

ARTICLE V BUFFER AREAS AND FENCES

SECTION 500 PURPOSES:

The purpose for this section is to provide for buffering between differing land uses. This section also provides standards for these buffers between conflicting land uses and differing Zoning Districts.

SECTION 501 DETERMINATION OF BUFFER AREA REQUIRED:

Any use within any district may be required to provide a buffer area where the Zoning Officer deems it necessary to screen or block vision or other types of action associated with the use. The Zoning Officer shall determine the exact placement and type of buffer area.

SECTION 501.A GENERAL REQUIREMENTS:

1. A buffer area shall provide a year-round screening of the area. Buffers may consist of the following:
 - a. Evergreen plants of various species (a living fence). All of this type buffer, whether it is man-made or natural, shall be evergreen to remain consistent with year-round screening.
 - b. Natural landscapes, provided that such an area is preserved from future development by easement, covenant, or similar restriction.
 - c. A fence or wall between four feet (4') and six feet (6') high with at least sixty percent (60%) of the surface being opaque.
2. Unless otherwise specified, the required depth of a buffer area shall be determined by the Zoning Officer based on the recommendation by the Planning Commission.
3. When an evergreen or deciduous plant buffer is used, it shall conform to the following:
 - a. The buffer zone around a storm water basin shall consist of evergreen trees. Each tree shall be a minimum of six feet (6') in height at the time of field planting.
 - b. Any deciduous plant material shall have a maximum height not to exceed six feet (6').

- c. Each planting shall be free from disease, insect infestation, and mechanical injuries and in all respects be ready for field planting.
 - d. All plantings shall be guaranteed from the period of installation for a period of no less than one full year from the date of installation.
 - e. All plants shall conform to the American Standard for Nurserymen Stock (ANSI.260.1-1986) also to sizing, growing and Brown & Burlap specifications.
 - f. All plantings shall be situated in a manner that their root systems shall not encroach on underground utilities. Details for plantings shall be provided for each type of plant used.
 - g. All plantings in sight triangle areas shall not exceed twenty-four inches (24") in height.
- 4. The property owner shall be responsible for the regular maintenance of any and all buffer areas. This includes replacement of dead plant material and removal of all debris, rubbish, and tall grass.
 - 5. No structure, parking area, loading area, storage area, or vehicular circulation area shall be allowed in a buffer area.
 - 6. The buffer area shall be contiguous along property lines except for areas used for vehicular or pedestrian access or exiting.
 - 7. The Zoning Officer may authorize a modification in the otherwise applicable buffer area regulations, upon the recommendation of the Planning Commission, where it deems that a larger buffer area is needed to fulfill the requirements of this Ordinance or the changes in elevation along the buffer area between properties demonstrates that little need is found for the buffer area and it may be interrupted as long as the lot to which the buffer area belongs is properly screened.
 - 8. Conflicting districts may use streets and alleys as buffer areas but shall provide screening required in this Article on at least one side of the street of alley.
 - 9. Existing properties in the LDR and MDR and existing lots of record with a maximum lot area of less than seven thousand five hundred (7,500) square feet in DC and TZ Districts are granted automatic exemption to this requirement due to the existing neighborhood characteristics, so long as any existing buffers and screening are not removed.

10. Existing buffers and screening are not to be removed unless replaced with the approval of the Zoning Officer, stated in writing.

SECTION 502 DETERMINATIONS OF BUFFERS:

Any use in the category listed in a particular existing Zoning District, that abuts any other classification of Zoning Districts, that the proposed development is located in must provide one tree for every ten feet (10') feet, and meet the following minimum buffers:

SECTION 502.A LDR DISTRICT

TABLE V-A-1

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| LDR | O/C | 10' |
| | LI-1 | 10' |
| | LI-2 | 10' |
| | DC | 5' |
| | TZ | 10' |
| | MDR | 10' |
| | SR | 10' |
| | RC | 20' |
| | HOD | 10' |

SECTION 502.B MDR DISTRICT

TABLE V-A-2

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| MDR | O/C | 15' |
| | LI-1 | 5' |
| | LI-2 | 5' |
| | DC | 5' |
| | TZ | 15' |
| | LDR | 10' |
| | SR | 20' |
| | RC | 20' |
| | HOD | 10' |

SECTION 502.C SR DISTRICT

TABLE V-A-3

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| SR | O/C | 10' |
| | LI-1 | 10' |
| | LI-2 | 10' |
| | DC | 15' |
| | TZ | 15' |
| | LDR | 10' |
| | MDR | 20' |
| | RC | 20' |
| | HOD | 10' |

SECTION 502.D TZ DISTRICT

TABLE V-A-4

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| TZ | O/C | 10' |
| | LI-1 | 10' |
| | LI-2 | 10' |
| | DC | 5' |
| | LDR | 10' |
| | MDR | 10' |
| | SR | 10' |
| | RC | 10' |
| | HOD | 10' |

SECTION 502.E LI-1 DISTRICT

TABLE V-A-5

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| LI-1 | O/C | 10' |
| | LI-2 | 10' |
| | DC | 5' |
| | TZ | 10' |
| | LDR | 10' |
| | MDR | 10' |
| | SR | 10' |
| | RC | 10' |
| | HOD | 10' |

SECTION 502.F LI-2 DISTRICT

TABLE V-A-6

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| LI-2 | O/C | 10' |
| | LI-1 | 10' |
| | DC | 25' |
| | TZ | 10' |
| | LDR | 10' |
| | MDR | 10' |
| | SR | 10' |
| | RC | 10' |
| | HOD | 10' |

SECTION 502.G DC DISTRICT

TABLE V-A-7

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| DC | O/C | 10' |
| | LI-1 | 10' |
| | LI-2 | 25' |
| | TZ | 10' |
| | LDR | 10' |
| | MDR | 10' |
| | SR | 10' |
| | RC | 20' |
| | HOD | 10' |

SECTION 502.H OC DISTRICT

TABLE V-A-8

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| OC | DC | 20' |
| | LI-1 | 10' |
| | LI-2 | 10' |
| | TZ | 10' |
| | LDR | 10' |
| | MDR | 10' |
| | SR | 10' |
| | RC | 20' |
| | HOD | 10' |

SECTION 502.I RC DISTRICT

TABLE V-A-9

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| RC | DC | 20' |
| | LI-1 | 10' |
| | LI-2 | 10' |
| | TZ | 10' |
| | LDR | 20' |
| | MDR | 20' |
| | SR | 10' |
| | HOD | 10' |
| | OC | 20' |

SECTION 502.J HOD DISTRICT

TABLE V-A-10

| Project Location Zoning District (Existing Use) | Abutting Zoning District (Proposed Use) | Minimum Spacing (In feet) |
|---|---|---------------------------|
| HOD | DC | 10' |
| | LI-1 | 10' |
| | LI-2 | 10' |
| | TZ | 10' |
| | LDR | 10' |
| | MDR | 10' |
| | SR | 50' |
| | RC | 10' |
| | OC | 10' |

SECTION 503 EXTERIOR WALL SURFACES:

Exposed exterior walls of structures shall be composed of brick, stone, plastics, fiberglass, glass, marble, metal, or vinyl with wood used for trim or any approved building material, except as provided herein.

Smooth dressed concrete block may be used for exposed side and rear exterior walls in the DC, TZ, OC and LI Districts upon recommendation of the Planning Commission and approval of the Borough Council where there is a finding that such rear wall will not be visible to passersby or to the general public.

Wood may be used for exposed exterior walls for residential structures of two (2) stories or less.

The Planning Commission may recommend for approval to the Borough Council alternative materials if, such material is determined to be of equal or superior quality and similar aesthetic character of the required materials.

The Planning Commission may review with the Brookville Fire Department the flammability of such constructions in an effort to assist fire resistance and the ability to suppress a fire within normal fire fighting techniques and practices. Recommendations of the Fire Department and the Planning Commission shall be forwarded to the Borough Council for consideration of approval or denial.

SECTION 504 FENCES:

All property line fences (those that border adjacent properties) shall meet the following minimum requirements and standards:

- A. Height: Fences, walls, and other screens may be erected with a permit from the Borough and signed by the Zoning Officer, in any yard subject to the following height requirements, with height measured from the existing ground elevation:
 - 1) Front yard and side yard between the front yard and rear building line - maximum of four feet (4').
 - 2) Side or rear yard-six feet (6').
 - 3) Fences, screens, or living fences up to ten feet (10') in height may be approved by the Zoning Hearing Board for any yard of a public school, recreational facility, or public building;
- B. Location:
 - 1) A fence, wall, or living fence cannot be erected in public or dedicated rights-of-way.
 - 2) Fences along an abutting property shall be set back at least two feet (2') from the property line.
 - 3) Fences or living fences either publicly or privately owned shall not block the clear sight distance at street intersections or driveways.
- C. Other:
 - 1) Fences shall not include barbs or other harmful projections unless approved by the Zoning Hearing Board for security reasons or by modification and permit in the any Residential Districts.

- 2) The finished side of fences or walls shall always face the abutting street property.

- 3) A fence or wall will require a building permit, and be in keeping with the surrounding area and not hinder the appropriated development or use of adjacent buildings or impair their value for land uses.

SECTION 505 DUMPSTERS AND TRASH RECEPTACLES:

All dumpsters and trash receptacles, larger than 55 gallon capacity, shall be fenced in on three sides. Fences shall be constructed as stated in Section 504 of the Article.

All dumpsters and trash receptacles, larger than 55 gallon capacity, shall be placed on a concrete or brick pad.