



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 999 sq ft in size requires only a Zoning Permit.
- A shed (garage or storage building) greater than 1000 sq ft 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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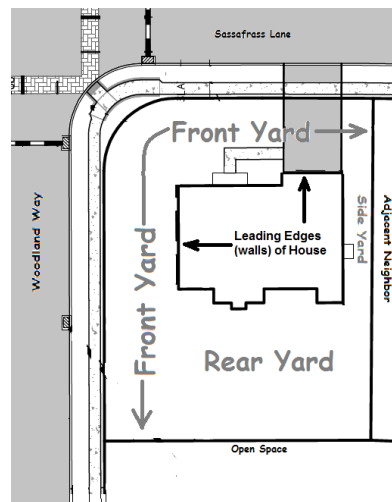
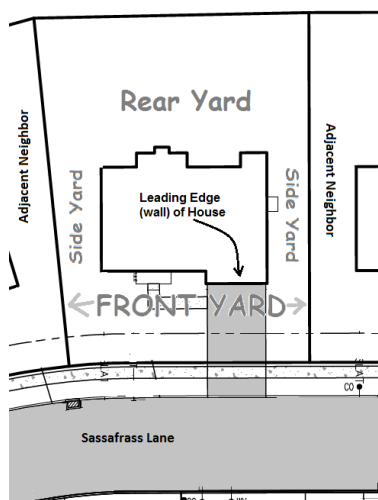
Zoning and Building Department

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.