

ORDINANCE NO.2013 -02

**TOWNSHIP OF COVINGTON**  
LACKAWANNA COUNTY, PENNSYLVANIA

AN ORDINANCE TO AMEND THE COVINGTON TOWNSHIP ZONING ORDINANCE OF FEBRUARY 6, 2007 TO:

ITEM 1 – Delete Note 2 under Paragraph 407 describing minimum lot sizes for R-1 and R-2 Districts

ITEM 2 - Add a new Note 2 under Paragraph 407 to set minimum lot sizes for R-1 and R-2 Districts and make any deviation from these minimum lot sizes a conditional use

ITEM 3 – Add a new Note 9 under Paragraph 407 to make development of any lot in the RR & SC, C-1, C-2 and M-1 Districts that is under the minimum lot size in the Schedule of Development Standards a conditional use

ITEM 4 - Add a new paragraph 533 describing the conditions for any deviation from the minimum lot sizes

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Covington, Lackawanna County, Pennsylvania, by authority of and pursuant to the provisions of P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968; reenacted December 21, 1988, P.L. 1329, No. 170, and as further reenacted and amended, known and cited as the “Pennsylvania Municipalities Planning Code”.

The Covington Township Zoning Ordinance of February 6, 2007 is amended as follows:

ITEM 1

Paragraph 407, Note 2 – Delete in its entirety

ITEM 2

The following paragraph is added as Note 2 under Paragraph 407:

2. The following standards shall apply in the R-1 and R-2 Districts:

	<u>Any lot equal to or larger than:</u>	<u>Any lot dimension in feet equal to or larger than:</u>	<u>Any yard in feet equal to or larger than:</u>
On-lot sewage	2.00 acres	150 width/200 depth	50 front//25 rear//15/40 side
On Central Sewer	1.00 acre	150 width/200 depth	30 front//25 rear//12/30 side

Any lot that does not meet these standards shall be a conditional use under the criteria of paragraph 533.

ITEM 3

Add the following as Note 9 to paragraph 407:

Note 9: Any development sought for a lot in the RR & SC, C-1, C-2 and M-1 Districts that is on a lot that is less than the minimum lot area shall be a conditional use under the criteria in paragraph 533.

ITEM 4

Add the following as a new paragraph 533.

533. Criteria for Development of Lots Not Meeting Minimum Acreage Standards

533.1 Any person submitting a lot for a conditional use under this paragraph shall list all areas in which the lot does not meet the development standards of the Ordinance. The Board of Supervisors shall decide all issues at the conditional use hearing.

533.2 The conditions for use of a lot submitted under this paragraph shall be developed from the Comprehensive Plan for the Township. The following specific conditions shall be considered, and as appropriate, set as a condition of development at the conditional use hearing.

A. The road system giving access to the lot(s) must be adequate to safely and efficiently give access to the lot(s) in all weather conditions. A request for driveway access will be a condition of development.

B. The sewage plan for the lot(s) must meet the requirements of the Township <sup>537</sup>527 Plan as amended. If an on-lot system is proposed, periodic testing and possible upgrade in conformity with the Township <sup>537</sup>527 Plan will be a condition of development.

C. The lot(s) must meet the flood plain requirements in the Township.

D. The lot(s) must meet the conservation subdivision design standards of the Comprehensive Plan.

E. The best stormwater management practices will be used for the lot(s).

F. Protect the nature of the community and the environment when evaluating non-residential development.

G. Protect the groundwater supply for the Township.

H. Evaluate the source of the water to the development under consideration, to include the siting of wells.

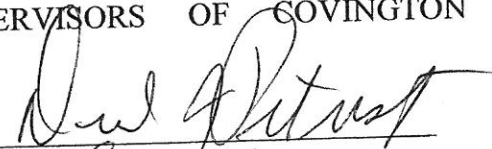
The provisions of this Ordinance are severable. If any article, clause, provision or portion of this Ordinance shall be held to be invalid, illegal or unconstitutional by any court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair any of the remaining provisions, sentences, clauses or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Covington Township that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, or section had not been included herein.

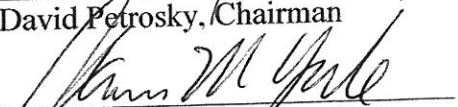
Wherever there exists a difference between the minimum standards and/or dimensions specified herein and those contained in the Zoning Ordinance or other official regulations, the highest and strictest standards shall apply.

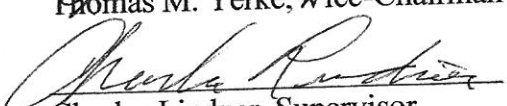
This Ordinance shall become effective five (5) days after enactment.


**ORDAINED AND ENACTED** into law by the Board of Supervisors of Covington Township this 26 day of FEBRUARY, 2013.

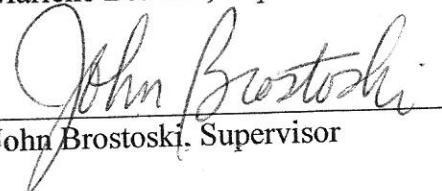
BOARD OF SUPERVISORS OF COVINGTON  
TOWNSHIP

  
David Petrosky, Chairman

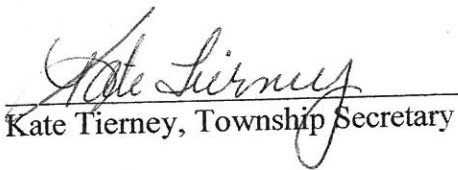
  
Thomas M. Yerke, Vice-Chairman

  
Charles Lindner, Supervisor

  
Marlene Beavers, Supervisor

  
John Brostoski, Supervisor

ATTEST:

  
Kate Tierney, Township Secretary