

OAKLAND TOWNSHIP  
COUNTY OF BUTLER

ORDINANCE NO. 2002 – 2

AN ORDINANCE AMENDING THE BUILDING PERMIT ORDINANCE BY REQUIRING A 60 FOOT SETBACK FROM THE ROAD RIGHT OF WAY, A 15 FOOT SETBECK FROM THE REAR OR SIDE YARD PROPERTY LINES AND ESTABLISHING THE PROCEDURE AND STANDARDS FOR OBTAINING A MODIFICATION OR VARIANCE TO THE SETBACK REQUIREMENT.

BE IT ORDAINED AND ENACTED BY THE SUPERVISORS OF OAKLAND TOWNSHIP this 8th day of August, 2003, as follows:

Chapter 3, Article I, Section 3.104.A. of the Oakland Township Consolidated Ordinances pertaining to Building Permits and Occupancy Permits is hereby amended by adding Section 3.104.A.5, as follows:

5. (a) No building permit shall be issued unless the building, development or mobile home is set back more than sixty feet (60') from the right of way of the existing local or proposed streets, sixty feet (60') on arterial streets, applicable in the case of corner lots to both intersecting streets.

(b) No building permit shall be issued unless the building is set back more than fifteen feet (15') from the side or rear lines of the property on which it is erected.

(c) Variance/Modification. The Board of Supervisors may grant a variance/ modification to the setback requirements set forth in (a) and (b), above, so long as all five of the following requirements are met:

- (1) The request is set forth in a writing;
- (2) There are peculiar, unique or unusual circumstances as to the land (not the building on the land);
- (3) The modification is not contrary to the public interest;
- (4) The grant of a modification encourages orderly development;
- and
- (5) The grant of the variance/modification is the minimum modification possible.

ATTEST:

\_\_\_\_\_  
Nadine Neff  
Township Secretary

(Township Seal)

OAKLAND TOWNSHIP SUPERVISORS:

By: \_\_\_\_\_  
James E. Hindman, Chairman

By: \_\_\_\_\_  
James H. Moser, Vice Chair

By: \_\_\_\_\_  
Albert E. Peters, Supervisor