

**POCONO TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2012-04**

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE, AND COMMONWEALTH OF PENNSYLVANIA, SETTING FORTH AN AMENDMENT TO SECTIONS 609.L AND 615.A.3 OF THE POCONO TOWNSHIP ZONING ORDINANCE, AS HERETOFORE AMENDED, AND AMENDING THE ZONING MAP.**

WHEREAS, the Board of Supervisors of Pocono Township, Monroe County, Pennsylvania desire to amend the Township Zoning Ordinance; and

WHEREAS, the Pocono Township Planning Commission, the Monroe County Planning Commission, and the Board of Supervisors (the "Supervisors") have reviewed the proposed amendments; and

WHEREAS, the Supervisors have duly provided public notice of the public hearing and notice of intent to adopt the proposed amendments to the Zoning Ordinance; and

WHEREAS, the Supervisors held a public hearing pursuant to public notice on the proposed amendments on August 6, 2012 as required by the Pennsylvania Municipalities Planning Code ("MPC"); and

WHEREAS, the Supervisors have determined that the proposed amendments are in the best interests of Pocono Township and its citizens, and are consistent with the overall community objectives of the Comprehensive Plan adopted by Pocono Township.

NOW, THEREFORE, in consideration of the foregoing, be it ordained and enacted and it is hereby ordained and enacted by the authority of the Board of Supervisors of Pocono Township:

**SECTION 1. General Provisions.** The Zoning Ordinance of Pocono Township is hereby amended as set forth below, such amendment being adopted and incorporated in the official ordinance books by reference with the same force and effect as if duly recorded therein.

**SECTION 2. Repealer.** All ordinances, code sections, or parts thereof in conflict herewith are hereby repealed to the extent of such conflicts.

**SECTION 3. Severability.** Should any sentence, section, clause, part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part not declared to be invalid. The provisions of this Ordinance are severable. If any sentence, clause or section is for any reason found to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any

of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provisions had not been included herein.

**SECTION 4. Effective Date.** This ordinance shall become effective immediately upon its passage.

**SECTION 5. The Amendments.** The Pocono Township Zoning Ordinance is amended in the following manner:

1. **Amendment of Section 609.L.** Section 609.L is hereby amended and restated to read as follows:

“L. Height regulations shall conform to the original underlying zoning district in which the development is to be located, except where the type of construction of the Multi-family building is a Type I-A, I-B, II-A, or II-B and the fire protective measures included in the design and construction of the building meet or exceed the provisions of Chapter 9 of the Building Code, in which case the maximum height of the structure may be increased to fifty (50’) feet.”

2. **Amendment of Section 615.A.3.** Section 615.A.3 is hereby amended and restated to read as follows:

“3. Multi-family dwelling units shall contain a maximum of eight (8) dwelling units in any one cluster provided, however, that the foregoing limitation shall not apply where the structure is a Type I-A, I-B, II-A or II-B as set forth in the Building Code and fire protective measures are designed and constructed for said building in accordance with the provisions of Chapter IX of the Building Code in which case the number of dwelling units in a Multi-family building may not exceed the maximum number of units set forth in Section 609.B.1 and Section 609.B.2. In all other instances the maximum of eight (8) dwelling units in any one cluster may be modified where:

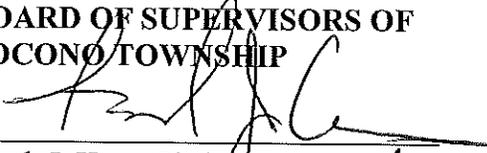
a. a modification request is submitted by the Applicant the Township may, due to site conditions or unusual building design, allow additional units with an absolute maximum of sixteen (16) attached dwelling units in any one (1) building.

b, modifications to allow the additional attached dwelling units may not be granted to more than twenty-five (25%) percent of the total Multi-family dwelling unit building submitted in each section or phase.”

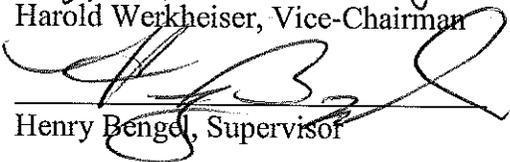
3. **Amendment of Official Zoning Map.** Pursuant to Section 303 of the Ordinance, the Official Zoning Map referenced in Section 301 of the Ordinance is hereby amended to change the Zoning District line delineating the District line between the C-1 Zoning District and the R-2 Zoning District applicable to lands of Sheldon Kopelson described in Monroe County Record Book Volume 1530, Page 1685 and Volume 1559, Page 674 which lands have been assigned Tax Assessment PIN #12-6373-00-30-7295 and Property Assessment Number 12/7/1/6-4 as set forth on the drawing appended hereto and made part hereof by this reference and entitled "Proposed Zone Change, Lands of Sheldon Kopelson", prepared by Gilmore Associates, Inc. dated December 19, 2011. The Official Zoning Map boundary of the C-1 District and of the R-2 District as amended by the drawing appended hereto is hereby amended as set forth on the attached drawing and the Official Zoning Map, as amended hereby, and all notations, references, and designation shown thereon shall be as much a part of this Ordinance as if the same were all fully described and set forth herein.

**ORDAINED AND ENACTED** by the Board of Supervisors of Pocono Township, Monroe County, Pennsylvania, this 6th day of August, 2012.

**BOARD OF SUPERVISORS OF  
POCONO TOWNSHIP**

  
Frank J. Hess, Chairman

  
Harold Werkheiser, Vice-Chairman

  
Henry Bengel, Supervisor

ATTEST:

  
Secretary

[TOWNSHIP SEAL]

