

GENERAL REFERENCES

Planning Commission - See Ch. 51.
Subdivisions - See Ch. 157.

ARTICLE I
General Provisions

§ 180.1. Zoning Map.

The map herein referred to, which is identified by the title "Whitehall Borough Zoning Map" and by the signatures of the duly authorized officers of the BOROUGH affixed thereto, shall be known as the "Zoning Map," and such map, together with all notations, references and other data shown thereon, is hereby incorporated by reference into this chapter as is more fully described herein. Said Zoning Map shall be kept on file and available for examination by persons interested therein at the office of the BOROUGH.

§ 180.2. Interpretation and intent.

180.2.1. In interpreting and applying this chapter, the provisions shall be held to be the minimum requirements for the promotion of the public health, safety, morals and general welfare and shall not prohibit the adoption of more restrictive requirements of this nature. These regulations are made in accordance with a Comprehensive Plan and are designed to lessen congestion in the STREETS; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Reasonable consideration has been given, among other things, to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the BOROUGH.

180.2.2. In addition, the intent of this Zoning Ordinance is to promote an orderly plan of DEVELOPMENT according to the BOROUGH Comprehensive Plan, adopted by Resolution No. 189 of the COUNCIL of the BOROUGH on the 20th day of November 1968, including data on existing conditions, statements concerning the proposed plan, community DEVELOPMENT planning goals and policies and evaluation of implementation techniques. The intent of this Zoning Ordinance is cited with reasonable consideration, among other things, to the existing character of the various areas within the BOROUGH and their respective suitability to particular land uses. **[Added 7-19-72 by Ord. No. 495]**

180.2.3. It is fundamental to the purpose of the chapter to recognize that many existing lots throughout the BOROUGH are less adequate than others because of their location or size or odd shape or difficult topography or any combination of these limitations. A claim of hardship under this chapter, therefore, shall not be allowable on behalf of any lot because the physical characteristics of the lot prevent it from being built upon exactly as in

another lot abutting or close to it or in the same zoning district. The regulations herein permit most such lots to be satisfactorily built upon. There can be some alleviation for other lots through variances (minor concessions) granted by the Zoning Hearing Board when special physical conditions make literal enforcement of the regulations either unsatisfactory in the interest of the people at large or actually impossible. It is not the ordinance but the physical conditions that prevent a lot from accommodating a type or area or bulk of structure unsuited to it. For typical example, it is not intended that each lot in a commercial district automatically become the prospective site for any commercial structure and use. If a lot in such a district, after provision of the yards and other open spaces prescribed for its own and adjacent property protection, has a buildable area too small in extent or dimensions for a commercial structure then the lot may be used under its district regulations for another type of structure permitted in that district. ***[Amended 3-16-83 by Ord. No. 659]***

180.2.4. While this chapter applies only to property within the BOROUGH, in the protection of the health and safety and welfare of the people at large and in the encouragement of the establishment and maintenance of reasonable community standards of physical environment, the effect of such application on adjacent properties and neighborhoods, without regard to municipal boundary lines, should be considered. It is the intention that the administration of this chapter, where it affects properties adjacent to the BOROUGH boundary line, will be such as to promote cooperation with other political subdivisions involved, for the uniform benefit and protection of all affected properties.

180.2.5. This section shall be considered, together with all the provisions of this chapter, when appraising "the spirit of the chapter" as a guide to its interpretation.

§ 180.3. Effect on previously issued building permits.

180.3.1. All buildings for which permits have been obtained and the construction of which or a portion of which has been begun, or for which a contract or contracts have been let pursuant to a permit issued prior to the effective date of this chapter, may be completed and used in accordance with the plans on which said permits were granted.

180.3.2. All permits for buildings which were issued prior to the adoption of this chapter are declared void if at the time of the effective date of this chapter no substantial construction of such building shall have been made and no contract or contracts have been let pursuant to said permit, provided in either case such building or its use does not conform to the provisions of this chapter.