

ORDINANCE NO. 051425

**AN ORDINANCE OF GRATZ BOROUGH, DAUPHIN COUNTY, PENNSYLVANIA,
AMENDING THE BOROUGH ZONING ORDINANCE, PART 7 NONCONFORMITIES,
SECTION 703 ENLARGEMENT**

BE IT HEREBY ENACTED AND ORDAINED by the Gratz Borough Council, by authority of and pursuant to the Pennsylvania Municipalities Planning Code (Act of 1968, P.L. No. 247, as amended):

The Gratz Borough Zoning Ordinance referenced under Part 7, Nonconformities, Section 703 Enlargement, of the Gratz Borough Zoning Ordinance of 2019, is hereby amended and revised.

ADDITIONS TO PART 7 NONCONFORMITIES, SECTION 703 ENLARGEMENT

- (10) Expansion Not Within Setback Which Renders Structure Nonconforming. In the case of a structure in which the only nonconformity is that it does not meet a setback requirement, the landowner need only apply to the zoning officer for the expansion or enlargement of the nonconforming structure which expansion or enlargement, with the exception of the original setback nonconformity, complies with all of the requirements applicable to the zoning district in which the structure or use is located. The zoning officer rather than the zoning hearing board may approve or deny the expansion or enlargement of the nonconforming structure. This paragraph shall not be construed to permit the landowner to apply to the zoning officer rather than the zoning hearing board where the landowner seeks to expand or enlarge within the original setback with which the property did not conform.
- (11) Expansion Within Setback Which Renders Structure Nonconforming. In the case of a structure in which the only nonconformity is that it does not meet a setback requirement and the landowner seeks to expand or enlarge within the original setback with which the property did not conform and where, with the exception of the original setback nonconformity and proposed expanded nonconformity within the same setback, the expansion or enlargement of the nonconforming structure complies with all of the requirements applicable to the zoning district in which the structure or use is located, the landowner need only apply to the zoning officer for same. The zoning officer rather than the zoning hearing board may approve or deny the expansion or enlargement of the nonconforming structure. The zoning officer may approve same if he/she does not receive a written objection within 30 days from the date notice is sent via U.S. First Class Mail to owners of abutting lots. If the zoning officer receives an objection within 30 days, zoning hearing board approval shall be required for

expansion or enlargement of the nonconforming structure. This paragraph shall not be construed to permit the landowner to apply to the zoning officer rather than the zoning hearing board where the landowner seeks to expand or enlarge within the original setback with which the property did not conform in the direction of the lot line used in calculating said setback thereby further reducing the distance between the building line and said lot line.

- (12) In the case of a structure which is used for a nonconforming use or where the proposed enlargement or expansion of the nonconforming structure does not meet the requirements of Section 703(2) above, any enlargement or expansion of a nonconforming structure shall require zoning hearing board approval and meet the requirements of Section 703(1).
- (13) A second floor may be added directly above an existing first floor of a nonconforming structure provided that the other requirements of this ordinance are met.

This Section is to be read in addition to and not in lieu of any other applicable ordinances, regulations and/or legal authorities.

Except as amended above, the Gratz Borough Zoning Ordinance of 2019 shall remain the same in full force and effect.

This Ordinance shall be effective immediately following its adoption. The Gratz Borough Zoning Ordinance is hereby amended to include the above amendments, this 14 day of May, 2025, by the Gratz Borough Council.



Cindy Shade
Cindy Shade, Secretary

GRATZBOROUGH
COUNCIL:

By: Bill Reed
Bill Reed, President

APPROVED BY THE MAYOR THIS 14th DAY OF May 2025.

David Norris

Hon. David Norris, Mayor