

RECEIVED

ZHB Case # 250003

DEC 11 2024

Mount Joy Township

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: Levi R. Fisher

Address: 21 trail RD S. City/State/Zip: Elizabethtown PA 17022

Phone: 717-803-6755 Fax: _____

E-mail: lee2002fisher@gmail.com

2. Landowner Information (if different from the Applicant)

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

E-mail: _____

3. Property Information

Property Address: 121 trail RD S.

City/State/Zip: Elizabethtown PA 17022

Existing Use: none Proposed Use: Single family home

Total Property Area (Sq. Ft. or Acres): 0.92

FOR TOWNSHIP USE ONLY

Date Application Received: December 11, 2024

Date Application to be heard: January 8, 2025

Tax Parcel #: 460-57436-0-0000

Zoning District: Agricultural District (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:

135-302.B (1) & (2)

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

0.92 acres vs. 1 acre for horse shed
less than 100 ft from property line
also some flood plains

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.):"

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:

Would not be able to have a horse
which means no transportation, which means
I couldn't live at that home

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:

7. Certification

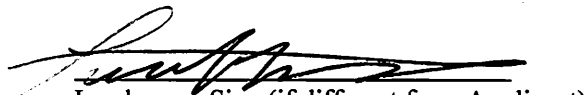
I/we, the undersigned, do hereby certify that:

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


Applicant Signature

12-11-24
Date Signed

Levi R. Fisher
Applicant's Name (Printed)


Landowner Sign (if different from Applicant)

12-11-24
Date Signed

Levi R. Fisher
Landowner's Name (Printed)

MOUNT JOY TOWNSHIP

8853 ELIZABETHTOWN RD ELIZABETHTOWN PA, 17022

Ph: (717) 367-8917 Fax: (717) 367-9208



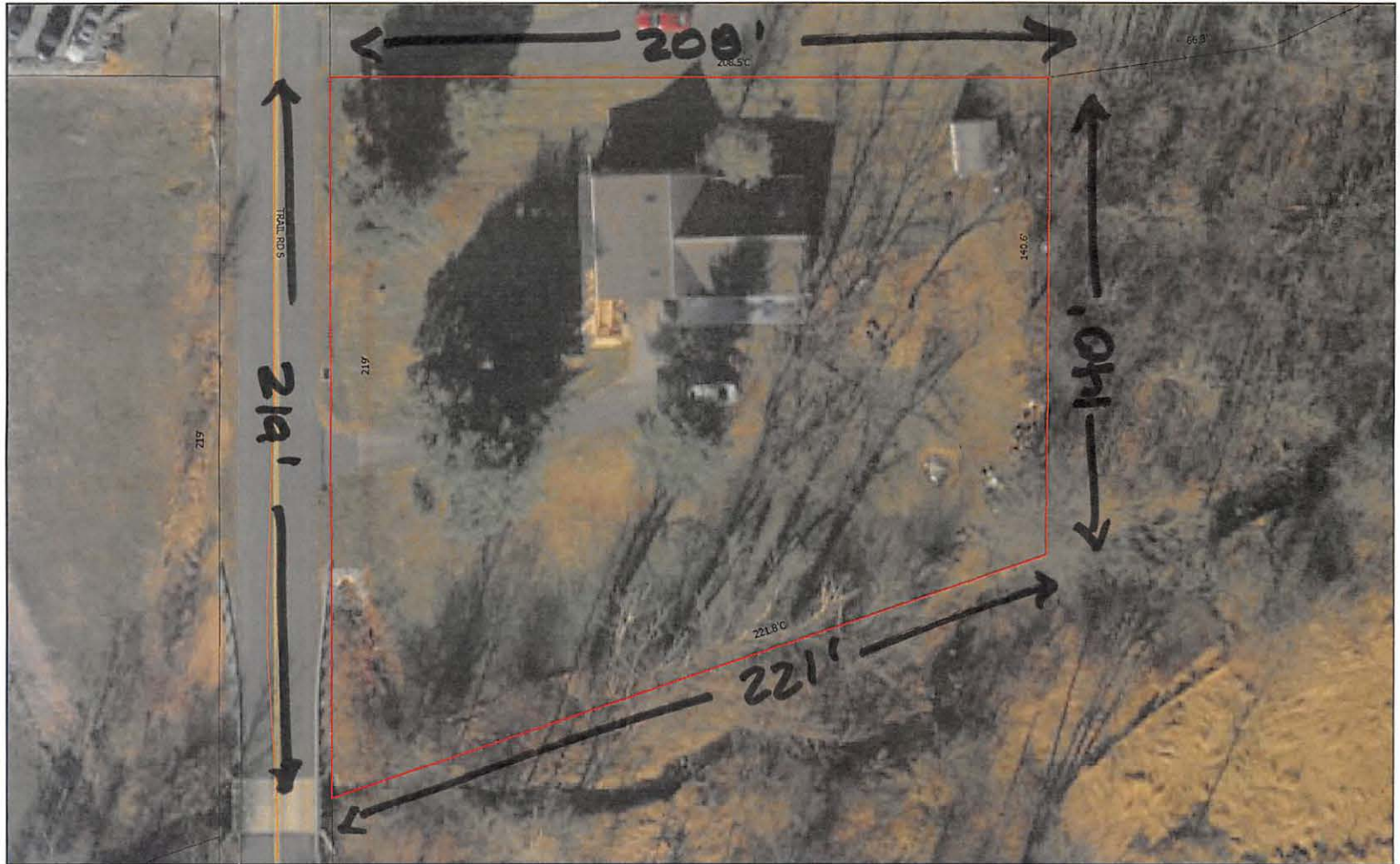
DISCLAIMER: This map is intended for property tax assessment purposes only. The information contained on this map is based upon recorded deeds, plans, and other public sources. These primary sources should be consulted to verify the information contained on this map. Due to conflicts, errors, and omissions in the primary sources, the tax map should be considered to be a representation of the editor's judgment, based upon the available evidence. Tax maps are not legal evidence of size, shape, location, or ownership of real estate, roads, or municipal boundaries. THE MUNICIPALITY ASSUMES NO LIABILITY RELATED TO THE USE OF THIS MAP. THIS MAP IS NOT A SURVEY.

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Ph: (717) 367-8917 Fax: (717) 367-9208

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MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

December 16, 2024

Certified Mail # 9407 1118 9876 5452 4560 11

Levi R. Fisher
121 Trail Road South
Elizabethtown, PA 17022

Re: Proposed Keeping of Saddle Horses
Property Located at 121 Trail Road South, Elizabethtown, PA 17022
Tax Parcel Account #460-57436-0-0000
Case #250003

Dear Mr. Fisher:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on December 11, 2024. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, January 8, 2025** at the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022. I offer the following comments on the application:

- Attached to this letter is a Google Street View image of the property to go along with the aerial image submitted with your application. Both will be provided to the Zoning Hearing Board.
- The subject property is approximately 0.92 acres in area and is located in the A – Agricultural District. It contains a single-family dwelling and an accessory structure. The property is served by on-lot water and sewer facilities. There is also a FEMA-mapped floodplain extending into the lot from the southern property boundary.
- The applicant/landowner desires to construct a structure to house one or two horses for transportation purposes, as set forth in §135-302.B but cannot meet the following dimensional requirements:
 - Minimum lot size: 1 acre
 - Lot line setback: 100'
 - Setback from dwellings other than the owner's: 200'
- 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 special exception request has been made pursuant to Chapter 135, as noted below:
 - (1) Chapter 135, Article XXIII, §135-302.B(1) – minimum lot size
 - (2) Chapter 135, Article XXIII, §135-302.B(2) – minimum lot line and dwelling setbacks

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 obtain the appropriate permits from Mount Joy Township to construct the structure.
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 January 8, 2025 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,



Justin S. Evans, AICP
Zoning Officer
Mount Joy Township

Copy: Levi R. Fisher – First Class Mail
MJT Zoning Hearing Board
File

Enclosures

Elizabethtown, Pennsylvania

Google Street View

Jan 2024 [See more dates](#)

