vehicles, inoperative recreational equipment, auto parts, auto accessories, or inoperative appliances.

**SECTION 4**

**DEVELOPMENT STANDARDS** (Revised January 7, 2008)

In addition to the provisions of the General Regulations, the following standards for arrangement and development of land and building are required in the "A" Agricultural District. (Revised January 7, 2008)

**A. HEIGHT STANDARDS**

Primary Structure: non-agricultural structures shall non exceed two and one half (2 1/2) stories or thirty-five (35) feet, whichever is greater.

Accessory Structure: Non-agricultural accessory structures shall not exceed the height of the primary structure or fifteen (15) feet in height, whichever is greater.

Places of Public Assembly: Places of public assembly in churches and schools may exceed the maximum height permitted in this district, provided that for each three (3) feet by which the height of such building exceeds the maximum height otherwise permitted in this district, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in this district.

**B. LOT AREA, FRONTAGE AND YARD REQUIREMENTS**

The following minimum requirements shall be observed:

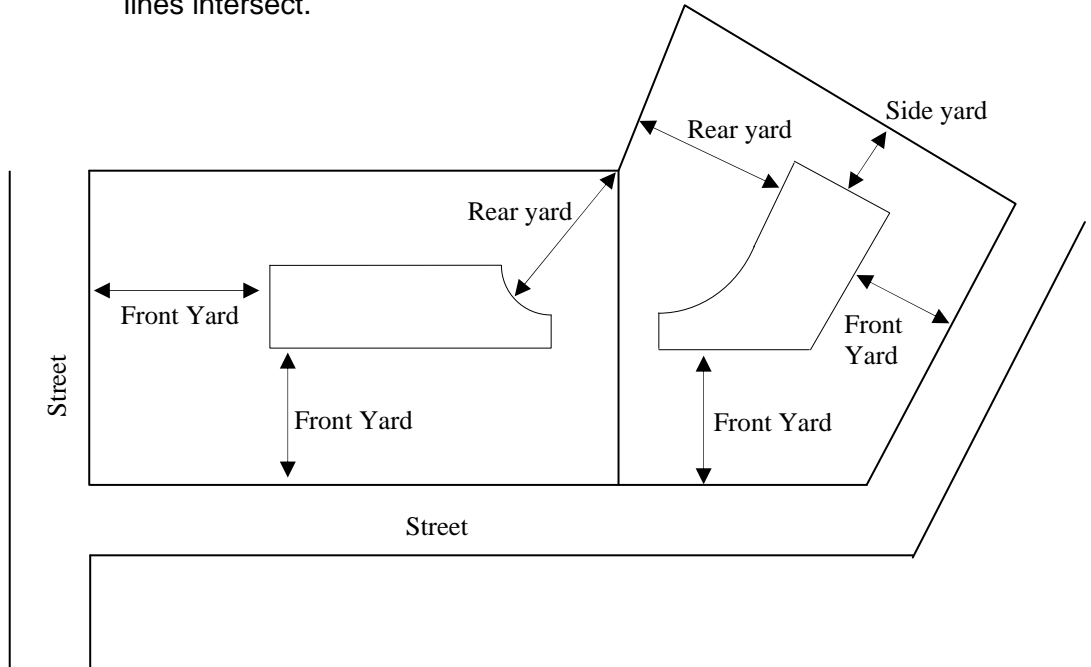
<u>Lot Area Residential</u>	<u>Lot Frontage</u>	<u>Front Yard Depth</u>	<u>Each Side Yard</u>	<u>Rear Yard Depth</u>
40,000 sq. ft.	150 ft. (see note)	60 ft.	20 ft.	70 ft.
*Churches and schools: 5 Acres	300 Ft.	100 ft.	60 ft.	80 ft.
**Other permitted uses: 80,000 sq. ft.	200 ft.	100 ft.	60 ft.	80 ft.

**NOTE:** Frontage shall be one-hundred and fifty (150) feet or a minimum of forty percent (40%) of the depth of the lot, whichever is greater.

The front yard depth shall be measured from the established right-of-way lines as shown on the Official Thoroughfare Plan for Montgomery County.

### C. CORNER LOTS

Any corner lot shall have two (2) front yards of the required depth, two (2) or more side yards of the required width, and a rear yard of the required depth. If no lot line exists that may be deemed the rear lot line, then the required rear yard depth shall be measured from a point most distant from the front lot lines at which two (2) side lot lines intersect.



### D. DECREASED FRONT YARD

The minimum front yard depth may be decreased on any lot in an "A" District whenever:

1. There is a dwelling on each side and within one-hundred (100) feet of said lot on the same side of the street and in the same block, and;
2. The average depth of the front yards of said dwellings is less than the front yard required by this Resolution for the proposed use on such lot.

In such case the required front yard depth of such lot may be the same or greater than said average, but not less than the front yard depth of any dwelling on a lot immediately adjoining.

**E. INCREASED SIDE YARD**

In any "A" District the required minimum width of any side yard adjoining a "B" district shall be doubled.

**F. PROJECTIONS INTO REQUIRED YARDS**

Architectural features may project into required yards or into courts as follows:

1. Into any required front or side yard adjoining a side street:
  - a. Cornices, canopies, eaves, or other architectural features may project a distance not to exceed two (2) feet, six (6) inches.
  - b. An open stair and necessary landing may project a distance not to exceed six (6) feet.
  - c. A front porch may project into a front yard a distance not to exceed six (6) feet, provided it is open on three (3) sides, except for railing or banisters.
  - d. Bay windows, balconies, or chimneys may project into a yard a distance not to exceed five (5) feet; provided, however, that the aggregate width of such projection shall not exceed one-third (1/3) of the length of the wall upon which they are located.
2. Subject to the limitations in the preceding subsections, the above named features may project into any required side yard adjoining an interior side lot line, a distance not to exceed one-fifth (1/5) of the required least width of such side yard, but not exceeding three (3) feet in any case.
3. Subject to the limitations in paragraph A, the features named therein may project into any required rear yards or into any required outer court the same distance they are permitted to project into a front yard.

**G. FRONTAGE ON CUL-DE-SAC**

The front lot line of a lot fronting on a cul-de-sac may be reduced to less than the minimum frontage required, provided the average width of the lot and the width of the lot at the building line is equal to or more than said required frontage.

**H. LOCATION OF REAR DWELLINGS IN AN "A" DISTRICT**

A rear dwelling in any "A" District shall conform to all yard, parking and driveway requirements of this Resolution for a principal dwelling in the district where it is located, and for the purpose of determining the front yard required in such case, the rear line of the rear yard

required for the principal dwelling shall be considered the front line for the rear dwelling. In addition there shall be provided for any such rear dwelling an unoccupied or unobstructed access way ofttwenty (20) feet wide or wider.

**SECTION 5 RESIDENTIAL ENTRANCE GATE REQUIREMENTS (Revised Janaury 7, 2008)**

- A. Residential entrance gates and accessory fencing are permitted in residential areas provided:
  - 1. Gate is constructed of wrought iron or wrought iron "look a like" material. The space between the wrought iron must be open.
  - 2. The entrance gates, post and lighting may not exceed eight (8) feet in height. Landscaping and fencing must be placed outside the official thoroughfare plan right-of-way.)
  - 3. If accessory fencing extending from the main gate is of wrought iron material, then the accessory fence and post height may be up to five (5) feet.
  - 4. Gate and fencing must meet the Washington Township Fire Department standards and may not create a traffic visibility hazard for adjoining roadways and properties.
  - 5. The minimum lot size shall be eighty-thousand (80,000) square feet with a minimum road frontage of two-hundred (200) feet.
  - 6. A zoning certificate is required for the gate and accessory fencing.

**SECTION 6 PARKING AND LOADING**

Two (2) off-street residential parking spaces of one hundred eighty (180) sq. ft. each shall be required for each dwelling unit and shall be located wherever a principal building or accessory building is permitted, and an improved driveway (graded and preferably a hard surface of bituminous or Portland cement concrete), shall connect said parking space with a street. Any driveway giving access on a street with a right-of-way of seventy (70) feet or more shall include an off-street cul-de-sac or turn around. All other off-street parking and loading requirements shall conform to the General Regulations.

**SECTION 7 LIGHTING**

All lighting shall be designed as to prevent a glare at eye level on surrounding public or private property in an area used for residential purposes.

**SECTION 8**

**PROVISIONS AFFECTING AREA, YARDS AND COURTS**

**A. STREET FRONTAGE REQUIRED**

Except as permitted by other provisions of the Zoning Resolution, no lot or parcel shall contain any building used in whole or in part for residential purpose unless the front line of such lot abuts fully on a dedicated street or an approved private street. Each lot shall meet the frontage requirements of the zoning district in which it is located.

**B. REDUCTION AND ENCROACHMENT OF OPEN SPACE**

No lot, yard, court, parking area or other space shall be reduced in area or dimension, thereby making said area or dimension less than minimum required by this Zoning Resolution except as permitted under Open Space Transfer to the Park District, and, if already less than minimum required by this Zoning Resolution, said area or dimension shall not be further reduced. No part of a yard, court, parking area, or other space provided about, or for any building or structure for the purpose of complying with the provisions of this Zoning Resolution, shall be included as part of yard, court, parking area or other space required under this Zoning Resolution, for another building or structure.

**C. LOT OF RECORD**

In any district where dwellings are permitted, a single family dwelling may be located on any lot of record as of the effective date of the Washington Township Zoning Resolution, irrespective of its area or dimensions, provided any one of the following conditions exist:

1. All front, side, and rear yard requirements of this Resolution are met.
2. A building permit for said dwelling has been properly granted by the Montgomery County Building Inspector prior to the enactment of this Resolution.
3. The Board of Zoning Appeals grants a variance in yard requirements.

**D. LANDSCAPING OF YARDS IN RESIDENTIAL AREA**

1. Grass and/or ground cover for any residential dwelling shall be completed within one (1) year of receiving the occupancy permit for that dwelling.
2. No automobile or truck shall be parked on such grass and/or ground cover in the front yard after the occupancy permit is issued.