

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: Ali Boutorabi & Amir Boutorabi
Address: 583 Trail Road North City/State/Zip: Elizabethtown, PA 17022
Phone: 717-808-1231 Fax: 717-367-5082
E-mail: ali@landscapesbyab.com

2. Landowner Information (if different from the Applicant)

Name: Akbar & Susan Boutorabi
Address: 583 Trail Road North City/State/Zip: Elizabethtown, PA 17022
Phone: 717-468-5500 Fax: _____
E-mail: bootsf4@yahoo.com

3. Property Information

Property Address: 583 Trail Road North
City/State/Zip: Elizabethtown, PA 17022
Existing Use: Residential Proposed Use: Residential
Total Property Area (Sq. Ft. or Acres): _____

FOR TOWNSHIP USE ONLY

Date Application Received: 05/06/2026
Date Application to be heard: 06/03/2026
Tax Parcel #: 460-81845-0-00000
Zoning District: Agricultural
Application Denied/Approved: _____

4. Request for Special Exception

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

Describe in detail the nature of your proposal, particularly, why you need a special exception and for what part of the special exception is being requested for:

What is the purpose of the 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:

Percent age of the lot covered:

Existing front, side and rear yard setbacks:

Proposed front, side and rear yard setbacks:

3. Request for a variance

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

Section 135-65.B(1) - additional lot to be subdivided, Section 135-35.C(3) - min. lot size for agricultural lot, Section 135-302.A - setback for animal exercise area, Section 135-302.C(1) animal barn setback

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

The property is said to be subdivided once without a variance.

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:

Not being able to build 2 additional houses for two children after the property was purchased contingent on the original approval to do so.

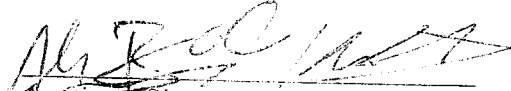
Explain how the granting of a variance will not be a substantial detriment to the public good or a substantial impairment of the intent and purpose of the Zoning Ordinance:

This application is generally the same as the previous approved application (ZNE Case #220011) that has since expired due to circumstances related to subdivision plan approval. The 2 houses would be built set back in to the property, resulting in no change to the road frontage view.

2. Certification


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

05/05/26
Date Signed

Al Botorabi / Mrs Botorabi
Applicant's Name (Printed)


Susan Botorabi
Landowner Sig. (different from Applicant)

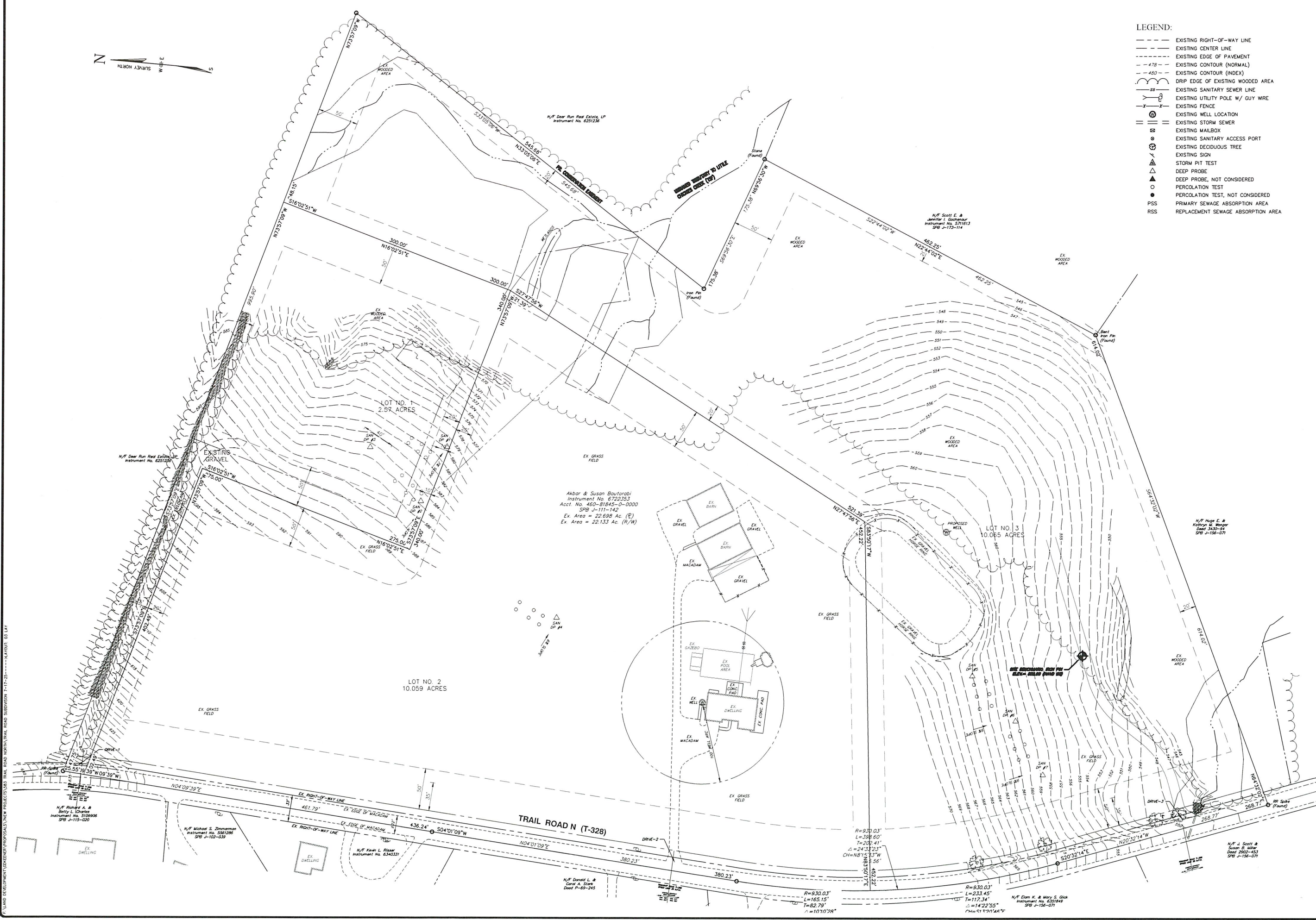
5-5-26
Date Signed

Akbar & Susan Botorabi
Landowner's Name (Printed)



LEGEND:

- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- EXISTING EDGE OF PAVEMENT
- - - 475 - EXISTING CONTOUR (NORMAL)
- - - 450 - EXISTING CONTOUR (INDEX)
- DRIP EDGE OF EXISTING WOODED AREA
- EXISTING SANITARY SEWER LINE
- EXISTING UTILITY POLE W/ GUY WIRE
- EXISTING FENCE
- EXISTING WELL LOCATION
- EXISTING STORM SEWER
- EXISTING MAILBOX
- EXISTING SANITARY ACCESS PORT
- EXISTING DECIDUOUS TREE
- EXISTING SIGN
- △ STORM PIT TEST
- △ DEEP PROBE
- △ DEEP PROBE, NOT CONSIDERED
- PERCOLATION TEST
- PERCOLATION TEST, NOT CONSIDERED
- PSS PRIMARY SEWAGE ABSORPTION AREA
- RSS REPLACEMENT SEWAGE ABSORPTION AREA



NO.	DATE	REVISION	BY	COMMENT
1				
2				
3				
4				
5				

DATE	2025.06.10
DRAWN BY	JIP
CHECKED BY	GDK

GDK
G.D. Keener
 ASSOCIATES, INC.
 EAST PETERSBURG, PA 17320
 PHONE: (717) 655-1437 EMAIL: gkeener@gdkeener.com

SUBDIVISION PLAN

PROJECT: SUBDIVISION PLAN
 583 TRAIL ROAD NORTH
 MOUNT JOY TOWNSHIP
 LANCASTER COUNTY, PENNSYLVANIA

PROJECT NO: 253610
 SCALE: (H) 1"=50'
 (V) N/A
 DATE: 2025.06.10
 SHEET NO: 3 OF 9
 REV. NO:



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

May 7, 2026

Certified Mail # 9407 1118 9876 5524 7422 02

Certified Mail # 9407 1118 9876 5524 7428 68

Ali & Amir Boutorabi
583 Trail Road North
Elizabethtown, PA 17022

Akbar & Susan Boutorabi
583 Trail Road North
Elizabethtown, PA 17022

Re: Proposed Subdivision of Land
Property Located at 583 Trail Road North, Elizabethtown, PA 17022
Tax Parcel Account #460-81845-0-0000
Case #260008

Dear Mr. & Ms. Boutorabi:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on May 6, 2026. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, June 3, 2026** at the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022. I offer the following comments on the application:

- Your application proposes the subdivision of a 22.7-acre property located in the (A) Agricultural District. The property contains a single-family home, accessory structures, and a horse riding ring. A plan was filed with the Township on March 24, 2026 to subdivide the property into parcels containing 2.57, 10.059, & 10.065 acres. The Township Planning Commission conducted an initial view of the plan at their April 27, 2026 meeting.
- This property was the subject of similar zoning hearing approvals (ZHB #220011) to permit subdivision into three lots with a decision dated October 11, 2022. This prior approval has since expired.
- Two zoning issues identified in the Township Engineer's plan review pertain to the existing barn and horse riding ring on the property. The subdivision plan would create a common lot line that overlays the riding ring and situates the barn(s) within the required 100' setback.
- You are seeking and have 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:
 - (1) Chapter 135, Article IX, §135-85.B(1) – subdivision limitations
 - (2) Chapter 135, Article IX, §135-85.C(3) – minimum lot size for agricultural uses
 - (3) Chapter 135, Article XXIII, §135-302.A – animal exercise area setback
 - (4) Chapter 135, Article XXIII, §135-302.C(1) – animal barn setback

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 should be prepared to testify specifically to the general criteria for variances as set forth in §135-383.C. Additionally, you may wish to have an attorney present at the hearing to present your case to the Mount Joy Township Zoning Hearing Board.

In the event the Mount Joy Township Zoning Hearing Board approves 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 obtain approval of a subdivision plan 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 June 3, 2026 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
Assistant Zoning Officer
Mount Joy Township

Copy: Boutorabi, Ali & Amir – First Class Mail
Boutorabi, Akbar & Susan – First Class Mail
MJT Zoning Hearing Board
File

Enclosures



583 Trail Rd N



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