

NOTICE

The Mount Joy Township Zoning Hearing Board, Lancaster County, Pennsylvania, will conduct a public hearing on Wednesday, March 5, 2025 at 6:00 P.M., prevailing time, at the Mount Joy Township Municipal Office, 8853 Elizabethtown Road, Elizabethtown, PA 17022, to consider the following application. The public is cordially invited to attend the hearing.

ZHB Case #250006 – Applicant: Lancaster Seed Sales, 311 Snyder Road, Mount Joy, PA 17552 - Landowner: Douglas J. Wolgemuth, 655 Greider Road, Mount Joy, PA 17552 – Property Information: Tax Parcel ID #461-04790-0-0000, located at 2914 Homestead Road, Mount Joy, PA 17552 within the (A) Agricultural District – Applicant is seeking approval of the following sections of Chapter 135 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Zoning Ordinance of 2012, as amended: (1) a variance from §135-85.H regarding minimum rear yard setbacks; and (2) a variance from §135-85.I regarding maximum impervious coverage. The applicant wishes to construct a 19,140 square foot building, expanding its existing operation on the property.

Jackie Wilbern
Zoning Officer
Mount Joy Township



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

February 13, 2025

Certified Mail #9407 1118 9876 5450 4056 39

Lancaster Seed Sales
Attn: Karl Dirks
311 Snyder Road
Mount Joy, PA 17552

Re: Variance Application
Property Located at 2914 Homestead Road, Mount Joy, PA 17552
Tax Parcel Account #461-04790-0-0000
Case #250006

Dear Mr. Dirks:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on February 5, 2025. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, March 5, 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 92.06 acres in area, 11.94 of which is located on the north side of Homestead Road and is located in the A – Agricultural Zoning District. It contains the existing Lancaster Seed Sales business consisting of a machine storage building, seed processing building, machine shop, storage building and silos.
- The applicant desires to construct a 19,140 SF building expansion with internal connection to the existing seed processing building, but cannot meet the following dimensional requirements:
 - Minimum rear yard setback: 50' required. Applicant proposes 23.2' encroachment into required rear yard.
 - Maximum impervious coverage shall not exceed 25%: Applicant proposes 29.8% impervious coverage.
- 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 request has been made pursuant to Chapter 135, as noted below:
 - (1) Chapter 135, Article IX, §135-85.H – minimum rear yard setback
 - (2) Chapter 135, Article IX, §135-85.I – maximum impervious coverage

General criteria for variances are found in §135-383.C of the Zoning Ordinance. I have enclosed a copy of §135-383.C 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 submit a land development plan.

2. 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.
3. Applicant shall apply for and obtain the appropriate permits from Mount Joy Township to construct the structure.
4. 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 March 5, 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,

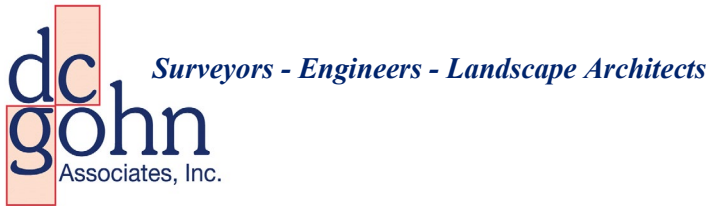


Jackie Wilbern
Zoning Officer
Mount Joy Township

Copy: Lancaster Seed Sales – First Class Mail
Douglas J. Woglemuth
MJT Zoning Hearing Board
File

Enclosures





February 5, 2025

Mr. Kim Kaufman
Township Manager
8853 Elizabethtown Road
Elizabethtown, PA 17022

SUBJECT: Lancaster Seed Sales LLC
Zoning Hearing Board Submission
DCG Project Number **5132-50**

Dear Mr. Kaufman:

On behalf of our client, Lancaster Seed Sales LLC, we are submitting the Zoning Hearing Board application. The project is located at 2914 Homestead Road. The site is located within the Agricultural zoning district.

We submit the following for your review:

1. 6 copies of the Site Plan
2. 6 copies of the application
3. 6 copies of the narrative
4. Review fee check

Sincerely,

D. C. GOHN ASSOCIATES, INC.

Brian R. Cooley

Brian R. Cooley
Staff Landscape Architect

cc: Lancaster Seed Sales
File

RECEIVED

Feb 05 2025

MOUNT JOY TOWNSHIP

ZHB Case # 250006

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: Lancaster Seed Sales

Address: 311 Snyder Road City/State/Zip: Mount Joy, PA 17552

Phone: 717-405-7563 Fax: _____

E-mail: lancasterseedsales@gmail.com

2. Landowner Information (if different from the Applicant)

Name: Douglas J Wolgemuth

Address: 655 Greider Rd. City/State/Zip: Mount Joy PA 17552

Phone: 717-367-8915 Fax: _____

E-mail: wolgies6@aol.com

3. Property Information

Property Address: 2914 Homestead Road

City/State/Zip: Mount Joy, PA 17552

Existing Use: Agricultural Proposed Use: Agricultural

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

FOR TOWNSHIP USE ONLY

Date Application Received: February 5, 2025

Date Application to be heard: March 5, 2025

Tax Parcel #: 461-04790-0-0000

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.H and Section 135-85.I

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

See attached narrative

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.):"

See attached narrative

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:

See attached narrative

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:

See attached narrative

7. Certification

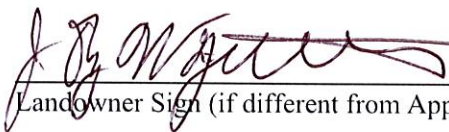
I/we, the undersigned, do hereby certify that:

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

1/29/25
Date Signed

Karl Dirks
Applicant's Name (Printed)


Landowner Sign (if different from Applicant)

2/4/25
Date Signed

J Dong Wolgemuth
Landowner's Name (Printed)

NARRATIVE

MOUNT JOY TOWNSHIP ZONING APPLICATION LANCASTER SEED SALES LLC

The subject property is located at 2914 Homestead Road, Mount Joy, PA 17552. The property contains the existing Lancaster Seed Sales LLC business which consists of the machine storage building, seed processing building, a machine shop and storage building, and silos. The site provides existing access to Homestead Road. The subject property is bounded by Homestead Road to the south, an undeveloped, vacant lot to the north, east, and west. The total lot area on the north side of Homestead Road is 11.94 acres. The total lot area of the entire property is 92.06 acres.

The subject property is identified as Lancaster County Tax Account Number 461-04790-0-0000 and Deed Reference 20250004143. The property is currently located in the Agricultural zoning district in accordance with the zoning ordinance and the zoning map of Mount Joy Township. All adjacent properties are located in the Agricultural zoning district.

Lancaster Seed has existed at the current location for the past five years. The business takes seed produced on the farm and processes it for other local farmers to plant for their next crop. The products are grown on the current property owner's lands and used exclusively for agriculture.

In order for Lancaster Seed to move forward with the proposed site improvements, we are respectfully requesting the following zoning relief, which is described in greater detail below.

VARIANCES

1. Variance pursuant to Section 135-85.H which requires a rear yard setback of 50 feet.

The request is to encroach into a portion of the rear yard setback with the proposed building. The encroachment area is 1,393 square feet.

The proposed building is situated to the north of the existing seed processing building. There is a proposed internal connection between the two buildings which provides the necessary, internal connection for normal, daily business operations. There is an existing truck dock which will be removed. The proposed building provides two new truck docks and a drive in door which provides for efficiency for loading and unloading product compared to what exists today. The square footage of the proposed building provides storage for product and provides room for growth.

2. Variance pursuant to Section 135-85.I which requires a maximum impervious coverage shall not exceed 25%.

The request is to exceed the maximum impervious coverage of 25% to 29.8% which is a 4.8% increase. Currently, the maximum impervious coverage of the site is 26.5% which already exceeds the maximum impervious coverage.

The existing site contains the existing buildings, gravel and paved areas, access drives, silos, and other impervious areas which have existed at the site for many years. The proposed building and dock access increases the impervious coverage by 3.3% from the existing impervious coverage. The size of the building is designed to accommodate the storage of the existing product and provides room for growth. The dock areas provide two new truck docks and a drive in door which provides for efficiency for loading and unloading product compared to what exists today. The increase in impervious area is a direct result of the growth of the business and provides for a more efficient use of the property for the long term viability of the business.

The maximum building coverage is 20%. The existing building coverage is 9.0% and the proposed building coverage is 11.9% which represents a 2.9% increase. The proposed building coverage of 11.9% is less than the maximum building coverage of 20%. The proposed building area represents the majority of the increase in impervious coverage.

General Variance Criteria – Section 135-383.C

Section 135-383.C of the zoning ordinance sets forth general variance requirements, which are satisfied as follows:

- (a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of a lot size, or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions generally created by the provisions of this chapter in the neighborhood of or district in which the property is located.

Lancaster Seed in cooperation with the land owner has occupied the site for the past 5 years. The current configuration of the buildings, access drives, silos, and overall business operations creates limited areas for expansion. The proposed building can't be located to the south of the existing seed processing building due to the location of the existing silos and the required 50 foot front yard setback. Similarly, the proposed building is located adjacent to the required 20 foot side yard setback.

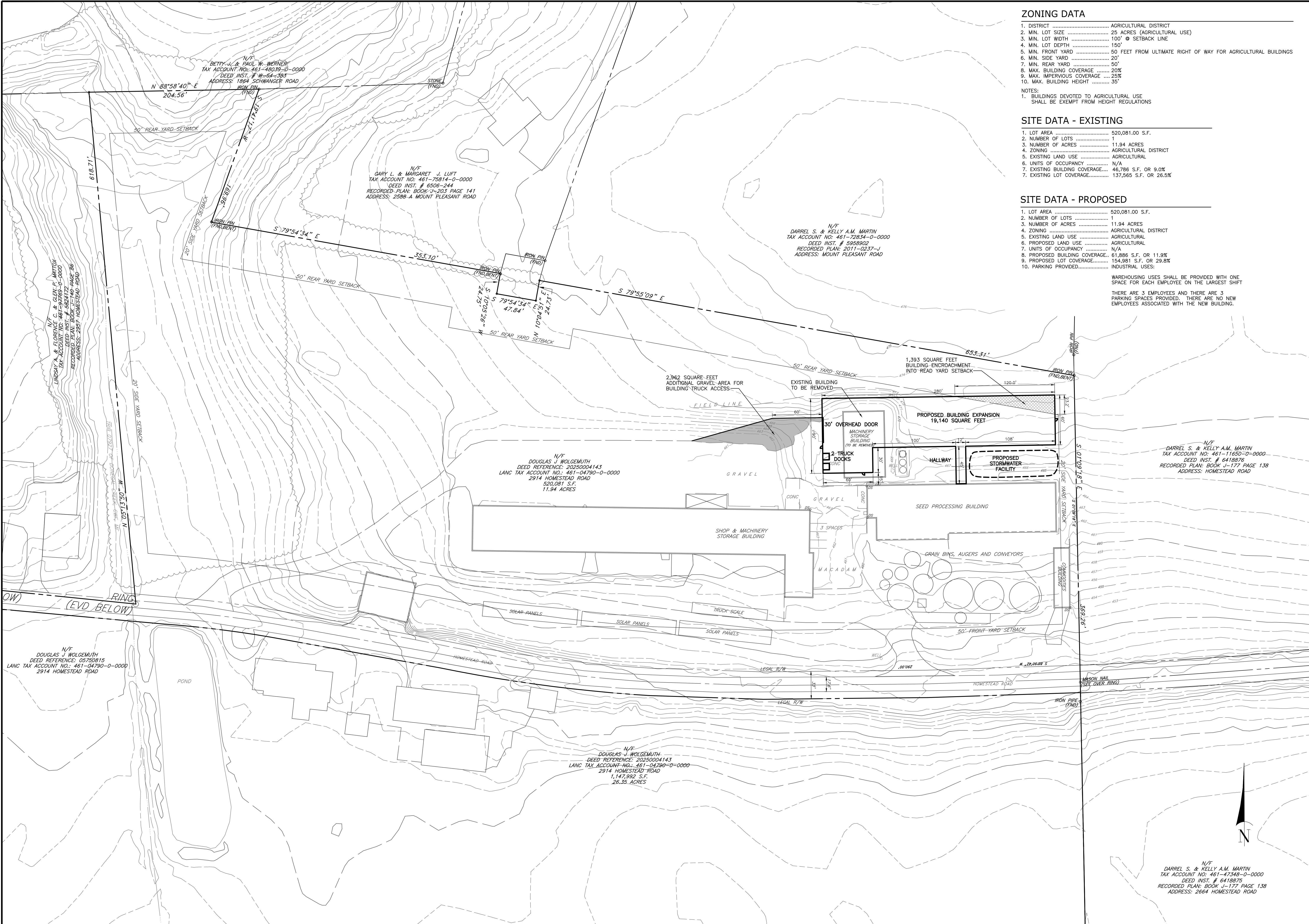
- (b) Because of such physical circumstances or conditions, the subject property cannot be developed in strict conformity with the provisions of this chapter; therefore, we are requesting variances to enable the reasonable use of the property on behalf of Lancaster Seed to better serve the agricultural community in its current location.
- (c) The unnecessary hardships described above were not created by the applicant in connection with the proposed improvements. Lancaster Seed has occupied the site for the past 5 years. In addition, the zoning ordinance specifies specific setback requirements related to building and impervious coverage in the Agricultural zoning district which minimizes the developable area of the property.

- (d) The variances described above, if authorized, will not alter the essential character of the neighborhood or district in which the subject property is located, nor substantially or permanently impair the appropriate use of development of adjacent property nor be detrimental to the public welfare. The site is currently the existing Lancaster Seed business and the proposed development will increase the efficiency of the business; the use of the property remains the same. The neighboring properties are located with the Agricultural zoning district and provide for agricultural use.
- (e) The variances, if authorized, represent the minimum variances that will afford relief and will represent the least modification possible of the regulations in issue. The plan indicates compliance with all other zoning requirements as it relates to the site improvements.

The applicant is willing to accept reasonable conditions that the Board deems necessary to approve the requested zoning relief.

CONCLUSION

In conclusion, based on the information set forth above, we respectfully request that the Mount Joy Township Zoning Hearing Board grant the requested relief, which will enable Lancaster Seed to construct the site improvements as proposed within the Township to better serve its customers and maximum the use of the existing subject property.



ZONING DATA

- 1. DISTRICT AGRICULTURAL DISTRICT
- 2. MIN. LOT SIZE 25 ACRES (AGRICULTURAL USE)
- 3. MIN. LOT WIDTH 100' @ SETBACK LINE
- 4. MIN. LOT DEPTH 150'
- 5. MIN. FRONT YARD 50 FEET FROM ULTIMATE RIGHT OF WAY FOR AGRICULTURAL BUILDINGS
- 6. MIN. SIDE YARD 20'
- 7. MIN. REAR YARD 50'
- 8. MAX. BUILDING COVERAGE 20%
- 9. MAX. IMPERVIOUS COVERAGE 25%
- 10. MAX. BUILDING HEIGHT 35'

NOTES:
 1. BUILDINGS DEVOTED TO AGRICULTURAL USE SHALL BE EXEMPT FROM HEIGHT REGULATIONS

SITE DATA - EXISTING

- 1. LOT AREA 520,081.00 S.F.
- 2. NUMBER OF LOTS 1
- 3. NUMBER OF ACRES 11.94 ACRES
- 4. ZONING AGRICULTURAL DISTRICT
- 5. EXISTING LAND USE AGRICULTURAL
- 6. UNITS OF OCCUPANCY N/A
- 7. EXISTING BUILDING COVERAGE 46,786 S.F. OR 9.0%
- 8. EXISTING LOT COVERAGE 137,565 S.F. OR 26.5%

SITE DATA - PROPOSED

- 1. LOT AREA 520,081.00 S.F.
- 2. NUMBER OF LOTS 1
- 3. NUMBER OF ACRES 11.94 ACRES
- 4. ZONING AGRICULTURAL DISTRICT
- 5. EXISTING LAND USE AGRICULTURAL
- 6. PROPOSED LAND USE AGRICULTURAL
- 7. UNITS OF OCCUPANCY N/A
- 8. PROPOSED BUILDING COVERAGE 61,886 S.F. OR 11.9%
- 9. PROPOSED LOT COVERAGE 154,981 S.F. OR 29.8%
- 10. PARKING PROVIDED..... INDUSTRIAL USES:

WAREHOUSING USES SHALL BE PROVIDED WITH ONE SPACE FOR EACH EMPLOYEE ON THE LARGEST SHIFT
 THERE ARE 3 EMPLOYEES AND THERE ARE 3 PARKING SPACES PROVIDED. THERE ARE NO NEW EMPLOYEES ASSOCIATED WITH THE NEW BUILDING.

NO.	REVISIONS	DATE

OWNER
 NAME: DOUGLAS J WOLGEMUTH
 ADDRESS: 311 SNYDER ROAD
 TELEPHONE: 717-405-7552
 MOUNT JOY, PA 17552

SITE ADDRESS: 2914 HOMESTEAD ROAD
 MOUNT JOY, PA 17552

SOURCE OF TITLE: DEED REF. 20250004143
 LANCASTER TAX ACCT NO: 461-04790-0-0000

32 Mount Joy Street
 Po Box 128
 Mount Joy, PA 17552
 Ph: (717) 653-5308
 www.dcgoinn.com

dc gohn
 Associates, Inc.

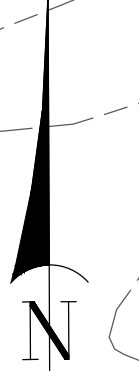
Surveyors - Engineers - Landscape Architects

PROJECT NO.: 5132-50
 DATE: FEBRUARY 5, 2025
 DRAWN BY: BRC
 CHECKED BY: BRC

SCALE: 1"=50'

PROPOSED SITE PLAN
 FOR
LANCASTER SEED SALES
 2914 HOMESTEAD ROAD
 MOUNT JOY TOWNSHIP
 LANCASTER COUNTY, PENNSYLVANIA

DRAWING #: CG-4053
 SHEET #: 1 OF 2



N/F
 DARREL S. & KELLY A.M. MARTIN
 TAX ACCOUNT NO: 461-47348-0-0000
 DEED INST. # 8418875
 RECORDED PLAN: BOOK J-177 PAGE 138
 ADDRESS: 2864 HOMESTEAD ROAD

N/F
 DOUGLAS J WOLGEMUTH
 DEED REFERENCE: 20250004143
 LANC TAX ACCOUNT NO.: 461-04790-0-0000
 2914 HOMESTEAD ROAD
 1,143,892 S.F.
 26.35 ACRES

N/F
 DOUGLAS J WOLGEMUTH
 DEED REFERENCE: 20250004143
 LANC TAX ACCOUNT NO.: 461-04790-0-0000
 2914 HOMESTEAD ROAD
 520,081 S.F.
 11.94 ACRES

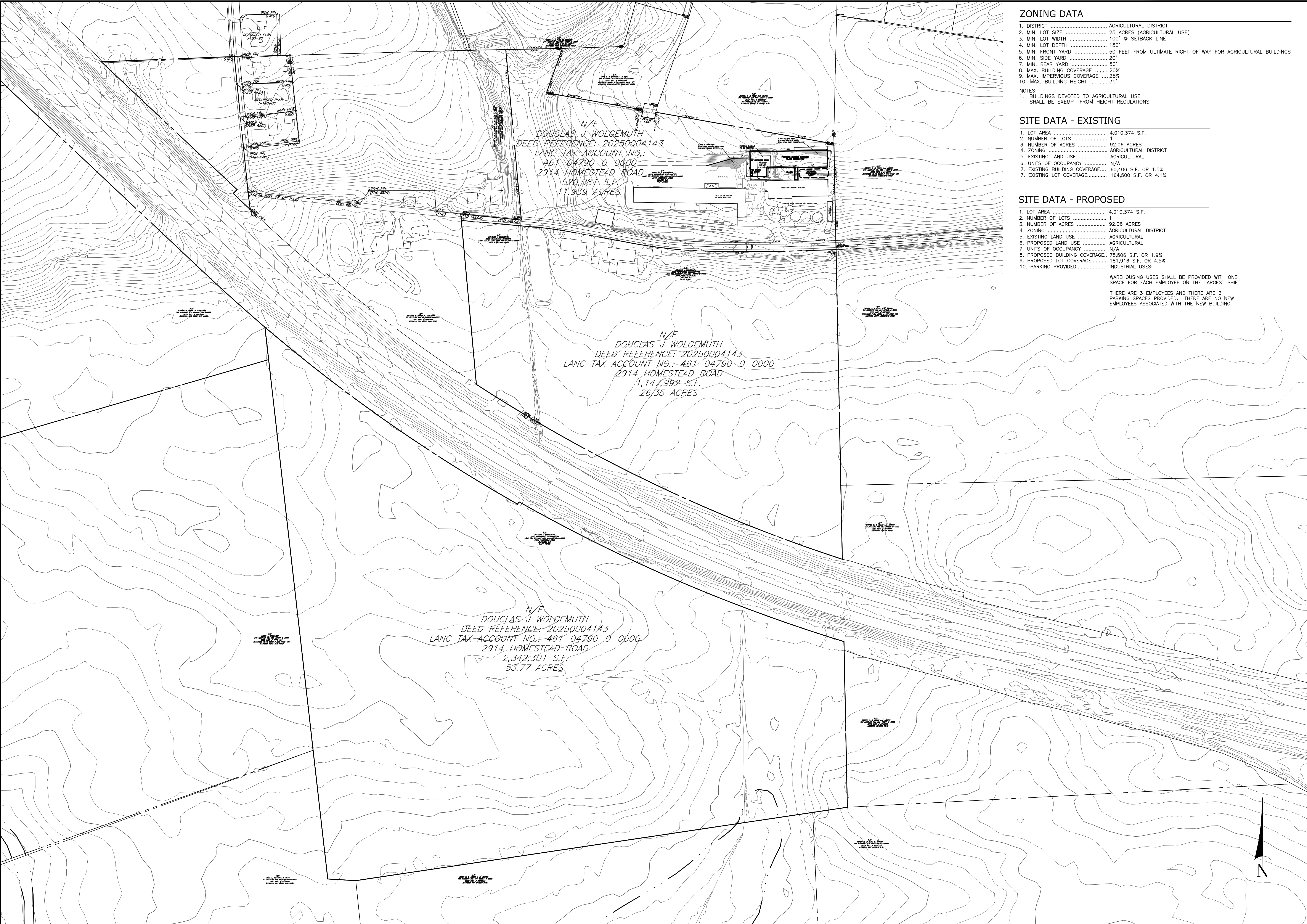
N/F
 DARREL S. & KELLY A.M. MARTIN
 TAX ACCOUNT NO: 461-72834-0-0000
 DEED INST. # 5958902
 RECORDED PLAN: 2011-0237-J
 ADDRESS: MOUNT PLEASANT ROAD

N/F
 GARY L. & MARGARET J. LUFT
 TAX ACCOUNT NO: 461-75814-0-0000
 DEED INST. # 6506-244
 RECORDED PLAN: BOOK J-203 PAGE 141
 ADDRESS: 2588 A MOUNT PLEASANT ROAD

N/F
 BETTY-L. & PAUL W. WERNER
 TAX ACCOUNT NO: 461-48039-0-0000
 DEED INST. # W-64-383
 ADDRESS: 1864 SCHWANGER ROAD
 IRON PIN (FND)

N/F
 LINDSEY A. & FLORENCE C. & GLEN F. MITTOX
 TAX ACCOUNT NO: 461-97269-0-0000
 DEED INST. # 582412-PAF-86
 RECORDED PLAN: BOOK J-177 PAGE 138
 ADDRESS: 2907 HOMESTEAD ROAD

N/F
 DOUGLAS J WOLGEMUTH
 DEED REFERENCE: 05700815
 LANC TAX ACCOUNT NO.: 461-04790-0-0000
 2914 HOMESTEAD ROAD



ZONING DATA

- 1. DISTRICT AGRICULTURAL DISTRICT
- 2. MIN. LOT SIZE 25 ACRES (AGRICULTURAL USE)
- 3. MIN. LOT WIDTH 100' @ SETBACK LINE
- 4. MIN. LOT DEPTH 150'
- 5. MIN. FRONT YARD 50 FEET FROM ULTIMATE RIGHT OF WAY FOR AGRICULTURAL BUILDINGS
- 6. MIN. SIDE YARD 20'
- 7. MIN. REAR YARD 50'
- 8. MAX. BUILDING COVERAGE 20%
- 9. MAX. IMPERVIOUS COVERAGE 25%
- 10. MAX. BUILDING HEIGHT 35'

NOTES:
1. BUILDINGS DEVOTED TO AGRICULTURAL USE SHALL BE EXEMPT FROM HEIGHT REGULATIONS

SITE DATA - EXISTING

- 1. LOT AREA 4,010,374 S.F.
- 2. NUMBER OF LOTS 1
- 3. NUMBER OF ACRES 92.06 ACRES
- 4. ZONING AGRICULTURAL DISTRICT
- 5. EXISTING LAND USE AGRICULTURAL
- 6. UNITS OF OCCUPANCY N/A
- 7. EXISTING BUILDING COVERAGE 60,406 S.F. OR 1.5%
- 8. EXISTING LOT COVERAGE 164,500 S.F. OR 4.1%

SITE DATA - PROPOSED

- 1. LOT AREA 4,010,374 S.F.
- 2. NUMBER OF LOTS 1
- 3. NUMBER OF ACRES 92.06 ACRES
- 4. ZONING AGRICULTURAL DISTRICT
- 5. EXISTING LAND USE AGRICULTURAL
- 6. PROPOSED LAND USE AGRICULTURAL
- 7. UNITS OF OCCUPANCY N/A
- 8. PROPOSED BUILDING COVERAGE 75,506 S.F. OR 1.9%
- 9. PROPOSED LOT COVERAGE 181,916 S.F. OR 4.5%
- 10. PARKING PROVIDED..... INDUSTRIAL USES:

WAREHOUSING USES SHALL BE PROVIDED WITH ONE SPACE FOR EACH EMPLOYEE ON THE LARGEST SHIFT
THERE ARE 3 EMPLOYEES AND THERE ARE 3 PARKING SPACES PROVIDED. THERE ARE NO NEW EMPLOYEES ASSOCIATED WITH THE NEW BUILDING.

NO.	REVISIONS	DATE

OWNER: DOUGLAS J WOLGEMUTH
 NAME: 311 SNYDER ROAD
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 TELEPHONE: 717-405-7563
 SITE ADDRESS: 2914 HOMESTEAD ROAD
 MOUNT JOY, PA 17552
 SOURCE OF TITLE: DEED REF. 20250004143
 LANCASTER TAX ACCT NO: 461-04790-0-0000

32 Mount Joy Street
 Po Box 128
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dc gohn
 Associates, Inc.

Surveyors - Engineers - Landscape Architects

PROJECT NO.: 5132-50
 DATE: FEBRUARY 5, 2025
 DRAWN BY: BRC
 CHECKED BY: BRC
 SCALE: 1"=150'

SCALE IN FEET

OVERALL SITE PLAN
 FOR
LANCASTER SEED SALES
2914 HOMESTEAD ROAD
 MOUNT JOY TOWNSHIP
 LANCASTER COUNTY, PENNSYLVANIA

DRAWING #: CG-4053
 SHEET #: 2 OF 2