



Planning Commission
App. No. 015-2017-TA

Zoning Text Amendment

Liverpool Township

Meeting: April 5, 2017
Applicant: Liverpool Township Zoning Commission (LTZC)
Hearing: April 6, 2017 (Zoning Commission)
Amendment: Section (§) 306.8(H.)(2.)
Reviewer: Susan Hirsch

Proposal: The Liverpool Township Zoning Commission has submitted the following proposed Zoning Text Amendments for review:

Add new text to § 306.8(H.) (2.) permit a reduced rear setback of ten feet for accessory building adjacent to permanent open space.

Proposed Amendments: Staff comments are *italicized* and new text is **bold and underlined**.

Article 306 – Controlled Density Zoning (CDZ), Overlay District
Section 306.8 – General Requirement

H. Accessory buildings:

1. Open space accessory structure requirements: Structure(s) or building(s) accessory to conservation or agriculture may be erected within the dedicated open space. These accessory structure(s) or building(s) shall not exceed, in the aggregate, one (1) percent of the required open space area.
2. Private property accessory building requirements: A building accessory to a private residence may be erected upon private property. This accessory building's footprint shall not exceed ten percent of the total available square footage of the rear lot area located behind the rear principle building. All accessory buildings shall meet all rear and side lot setback provisions as set forth in Section 306.7(D).

The rear yard setback can be reduced to ten feet if the rear property line abuts permanent open space.

Staff Comments:

1. Currently, the minimum rear yard setback for an accessory building is twenty feet except when the accessory building is used to house animals and then the setback is fifty feet.
2. Currently the primary structure (residential) has a minimum rear yard depth of forty feet.
3. Allowing the accessory building to be ten feet closer to the rear property line will give the property owner a larger usable rear yard,
4. It has been the experience of Staff that when lots are adjacent to permanent open space there can be a problem with encroachments into the open space often with swing sets, gardens, doll houses and/or sheds. Rear property lines should be clearly marked to a prevent encroachments and to provide a point for measuring the ten foot setback.

Recommendation: Staff recommends the MCPC **APPROVE** the proposed amendment to the Liverpool Township Zoning Resolution.