

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF CHESTNUTHILL, MONROE COUNTY, PENNSYLVANIA, AMENDING THE CHESTNUTHILL TOWNSHIP ZONING ORDINANCE, BEING CHAPTER 119 OF THE CODE OF THE TOWNSHIP OF CHESTNUTHILL, TO REVISE THE OFFICIAL ZONING MAP OF CHESTNUTHILL TOWNSHIP AND REZONE A PROPERTY SITUATE IN THE TOWNSHIP WITH AN ADDRESS OF 1354, 1356 AND 1364 ROUTE 209, GILBERT, PENNSYLVANIA, BEARING MONROE COUNTY TAX PARCEL ID 02.9.1.55-1, AND MONROE COUNTY MAP # 02-6248-0011-4391, FROM R-2 MEDIUM LOW DENSITY RESIDENTIAL TO LIC LIGHT INDUSTRIAL/COMMERCIAL; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS OF THE ORDINANCE; REPEALING OR RESCINDING ALL ORDINANCES OR RESOLUTIONS OR PARTS THEREOF WHICH ARE INCONSISTENT HEREWITH; AND ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, it is the desire of the Chestnuthill Township Board of Supervisors, as the result of a request by Mary Baxter, to amend the Chestnuthill Township Zoning Ordinance ("Zoning Ordinance") to rezone a certain triangular shaped property, situate between U.S. Route 209 and Fairground Road (L.R. 45053), having an address of 1354, 1356 and 1364 Route 209, Gilbert, Pennsylvania, and bearing Monroe County Tax Parcel ID. 02.9.1.55-1 and Monroe County Map No. 02-6248-0011-4391, currently titled in the name of Mary Baxter, from R-2 Medium Low Density Residential to LIC Light Industrial/Commercial, and to revise the Township Zoning Map to reflect that zone change.

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. §66506, entitled "General Powers," authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, Pursuant to Section 1516 of the Second Class Township Code, found at 53 P.S. §66516, entitled "Land Use Regulations", the Board of Supervisors may plan for the development of the Township through zoning and subdivision and land development regulations under the "Pennsylvania Municipalities Planning Code" ("MPC"); and

WHEREAS, Pursuant to Section 601 of the MPC, found at 53 P.S. §10601, entitled "General Powers", the Board of Supervisors is authorized to enact amendments to the Chestnuthill Township Zoning Ordinance in accordance with the conditions and procedures set forth in the MPC.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Chestnuthill Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

ARTICLE I: The zoning classification of that certain lot, tract or parcel of land situate in the Township of Chestnuthill, County of Monroe and Commonwealth of Pennsylvania, currently owned by Mary Baxter, designated as Lot 1 on a plan titled "Subdivision of Land For Robert J. Carroll & Joanne Carroll", recorded the Office for the Recording of Deeds, in and for the County of Monroe, at Stroudsburg Pennsylvania, in Plat Book 66, Page 79, situate between U.S. Route 209 and Fairground Road (L.R. 45053), having an address of 1354, 1356 and 1364 Route 209, Gilbert, Pennsylvania, and bearing Monroe County Tax Parcel ID. 02.9.1.55-1 and Monroe County Map No. 02-6248-0011-4391, comprised of an area of 2.29 acres, more or less, is hereby changed from R-2 Medium Low Density

Residential to LIC Light Industrial/Commercial. A portion of the Monroe County GIS Map indicating the property to be rezoned is attached hereto as Exhibit "A" and incorporated herein by reference.

ARTICLE II: The Official Zoning Map of Chestnuthill Township, and Chapter 119, Attachment 5, of the Code of the Township of Chestnuthill, are hereby revised to reflect this change of zoning classification, and the same shall be noted by the Chestnuthill Township Zoning Officer on the Official Zoning Map of Chestnuthill Township on file in the Chestnuthill Township municipal offices.

ARTICLE III: The provisions of this Ordinance are severable. If any sentence, clause, section or part of this Ordinance is for any reason ultimately found to be unconstitutional, illegal or invalid by a court of competent jurisdiction, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared, as the legislative intent of the Board of Supervisors, that such remainder shall be, and shall remain, in full force and effect.

ARTICLE IV: All ordinances or resolutions, or portions thereof, conflicting or inconsistent with any of the provisions of this Ordinance, are hereby repealed, but only insofar as same are in direct conflict or directly inconsistent with this Ordinance.

ARTICLE V: This Ordinance shall take effect five (5) days after enactment.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Chestnuthill Township, Monroe County, Pennsylvania this ____ day of _____, 2022.

BOARD OF SUPERVISORS CHESTNUTHILL TOWNSHIP

BY: _____
Carl B. Gould II, Chairman

BY: _____
Eric Snyder, Vice-Chairman

ATTEST:

Township Secretary

(TOWNSHIP SEAL)

Monroe County, Pennsylvania GIS

Created on Thu Feb 10 2022



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notes:

EXHIBIT A