



# MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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## Minutes of a Meeting of The Mount Joy Township Zoning Hearing Board Wednesday, June 5, 2024

1. Chairman Gregory R. Hitz, Sr. called the meeting to order at 6:00 P.M. in the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022.
2. Meeting Attendance:
  - Members Present: Gregory R. Hitz, Sr., James E. Hershey, and Robert F. Newton, Jr.
  - Members Absent: None
  - Alternate Member Present: Roni K. Clark
  - Township Representatives: Justin S. Evans, Zoning Officer
  - Lancaster County Court Reporter: Veronica Johnston Gouck
  - Zoning Hearing Board Solicitor: John P. Henry, Esq. of Blakinger Thomas
3. A motion was made by Roni K. Clark and seconded by James E. Hershey to approve and ratify the minutes of the May 1, 2024 meeting. All members voted in favor of the motion.
4. Mr. Evans, Township Zoning Officer, stated that a Public Notice was published in the May 16, 2024 and May 23, 2024 editions of the LNP. The subject property was posted on May 22, 2024.
5. Procedural briefing by the Zoning Hearing Board Solicitor
6. Old Business
  - a. Request for Extension of Time of Prior Approval – Case #230007: Lancaster Portfolio I, LLC (1444 Cloverleaf Road, Mount Joy). Approvals expire on June 9, 2024.

David Bitner of Bitner Engineering and Claudia Shank, Esq. of McNees Wallace & Nurick were present representing the landowner. Attorney Shank provided a brief background of the project history, including the prior owner's completion of the first phase and her client's purchase of the site in 2021. Various local approvals have been gained or are in progress for the final phase of development. However, DEP permitting has caused a delay in moving forward with construction.

Mr. Bitner noted that the NPDES permit process is underway and review comments received two weeks ago. Land development approvals are underway with the Township and he is working through the latest engineering review comments. The additional year time extension should accommodate the new timeline since stormwater management issues are mostly outstanding.

A motion was made by James E. Hershey and seconded by Robert F. Newton, Jr. to extend the prior approvals by a period of one year; i.e., permits to be obtained by May 4, 2025 and construction complete by May 4, 2026. All members present voted in favor of the motion.
7. Zoning Case #240006
  - a. Applicant/Landowners: Bailey Family Limited Partnership & Michael Jon Bailey
  - b. Property Location:

- 1) 1501 Mill Road, Elizabethtown, PA 17022; Tax Parcel ID #460-33237-0-0000
  - 2) 1563 Mill Road, Elizabethtown, PA 17022; Tax Parcel ID #460-22479-0-0000
  - 3) Mill Road, Elizabethtown, PA 17022; Tax Parcel ID #460-05534-0-0000
- c. Zoning District: R – Rural District, R-2 – Medium-Density Residential District, and R-3 – High-Density Residential District
- d. Variance Request:
- 1) Chapter 135, Article XXII, §135-246.H – 50’ setback; 25’ landscape strip and screen

Landowners Tonya and Craig Bailey were joined by Todd Smeigh of DC Gohn Associates to present the application. Mr. Smeigh entered Exhibit A-1, a Zoning Hearing Exhibit. He began the presentation noting that the Lakeview Estates mobile home park has been operating at this location for 64 years. The application pertains to three properties:

- 1501 Mill Road is the original homestead of Charlie and Edna Bailey
- 1536 Mill Road is the 10.792-acre farm owned by the landowners’ grandparents
- Unnumbered 40.41-acre parcel on Mill Road containing the majority of the mobile home park facility

He referred to Exhibit A-1, identifying current property lines in black ink and proposed property lines in red ink. The mobile home park is zoned R-3 High-Density Residential and the other properties Rural. Applicants intend to file a subdivision plan to shift several common property boundaries between these three lots. The Bailey homestead will be on its own 1.21-acre lot containing the home, driveway, and shed. This will divide the six mobile homes from 1501 Mill Road and add it to the main Lakeview Estates property. Additionally, some of the undeveloped land from the Lakeview Estates parcel will be added to the 1563 Mill Road farm, resulting in a 15.49-acre tract and the 38.78-acre mobile home park.

The enlarged farm will stay with the family and is not intended for further development. No additional homes will result from the proposed subdivision plan. It will be for the reconfiguration of the properties as generally described. The mobile home park is served by a community water system and ERSA public sewer.

Relief from Section 135-246.H is necessary due to the location of existing accessory structures within the 50’ setback. This requirement does not differentiate between the principal mobile home structures and sheds. There are several sheds that will be within the 50’ setback once the property boundary is changed. Similarly, relief from the 25’ perimeter landscaping strip and screen requirement in Section 135-246.H is needed. Mature woods will remain in the area of the adjusted property boundary. The applicant desires for the mature woods to serve as the required landscaping screen.

The Board asked about tax assessment and the characteristics of Lot 2, the 1536 Mill Road farm property that will become split-zoned from the lot line changes. Mr. Bailey stated that the area to be swapped from the mobile home park to the farm is wooded and full of boulders. Development on that terrain is not feasible so they would rather preserve the woods by removing it from the Lakewood Estates property. It is not enrolled in Clean and Green. There is a home on the 1536 Mill Road property used by the family as well as a mobile home rented to another party.

The applicant acknowledged receipt of the Zoning Officer’s May 9, 2024 letter and had no issue with the proposed conditions.

A motion was made by Robert F. Newton, Jr. and seconded by James E. Hershey to approve the application as requested, subject to the following conditions:

1. The Applicant shall apply for and gain approval of a Subdivision Plan from the Mount Joy Township Planning Commission.
2. The Applicant and/or the owner(s) of the Properties shall comply with all other provisions contained in the Ordinance for which relief has not been requested or granted.
3. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on June 5, 2024 except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

8. Zoning Case #240007

- a. Applicant: General RV Center
- b. Landowner: PA Merts, LLC
- c. Property Location: 187 Merts Drive, Elizabethtown, PA 17022; Tax Parcel ID #460-78421-0-0000
- d. Zoning District: MU – Mixed Use District
- e. Variance Requests:
  - 1) Chapter 135, Article XXIV, §135-333.C(3)(a) – 50 sf. maximum area & 20’ maximum height of a freestanding business sign
  - 2) Chapter 135, Article XXIV, §135-334.H – 20’ maximum height of a freestanding sign

Dave Brink from Allen Industries and Mike Cavanaugh of General RV were present to make the presentation. Mr. Brink’s company provides signage for General RV locations. Since the company is redeveloping the Merts Drive location as a permanent facility, they wish to erect their standard sign adjacent to a highway and move an existing sign to another location on site. Exhibit A-1 was submitted, depicting the proposed highway signage on two street view images of the site from Route 283.

Mr. Brink called attention to the adjoining hotel’s sign along the Route 283 frontage that appears to be about 50’ high. Kinsey’s Outdoors has a sign across the interchange of a similar height. The existing sign to be moved along the highway frontage is 20’ high. The use is permitted to have two freestanding business signs. This proposed larger sign will help with visibility of motorists approaching on the highway. Mr. Newton asked whether the residential area to the south of the inventory lot will be affected by the 50’ high sign. Mr. Cavanaugh believed the sight lines will be affected by terrain and the RVs in the lot.

The applicant acknowledged receipt of the Zoning Officer’s May 9, 2024 letter and has no issues with the proposed conditions. Mr. Hitz referred to Exhibit T-1, a Google street view image, asking if motorists will be looking at the RVs along the highway frontage instead of the sign. Mr. Cavanaugh noted the RVs shown in that image were parked along the highway temporarily while the inventory lot was being constructed. Additionally, the picture was from the winter when the trees did not have leaves to block the view into the lot. The applicant also stated that the building has GENERAL RV in channel letters parallel to the highway.

Mr. Hershey asked about building improvements related to the redevelopment project. They include a 14,000-sf. showroom addition and renovation of several other existing buildings. The gravel inventory lot is complete and the paved lot should be finished within a couple months. About 80% of the perimeter fence has been installed.

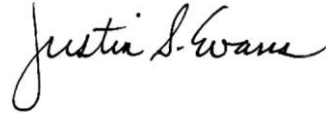
A motion was made by Robert F. Newton, Jr. and seconded by James E. Hershey to approve the application for the variance as requested, subject to the following conditions:

1. The Applicant shall apply for and gain all permit approvals for the proposed new sign and proposed relocated sign.
2. The Applicant and/or the owner(s) of the Property shall comply with all other provisions contained in the Ordinance for which relief has not been requested or granted.
3. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on June 5, 2024 except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

9. Next regularly scheduled hearing will be held Wednesday, July 3, 2024, beginning at 6:00 p.m.
10. A motion was made by James E. Hershey and seconded by Robert F. Newton, Jr. to adjourn the meeting at 7:00 p.m. All members present voted in favor of the motion.

Respectfully Submitted,

A handwritten signature in black ink that reads "Justin S. Evans". The signature is written in a cursive style with a large initial 'J' and a long, sweeping underline.

Justin S. Evans, AICP  
Zoning Officer

For: Robert F. Newton, Jr., Secretary  
Mount Joy Township Zoning Hearing Board