

ORDINANCE NO. 2014-07

**TOWNSHIP OF HOPEWELL
BEAVER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY,
PENNSYLVANIA, A FIRST CLASS TOWNSHIP UNDER THE LAWS OF THE
COMMONWEALTH OF PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP
ZONING MAP, ORDINANCE NO. 2004-01, TO REZONE PROPERTY IDENTIFIED AS
TAX PARCEL NO. 65-015-0912.000, THE CURRENT SITE OF PIZZA MASTERS AND
BATES FLOWER SHOP, LOCATED AT 2405 BRODHEAD ROAD FROM R-2 (LOW
DENSITY RESIDENTIAL) C-1 HIGHWAY COMMERCIAL**

WHEREAS, Hopewell Township received a rezoning request from Daniel Rains, Deborah M. Rains, Domenic F. Leone and Catherine V. Leone of Hopewell Township to rezone a small parcel of land identified as Tax Parcel No. 65-015-00912.000, currently the site of Pizza Masters and Bates Flower Shop, and situate within the zoning district of R-2 (Low Density Commercial) to a zoning district of C-1 (Commercial Highway); and

WHEREAS, the Hopewell Township Planning Commission and Board of Commissioners have reviewed the proposed Zoning Map amendment request along with the consideration that this map change will allow the subject property's historically non-conforming commercial use to become a permitted use in accordance with the Hopewell Township Zoning Ordinance No. 2004-01; and

WHEREAS, the Hopewell Township Planning Commission reviewed the Zoning Map amendment request on November 12, 2013, November 14, 2013 and December 19, 2013 and made a recommendation to the Board of Commissioners for approval of the amendment request by correspondence of the same dates; and

WHEREAS, the Beaver County Planning Commission reviewed the Zoning Map amendment request on November 20, 2013 with comments that were addressed by the Hopewell Township Planning Commission dated December 19, 2013 and December 20, 2013; and

WHEREAS, the Board of Commissioners held a Public Hearing on March 24, 2014 as provided by the Hopewell Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code at which time testimony and evidence was received concerning the Zoning Map amendment request and no objections were voiced; and

WHEREAS, the Board of Commissioners advertised the Public Hearing and the notice of intent to adopt the Zoning Map Amendment as provided by the Hopewell Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code; and

WHEREAS, in the judgment of the Board of Commissioners of Hopewell Township, the requested amendment to the Zoning Map of the Township of Hopewell, Beaver County, Pennsylvania is in the Township's best interests, the change requested will not result in a detrimental effect on abutting properties and the change requested will be consistent with the overall Comprehensive Plan adopted by the Township.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Commissioners of the Township:

SECTION 1. Hopewell Township Zoning Ordinance No. 2004-01, the Official Zoning Map, incorporated therein under Article IV, section 401, is hereby amended to rezone property described and identified as Tax Parcel No. 65-015-0912.000 located at 2405 Brodhead Road from R-2 (Low Density Residential) to C-1 (Commercial Highway). The amended Zoning map of this area is marked Exhibit "A" and attached hereto and incorporated herein.

SECTION 2. Severability

If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 3. Repealer

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this 14th day of April, 2014, by the Board of Commissioners of the Township of Hopewell.

ATTEST:

Board of Commissioners
Hopewell Township

Norman Kraus, Jr., Township Manager

Richard Bufalini, Chairman