

BOROUGH OF SUGARCREEK

ORDINANCE NO. 272 OF 2012

AN ORDINANCE OF THE BOROUGH OF SUGARCREEK AMENDING ORDINANCE NO. 111 OF 1986, THE ZONING ORDINANCE OF THE BOROUGH OF SUGARCREEK, AS AMENDED BY ORDINANCE NO. 123 OF 1989, IN ORDER TO AMEND THE ZONING MAP OF THE BOROUGH OF SUGARCREEK SUCH THAT LOT NO. 28-012-084 IS DESIGNATED FROM A R-2 URBAN RESIDENTIAL DISTRICT TO A C-1 COMMERCIAL DISTRICT.

WHEREAS, the Sugarcreek Borough Planning Commission entered upon its duties at the request of the Council of the Borough of Sugarcreek, and, after proper study and due reference to the Sugarcreek Borough Comprehensive Plan, at its public meeting held on July 25, 2012, recommended an amendment to the Zoning Ordinance of the Borough of Sugarcreek and the zoning map; and

WHEREAS, the Sugarcreek Borough Planning Commission recommended that Lot No. 28-012-084 located at 705 Rocky Grove Avenue, which is currently zoned as a R-2 Urban Residential District, be zoned as a C-1 Commercial District; and

WHEREAS, in accordance with Section 10609 of the Municipalities Planning Code, the Council of the Borough of Sugarcreek submitted for recommendations the proposed zoning map amendment to the Venango County Planning Commission at least thirty (30) days before the public hearing; and

WHEREAS, by letter dated July 25, 2012, the Venango County Planning Commission recommended that the Council of the Borough of Sugarcreek approve the requested amendment; and

WHEREAS, the Council of the Borough of Sugarcreek held a public hearing on the proposed amendment to the zoning map on August 20, 2012, after notice of said hearing was published once each week for two (2) consecutive weeks in the Franklin News-Herald with the first publication occurring at least fourteen (14) days, but not more than thirty (30) days, prior to the public hearing in accordance with Section 804 of the Zoning Ordinance of the Borough of Sugarcreek; and

WHEREAS, in accordance with Section 10609 of the Municipalities Planning Code, at least one (1) week prior to the public hearing, the Council of the Borough of Sugarcreek caused to be conspicuously posted notice of said public hearing at points deemed sufficient by the Council of the Borough of Sugarcreek along the tract to notify potentially interested citizens, and further caused to be mailed notice of said public hearing at least thirty (30) days before the public hearing by first class mail to the addresses to which real estate tax bills are sent for all real

property located within the area being rezoned, as evidenced by the tax records within the possession of the Borough of Sugarcreek, said notice in both instances setting forth the location, date and time of the public hearing; and

WHEREAS, after the public hearing, notice was published by the Council of the Borough of Sugarcreek in accordance with The Borough Code of its intention to enact this ordinance and proposed amendment to the zoning map at its regularly scheduled meeting on December 19, 2012; and

WHEREAS, the proposed amendment to the zoning map is more fully described below and further evidenced on the zoning map annexed hereto as Exhibit "A."

BE IT ORDAINED AND ENACTED, by the Council of the Borough of Sugarcreek, Venango County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

Section One: Ordinance No.111 of 1986, the Zoning Ordinance of the Borough of Sugarcreek, as amended by Ordinance No. 123 of 1989, and the Zoning Map of the Borough of Sugarcreek are hereby amended to change the designation of the Lot No. 28-012-084 located at 705 Rocky Grove Avenue from a R-2 Urban Residential District to a C-1 Commercial District.

Section Two: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

Section Three: In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Council of the Borough of Sugarcreek that the remainder of this Ordinance shall be and shall remain in full force and effect.

Section Four: This Ordinance shall become effective immediately.

APPROVED this 19<sup>th</sup> day of December, 2012.

ATTEST:

By   
Borough Secretary

Voting For: 3

Voting Against: 0

BOROUGH OF SUGARCREEK

By   
President of Council

By   
Mayor