

Permits



Frequently Asked Questions

TIMELINE FOR ISSUANCE OF PERMITS:

- **15 Business Days to review and approve Residential & Sign Permits.**
- **30 Business Days to review and approve Commercial Permits & Zoning Applications.**

To ensure a timely approval process, make sure applications are complete.

Anything that exceeds 400 square feet is required to have Stormwater Management

DECK PERMIT

Permit(s) Required:

- 1) Zoning Permit Application and
- 2) Building Permit Application

Required Fee: \$284.00 (Check made payable to "Borough of Malvern")

Breakdown of fees:

- \$75 for Zoning Permit
- \$150 for Application Fee
- \$55 for Review Fee
- \$4 for State Fee

Required Documents:

2 copies of overhead view and elevation view plans are required with permits

Zoning Information:

§ 220-2401 Accessory uses, buildings, and structures. [Amended 8-21-2007 by Ord. No. 2007-4]
The following may be permitted as accessory uses in addition to a permitted principal use in a district, but must always be incidental and subordinate to the principal use. The accessory use shall be located in the rear or side yard of the lot and shall be located no further forward than the front line of the principal building. The minimum setback for an accessory use in the R3a, R3b, R4, R5 and R6 Zoning Districts shall not be less than five feet from the side lot lines and not less than seven feet from the rear lot lines. In all other zoning districts, the minimum setback for an accessory use shall be not less than seven feet from the lot lines. Accessory uses shall have a maximum height of 15 feet and shall specifically be deemed accessory in accordance with the following terms:

A. Residential accessory uses, buildings, or structures. Only when noncommercial and only for the use of residents of the dwelling, accessory uses to residential uses include, but are not limited to:

Permits



Frequently Asked Questions

(1) Garage or parking area for the parking of passenger automobiles including noncommercial trucks and vans, and driveways in accordance with this chapter and the Borough Subdivision and Land Development Ordinance.[1. Editor's Note: See Ch. 181, Subdivision and Land Development.]

(2) Structures such as, but not limited to, shelter for household pets, storage sheds, bathhouses, gazebos, **decks**, patios, tennis courts and noncommercial greenhouses. Utility structures such as generators and storage tanks shall be screened from view on all sides to the greatest extent feasible and, if located in areas subject to traffic, shall be protected against physical damage. [Amended 5-17-2011 by Ord. No. 2011-2]

DRIVEWAY PERMIT

Permit Required:

1) Zoning Permit Application

Required Fee: \$75.00 (Check made payable to "Borough of Malvern")

Breakdown of fees:

\$75 for Zoning Permit

Plus Borough Engineering Inspection Costs

Required Documents:

2 copies of plans showing driveway are required along with permits.

An Existing Driveway being resurfaced in the same material does not require a permit. A Zoning Permit is only required if there is a change in materials.

A New Driveway requires a Zoning Permit and may require a PennDOT Street Opening or Access Permit (depending on location, please visit their site: <http://www.penndot.gov/Doing-Business/Permits/HighwayOccupancyPermits/Pages/default.aspx>)

Zoning Information:

§ 179-25 Existing driveways; standards. [Added 12-2-1975 by Ord. No. 254]

All existing driveways shall conform to the standards of width as established by the Pennsylvania Department of Transportation.

§ 181-513 Driveways.

A. All driveways and related improvements shall be located and constructed in such a manner as to provide safe access to Borough and state roads, not to impair drainage or normal maintenance within road rights-of-way, alter the stability of a roadway, subgrade,

Frequently Asked Questions

or roadway embankment, change the drainage of adjacent areas, interfere with the traveling public and assure sufficient area for and access to off-street parking.

B. Sight distance requirements for all driveways shall be in accordance with the Pennsylvania Code, Title 67, Transportation, Chapter 441, "Access To and Occupancy of Highways by Driveways and Local Roads," latest edition. All sight distance obstructions, including, but not limited to, embankments and vegetation shall be removed by the applicant to provide the required sight distance.

C. Clear sight triangles shall be provided at all driveway entrances and shall be shown on the plans. The legs of such triangles shall be at least 50 feet in either direction, measured from a point 12 feet back from the edge of the cartway of the intersecting street. Within such triangles, no object greater than 2 1/2 feet in height and no object that would obscure the vision of the motorist shall be permitted.

D. No more than two lots shall be served by a private driveway in cases of common ownership or shared use of a private driveway. As a condition to final plan approval, an agreement providing for the maintenance, repair, construction and reconstruction, including drainage facility maintenance and snowplowing of the common driveway, shall be submitted to and approved by the Borough, and shall be recorded against the lots in question.

E. Private driveways, whether individual or common, on corner lots, shall be located at the following minimum distances from the point of intersection of the nearest street right-of-way lines: [Amended 3-4-2014 by Ord. No. 2014-3]

(1) Driveways onto local roads: at least 40 feet; and

(2) Driveways onto collector and arterial roads: at least 100 feet.

F. No driveway shall be situated within five feet of a side or rear property line, except where common driveways are utilized.

G. Driveways to corner lots or lots having access to more than one street shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classifications.

H. Where on-street parking is permitted, the layout of the curb cuts of the driveways shall be designed to maximize the number of on-street parking spaces.

I. Where a driveway slopes down from the street surface, a stormwater runoff paving diverter surface shall be provided for the driveway by sloping up from the edge of street or curb 1/4 inch per foot for a distance of 10 feet before starting the down slope of the driveway.

Frequently Asked Questions

J. Driveways shall intersect streets as nearly as possible to 90°, but not less than 75° nor greater than 105°.

K. Residential driveways:

(1) The driveway within the legal right-of-way of the public road, or for a distance of at least 20 feet from the edge of the cartway, whichever is greater, shall not have a grade in excess of 4%. The maximum grade of any driveway shall not exceed 12%.

(2) When the grade of a driveway, at any point, exceeds 8%, a minimum of one off-street parking space shall be provided. The off-street parking space shall be located before the grade of the driveway at any point exceeds 8%, outside the driveway access aisle and outside the public right-of-way. Such off-street parking space shall be a minimum of nine feet by 18 feet.

(3) For driveways serving single residential units, the minimum width shall be 12 feet within the legal right-of-way and a minimum of 10 feet at all other points within the property. Width of common driveways shall be a minimum of 16 feet. The Borough may require pullover areas to provide safe passage of two vehicles.

(4) Not more than one driveway entrance shall be permitted for a residential driveway.

(5) Where feasible, new driveways shall provide for a safe turnaround area outside of the road right-of-way, and shall be designed so that vehicles will not be required to back into the adjoining street.

(6) The driveway shall be constructed with a base of stone compacted to six inches and a surface of a minimum of 1 1/2 inch ID-2 bituminous wearing course. Driveway material standards shall apply to driveways for a minimum of 25 feet from the edge of cartway or curb. Common driveways or driveways serving multifamily dwellings shall be paved in their entirety.

L. Nonresidential driveways:

(1) The driveway within the legal right-of-way of the public road, or for a distance of at least 20 feet from the edge of the cartway, whichever is greater, shall not have a grade in excess of 4%. The maximum grade of any driveway shall not exceed 8%.

(2) Driveway entrances into all nonresidential, single-use properties shall be no less than 20 feet in width and shall not exceed 36 feet in width at the street line unless provided with a median divider, and shall be clearly defined by use of curbing. The curbs of these driveway entrances shall be rounded with a minimum radius of 20 feet where they intersect a street.

Frequently Asked Questions

(3) Driveways serving nonresidential uses shall be paved in their entirety. Specifications for such paving shall be subject to review by the Borough Engineer as applicable for the specific use proposed.

(4) Driveways shall be limited to two along the frontage of any single street and their centerlines shall be spaced a minimum of 50 feet apart.

M. Concrete aprons, where required by the Borough, shall be provided for all driveways with concrete sidewalks. The concrete aprons shall be a minimum of six inches of Class AA concrete (a twenty-eight-day minimum compressive strength of 3,500 psi and 6% air entrainment by volume).

FENCE

Permit Required:

- 1) Fence Permit Application

Required Fee: \$75.00 (Check made payable to "Borough of Malvern")
\$75 for Fence Permit

Required Documents:

2 copies of site plans with the location of the fence are required with permits.

(Please note that the fence cannot be on the property line)

Zoning Information:

§ 220-2308 Fences and walls.

A. No fence, wall, or other obstruction shall be erected, allowed, or maintained and no hedge, tree, shrub, or other growth shall be planted or allowed to exist that dangerously obstructs vision for through traffic at private streets, driveways, street intersections or along streets in accordance with § 220-2306.

B. Fences, walls, and hedges that are in conformance with this chapter and other applicable ordinances are allowed with the required setbacks for that district. Fences and walls shall be constructed within the property lines of the lot being enclosed by such fence or wall.

C. Fences and walls may be erected, altered, and maintained within the yards, excluding required buffer yards, provided that any such fence in the front yard shall not exceed 3.5 feet in height; and any fence or wall in the side or rear yard shall not exceed six feet in height, except as permitted in this chapter. Retaining walls, constructed for the express purpose of holding back or supporting earth, shall be exempted from said height provisions.

D. A fence shall have the finish side facing adjacent properties.

Permits



Frequently Asked Questions

E. In a case relating to storage and waste disposal of hazardous materials under this article, a fence or wall is exempt from height restrictions, and shall be of sufficient height and construction as deemed appropriate by the Borough Zoning Officer.

POOL

Permit Required:

- 1) Zoning Permit Application and Building Permit Application
- 2) Fence Permit Application if there is no fence or the current one is not acceptable

Required Fee: \$205.00 (Aboveground pool only); \$355.00 (Inground pool only) + \$75 for fence
(Check made payable to "Borough of Malvern")

Breakdown of fees:

- \$75 for Zoning Permit
- \$75 for Above Ground Pool
- \$225 for In Ground Pool
- \$55 for Review Fee
- (\$75 for Fence Permit)

Required Documents:

2 copies of site plans and elevation of pool is required with permits.

Zoning Information:

§ 220-2401 Accessory uses, buildings, and structures. [Amended 8-21-2007 by Ord. No. 2007-4]

The following may be permitted as accessory uses in addition to a permitted principal use in a district, but must always be incidental and subordinate to the principal use. The accessory use shall be located in the rear or side yard of the lot and shall be located no further forward than the front line of the principal building. The minimum setback for an accessory use in the R3a, R3b, R4, R5 and R6 Zoning Districts shall not be less than five feet from the side lot lines and not less than seven feet from the rear lot lines. In all other zoning districts, the minimum setback for an accessory use shall be not less than seven feet from the lot lines. Accessory uses shall have a maximum height of 15 feet and shall specifically be deemed accessory in accordance with the following terms:

A. Residential accessory uses, buildings, or structures. Only when noncommercial and only for the use of residents of the dwelling, accessory uses to residential uses include, but are not limited to:

- (1) Garage or parking area for the parking of passenger automobiles including noncommercial trucks and vans, and driveways in accordance with this chapter and the

Frequently Asked Questions

Borough Subdivision and Land Development Ordinance. [1Editor's Note: See Ch. 181, Subdivision and Land Development.]

(2) Structures such as, but not limited to, shelter for household pets, storage sheds, bathhouses, gazebos, decks, patios, tennis courts and noncommercial greenhouses. Utility structures such as generators and storage tanks shall be screened from view on all sides to the greatest extent feasible and, if located in areas subject to traffic, shall be protected against physical damage. [Amended 5-17-2011 by Ord. No. 2011-2]

(3) Noncommercial swimming pool subject to the following:

(a) Noncommercial swimming pool, including both aboveground or in-ground pools, designed with a depth of two feet or more, shall be for use of residents and their guests and shall not be operated commercially as to charge a fee for its use.

(b) A permit shall be required to locate, construct or maintain a noncommercial swimming pool.

(c) Swimming pools and buildings related to the pool may be located in the rear or side yard of the lot and shall not be closer to any rear or side lot line than the minimum required building setbacks of the district in which the lot is located. Any paved areas or decks related to the pool shall be no closer than five feet to a lot line.

(d) Outdoor lighting, if any, shall be shielded and/or reflected away from adjacent properties so that the lighting is neither directed nor reflected upon adjacent properties.

(e) Noncommercial swimming pools shall be completely enclosed by a fence of a minimum of four feet in height with no openings greater than four inches in width and built to deter accidental entrance to the pool, and shall be maintained in a good, safe condition. All fence gate openings shall be equipped with self-closing and self-latching devices for keeping the gate(s) securely closed at all times.

(f) At the time of application for a building permit, it shall be demonstrated that the drainage of the pool is adequate and will not interfere with the water supply system, with existing sewage facilities, with public streets, and shall not drain into the neighboring property.

SHED

Permit Required:

- 1) Zoning Permit Application (if prefabricated)
- 2) Zoning Permit Application **and** Building Permit Application (if custom built)

Permits



Frequently Asked Questions

Required Fee: \$75.00 (Check made payable to "Borough of Malvern")

Breakdown of fees:

\$75 for Zoning Permit

Required Documents:

If prefabricated, a copy of the brochure and tie down kit is required with permits.

Zoning Information:

§ 220-2401 Accessory uses, buildings, and structures. [Amended 8-21-2007 by Ord. No. 2007-4]

The following may be permitted as accessory uses in addition to a permitted principal use in a district, but must always be incidental and subordinate to the principal use. The accessory use shall be located in the rear or side yard of the lot and shall be located no further forward than the front line of the principal building. The minimum setback for an accessory use in the R3a, R3b, R4, R5 and R6 Zoning Districts shall not be less than five feet from the side lot lines and not less than seven feet from the rear lot lines. In all other zoning districts, the minimum setback for an accessory use shall be not less than seven feet from the lot lines. Accessory uses shall have a maximum height of 15 feet and shall specifically be deemed accessory in accordance with the following terms:

A. Residential accessory uses, buildings, or structures. Only when noncommercial and only for the use of residents of the dwelling, accessory uses to residential uses include, but are not limited to:

(1) Garage or parking area for the parking of passenger automobiles including noncommercial trucks and vans, and driveways in accordance with this chapter and the Borough Subdivision and Land Development Ordinance. [1 Editor's Note: See Ch. 181, Subdivision and Land Development.]

(2) Structures such as, but not limited to, shelter for household pets, storage sheds, bathhouses, gazebos, decks, patios, tennis courts and noncommercial greenhouses. Utility structures such as generators and storage tanks shall be screened from view on all sides to the greatest extent feasible and, if located in areas subject to traffic, shall be protected against physical damage. [Amended 5-17-2011 by Ord. No. 2011-2]