

**ZONING ORDINANCE**

**MARION TOWNSHIP  
BEAVER COUNTY  
PENNSYLVANIA**

**ADOPTED NOVEMBER 14, 1988**

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ARTICLE I

Titles

Section 1.0 Title  
An Ordinance of the Township of Marion, Beaver County, Pennsylvania, amending all prior ordinances dealing with and regulating and restricting the height, number of stories and size of buildings and other structures, their construction, alteration, extension and all facilities and services in and about such buildings and structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures, and land for trade, industry, residence or other purposes, establishing and maintaining building lines and setback building lines upon any or all public roads and highways, establishing for such purposes districts and defining the boundaries thereof; providing for appointment of a Zoning Hearing Board and setting forth the duties and functions of said Board; providing for the appointment of a Zoning Officer and for the administration and enforcement of this Ordinance and imposing fines and penalties for violation.

Section 1.1 Short Title  
This Ordinance shall be known and may be cited as the "Zoning Ordinance of the Township of Marion" and the district map shall be known and may be cited as the "Marion Township Zoning Map".

## ARTICLE II

### Purpose and Objectives

#### Section 2.0 Purpose

For the purpose of lessening congestion on the roads and highways; to secure safety from fire, panic and other danger; to promote health, morals and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue congestion of population; to facilitate the adequate provision of transportation, water, sewage, schools, parks and other requirements.

#### Section 2.1 Community Development Objectives

This Ordinance has been developed to assist in furthering the long range community development objectives of Marion Township. Considerations have included land use development patterns, regional development trends, the status of community infrastructure, local housing needs, population growth factors and other pertinent local and areawide studies and documentation. Specifically, the local community development objectives relate to the following elements:

1. Creation and maintenance of an orderly land use development pattern to provide for viable, distinguishable and complimentary areas of growth.
2. Protection of the existing residential character of the community consistent with long range forecasts for new growth.
3. Preservation and encouragement of viable agricultural pursuits.
4. Protection of the natural environmental quality and significant open space features throughout the Township.
5. Improvement of the overall aesthetic quality of the community.
6. Prevention of blight.
7. Preservation of property values and encouragement of the highest and best use of available developable land areas.

8. Maintenance and expansion of the municipal and regional economic base.
9. Control of population density consistent with the ability of the community to expand in an orderly manner.
10. Development of accessways, utility systems, municipal services and community facilities consistent with local needs.
11. Coordination and cooperation with area and regional development programs and trends that are consistent with the types and quality of growth necessary to achieve the community development objectives.
12. Provision of various dwelling types to encompass all basic forms of housing to meet local needs consistent with overall health, safety and welfare standards.
13. Promotion of emergency management preparedness and operations.

## ARTICLE III

### Definitions

Section 3.0 Interpretation  
For the purpose of this Ordinance, certain terms and words shall be interpreted or defined as follows:

- a. Words used in the present tense shall include the future.
- b. Words used in the singular shall include the plural and the plural shall include the singular.
- c. The word "person" includes a corporation as well as an individual.
- d. The word "lot" includes the word "plot" or "parcel".
- e. The term "shall" is always mandatory.
- f. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended", "arranged" or "designed to be used or occupied".
- g. The word "building" includes the word "structure".
- h. The word "erected" shall include the word "constructed".
- i. The word "moved" shall include the word "relocated".

Section 3.1 Meaning of Words  
Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

ACCESSORY BUILDING OR STRUCTURE: For purposes of this Ordinance, accessory buildings shall include, but not be limited to, the following, which are subordinate to the principal buildings on the same lot.

a. In all Residential Zones:

- (1) Children s playhouse, picnic shelter, greenhouse (noncommercial), garage, carport, garden house or storage building for domestic storage.
- (2) Swimming pool, ornamental pool, tennis court, basketball court of similar private recreational facility.
- (3) Storage of camping, sports and similar equipment, owned or leased for noncommercial purposes, for the use of the residents of the premises.

b. In Commercial Zones:

- (1) Storage of merchandise and goods normally carried in stock in conjunction with the principal use on the same parcel or lot of ground.
- (2) Storage of goods used in, or produced by, manufacturing activities on the same parcel or lot of ground.

c. In All Zones:

- (1) Required off-street motor vehicle parking areas and loading and unloading areas.

ACCESSORY USE: A use that is subordinate and incidental to the main use or uses on the same lot or premises. Said uses shall not include nonconforming uses under the terms of this Ordinance.

AGRICULTURE: Any use of land or structures for farming, dairying, pasturage, horticulture, floriculture, arboriculture, or animal or poultry husbandry. Accessory activities and structures permitted in conjunction with an agricultural use may include barns, stables, corn cribs, silos and other similar uses or structures that are clearly related to an agricultural operation.

ALLEY: A service way at least twenty (20) feet wide, providing a secondary public means of access to abutting properties.

ALTERATION OR ADDITION (Structural or Use Change): Any change in the supporting members of a building such as bearing walls, columns, beams, girders or foundations, or by extending on a side, front or rear, or by increasing in height, or the moving from one location to another, or any change in use from a conforming zoning district classification.

APARTMENT: A room or suite of rooms in a multi-family structure, which is designed for use as a single housekeeping unit, and which contains a functional kitchen, bath and toilet facilities, permanently installed.

AREA: Area of a lot or site shall be calculated from dimensions derived by horizontal projection of the site.

AREA, BUILDING: The total of areas taken on a horizontal plane at the main grade level of the principal building exclusive of uncovered porches, terraces, steps, garages and other accessory buildings.

AUTOMOTIVE REPAIR: Engine maintenance, repair or reconditioning, collision repair, including straightening and repainting, replacement of parts and incidental services.

AUTOMOTIVE SALVAGE: The dismantling or disassembling of two or more used motor vehicles or trailers, or the storage, sale or dumping of two or more dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

AUTOMOBILE SERVICE STATION: Any premises used for the retail sale of motor fuel and lubricants, and incidental services such as lubrication, and the sale, installation or minor repair of tires, batteries, or other automobile accessories; but not including major repair work, such as motor replacement, body fender repair or spray painting.

BASEMENT(or Cellar): A portion of a building partly or completely below grade. It shall be considered a building story if more than fifty percent (50%) of its clear height is above the average level of the adjoining ground.