



HILLTOWN TOWNSHIP

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‘Out-Buildings’

Sheds, Pool Houses, Pavilions, and Garages (etc.)

This document discusses out-buildings that are accessory to residential single-family dwellings.

Out-buildings that are accessory to Multi-Family Dwellings (apartments) or a commercial/institutional use have different rules regulations.

The Condensed Version (short answer):

- All sheds and other detached out-buildings require Zoning Permits (at the least).
- A shed (garage or storage building) less than 250 sqft in size requires only a Zoning Permit.
- A shed (garage or storage building) greater than 250 sqft in size requires both a [Zoning Permit](#) and a [Building Permit](#) (and a foundation).
- Other (‘occupied’) buildings (pool-houses, pavilions, studios, gazebos, etc.) regardless of their size, require both a Zoning Permit and a Building Permit (and a foundation).

These requirements do not change because the building is a ‘pole building’ or a ‘delivered, pre-fabricated building’ or a ‘kit’; these are *methods of construction*; the building still is what is, despite how it is designed or constructed.

The Expanded Answer and Explanation:

A residential ‘out-building’ (or detached *accessory* building) is a separate accessory building on a lot with a single-family dwelling, but not attached to the *principal* single-family dwelling. Out-buildings are further classified as ‘Occupied’ or ‘Unoccupied’, depending upon the building’s intended use.

Under the Zoning ordinance:

An out-building is either greater than 250 square feet, or less than 250 square feet. Whether you label it a ‘Garage’, ‘Shed’, ‘Pole Building’, ‘Art Studio’, ‘Pool House’, etc.,- the zoning requirements do not change.

A zoning permit is required (regardless of its size); a completed [Zoning Permit Application](#), [Plot Plan](#) showing the proposed location of the proposed out-building, and a check (refer to most recent fee schedule) must be submitted to Hilltown Township Administration Building.

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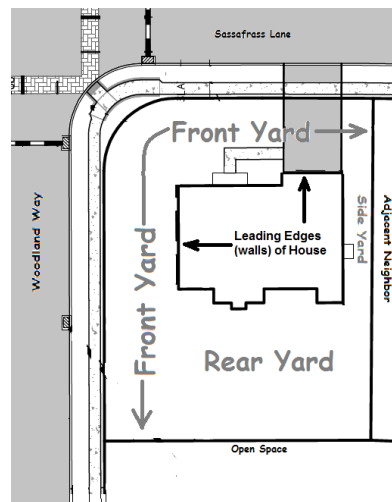
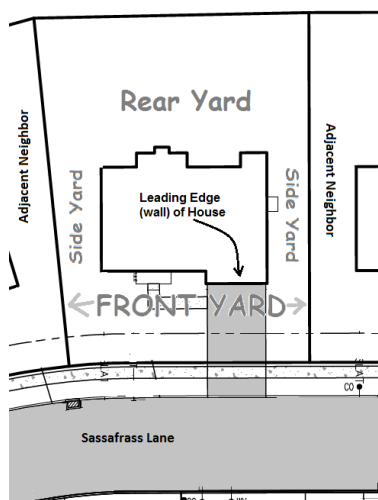
Zoning and Building Department

The Zoning Ordinance requirements are different depending upon whether the out-building is ‘greater than’ or ‘less than’ 250 square feet (sqft); the square footage is determined by measuring the structure’s width by its length:

- **A building greater than 250 sqft** in area must meet the same required setbacks from the property line that the main house (‘*required principal setbacks*’) is required to meet, as determined by your zoning district. You may determine your Zoning District by reviewing the township [Zoning Map](#).

Once you know your Zoning District, you can determine the required setbacks by reviewing the document entitled ‘[Principal Setbacks by Zoning District](#)’.

- **A building less than 250 sqft** in area has different (smaller) required setbacks, and may not be located in any front yard area (a corner lot has two front yards).



In the CR-1 (Country Residential-1) and VC (Village Center) Zoning Districts, a residential out-building (less than 250 sqft.) must be at least 2’ from a side lot line and 5’ from a rear lot line.

In the all other Zoning Districts a residential out-building (less than 250 sqft.) must at 12’ from side and rear lot lines.

Under the Building Code:

A [Building Permit](#) is required for any ‘**occupied structure**’ (regardless of its size).

In Hilltown Township, a *building* permit is not required if the building is both:

- Less than 250 sqft. in size, and
- Categorized as an “**unoccupied building**”

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Zoning and Building Department

An '**Unoccupied Building**' is a building intended primarily as a storage/utility building. The Pennsylvania UCC categorizes these buildings as "*Carports, Detached Private Garages, Greenhouses, and Sheds*" ([Pa. UCC section 403.1\(b\)\(3\)](#)ⁱ).

An '**Occupied Building**' is building whose intended use is occupancy by human beings, - these will include Pavilions, Gazebos, Pool Houses (for changing and entertaining), studios, etc.

All Two-Story Buildings require Building Permits; The Hilltown Township Code Enforcement Office, *generally* defines a Two-Story Building as a building that has an upper floor, served by fixed stairs.

ⁱ If you read the actual regulations from the Pennsylvania Labor & Industry website, you will note that the regulations set the threshold at 1000 square feet; however, [Pa. UCC section 403.2](#) allows townships to retain provisions that were in place prior to July 1, 1999; in Hilltown Township, that threshold for maximum size of building before a Building Permit is required was set at 250 square feet.