

## 402 Accessory Structures and Uses

All accessory structures shall conform to the minimum setback regulations established in Article IV except as permitted below.

### 402.1 Unattached Structures Accessory to Residential Buildings

Structures accessory to residential buildings which are not attached to a principal structure and do not exceed eight (8) feet in height and two-hundred (200) square feet in total floor area may be erected within the required side and rear yards of a principal structure, provided that no side yard is reduced to less than ten (10) feet. This setback reduction shall be permitted only for one such accessory structure per parcel. In the case of corner lots, the full front yards as required for the District shall be maintained.

### 402.2 Attached Accessory Structures

An accessory structure attached to a principal building shall be considered to be a part of the principal building and shall conform to the setbacks for principal structures.

### 402.3 Accessory Structures to Non-Residential Buildings

Unattached accessory structures for other than residential structures or uses shall comply with front, side:and rear setback requirements for the principal structure, except as follows:

- A. Parking and landscaping may extend into required yards of DD Development Districts, provided no less than ten (10) feet of separation is maintained from the property line.
- B. Parking and landscaping with respect to non-residential uses permitted by either Conditional Use or Special Exception in zoning districts other than DD, or a DD non-residential use abutting a residential use adjoining the DD District, shall meet the standards of Section 410.5.E hereof.

### 402.4 Private Outdoor Swimming Pools

A single private outdoor swimming pool per dwelling unit is permitted as an accessory structure to a residential structure, provided that such swimming pool is for the private use of the residents of the dwelling unit or for their guests, and provided that the pool is not located closer than ten (10) feet to any property line and that a fence not less than four (4) feet high and of a design (i.e., chain link, wire mesh, solid picket, etc.) to restrict access shall completely surround the area of any ground level swimming pool. Access to all pools shall be restricted when the pool is not in use.

### 402.5 Fences

Fences shall be limited to eight (8) feet in height excepting that fences surrounding tennis courts or similar recreational facilities may extend to ten (10) feet in height. The Township may, in conjunction with approval of a land development plan, require a setback of up to three (3) feet for maintenance purposes.

### 402.6 Energy Devices

Nothing herein shall be construed to limit the rights of any landowner or group of adjacent landowners to erect wind energy or other alternative energy devices for the purposes of generating electricity, heat, cooling or other forms of energy for on-site consumption, excepting energy sold back to utility companies and provided the commercial and industrial performance standards and other development standards contained herein are met in full. Industrial wind turbines shall be limited to Development Districts and

150 feet in height and otherwise comply with standards for small wind turbines as provided below. All wind turbine applications shall be processed as Conditional Uses. The Township may approve small wind turbine applications designed for residential, farm, institutional and business use on the same parcel. All small wind turbines shall comply with the following standards and, to the maximum extent practicable, with all other requirements of this law not in conflict herewith:

- A. A system shall be located on a lot of five acres minimum lot area. However, this requirement can be met by multiple owners submitting a joint application.
- B. Only one small wind turbine per legal lot shall be allowed, unless there are multiple applicants, in which their joint lots shall be treated as one site for purposes of this law.
- C. Small wind turbines shall be used primarily to reduce the on-site consumption of electricity, excepting energy sold back to utility companies.
- D. Total height shall be a maximum of 100 feet. All turbines shall be setback from the property line no less than 150 feet.
- E. The maximum turbine power output is limited to 100 kW.
- F. Tower-climbing apparatus shall be located no closer than 12 feet from the ground, a locked anti-climb device shall be installed on the tower or a locked, protective fence of at least six feet in height that encloses the tower, shall be installed to restrict tower access.
- G. Anchor points for any guy wires for a system tower shall be located within the property upon which the system is located and not on or across any above-ground electric transmission or distribution lines.
- H. All turbines shall comply with commercial performance standards so as to ensure noise at any given time shall not exceed 5 decibels above the ambient noise level measured at the property lines.
- I. The Township shall require a financial guarantee to ensure removal of turbines no longer in active use.

#### 402.7 Clothing and Donation Bins

Clothing and donation bins where used goods are collected for later pick-up, processing and redistribution or sale shall be permitted as accessory uses to a commercial use provided they are not used for advertising off-site businesses or enterprises and are limited to listing the ownership and directions for using the bins. Such bins shall also be limited to four per lot and shall not be located within any required yard areas applicable to principal uses. Such bins shall be limited to DD Districts and subject to such placement restrictions as the Zoning Officer shall determine necessary to address safety and visibility issues.