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Jul 08 2024

MOUNT JOY TOWNSHIP

ZHB Case # 240009

Mount Joy Township
8853 Elizabethtown Rd
Elizabethtown, PA 17022
Phone: (717)367-8917 - Fax: (717)367-9208

Zoning Hearing Board Application

1. Applicant Information

Name: Daniel S. Beiler
Address: 2091 Milton Grove Rd City/State/Zip: Mount Joy PA 17552
Phone: 717-572-9300 Fax: 717-653-0075
E-mail: dbcabinetry@yahoo.com

2. Landowner Information (if different from the Applicant)

Name: _____
Address: _____ City/State/Zip: _____
Phone: _____ Fax: _____
E-mail: _____

3. Property Information

Property Address: 2091 Milton Grove Rd
City/State/Zip: Mount Joy PA 17552
Existing Use: Agricultural Proposed Use: School site approx. 1.15 Acres
Total Property Area (Sq. Ft. or Acres): 22.802

FOR TOWNSHIP USE ONLY

Date Application Received: July 8, 2024
Date Application to be heard: August 7, 2024
Tax Parcel #: 461-36261-0-0000
Zoning District: Agricultural (A)
Application Denied/Approved: _____

4. Request for Special Exception

Section(s) of Zoning Ordinance for which a Special Exception is requested:

Provide an explanation of your proposal, particularly, why you need a special exception and for what type of use the special exception is being requested for:

This site is suitable for a Special Exception Use because:

How will the request affect adjacent properties? (Dust, noise, fumes, odors, glare, increased traffic, character of the neighborhood etc.):

5. Expansion of Special Exception Uses

Are there any existing nonconformities on the lot, if so list them:

Existing and proposed square footage of the structure:

Percentage of Expansion:

Existing front, side and rear yard setbacks:

Proposed front, side and rear yard setbacks:

6. Request for a Variance

Section(s) of the Zoning Ordinance for which a Variance is requested:

Section 135-82 to permit establishment of school in the Agricultural District
Section 135-85.B(1) to allow an additional principal Non-agricultural building/use on the property

Why do you need a variance and what is your proposed alternative from the requirements of the Township Zoning Ordinance?

Zoning Ordinance for agriculture does not permit school to be built.
Also, we already have a non agriculture building on the property.
Taking Roughly 1.15 Acres out of agriculture. Combined with the
area occupied by house, shop and yard would be around 2.6 Acres or 10%
of the property. Leaving approximately 90% of the farm in Agriculture.

What physical characteristics of the property prevent it from being used for any of the permitted uses in your zoning district? (Topography, size and shape of lot, environmental constraints, etc.):"

Currently being used for crops. Is an odd shaped lot.

Would be a nice size lot to build a school to educate
future farmers.

Explain how the requirements of the Zoning Ordinance would result in difficulties or undue hardships in the use of your property, buildings and/or structures:

We need another school. The only ground we have
is in the agriculture district, so it becomes a hardship
if we cannot build in the agriculture district.

Explain how the granting of a variance will not be a substantial detriment to the public good or a substantial impairment of the intent and purpose of the Zoning Ordinance:

Will not be a substantial detriment, because it will not
create a lot of extra traffic.

Will not be a substantial impairment, because most of the people
using it appreciate the agriculture land.

7. Certification

I/we, the undersigned, do hereby certify that:

1. The information submitted here in is true and correct to the best of my/our knowledge and upon submittal becomes public record.
2. Fees are not refundable, and payment does not guarantee approval of the Zoning Hearing Board Application.
3. All additional required written graphic materials are attached to this application

Daniel S. Beiler
Applicant Signature

July 8, 2024
Date Signed

Daniel S. Beiler
Applicant's Name (Printed)

Landowner Sign (if different from Applicant)

Date Signed

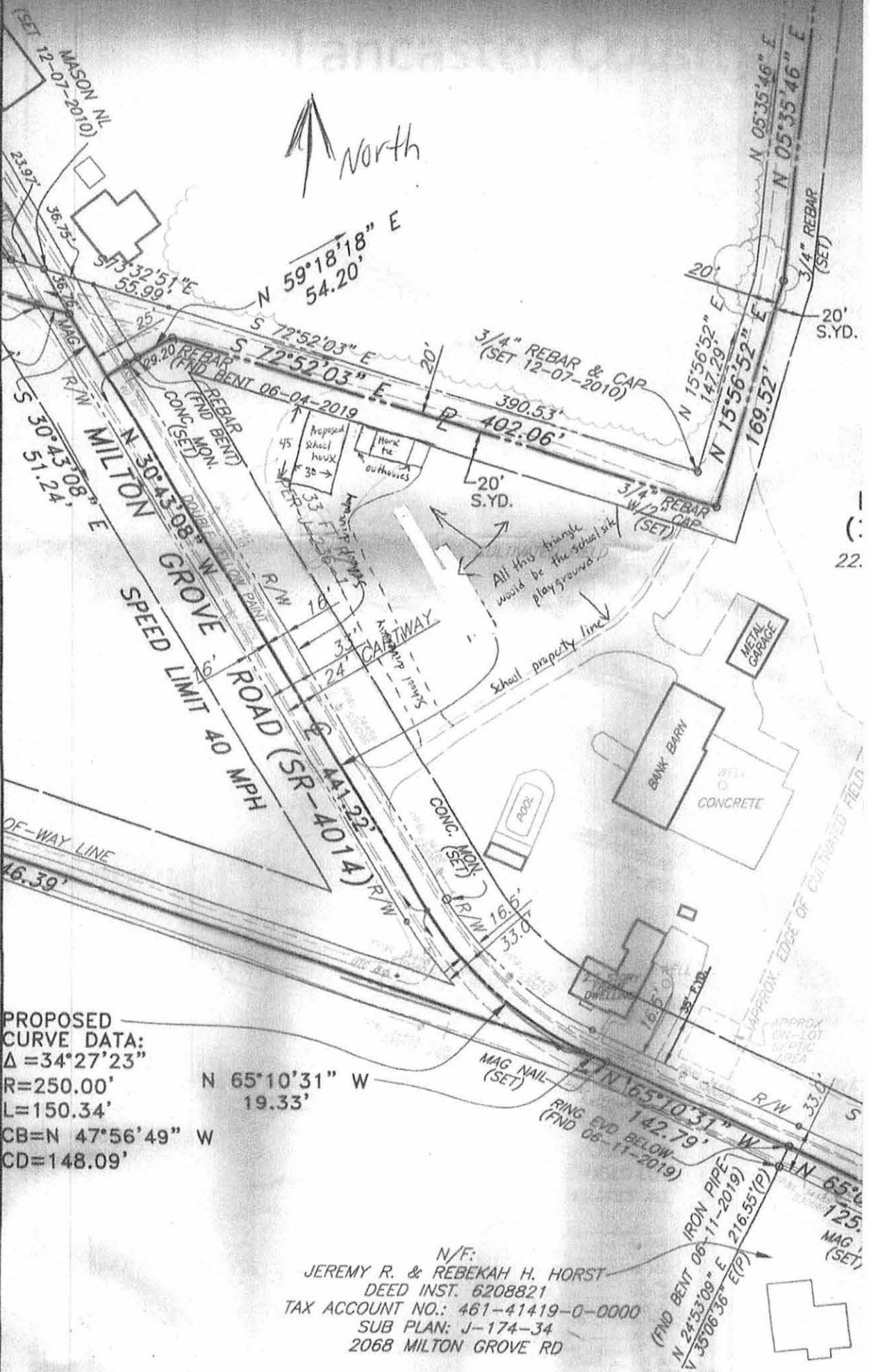
Landowner's Name (Printed)

IMAGES: P:\4445\Cadd\Map.HH; R:\GIS\2017 Aerials\PALANC16_Redelivery.sdc;
 XREFS:
 users\bcouley\appdata\local\temp\AcP\publish_8396\temp\AcP\publish_8396\BASE.dwg

PROPOSED CURVE DATA:
 $\Delta = 34^{\circ}27'23''$
 $R = 250.00'$
 $L = 150.34'$
 $CB = N 47^{\circ}56'49'' W$
 $CD = 148.09'$

$N 65^{\circ}10'31'' W$
 $19.33'$

N/F:
 JEREMY R. & REBEKAH H. HORST
 DEED INST. 6208821
 TAX ACCOUNT NO.: 461-41419-0-0000
 SUB PLAN: J-174-34
 2068 MILTON GROVE RD



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 22.



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

July 12, 2024

Certified Mail # 9407 1118 9876 5466 3325 23

Daniel S. Beiler
2091 Milton Grove Road
Mount Joy, PA 17552

Re: Proposed Schoolhouse
Property Located at 2091 Milton Grove Road, Mount Joy, PA 17552
Tax Parcel Account #461-36261-0-0000
Case #240009

Dear Mr. Beiler:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on July 8, 2024. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, August 7, 2024** at the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022. I offer the following comments on the application:

- You provided a sketch plan with the application containing the proposed location of the schoolhouse and other features. Additionally, I have prepared a Google aerial image and two street view images of the property that are attached to this letter and will be also provided to the Zoning Hearing Board.
- The subject property is approximately 22.8 acres and is located in the A – Agricultural District. It is used for agricultural purposes and is improved with a dwelling, agricultural buildings, and a woodworking shop. The woodworking shop was approved as a farm-related business by the Zoning Hearing Board at a hearing held on May 1, 2019 (Case #190004).
- The application proposes to construct a schoolhouse on a ~1.15-acre portion of the property generally situated between the farmstead buildings and a wooded lot to the north.
- The applicant is seeking and has requested approval of the proposed project via Chapter 135 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Zoning Ordinance of 2012. The following variance requests have been made pursuant to Chapter 135, as noted below:
 - (1) Chapter 135, Article IX, §135-82 – to permit the establishment of a school in the Agricultural District
 - (2) Chapter 135, Article IX, §135-85.B(1) – to permit an additional principal non-agricultural building/use

General criteria for variances are found in §135-383.C of the Zoning Ordinance. I have enclosed a copy of §135-383 for your use in preparing for the scheduled hearing. You may wish to have an attorney present at the hearing to present your case to the Mount Joy Township Zoning Hearing Board. Additionally, you should be prepared to testify specifically to the general criteria for variances as set forth in §135-383.C.

In the event the Mount Joy Township Zoning Hearing Board would approve the application, the Township recommends the following conditions be applied to any approvals:

1. Applicant shall comply with all other provisions contained in Chapter 135 of the Code of Ordinances of the Township of Mount Joy for which relief has not been requested or granted.

2. Applicant shall apply for and gain approval of a Land Development Plan or a waiver thereof from the Mount Joy Township Planning Commission.
3. Applicant and any representatives of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Mount Joy Township Zoning Hearing Board at the hearing held on August 7, 2024 and any continued hearings, if applicable, except to the extent modified by the conditions imposed by the Mount Joy Township Zoning Hearing Board herein.

The Township reserves its right to revise, amend and/or extend the aforementioned list of recommended conditions of approval based upon the testimony presented at the hearing. Please note that these conditions are a recommendation from the Township. If the Mount Joy Township Zoning Hearing Board approves the application, they may change or add conditions if they determine such actions are appropriate based on the testimony and evidence presented and submitted at the hearing.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Justin S. Evans".

Justin S. Evans, AICP
Zoning Officer
Mount Joy Township

Copy: Daniel S. Beiler – First Class Mail
MJT Zoning Hearing Board
File

Enclosures



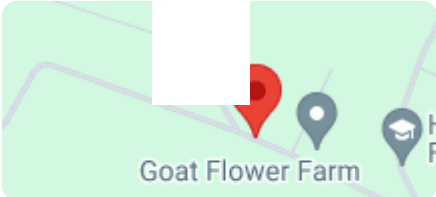
Mount Joy, Pennsylvania

Google Street View

Jan 2024 [See more dates](#)



Image capture: Jan 2024 © 2024 Google



Mount Joy, Pennsylvania

Google Street View

Jan 2024 [See more dates](#)



Google

Image capture: Jan 2024 © 2024 Google

