



# MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022  
717.367.8917 • 717.367.9208 fax  
www.mtjoytwp.org

RECEIVED

MAR 28 2024

MOUNT JOY TOWNSHIP

Tax Parcel # 460-47946-0-0000

M.J.T.P.C. File No. 24-07-WAIV

## SUBDIVISION-LAND DEVELOPMENT WAIVER REQUEST FORM

**TO: MJT Planning Commission**

Applicant: Daniel B King

Property Owner: Daniel B King

Address: 1241 Campus Rd E-town 17022

Address: 1241 Campus Rd Elizabethtown PA 17022

Phone #: 717-361-2398

Phone #: 717-361-2398

E-mail: none

E-mail: none

Location of Project:

1241 Campus Rd Elizabethtown

Description of Project:

40' x 120' chicken house

I hereby request a waiver of having to prepare, submit and gain approval of a subdivision/land development plan, pursuant to the provisions contained in/at Chapter 119, Article III of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Subdivision and Land Development Ordinance, as amended.

By virtue of my signature upon this form, I hereby acknowledge and agree to reimburse Mount Joy Township for the actual engineering and legal costs, including any inspection costs, incurred by the Township for the review of this waiver request/project.

Daniel B King  
Signature

3-28-24  
Date

Rev. 01-2014

To Whom it May Concern,

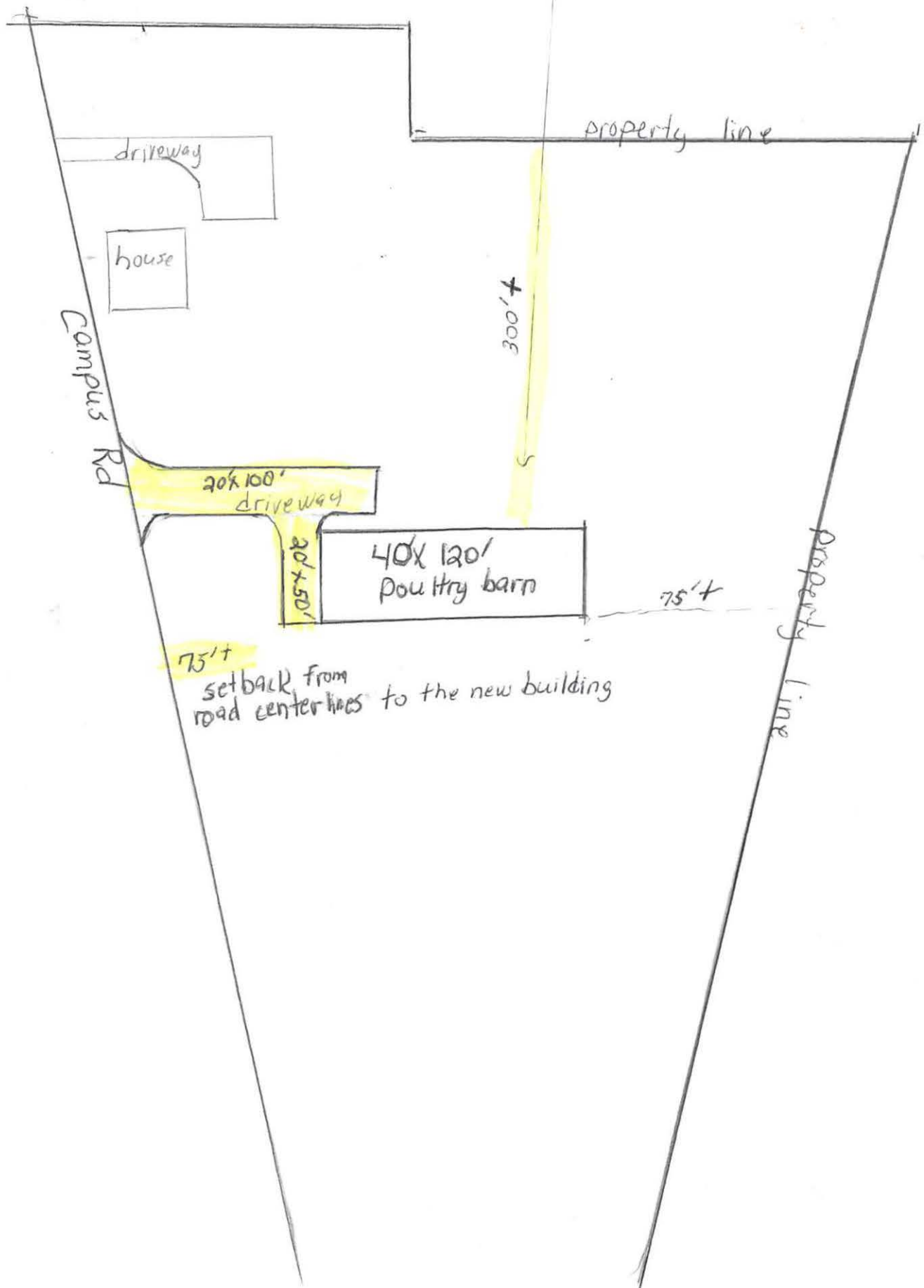
The truck entrance and turnaround as mentioned on the map is 20' x 100' with a branch 20' x 50' in the front of the proposed poultry barn.

The water the chickens would use would be a minor thing for the well. It's a strong well. The last 9 years we irrigated a lot of produce and flowers and it kept its level. All the neighboring properties use public water. I have a second well I use for irrigation which has 100+ gal per minute.

Manure storage would be very little. If any accumulates it would be at the end farthest away from the road.

Daniel B King  
Daniel B King

closest  
existing residence



property line

Campus Rd

driveway

house

20x100'  
driveway

20x50'

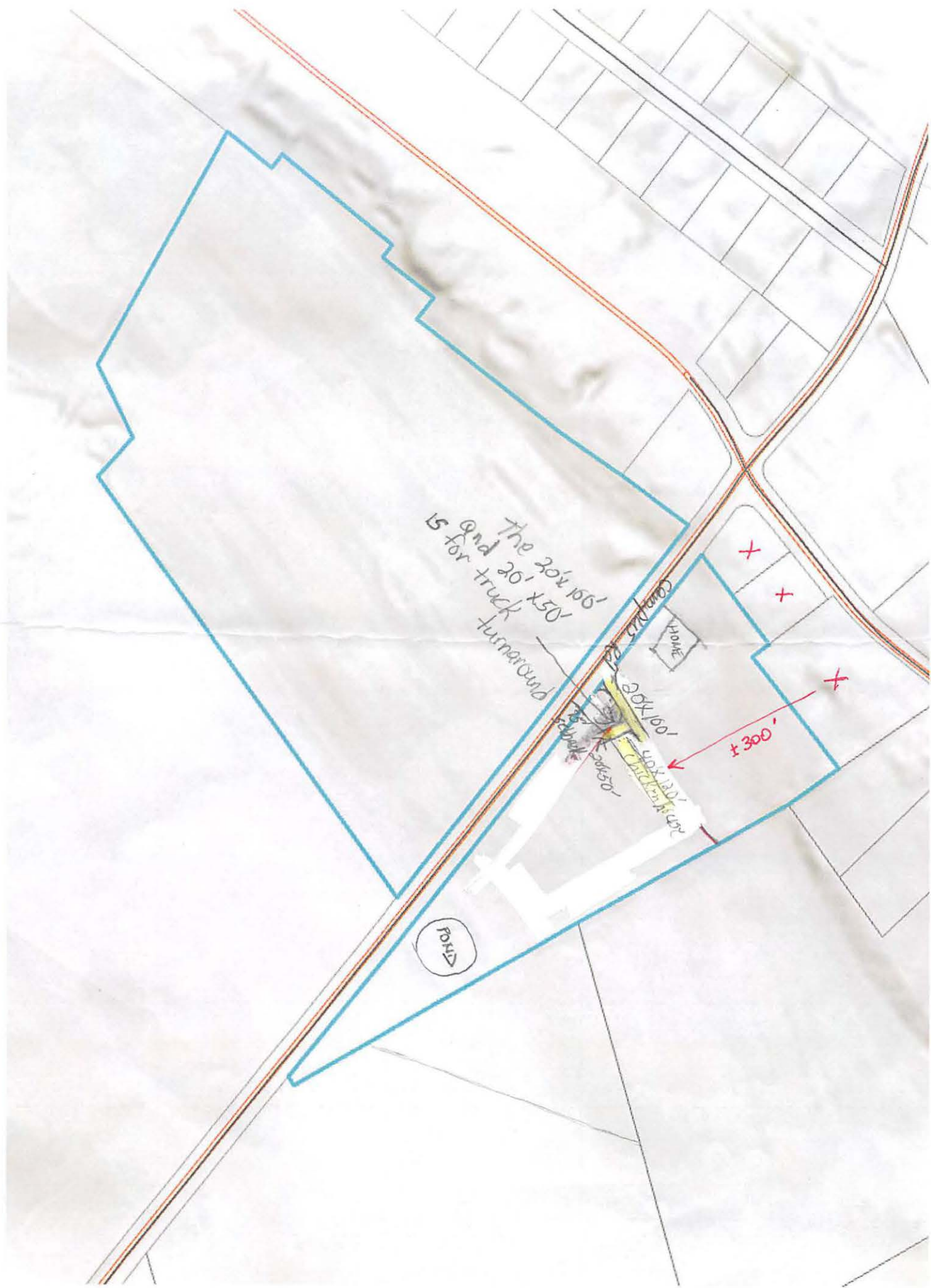
40x120'  
poultry barn

300'±

75'±

75'±  
setback from  
road center lines to the new building

Property Line



The 20' x 100'  
± 20' x 150'  
15' for truck  
turnaround

HOME

20' x 100'  
100' x 130'  
Chicken Coop

± 300'

POND

April 17, 2024

Justin Evans, AICP  
Township Community Development Director/Zoning Officer  
Mount Joy Township  
8853 Elizabethtown Road  
Elizabethtown, PA 17022

Via email: Justin@mtjoytwp.org

Re: 1241 Campus Road  
Land Development Plan Waiver Request  
Township Permit No. 24-07-WAIV  
LCEC Project No: 25-168



**LANCASTER CIVIL**  
★ ★ engineering company ★ ★  
p.o. box 8972, lancaster, pa 17604-8972  
www.lancastercivil.com

Dear Mr. Evans,

We have received a land development waiver request for the above-referenced project. The submission consisted of the following documents:

- Subdivision - Land Development Waiver request letter dated March 28, 2024
- Written narrative
- Sketch plans

Based upon my review of the submitted information, I offer the following comments for the Township to consider:

**Subdivision and Land Development Ordinance**

1. The applicant has requested a waiver of the Subdivision and Land Development Ordinance (Chapter 119, Article III) for the construction of a 40' x 120' poultry barn along with associated driveway improvements at 1241 Campus Road.

*Waiver response:* The existing use on the 22.55 acre property is agricultural. Agricultural uses are permitted by right within the Rural zoning district on tracts greater than 10 acres. The proposed building is an agricultural building that would be accessory to an existing agricultural operation.

Based upon these considerations, I have no objection to a waiver of the Subdivision and Land Development Ordinance processing requirements with the following conditions:

- a. The Township should consider whether the frontage along Campus Road (a collector street) should be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater. Improvements shall include pavement widening and installation of curb and sidewalk (119-52.J(3)(a)). The required cartway for a collector street within the urban growth area is 28 feet with curb and sidewalk and no on-street parking; the existing cartway varies from approximately 21' to 24' wide. If the Township determines that the road improvements required by 119-52.J(3)(a) are not feasible at this time, the applicant could enter into an agreement that would defer road improvements to a

time the Township would deem such road improvements as feasible (119-52.J(3)(d)).

- b. The Official Map shows a proposed trail along Campus Road. The Township should consider whether this improvement should be installed or whether provisions should be made for installation of a future trail (119-62).
- c. The requirements of the Stormwater Management Ordinance shall be satisfied (119-31.D(14)(e)).
- d. The applicant is proposing to use an existing private well for water supply. It is unclear whether the water supply will be used for human consumption or whether bathroom facilities are proposed within the barn. A water and sewer feasibility report could be requested as a condition of approval (119-32.A & 113-13).
- e. The applicant shall demonstrate compliance with Section 135-212.D of the Zoning Ordinance, pertaining to an agricultural conservation plan, nutrient management plan, and confirmation whether the poultry operation will be regulated as a concentrated animal feeding operation.

If you should have any questions or need additional information, please do not hesitate to contact me at [bencraddock@lancastercivil.com](mailto:bencraddock@lancastercivil.com) or via telephone at 717-799-8599.

Sincerely,



Benjamin S. Craddock, PE, President

**LANCASTER CIVIL**

cc: Patricia Bailey, Township Secretary (via email)  
Josele Cleary, Esquire, Township Solicitor (via email)

**PROPOSED MOTION FOR A WAIVER REQUEST  
FOR  
DANIEL B. KING  
M.J.T.P.C. File # 24-07-WAIV**

I move that the Township Planning Commission grant a waiver of Chapter 119, Article III of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Subdivision and Land Development Ordinance, i.e. plan processing procedure, relating to the requirement to prepare, submit, gain approval of and record a land development plan, subject to the following conditions:

1. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Engineer's review letter dated April 17, 2024.
2. Applicant shall obtain a Stormwater Management Permit in accordance with Chapter 113 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Stormwater Management Ordinance.
3. Applicant shall demonstrate compliance with Section 135-212.D of Chapter 135 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Zoning Ordinance, pertaining to an agricultural conservation plan, nutrient management plan, and confirmation whether the poultry operation will be regulated as a concentrated animal feeding operation.
4. Applicant shall apply for and obtain all necessary permits prior to commencing any construction activities.
5. Applicant shall reimburse the Township for all reasonable engineering and legal fees incurred in the review of plans under the Subdivision and Land Development Ordinance, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the development; review and approval of financial security and other documentation; inspection of improvements; and for other costs as set forth in these Conditions within 30 days after receipt of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of a written invoice for such costs, Applicant shall be in violation of this Condition.

**ACCEPTANCE OF CONDITIONS UPON APPROVAL OF WAIVER REQUEST  
IMPOSED BY THE PLANNING COMMISSION OF MOUNT JOY TOWNSHIP  
FOR**

**DANIEL B. KING  
M.J.T.P.C. File # 24-07-WAIV**

I have reviewed the conditions imposed by the Planning Commission of Mount Joy Township, Lancaster County, Pennsylvania, at the meeting on April 22, 2024, upon the approval of the WAIVER REQUEST for DANIEL B. KING, dated March 28, 2024. In my capacity as developer/developer's agent and being authorized to do so, and intending to be legally bound, I hereby accept the imposition of the conditions attached hereto as part of the approval of the above-described subdivision and/or land development project. I expressly waive any requirements of the Pennsylvania Municipalities Planning Code that the Township provide a section number of a governing ordinance, statute or regulation upon which such conditions are based and a description of the requirements which have not been met. To the extent that any condition is not based upon a specific requirement of a governing ordinance, statute or regulation, I expressly waive any right which I may have to challenge the imposition of such condition. If signing as developer's agent, I expressly state that I have been authorized by developer to agree to the conditions imposed upon the approval of the above-described subdivision and/or land development application.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title