

## **BOROUGH OF LITITZ**

### **VARIANCE AND SPECIAL EXCEPTION PROCEDURES**

An application for the variance or special exception is completed and submitted to the Lititz Borough Office, along with the fee of \$600 for residential applications and \$700 for non-residential applications.

The Zoning Hearing Board decides all variance and special exception requests in a public meeting called a Hearing. The Board consists of six residents of the Borough: Doug Matthews, Devin Learn, Harold Eberly, Charity Hain, Jack Paris and Alternate, Maureen Westcott, who votes with the Board as needed. A Zoning Hearing Board Solicitor, Susan Peipher and Borough Zoning Officer, Lori McEntarfer, are also in attendance along with a court stenographer. The Zoning Hearing Board meets the third Monday of the month (unless otherwise specified) at 7 PM at the Lititz Borough Council Chambers. The deadline for filing the application is approximately one month prior to the hearing date (see schedule below). The agenda is typically set by the date the applications are submitted, with first submitted being first on the agenda.

Once the Borough receives the application, a public notice is prepared, stating the name of the applicant, the property location and the reason for the variance or special exception request. This notice is published in the newspaper two times, one week apart, as required by state law. As a courtesy, a copy of this notice is also sent to the immediate neighbors of the subject property. The property itself will also have a public notice posted on it approximately a week and a half prior to the Hearing.

At the Hearing, the applicant will be sworn in and then presents his/her case as to why the variance or special exception should be granted. The applicant can be represented by an attorney but that is not necessary, although it is highly recommended for a Variance request. Special Exception requests are for specific uses and have listed requirements that must be met to gain approval. A Variance is requesting to change the rules of the Zoning Ordinance and a reasonable hardship is necessary to gain approval. The Zoning Hearing Board members may ask questions. Neighbors who have received notice will also be given an opportunity to speak.

The Zoning Hearing Board acts in the manner of a court. Therefore, it is not permissible to speak to the members of the Zoning Hearing Board about the case prior to the Hearing. The Zoning Hearing Board may make a decision on the case at the meeting, or they may take the allowable 45 days after the close of testimony to make a decision and therefore, usually render their decision at the following month’s meeting. They may set certain restrictions on the granting of a variance or special exception – such as hours of operation, parking, landscape screening, etc.

The decision of the Zoning Hearing Board can only be appealed in the Court of Common Pleas within 30 days of receiving the written decision. “Party Status” must be requested and received for neighbors to appeal the Board’s decision.

If you have any questions on Variances or Special Exceptions, please contact the Zoning Officer, Lori McEntarfer at the Lititz Borough Office at 626-2044.

#### **Zoning Hearing Schedule for 2024**

<b>Hearing Date</b>	<b>Application Needed By</b>	<b>Hearing Date</b>	<b>Application Needed By</b>
January 22	December 21	July 15	June 14
February 26	January 26	August 19	July 19
March 18	February 16	September 16	August 16
April 15	March 15	October 21	September 20
May 20	April 19	November 18	October 18
June 17	May 17	December 16	November 15

**January 2025 deadline: 12/23/24**