

## AGENDA

A public meeting of the City of Altoona Zoning Hearing Board will be held on Wednesday, **August 9, 2023 at 1:15 p.m.** in the 4<sup>th</sup> Floor Conference Room at City Hall, 1301 12<sup>th</sup> Street, Altoona, Pennsylvania.

870 31<sup>st</sup> Street/ Adams Electric, Inc.

Requesting to construct an addition to a nonconforming building in a Multiple-Household Residential Zone, §800-21(C).

4201-13 Broad Avenue/ Andrew DelGrande

Requesting to construct a self-storage facility to consist of three (3) separate buildings and with a 30' minimum rear setback variance in a Suburban Residential Zone, §800-47(E) & (K).

1301 12<sup>th</sup> Street, Suite 103  
Altoona, PA 16601  
Phone (814) 949-2456  
Fax (814) 949-2203



DEPARTMENT OF CODES AND INSPECTIONS

ZONING APPEAL APPLICATION - ALTOONA PLANNING CODE

(instructions located on reverse side)

PROPERTY LOCATION: 870 31st Street Altoona PA 16601  
PURPOSE OF APPEAL: addition to a existing garage, going to be used for storage  
DESCRIPTION OF PREMISES: Adams Electric garage addition  
USE OF PREMISES: storage  
OFF-STREET PARKING: yes

Please fill in all portions below, "same" and "non-applicable" if needed

PROPERTY OWNER INFORMATION

Name: Brad Mikolajczyk  
Address: 903 Jones Street Hollidaysburg PA 16648  
Phone: (814) 381-8159 Email: brad@adamelectric.biz

APPLICANT INFORMATION:

Name: Adams Electric Inc.  
Address: 870 31st Street Altoona PA 16601  
Phone: (814) 944-4621 Email: brad@adamselectric.biz

DESIGN PROFESSIONAL INFORMATION

Name: David b. Albright  
Address: 9 Logen Blvd Floor 2 Altoona PA 16602  
Phone: (814) 944-4664 Email: david@albright-architects.com

SIGNATURE OF APPLICANT: [Signature] DATE: 07/21/23

OFFICE USE ONLY	<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
	<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
	PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
	SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON: _____		
	_____		
	_____		



Zoning board members,

Adams Electric is requesting to build a small addition to an existing rear garage at 870 31<sup>st</sup> street location. This additional space will be use for storage of Aerial lifts and their associated trailer. Please reference attached site plan to detail location of addition. Finishes and construction of new addition will match existing structure. Thanks for your consideration.

Brad Mikolajczyk

President

Adams Electric Inc.



**STRUCTURAL DESIGN CRITERIA**

- 0.1 DESIGN CODES
  - 1. BUILDING CODE ASCE 7-10
  - 2. STRUCTURAL CODE ASCE 318-10
  - 3. WOOD DESIGN CODE NDS 2012
  - 4. WOOD JOINT CODE NDS 2012
- 0.2 DESIGN STRENGTHS
  - 1. LIVE LOADS 40 PSF
  - 2. DEAD LOADS 10 PSF
  - 3. WIND LOADS 15 PSF
  - 4. SNOW LOADS 10 PSF
  - 5. SEISMIC LOADS 0.15g
- 0.3 DESIGN CRITERIA
  - 1. DESIGN CRITERIA 100% WIND RESISTANCE
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**MANUFACTURED STRUCTURAL WOOD TRUSS SHEET NOTES**

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**STRUCTURAL GENERAL NOTES**

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**STRUCTURAL FOUNDATION CAST CONCRETE NOTES**

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**GENERAL DEMOLITION PROJECT NOTES**

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**GENERAL PROJECT NOTES**

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NO.	DESCRIPTION
1	ADDITION TO ACCESSORY BUILDING 2 - PRIVATE GARAGE FOR ADAMS ELECTRIC
2	370 THIRTY-FIRST STREET, ALTOONA, PENNSYLVANIA 16601
3	DATE: 05/27/2012
4	DRAWN BY: [Name]
5	CHECKED BY: [Name]
6	SCALE: 1/8" = 1'-0"
7	PROJECT NO: CS.02

PROJECT: 370 THIRTY-FIRST STREET, ALTOONA, PENNSYLVANIA 16601

DATE: 05/27/2012

DRAWN BY: [Name]

CHECKED BY: [Name]

SCALE: 1/8" = 1'-0"

PROJECT NO: CS.02

ADDITION TO  
ACCESSORY BUILDING 2 - PRIVATE GARAGE  
FOR  
ADAMS ELECTRIC

370 THIRTY-FIRST STREET, ALTOONA, PENNSYLVANIA 16601

drawn by: [Name]

project: 370 THIRTY-FIRST STREET, ALTOONA, PENNSYLVANIA 16601

DATE: 05/27/2012

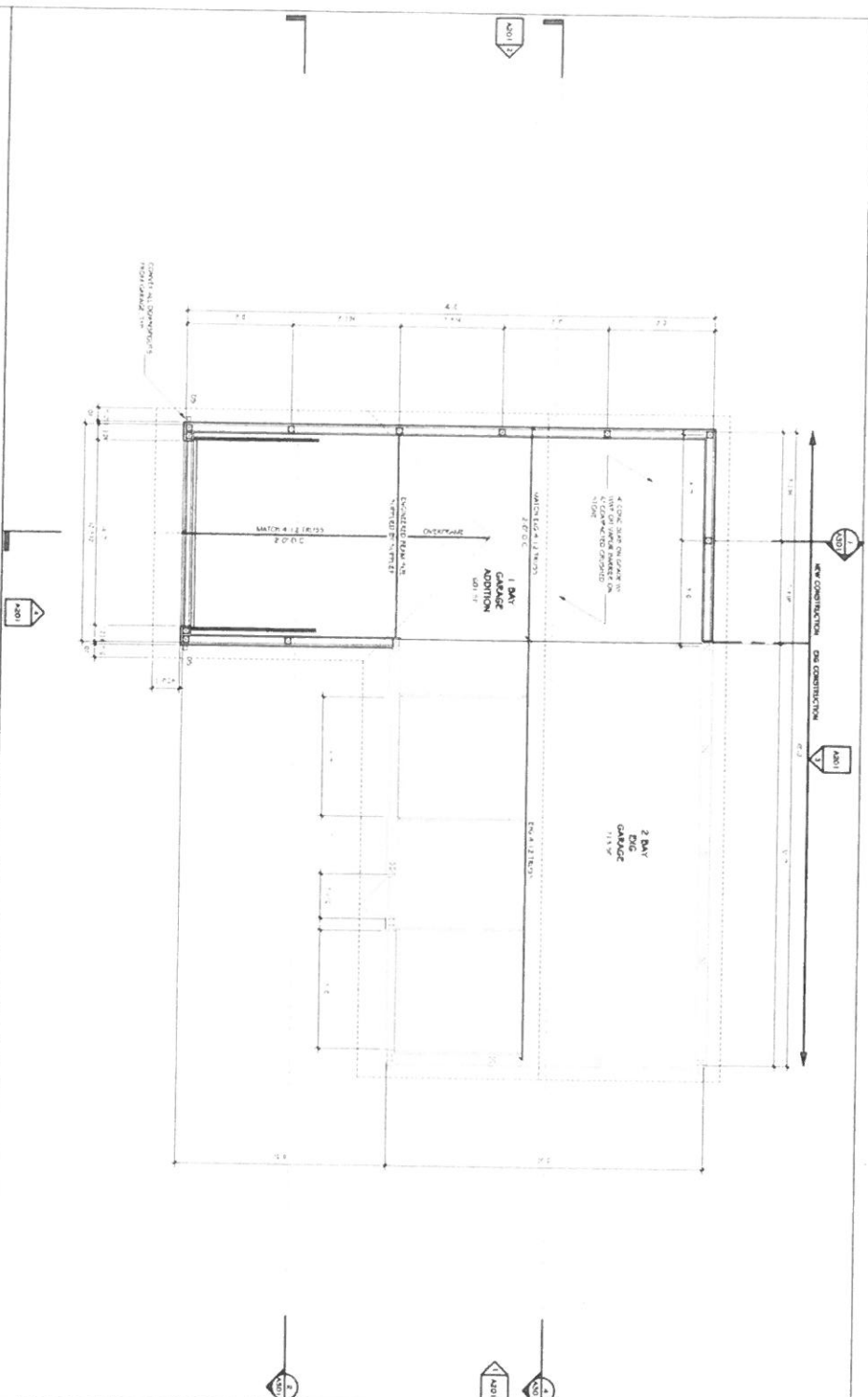
DRAWN BY: [Name]

CHECKED BY: [Name]

SCALE: 1/8" = 1'-0"

PROJECT NO: CS.02





**FLOOR PLAN PROJECT NOTES**

1. **GENERAL**  
 A. All work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 C. All work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.
2. **FOUNDATION**  
 A. All foundation work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All foundation work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.
3. **CONCRETE**  
 A. All concrete work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All concrete work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.
4. **WOOD**  
 A. All wood work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All wood work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.
5. **MECHANICAL**  
 A. All mechanical work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All mechanical work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.
6. **ELECTRICAL**  
 A. All electrical work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All electrical work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.
7. **PLUMBING**  
 A. All plumbing work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All plumbing work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.
8. **FINISHES**  
 A. All finish work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.  
 B. All finish work shall be in accordance with the 2018 International Building Code (IBC) and the 2018 International Residential Code (IRC) unless otherwise noted.

**ADDITION TO  
ACCESSORY BUILDING 2 - PRIVATE GARAGE  
FOR  
ADAMS ELECTRIC**

370 THIRTY-FIRST STREET, ALTOONA, PENNSYLVANIA 16601



David B. Buehler, AIA  
 Architect  
 9 Logan Blvd. Floor 2  
 Altoona, PA 16601  
 814.944.4400

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	11/15/23
2	ISSUED FOR PERMIT	11/15/23
3	ISSUED FOR PERMIT	11/15/23
4	ISSUED FOR PERMIT	11/15/23
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10	ISSUED FOR PERMIT	11/15/23

**FIRST FLOOR  
PLAN**  
A101

**EXTERIOR ELEVATION SHEET NOTES**

1. ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE SPECIFIED.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC).
3. ALL MATERIALS SHALL BE AS SHOWN OR APPROVED BY THE ARCHITECT.
4. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

**BUILDING ELEVATIONS SHEET KEY NOTES**

1. SEE PLAN SHEET FOR DIMENSIONS AND LOCATIONS OF ALL WALLS AND ROOFS.
2. ALL EXTERIOR FINISHES SHALL BE AS SHOWN OR APPROVED BY THE ARCHITECT.
3. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
4. ALL MATERIALS SHALL BE AS SHOWN OR APPROVED BY THE ARCHITECT.
5. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
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8. ALL MATERIALS SHALL BE AS SHOWN OR APPROVED BY THE ARCHITECT.
9. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
10. ALL MATERIALS SHALL BE AS SHOWN OR APPROVED BY THE ARCHITECT.



David B. Johnson, P.E.  
 ARCHITECT  
 3 Logan Blvd. 2nd Floor  
 Allentown, PA 18102  
 610.264.4554

**ADDITION TO  
 ACCESSORY BUILDING 2 - PRIVATE GARAGE  
 FOR  
 ADAMS ELECTRIC**

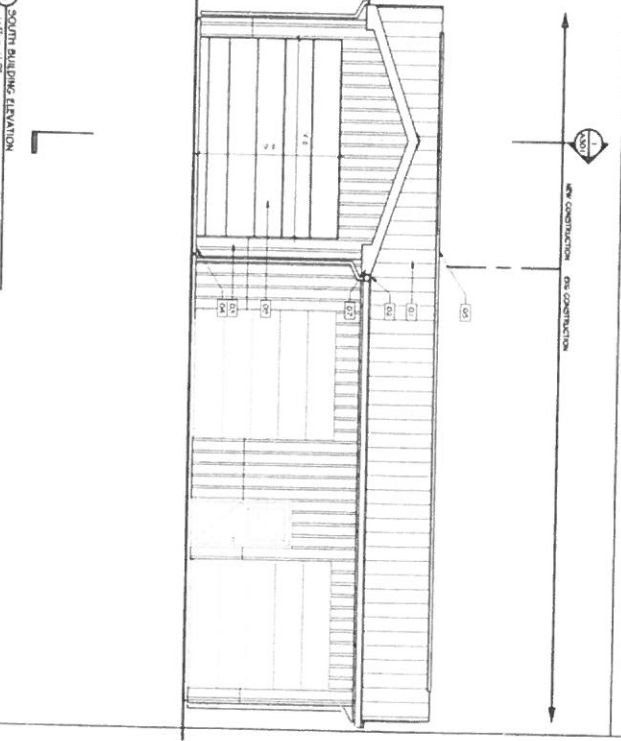
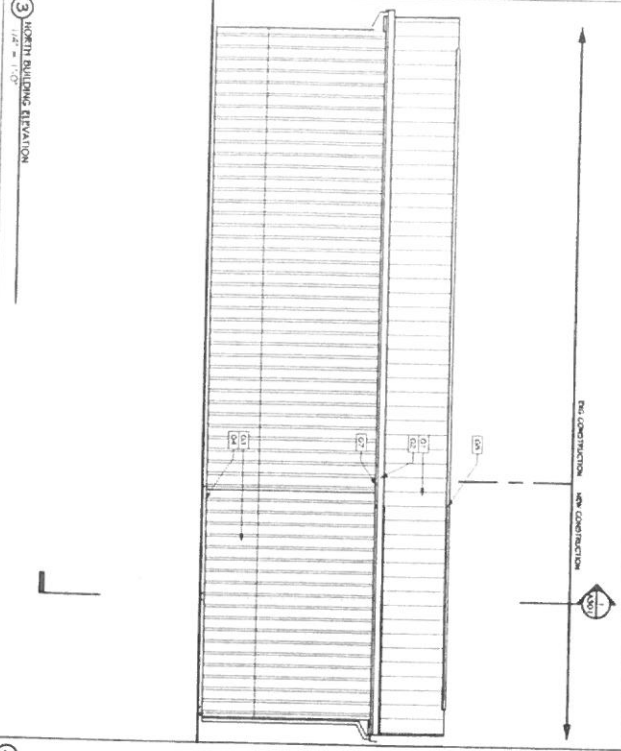
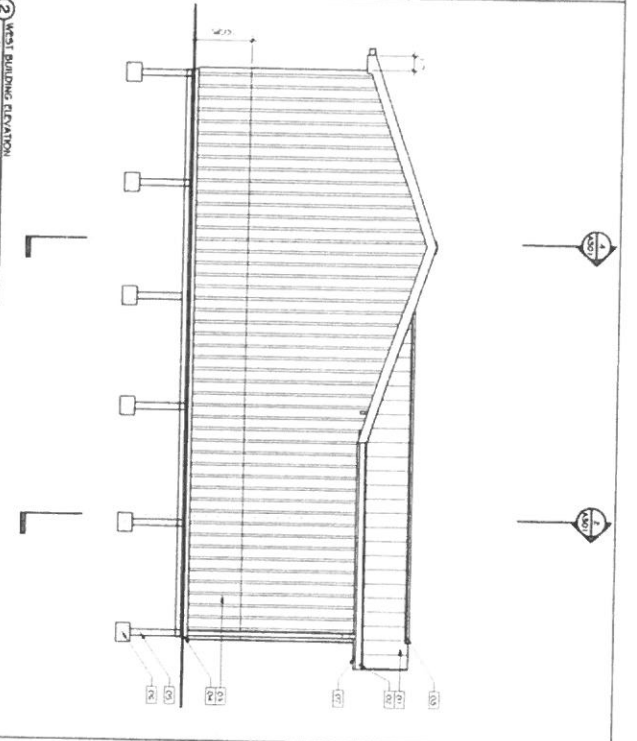
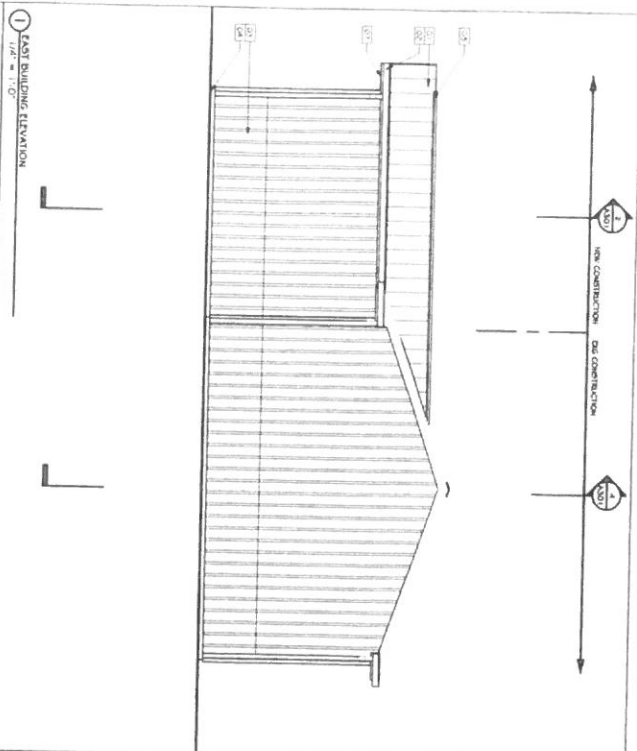
370 THIRTY-FIRST STREET, ALLENTOWN, PENNSYLVANIA 18101

NO.	REVISION	DATE
1	ISSUE FOR PERMIT	08/20/2024

PROJECT NO. 24-084  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: 08/20/2024  
 SCALE: AS SHOWN

**A201**

**BUILDING  
 ELEVATIONS**









## Chapter 800. Zoning

### Article III. Nonconforming Buildings and Uses

#### § 800-21. Nonconforming buildings and structures used for nonconforming uses.

A lawfully existing nonconforming building or other structure which contains a lawfully existing nonconforming use of part or all of said building or structure may be continued, subject to all the following provisions:

- A. Ordinary repair and maintenance of nonconforming building or structure.
  - (1) Ordinary maintenance and repair work or repair and replacement of nonbearing walls, fixtures, wiring, or plumbing may be accomplished; provided, however, that this paragraph shall not be deemed to authorize any violation of this section.
  - (2) Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of a nonconforming building subject to the provisions of this section in accordance with the order of a public official who declares such building to be unsafe and orders its restoration to a safe condition.
- B. Repairs and alterations to a nonconforming building or structure. Repairs, maintenance, alterations, and modernization may be made to a nonconforming building or structure, except that no structural alteration shall be made in or to such building or structure except those required by law and except those making the building or structure and use thereof conform, or more closely conform, to the regulations of the district in which it is located.
- C. Enlargements of nonconforming building or structure. No nonconforming building or structure shall be enlarged or added to in any manner unless such building or structure shall thereafter conform to, or more closely conform to, the regulations of the district in which it is located.
- D. Expansion of nonconforming use. A nonconforming use of a part of a nonconforming building or structure may be expanded or extended into any portion of such building or structure, provided that such expansion or extension shall not in any case be detrimental to or tend to alter the character of the neighborhood and that approval therefor be granted by the Zoning Hearing Board.
- E. Change of nonconforming use. A nonconforming use all or partially conducted in a nonconforming structure or structures may be changed to another nonconforming use only upon determination by the Zoning Hearing Board, after public hearing, that the proposed new use will be more conforming to its neighborhood and surroundings than the use it is to replace. With the application, the applicant shall submit a brief report. This report shall take into consideration such factors, among others, as traffic generated; nuisance characteristics, such as emission of noise, dust, odors, and smoke, creation of vibrations and fire hazards; the hours and manner of operation.  
[Amended 7-12-2017 by Ord. No. 5706]
- F. Discontinuance of nonconforming use. A use occupying a nonconforming building or structure not conforming to the regulations of the district in which it is located that is discontinued during any

continuous period of 12 months shall not be continued, and said building or structure shall only be occupied by a use which conforms to the district in which it is located.

- G. Reconstruction. In the event that a nonconforming use within a nonconforming building or structure damaged or destroyed by any involuntary means to such an extent that the cost of restoring it to its condition prior to damage or destruction exceeds 50% of the current replacement cost of the entire building, exclusive of foundations, such building and use shall not be restored unless it shall thereafter conform to the regulations for the district in which it is located.
- H. Moving. No nonconforming building or other structure that is devoted in whole or in part to a nonconforming use shall be moved in whole or in part, for any distance whatsoever, to any other lot, unless the entire building or other structure and the use thereof shall thereafter conform to the regulations of the district in which it is located after being so moved. Moreover, no nonconforming use of land shall be moved in whole or in part, for any distance whatever, to any other location on the same or any other lot, unless such use shall thereafter conform to the regulations of the district in which it is located after being moved.
- I. Multiple buildings on a lot. In the event that a lot is occupied by two or more buildings, and the use of the buildings is a permitted use under this chapter, and the owner desires to sell one or more of said structures, thus requiring a lot split or subdivision plan to be prepared and approved by the Planning Commission, effectively making the remaining lots not comply with the yard area and lot coverage requirements as set forth in this chapter, then said requirements shall not apply.

## Chapter 800. Zoning

### Article V. District Provisions

#### § 800-50. R-MH Multiple-Household Residential Zone.

- A. Purpose. It is the purpose of this zone to provide areas for medium-density residential use, relatively small lot sizes, duplexes, townhomes, and attached as well as detached dwellings, while protecting the characteristics of these areas.  
[Amended 7-12-2017 by Ord. No. 5706]
- B. Permitted uses.
- (1) Residential uses.
    - (a) Single-household detached dwellings.
    - (b) Two-household duplex, two-household double dwellings, or row houses/townhomes.
    - (c) Group homes for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments. (Such classes include the elderly, the homeless, recovering drug addicts, persons with AIDS, the mentally challenged, and the mentally ill.)
    - (d) Halfway houses for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments.
    - (e) Accessory buildings and uses on the same lot which are customarily incidental to the permitted residential uses in this section.
  - (2) Nonresidential uses.
    - (a) Cemeteries.
    - (b) Emergency shelters.
    - (c) Forestry activities.
    - (d) Governmental facilities.
    - (e) Houses of worship.
    - (f) Minor-impact home-based businesses.
    - (g) Parks, playgrounds, and open space.
    - (h) Public utility transmission and distribution lines, substations, water pumping stations, and reservoirs.
    - (i) Shelters for victims of domestic abuse.
    - (j) Accessory buildings and uses on the same lot which are customarily incidental to the permitted nonresidential uses in this section.

- C. Special exceptions. The following uses may be permitted by the Zoning Hearing Board if it finds the conditions listed for the use are met. The Zoning Hearing Board may work in conjunction with the Planning Commission and its responsibilities under Chapter 640 in granting approval.
- (1) Bus shelters.
    - (a) Shall not impair sight distances at intersections or otherwise pose a hazard to moving traffic.
    - (b) Shall not contain advertising of any kind except identification of the bus company and a posting of relevant schedule and service information.
    - (c) Shall be perpetually maintained and kept clean and sanitary. This guarantee can be made through an agreement or other binding legal instrument.
    - (d) Shall not be placed on private property without the owner's consent.
    - (e) Shall be completely removed and the site restored to its original condition if the location no longer warrants a shelter. This guarantee can be made through an agreement or other binding legal instrument.
    - (f) Shall not interfere with adjacent property owners' use and enjoyment of property.
  - (2) Educational services.
    - (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
    - (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
    - (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
    - (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
    - (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.
  - (3) Public libraries and museums.
    - (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
    - (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
    - (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
    - (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
    - (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.
    - (f) The facilities shall not hold public gathering functions unless specifically permitted by the Zoning Hearing Board. If such function is granted, it shall be conditional on the applicant's

ability to comply with the provisions of Chapter **640**.

- (4) Major-impact home-based businesses.
  - (a) Shall not alter the residential appearance of the building or any accessory buildings.
  - (b) The business shall be owned and operated by the person (or a member of his or her immediate family) owning and occupying the premises on which the business is to be conducted.
  - (c) Not more than one nonfamily member is on the premises at any given time who assists or engages in the business.
  - (d) Any use of space outside of the principal structure shall be screened from the street and abutting properties. If the business does not trigger the requirements of Chapter **640**, the Zoning Hearing Board shall apply the standards contained in Chapter **640** to the business.
  - (e) Traffic shall not be noticeably increased above that normally associated with a single-household dwelling.
- (5) Bed-and-breakfast facilities.
  - (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
  - (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
  - (c) Off-street parking shall be provided at a ratio of one parking space per available room. This shall be in addition to the required parking for a single-family dwelling. The Zoning Hearing Board may approve off-site parking to accommodate this requirement as part of the approval of the special exception for the bed-and-breakfast.
  - (d) Lodging shall not be rented for more than one month for any given person in any six-month period.
  - (e) The property owner must use the building as his or her principal residence and manage the bed-and-breakfast.
  - (f) The area reserved for the owner's residence and the bed-and-breakfast areas shall be connected internally, and each shall share a common main entrance.
  - (g) As part of any approval, the Zoning Hearing Board may require an applicant for a bed-and-breakfast to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them for as long as the bed-and-breakfast is in operation.
- (6) Accessory structures on adjacent lots in common ownership.
  - (a) The size, scale and type of structure is normally associated with a single-family home in the affected neighborhood.
  - (b) No public street runs between the principal structure and the proposed accessory structure. An alley shall not be considered a street for this finding.
  - (c) The structure is designed so that it cannot be converted into a second dwelling unit or other principal use unless it is to be directly attached and fully integrated into the principal structure for use by a member of the immediate family of the occupant of the principal structure.
  - (d) The involved parcels of land are legally tied together such that they cannot be individually conveyed into separate ownership until the accessory structure(s) approved under this subsection have been fully removed.

- (7) Conversion apartments. Any single-family dwelling existing at the effective date of this chapter may be converted into a multifamily dwelling, providing that:
  - (a) It does not exceed density standards.
  - (b) The lot area per dwelling unit shall conform to the regulations for the zone in which it is located.
  - (c) Fire escapes, where required, shall be in the rear of the structure and shall not be located on any wall facing a street.
  - (d) Parking shall be provided in accordance with the provision of Subsection **N** of this section.
- (8) Student homes. Student homes are permitted in all zoning districts that allow residential uses, pursuant to district provisions applicable for one (single) family and twin, semidetached, duplex and/or row house family dwelling use. However, student homes are permitted only when all of the following standards are met:
  - (a) The maximum number of occupants permitted in a student home shall be determined, as it is for all dwellings, by Chapter Four, Section 404 ("Occupancy Limitations") of the applicable version of the International Property Maintenance Code. A Building Inspector from the City's Inspections Department will determine this number at his or her initial inspection.
  - (b) No student home shall be located on a lot any portion of which is closer than 200 feet to another lot used for a student home.
  - (c) No more than one dwelling unit in a twin, semidetached, duplex and/or row house dwelling may be used as a student home.
  - (d) No more than one building on a lot may be used as a student home.
  - (e) A minimum of two paved parking spaces shall be provided per dwelling unit in driveways or off-street parking areas, plus one space for every student over four students. All off-street parking must be provided on the same parcel as the student home.
  - (f) No student home shall be occupied or used as such until a zoning permit and residential rental unit license have been issued. Plans showing the lot layout, parking area, landscaping, interior rooms, and floor area dimensions are required.
- (9) Commercial uses. New office, retail, restaurant uses, and these uses mixed with residences may be established in existing former commercial, public school and industrial buildings and government facilities within this district so long as the Zoning Hearing Board does the following. Note that this special exception is to be used to allow the reuse and preservation of existing buildings and not new construction. Former buildings that have already been converted to residences are not eligible for this special exception.  
[Amended 2-13-2019 by Ord. No. 5741]
  - (a) Finds a demonstrated history of the building being used for commercial, retail, office, public school, governmental, or industrial purposes.
  - (b) Finds exterior features of the building demonstrating that it was designed for commercial, retail, office, public school, governmental, or industrial purposes. The essential architectural character of the building is to be preserved.
  - (c) Finds that converting the building into a conforming permitted use or activity would be cost-prohibitive.
  - (d) Finds that the proposed use of the building is similar to the use for which the building was designed and used, or will have less of an impact than that use, especially on traffic and parking.

- (e) Finds that the required public notice was given.
- (f) Finds that enough parking exists on site and on the adjacent streets and avenues so that the activity proposed for the building will not compete with the surrounding neighborhood's parking needs. In counting the number of parking spaces available for the building, the on-street spaces adjacent to its lot shall be counted. Estimates of parking needs shall not exceed those given at Chapter **640**.
- (g) Sets reasonable limits on the hours of operation, number of employees, noise levels, and odors of the proposed business.
- (h) Requires that the building not be expanded more than 20% of its existing height or footprint unless this is otherwise required by building codes. Note that all existing lot coverage and setback requirements shall apply.
- (i) Finds that the traffic and deliveries generated by the proposed business will not significantly change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (j) Requires that no exterior loudspeaker systems or other audible signals which can be heard at the property line will be used.
- (k) Finds that signage will be limited to either the building's existing signage or one wall sign per each street frontage not exceeding 10 square feet. Traffic signs shall be permitted as necessary through the land development process, and new off-premises outdoor advertising shall be prohibited on such buildings.
- (l) Hears staff recommendations on the above requirements.
- (m) As part of any approval, the Zoning Hearing Board may attach any reasonable conditions and safeguards, in addition to the requirements of this chapter, that it deems necessary to protect the surrounding neighborhood from the impacts of the building being reused.
- (n) As part of any approval, the Zoning Hearing Board may require the applicant to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them and any other conditions imposed by the Board for as long as the business is in operation.

(10) Off-site parking.

- (a) No space exists on the principal lot for adequate parking.
- (b) The center of the lot is within 400 feet of the principal use.
- (c) Space is sufficient to allow full compliance with the land development standards set forth in Chapter **640**.
- (d) The lot will not allow the principal use to exceed the maximum parking allowances set forth in the land development standards.
- (e) The installation of parking at this location will not have a deleterious effect on the overall neighborhood in terms of residential stability and economic development.
- (f) The installation of the parking facility will not necessitate the demolition of a viable and structurally sound building.

(11) Group homes for people not in a protected class.

[Added 7-12-2017 by Ord. No. 5706]

- (a) The owner of the property agrees to the arrangement.
- (b) The facility may be single-room occupancy if all other codes governing such arrangements can be met.

- (c) The owner of the property shall agree to make himself readily available to neighbors and City representatives to discuss and correct any problems arising from this use of the property.
- (d) The rental does not impair the normal peace of the neighborhood.
- (e) The exterior of the property appears as a single- or two-family house.
- (f) There shall be no signs advertising the property other than a sign informing the public when a room may be available for rent.
- (g) All required licenses and certificates, including the certificate of occupancy, must be obtained before this special exception may be granted. In addition, the group home shall provide off-street parking as detailed by § 640-63 of this Code. Finally, it shall demonstrate adequate security measures to the Zoning Hearing Board.

(12) Halfway houses for people not in a protected class.

[Added 7-12-2017 by Ord. No. 5706]

- (a) The owner of the property agrees to the arrangement.
- (b) The facility may be single-room occupancy if all other codes governing such arrangements can be met.
- (c) The owner of the property shall agree to make himself readily available to neighbors and City representatives to discuss and correct any problems arising from this use of the property.
- (d) The rental does not impair the normal peace of the neighborhood.
- (e) The exterior of the property appears as a single- or two-family house.
- (f) There shall be no signs advertising the property other than a sign informing the public when a room may be available for rent.
- (g) All required licenses and certificates, including the certificate of occupancy, must be obtained before this special exception may be granted. In addition, the group home shall provide off-street parking as detailed by § 640-63 of this Code. Finally, it shall demonstrate adequate security measures to the Zoning Hearing Board.

D. Conditional uses. None.

[Amended 7-12-2017 by Ord. No. 5706]

E. Prohibited uses. Any use not complying with the specifications of this article is prohibited.

F. Height. The height of a structure shall not be greater than 35 feet and shall not be less than one story.

G. Area. No lot shall be less than 2,725 square feet in area. The lot area per multifamily dwelling unit shall not be less than 2,160 square feet per unit.

H. Coverage. Building coverage shall be no more than 60% of the involved lot.

I. Width. Excepting row houses/townhomes, the lot width at the building line shall not be less than 25 feet.

J. Frontage. Excepting row houses/townhomes, the lot shall have a minimum of 25 feet frontage at the street right-of-way.

K. Setbacks. Each lot shall have setbacks of not less than the depth or width indicated below:

<b>Location</b>	<b>Setback Characteristic</b>	<b>Lot Characteristics</b>	<b>Minimum Setback (feet)</b>
Front	Depth	—	15 or the average front setback distance on the property's block, whichever is less
Rear	Depth	—	25
Side	Width	Interior lot	2
Side	Width	Corner lot nonstreet	2
Side	Width	Corner lot abutting a street	15

- (1) Low-rise apartments and townhouses must meet the above front and rear setback requirements and meet the following side setback requirements:
  - (a) No individual side yard setback will be required except for end-of-row dwellings. In such case, the side yards' setback shall be of a width not less than 20 feet total, with one side yard of at least eight feet in width. On a corner lot, the side yard abutting the street shall not be less than 20 feet in width, and the other side shall be not less than eight feet.
- (2) Additions to an existing building may be built in line with that building in side yards, so long as:
  - (a) The addition does not encroach any further into the side yard than the existing building already does; and
  - (b) The addition does not encroach on any front or rear setback requirements.

L. Accessory structures.

- (1) An accessory structure and/or swimming pool shall not be erected nor shall its dimensions be increased in front of the main structure.
- (2) An accessory structure, patio and/or swimming pool may be erected within the rear yard or side yard, provided that the height, area, width and coverage requirements contained in this section and the following are met.
  - (a) An accessory structure shall be erected according to the following setbacks:

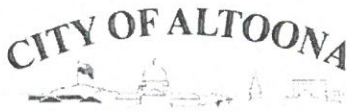
<b>Setback From</b>	<b>Minimum Setback (feet)</b>
Rear of principal structure	10
Side lot line with lot width 25 feet or less	1 1/2
Side lot line with lot width 26 feet or greater	3
Rear lot line	7

M. Permitted setback encroachments.

- (1) Cornices, eaves, gutters, bay windows, or chimneys may encroach into the required setback of a lot not more than 24 inches. However, no cornices, eaves, gutters, bay windows, or chimneys may be closer than one foot from any side lot line.
- (2) A covered carport or covered patio or porch open on three sides may be erected within one of the side yards or rear yard when attached to a main structure existing at the effective date of this chapter, provided the covered carport or covered patio or porch open on three sides shall be not less than one foot from the side or rear lot line and shall never be enclosed.
- (3) A wheelchair ramp or lift may be installed within setbacks if it is approved by the Zoning Hearing Board as a special exception using the following conditions: the structure has no other

available means of ADA access, the incursion into the setback is as small as possible, and the owner agrees to remove the ramp or lift when it is no longer needed and the City requests the removal. As always, the Zoning Hearing Board may attach additional conditions.  
[Added 7-12-2017 by Ord. No. 5706]

- N. Off-street parking. Parking for the uses in the Multiple-Household Residential Zone shall be as follows:
- (1) Residential uses not subject to land development review under Chapter **640** shall be provided with a minimum of one and a maximum of three off-street parking spaces per dwelling unit.
  - (2) Minor-impact home-based businesses shall neither increase nor decrease the number of spaces required for the property.
  - (3) Uses governed by a land development review under Chapter **640** shall meet the parking requirements established as a result of the requisite review.
  - (4) All other uses shall be provided with a minimum of one off-street parking space and a maximum of four off-street parking spaces.
- O. Signs. Signs, when provided, shall conform to those regulations contained in Article **VI** of this chapter, Signs.
- P. Floodplains. All permitted uses located within a floodplain as identified on the Flood Boundary and Floodway Maps must comply with the provisions and requirements of Chapter **362**.
- Q. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.
- R. Fences and walls.
- (1) Fences and walls may be erected, altered, and maintained in any residential district within the setbacks, provided that:
    - (a) Any wall or fence forward of the front yard setback shall not exceed four feet in height. Commercial businesses or institutions may build security fences up to 10 feet in height forward of the front setback line if the fences are at least 50% open and do not block visibility at intersections.
    - (b) Any fence in the rear yard or side yard shall be permitted a maximum height of seven feet. Such fences may extend upward a maximum height of 10 feet if the fence is at least 50% open.
    - (c) This provision shall not apply to retaining walls or vegetated screening.
  - (2) Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § **800-39**, Obstruction to vision, and Subsection **R(1)(a)** of this section are met.
  - (3) Barbed wire, razor wire and aboveground electric fences shall not be permitted.<sup>[1]</sup>
- [1] *Former Subsection R(4), regarding a special exception from the Zoning Hearing Board, which immediately followed this subsection, was repealed 8-14-2019 by Ord. No. 5748.*



ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON REVERSE SIDE)

PROPERTY LOCATION: 4201-13 Broad Avenue, Altoona
PURPOSE OF APPEAL: Use Variance for operation of self-storage facility
DESCRIPTION OF PREMISES: Unimproved mainly gravel lot which is wooded on one side
USE OF PREMISES: Currently a vacant lot which used to be a parking lot. Applicant desires to use premises to operate self-storage facility
OFF-STREET PARKING: No

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME: Steven M. Myers and Amanda S. Myers	
ADDRESS: 211 Ivyside Estates Lane, Altoona, PA 16601	
PHONE:	EMAIL:

APPLICANT INFORMATION

NAME: Andrew DelGrande	
ADDRESS: 38 Railroad Street, Cresson, PA 16630	
PHONE: (814) 931-5176	EMAIL: sandy.8677@yahoo.com

DESIGN PROFESSIONAL INFORMATION

NAME: None	
ADDRESS:	
PHONE:	EMAIL:

SIGNATURE OF APPLICANT

07/21/2023  
DATE

OFFICE USE ONLY

<input checked="" type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON: 800-47 (E) & (K)		

**USE AND SETBACK VARIANCE NARRATIVE**  
**4201-13 BROAD AVENUE, ALTOONA, PA 16602**

The applicant, Andrew DelGrande ("Applicant"), is currently under contract to purchase the subject property, 4201-13 Broad Avenue, Altoona, PA 16602, further identified as Blair County Tax ID No. 01.12-08..-020.00-000 ("Property"). Current record owners of the Property are Steven M. Myers and Amanda S. Myers. The area where the Property is located is currently zoned Suburban Residential. Applicants are applying for a use and setback variance in order to construct a commercial self-storage facility. As depicted on the drawing attached hereto, Applicant is seeking to construct a self-storage facility consisting of three (3) separate buildings with dimensions of 15' x 190', 20' x 170', and 20' x 190', with a horseshoe-shaped graveled driveway area intersecting the buildings. With these dimensions, Applicant will also require a setback variance in the rear of the property. Under the Zoning Code, the rear setback variance is 30 feet. The building in the rear of the Property will be 10 feet from the Property line. However, the rear of the Property abuts a side street and not another residential property, and therefore should have no impact on any residents in the neighborhood.

Applicant's application for a variance is mainly based on the historical use of the Property for non-residential purposes. For instance, the Fourth Avenue Mennonite Church, previous owners to Mr. and Mrs. Myers, used the Property as a parking lot from 2009 until 2021 when it was sold to Mr. and Mrs. Myers. Immediately previous to that, the Schum Memorial Church of the Evangelical United Brethren Church also used the Property as a parking lot. According to the old property card, a garage used to be situated on the property, but was later razed.

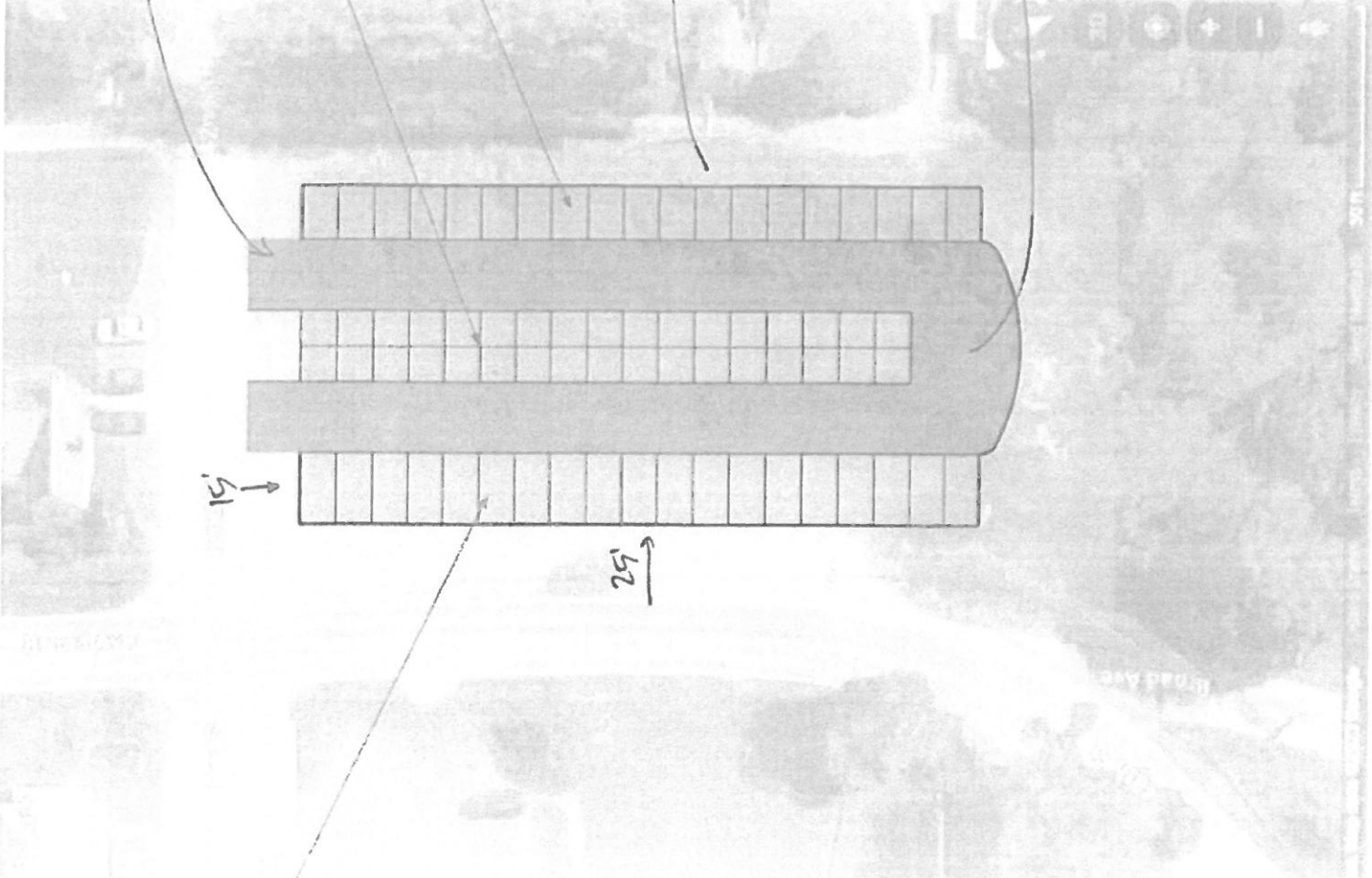
The zoning ordinance will place an unnecessary hardship on the Applicant, through no fault of his own, in that he would be compelled to use the Property for residential purposes when the historical use of the Property has been non-residential. The Property is primarily gravel and partially wooded on one side. Due to the unique physical conditions of the Property, it is not possible, or would at least be very burdensome on the Applicant, to develop the Property for residential use and in strict conformity with the provisions of the zoning ordinance. Granting a variance would enable a reasonable use of the Property, as opposed to what it is, and has been, used for; notably an unimproved lot used merely for parking and/or storage of junk/vehicles.

A variance, if authorized, will not alter the essential character of the neighborhood in which the Property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare as the Property was never previously used for residential purposes, and the construction and operation of a self-storage facility will not create any significant increase in foot traffic to the Property, or cause any increase in vehicle traffic in the area, as storage facility customers will simply be storing their personal property at the facility and will not be residing at, or otherwise frequenting, the Property very often. In addition, there will not be an increase in noise level, any type of odor, or other nuisance related to the operation of the business.

If authorized, the variance being sought by Applicant will represent the minimum variance that will afford him relief as he is not requesting any additional variances for setbacks, etc.

Finally, the Board recently in 2021 granted a use variance to Mr. and Mrs. Myers for construction of a personal storage garage on the Property. While Applicant acknowledges that such a garage is not, in the abstract, the same as the operation of a self-storage facility, the purpose and use of the Property (i.e. storage of personal property) is the same. Applicant submits that the operation of a self-storage facility will have no greater burden or impact on the Property and the surrounding neighborhood than a single storage garage as both uses consist of very passive, non-disruptive usages of the Property.

Based on the foregoing, Applicant respectfully requests that the Board grant him a use and setback variance for the Property to allow Applicant to construct and operate a self-storage facility.



20' dining lounge

(Bldg. #2)  
20' x 170'

(Bldg. #3)  
15' x 190'

10' off property line / side street

30' turning radius

(Bldg. #1)  
20' x 190'

15'

25'



## Chapter 800. Zoning

### Article V. District Provisions

#### § 800-47. R-S Suburban Residential Zone.

- A. Purpose. The purpose of this zone is to provide areas within the City for the development of low-density, primarily residential single-household detached homes and to protect those areas presently developed in this manner.
- B. Permitted uses.
- (1) Residential uses.
    - (a) Single-household detached dwellings.
    - (b) Group homes for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments. (Such classes include the elderly, the homeless, recovering drug addicts, persons with AIDS, the mentally challenged, and the mentally ill).
    - (c) Halfway houses for a class of people protected by the Americans with Disabilities Act, the Fair Housing Act, or their amendments.
    - (d) Accessory buildings and uses on the same lot which are customarily incidental to the above use.
  - (2) Nonresidential uses.
    - (a) Cemeteries.
    - (b) Forestry activities.
    - (c) Governmental facilities.
    - (d) Houses of worship.
    - (e) Minor-impact home-based businesses.
    - (f) Parks, playgrounds, and open space.
    - (g) Public utility transmission and distribution lines, substations, water pumping stations, and reservoirs.
    - (h) Accessory buildings and uses on the same lot which are customarily incidental to the permitted nonresidential uses in this section.
- C. Special exceptions. The following uses may be permitted by the Zoning Hearing Board if it finds the conditions listed for the use are met:  
[Amended 2-13-2019 by Ord. No. 5741; 8-14-2019 by Ord. No. 5748]
- (1) Bus shelters.

- (a) Shall not impair sight distances at intersections or otherwise pose a hazard to moving traffic.
- (b) Shall not contain advertising of any kind except identification of the bus company and a posting of relevant schedule and service information.
- (c) Shall be perpetually maintained and kept clean and sanitary. This guarantee can be made through an agreement or other binding legal instrument.
- (d) Shall not be placed on private property without the owner's consent.
- (e) Shall be completely removed and the site restored to its original condition if the location no longer warrants a shelter. This guarantee can be made through an agreement or other binding legal instrument.
- (f) Shall not interfere with adjacent property owners' use and enjoyment of property.

(2) Educational services.

- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
- (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.

(3) Public libraries and museums.

- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- (c) Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- (d) There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.
- (e) Signs shall be limited to one freestanding identification sign per street on which the facility has frontage and access and one wall sign. Traffic signs shall be permitted as necessary through the land development process.
- (f) The facilities shall not hold public gathering functions unless specifically permitted by the Zoning Hearing Board. If such function is granted, it shall be conditional on the applicant's ability to comply with the provisions of Part 7.

(4) Major-impact home-based businesses.

- (a) Shall not alter the residential appearance of the building or any accessory buildings.

- (b) The business shall be owned and operated by the person (or a member of his or her immediate family) owning and occupying the premises on which the business is to be conducted.
  - (c) Not more than one nonfamily member is on the premises at any given time who assists or engages in the business.
  - (d) Any use of space outside of the principal structure shall be screened from the street and abutting properties. If the business does not trigger the requirements of Chapter **640**, the Zoning Hearing Board shall apply the standards contained in Chapter **640** to the business.
  - (e) Traffic shall not be noticeably increased above that normally associated with a single-household dwelling.
- (5) Bed-and-breakfast facilities.
- (a) The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
  - (b) The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
  - (c) Off-street parking shall be provided at a ratio of one parking space per available room. This shall be in addition to the required parking for a single-family dwelling. The Zoning Hearing Board may approve off-site parking to accommodate this requirement as part of the approval of the special exception for the bed-and-breakfast.
  - (d) Lodging shall not be rented for more than one month for any given person in any six-month period.
  - (e) The property owner must use the building as his or her principal residence and manage the bed-and-breakfast.
  - (f) The area reserved for the owner's residence and the bed-and-breakfast areas shall be connected internally, and each shall share a common main entrance.
  - (g) As part of any approval, the Zoning Hearing Board may require an applicant for a bed-and-breakfast to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them for as long as the bed-and-breakfast is in operation.
- (6) Accessory structures on adjacent lots in common ownership.
- (a) The size, scale and type of structure is normally associated with a single-family home in the affected neighborhood.
  - (b) No public street runs between the principal structure and the proposed accessory structure. An alley shall not be considered a street for this finding.
  - (c) The structure is designed so that it cannot be converted into a second dwelling unit or other principal use unless it is to be directly attached and fully integrated into the principal structure for use by a member of the immediate family of the occupant of the principal structure.
  - (d) The involved parcels of land are legally tied together such that they cannot be individually conveyed into separate ownership until the accessory structure(s) approved under this subsection have been fully removed.
- (7) Student home. Student homes are permitted in all zoning districts that allow residential uses, pursuant to district provisions applicable for one (single) family and twin, semidetached, duplex and/or row house dwelling use. However, student homes are permitted only when all of the following standards are met:

- (a) The maximum number of occupants permitted in a student home shall be determined, as it is for all dwellings, by Chapter Four, Section 404 ("Occupancy Limitations") of the applicable version of the International Property Maintenance Code. A Building Inspector from the City's Inspections Department will determine this number at his or her initial inspection.
  - (b) No student home shall be located on a lot any portion of which is closer than 300 feet to another lot used for a student home.
  - (c) No more than one dwelling unit in a twin, semidetached, duplex and/or row house dwelling may be used as a student home.
  - (d) No more than one building on a lot may be used as a student home.
  - (e) A minimum of two paved parking spaces shall be provided per dwelling unit in driveways or off-street parking areas, plus one space for every student over four students. All off-street parking must be provided on the same parcel as the student home.
  - (f) No student home shall be occupied or used as such until a zoning permit and residential rental unit license have been issued. Plans showing the lot layout, parking area, landscaping, interior rooms, and floor area dimensions are required.
- (8) Commercial uses. New office, retail, restaurant uses, and these uses mixed with residences may be established in existing former commercial, public school and industrial buildings and government facilities within this district so long as the Zoning Hearing Board does the following. Note that this special exception is to be used to allow the reuse and preservation of existing buildings and not new construction. Former buildings that have already been converted to residences are not eligible for this special exception.
- (a) Finds a demonstrated history of the building being used for commercial, retail, office, public school, governmental, or industrial purposes.
  - (b) Finds exterior features of the building demonstrating that it was designed for commercial, retail, office, public school, governmental, or industrial purposes. The essential architectural character of the building is to be preserved.
  - (c) Finds that converting the building into a conforming permitted use or activity would be cost-prohibitive.
  - (d) Finds that the proposed use of the building is similar to the use for which the building was designed and used, or will have less of an impact than that use — especially on traffic and parking.
  - (e) Finds that the required public notice was given.
  - (f) Finds that enough parking exists on site and on the adjacent streets and avenues so that the activity proposed for the building will not compete with the surrounding neighborhood's parking needs. In counting the number of parking spaces available for the building, the on-street spaces adjacent to its lot shall be counted. Estimates of parking needs shall not exceed those set forth in Chapter **640**.
  - (g) Sets reasonable limits on the hours of operation, number of employees, noise levels, and odors of the proposed business.
  - (h) Requires that the building not be expanded more than 20% of its existing height or footprint unless this is otherwise required by building codes. Note that all existing lot coverage and setback requirements shall apply.
  - (i) Finds that the traffic and deliveries generated by the proposed business will not significantly change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.

- (j) Requires that no exterior loudspeaker systems or other audible signals which can be heard at the property line will be used.
  - (k) Finds that signage will be limited to either the building's existing signage or one wall sign per each street frontage not exceeding 10 square feet. Traffic signs shall be permitted as necessary through the land development process, and off-premises outdoor advertising shall be prohibited on such buildings.
  - (l) Hears staff recommendations on the above requirements.
  - (m) As part of any approval, the Zoning Hearing Board may attach any reasonable conditions and safeguards, in addition to the requirements of this chapter, that it deems necessary to protect the surrounding neighborhood from the impacts of the building being reused.
  - (n) As part of any approval, the Zoning Hearing Board may require the applicant to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them and any other conditions imposed by the Board for as long as the business is in operation.
- D. Conditional uses: none.
- E. Prohibited uses. Any use not complying with the specifications of this article is prohibited, including off-site parking.
- F. Height. The height of a building shall not be greater than 35 feet. The height of a dwelling shall be not less than one story.
- G. Area. The lot area per dwelling unit shall not be less than 6,000 square feet.
- H. Coverage. The coverage shall be no more than 50%.
- I. Width. The lot width at the building line shall not be less than 50 feet.
- J. Frontage. All lots shall have a minimum of 50 feet frontage on a street that meets PennDOT and/or current subdivision and land development standards.
- K. Setbacks.

(1) Each lot shall have setbacks of not less than the depth or width indicated below:

<b>Location</b>	<b>Setback Characteristic</b>	<b>Lot Characteristics</b>	<b>Minimum Setback (feet)</b>
Front	Depth	—	20 or the average front setback distance on the property's block, whichever is less
Rear	Depth	—	30
Side	Width	Interior lot	10
Side	Width	Corner lot nonstreet	10
Side	Width	Corner lot abutting a street	20

(2) Additions to an existing building may be built in line with that building in side yards so long as:

- (a) The addition does not encroach any further into the side yard than the existing building already does; and
- (b) The addition does not encroach on any front or rear setback requirements.

L. Accessory structures.

- (1) An accessory structure and/or swimming pool shall not be erected nor shall its dimensions be increased in front of the main structure.
- (2) An accessory structure, patio and/or swimming pool may be erected within the rear yard or side yard, provided that the height, area, width and coverage requirements contained in this section and the following are met:
  - (a) An accessory structure shall be erected according to the following setbacks:

<b>Setback From</b>	<b>Minimum Setback</b>
Rear of principal structure	10 feet
Side lot line with lot width 25 feet or less	18 inches
Side lot line with lot width greater than 25 feet	3 feet
Rear lot line	7 feet

M. Permitted setback encroachments.

- (1) Cornices, eaves, gutters, bay windows, or chimneys may encroach into the required setback of a lot not more than 24 inches. However, no cornices, eaves, gutters, bay windows, or chimneys may be closer than 3 1/2 feet from any side lot line.
- (2) A covered carport or covered patio or porch open on three sides may be erected within one of the side yards or rear yard when attached to a main structure existing at the effective date of this chapter, provided the covered carport or covered patio or porch open on three sides shall be not less than one foot from the side or rear lot line and shall never be enclosed.
- (3) A wheelchair ramp or lift may be installed within setbacks if it is approved by the Zoning Hearing Board as a special exception using the following conditions: the structure has no other available means of ADA access, the incursion into the setback is as small as possible, and the owner agrees to remove the ramp or lift when it is no longer needed and the City requests the removal. As always, the Zoning Hearing Board may attach additional conditions.  
[Added 7-12-2017 by Ord. No. 5706]

N. Off-street parking. Parking for the uses in the Suburban Residential Zone shall be as follows:

- (1) Residential uses not subject to land development review under Chapter **640** shall be provided with a minimum of one and a maximum of three off-street parking spaces per dwelling unit.
- (2) Minor-impact home-based businesses shall neither increase nor decrease the number of spaces required for the property.
- (3) Uses governed by a land development review under Chapter **640** shall meet the parking requirements established as a result of the requisite review.
- (4) All other uses shall be provided with a minimum of one off-street parking space and a maximum of four off-street parking spaces.

O. Signs. Signs, when provided, shall conform to those regulations contained in Article **VI** of this chapter, Signs.

P. Floodplains. All permitted uses located within a floodplain as identified on the Flood Boundary and Floodway Maps must comply with the provisions and requirements of Chapter **362**.

Q. Buffer yards and screening. Where a nonresidential use is established either abutting or adjoining a residential use, a buffer yard not less than five feet in width shall be provided along the lot lines of the nonresidential use. In addition, the buffer yard shall be in compliance with any decision rendered by the Zoning Hearing Board under a variance or special exception or the Planning Commission under a land development review.

R. Fences and walls.

- (1) Fences and walls may be erected, altered, and maintained in any residential district within the setbacks, provided that:
  - (a) Any wall or fence forward of the front yard setback shall not exceed four feet in height. Commercial businesses or institutions may build security fences up to 10 feet in height forward of the front setback line if the fences are at least 50% open and do not block visibility at intersections.
  - (b) Any fence in the rear yard or side yard shall be permitted a maximum height of seven feet. Such fences may extend upward a maximum height of 10 feet if the fence is at least 50% open.
  - (c) This provision shall not apply to retaining walls or vegetated screening.
- (2) Fences and walls may be erected, altered, and maintained in front yards, provided that the provisions of § 800-39, Obstruction to vision, and Subsection **R(1)(a)** of this section are met.
- (3) Barbed wire, razor wire and aboveground electric fences shall not be permitted.<sup>[1]</sup>
  - [1] *Former Subsection R(4), regarding a special exception from the Zoning Hearing Board, which immediately followed this subsection, was repealed 8-14-2019 by Ord. No. 5748.*