

**BOROUGH OF SWARTHMORE  
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO.      OF 2010

**AN ORDINANCE OF THE BOROUGH OF SWARTHMORE, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND/OR SUPPLEMENTING THE ZONING CODE OF THE BOROUGH OF SWARTHMORE BY AMENDING THE DEFINITION OF “BUILDING SETBACK LINE” AND ADDING PROVISIONS PERMITTING (i) STEPS AND WHEELCHAIR RAMPS TO EXTEND INTO REQUIRED YARD SETBACKS AND (ii) UNENCLOSED PORCHES TO EXTEND UP TO FIVE FEET INTO A FRONT YARD SETBACK IN PROPERTIES LOCATED WITHIN THE RA, RB AND RC RESIDENTIAL DISTRICTS**

BE IT ENACTED AND ORDAINED by the Borough Council and Mayor of the Borough of Swarthmore as follows:

**Section 1: Amendment of § 1240.05(23). Definitions.** The definition of “building setback line” at § 1240.05(23) of the Codified Ordinances of Swarthmore Borough is hereby amended to replace the word “structure” with the word “building” so that such definition shall read as follows:

(23) “Building setback line” means an established line within a property defining the minimum required distance between any building to be erected and an adjacent right-of-way or street line.

**Section 2: Amendment of § 1264.03. Projections into required yards.** § 1264-03 of the Codified Ordinances of Swarthmore Borough is hereby amended to read as follows:

**§ 1264.03. Projections into required yards.**

(a) Except as otherwise permitted by this Section, no projection from a building shall extend into any required yard. Notwithstanding the foregoing, cantilevers, overhanging eaves, gutters and cornices, shall be permitted to project into required yards a distance of no more than three feet. Unenclosed staircases, steps and wheelchair ramps which provide access to the first floor of a building shall be permitted to project into required yards and shall not be deemed to be projections subject to the limitations of this subsection (a).

(b) Projections which include interior living areas shall be considered as part of the building coverage and shall be excluded from required yards.

(c) In the RA, RB and RC Residential Districts, where the principal structure has a conforming front yard setback, a front porch may project into such conforming front yard setback by special exception where the front porch complies with the following criteria and standards and the general standards for a special exception set forth at § 1264.17 of this zoning ordinance:

- (i) the front porch shall be a single story structure projecting from the front of the principal building;

- (ii) the front porch may have a roof and/or railings and/or a sitting wall (which railings and/or sitting wall shall be no higher than thirty-six inches 36") but shall not be enclosed by glass, screens or otherwise;
- (iii) the front porch shall extend no further from the front building line of the principal structure than eight feet (8') and shall extend into the front yard setback no further than five feet (5');
- (iv) the front porch shall be architecturally consistent with the principal structure; and
- (v) the front porch shall comply with any other applicable bulk and area requirements of the applicable zoning district, including without limitation, side yard setback, pervious coverage and maximum lot coverage requirements.

**Section 3: Severability.** The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

**Section 4: Repealer.** All resolutions or ordinances, or parts thereof, which are inconsistent herewith are hereby repealed to the extent of the inconsistency.

**Section 5: Adoption.** This Ordinance shall take effect and be in force from and after its enactment as required by law.

ENACTED AND ORDAINED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

SWARTHMORE BOROUGH COUNCIL

BY: \_\_\_\_\_  
 SUSAN SMYTHE  
 PRESIDENT

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010

ATTESTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010

BY: \_\_\_\_\_  
 RICHARD H. LOWE  
 MAYOR

BY: \_\_\_\_\_  
 JANE C. BILLINGS  
 BOROUGH MANAGER/SECRETARY