



# MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

May 19, 2025

Certified Mail # 9407 1118 9876 5447 8830 82

TALCO Home Improvements, LLC  
Attn: Todd A. Forrey  
1732 Turnpike Rd.  
Elizabethtown, PA 17022

Re: Special Exception Application  
Property Located at 771 Green Tree Rd., Elizabethtown, PA 17545  
Tax Parcel Account #461-97916-0-0000  
Case #250011

Dear Mr. Forrey:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on May 07, 2025. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, June 4, 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 0.5 acres in area and is located in the A – Agricultural District. It contains a vacant firehouse and associated parking.
- The applicant/landowner desires to operate a landscaping business and a separate home occupation which will be a roofing and home contracting business.
- 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 requests have been made pursuant to Chapter 135, as noted below:
  - (1) Chapter 135, Article XXII, §135-83.I – to permit a home occupation
  - (2) Chapter 135, Article XXII, §135-83.J – to permit a landscaping business

General criteria for Special Exceptions are found in §135-383.B 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 Special Exceptions as set forth in §135-383.B.

For your consideration, it should be noted that your request consists of two separate operations, one of which is a landscaping business, and the other is a roofing and home contracting services business. They cannot be considered together jointly. The landscaping business is considered a stand-alone business in line for consideration of approval by way of a Special Exception in the Agricultural District. For the roofing and home contracting business, you originally referred to your request as for a Special Exception for a No-Impact Home Based Business (written as “Low Impact...” on your application); however, please note that a No-Impact Home Based Business is a use by right as per §135-82.E and not approved by a Special Exception Process (a by-right use does not go before the Zoning Hearing Board but approval is sought by way of a zoning permit application.). The Zoning Officer would be compelled to disapprove any zoning permit request for a No-Impact Home-Based Business, in part, based on definition. (The existing structure is not a dwelling, nor is it approved for use as a

dwelling. Therefore, it does not meet the basic criteria needed for consideration as a No-Impact Home-Based Business.) It is the interpretation of the Zoning Officer that this request (for the roofing and home contracting services business) could only potentially be approved by way of a Special Exception for a Home Occupation as per §135-383.I and §135-234.A. Thus, this part of the request is forwarded to the Zoning Hearing Board for their consideration of the roofing and home contracting services business as a Home-Occupation request. I have included a copy of the definitions of both No-Impact Home Based Business and Home Occupation. The landscaping business Special Exception request will be considered separately.

Please note the following additional comments on the application. These are issues which will also likely be considered by the Zoning Hearing Board during their review:

- A copy of §135-234 is attached. (See §135-234A)
- The structure is not a dwelling. (See also definition for “Home Occupation”).
- Outdoor storage is not permitted.

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 clearly identify on a plot plan or on the applicants’ aerial photo the location of the shipping container.
3. Applicant shall apply for and obtain the appropriate permits from Mount Joy Township prior to any proposed interior or exterior alterations to the structure or site, as applicable.
4. Applicant shall apply for and obtain the appropriate permits from Mount Joy Township prior to the installation of any signs.
5. 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 4, 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,



Joseph B. Price  
Zoning Officer  
Mount Joy Township

Copy: Austin Moran, Moran Estates, LLC  
MJT Zoning Hearing Board  
File

Enclosures