



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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Minutes of a Meeting of The Mount Joy Township Zoning Hearing Board Wednesday, November 5, 2025

- 1) Chairman Gregory R. Hitz Sr. called the meeting to order at 6:00 P.M. in the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022.
- 2) Meeting Attendance:
 - Members Present: Gregory R. Hitz Sr., Robert F. Newton Jr., James E. Hershey, & Roni K. Clark
 - Members Absent: NONE
 - Township Representatives: Justin Evans, Assistant Zoning Officer
 - Lancaster County Court Reporter: Angela Kilby
 - Zoning Hearing Board Solicitor: John P. Henry, Esq. of Blakinger Thomas
- 3) A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to approve the minutes of the September 3, 2025 meeting. All members present voted in favor of the motion.
- 4) Mr. Evans confirmed that the public notice was published in the Thursday, October 16th and Thursday, October 23rd editions of the LNP. The property was posted on Friday, October 24th.
- 5) Solicitor John P. Henry provided a procedural briefing for the meeting.
- 6) Zoning Case #250016
 - a. Applicant/Landowner:
 1. Jacob B. & Ruth S. Huyard
 2. Arthur S. Auker, Jr.
 - b. Property Location:
 1. 1835 Rissermill Road, Mount Joy, PA 17552, Tax Parcel ID #461-03206-0-0000
 2. 1501 Valleyview Road, Mount Joy, PA 17552, Tax Parcel ID #461-36133-0-0000
 - c. Zoning District: (A) Agricultural District
 - d. Variance Request: Chapter 135, Article IX, §135-85.B – subdivision limitations

Landowners Jacob Huyard and Arthur Auker, Jr. presented the application to the Board. The plan is to convey 0.88 acres from Auker's property to Huyard's without creating a new building lot. Mr. Auker has lived on this property for 32 years and recounted the history of Mr. Huyard's driveway going through his prior to Huyard's home being built. The two parties recently discussed moving lot lines so Huyard's driveway is located on his own property. Additionally, Mr. Huyard stated an intent to increase his property to 10 or more acres so it can be enrolled in the Clean and Green Program. The hardship behind the application is the need to alleviate Huyard's driveway being situated on Auker's lot.

The result of the proposed subdivision plan will be a 5+ acre lot for Auker and 10+ acres for Huyard. No improvements are proposed for the parcel to be conveyed from Auker to Huyard. The driveway will remain in its current location. Conditional plan approval was granted by the Township Planning Commission. Both landowners confirmed receipt of the Zoning Officer's letter dated October 14, 2025 and had no issues with the proposed conditions therein.

Mr. Newton asked the landowners to confirm that the 0.88-acre Parcel A containing Huyard's driveway as denoted on the subdivision plan will be conveyed from Lot 1 to Lot 2. They confirmed this in addition to no additional buildings being proposed by this application or the subdivision plan.

A motion was made by James E. Hershey and seconded by Robert F. Newton Jr. to grant approval of the application subject to the following conditions:

1. The Applicant shall provide recorded copies of a deed with a perimeter legal description for the Huyard Property as enlarged and a deed with a perimeter legal description for the Auker Property as reduced within 30 days from the release of the subdivision plan for recording;
2. The Applicant and/or the owner(s) of the Properties shall comply with all other provisions contained in the Ordinance for which relief has not been requested or granted;
3. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on November 5, 2025 except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

7) Zoning Case #250017

- a. Applicant: Bailey Family Limited Partnership
- b. Landowner: Michael Jon Bailey
- b. Property Location: 1501 Mill Road, Elizabethtown, PA 17022, Tax Parcel ID #460-33237-0-0000
- c. Zoning District: (R) Rural District
- d. Variance Request: Chapter 135, Article XXII, §135-246.B – minimum lot size for a manufactured home park

The application was presented by Attorney Erik Hume, Tonya Bailey from Bailey Family Limited Partnership, and Blake Zortman from Landworks Civil Design. Also in attendance was landowner Michael Jon Bailey.

Attorney Hume provided an overview of the application. The subject property contains a single-family home and six mobile homes. The current lot size is approximately 4 acres, which constitutes a legal nonconformity with respect to the minimum lot size for a manufactured home park. A plan is proposed to divide Mr. Bailey's single-family home onto a 1.07-acre lot, leaving the mobile homes on a 2.96-acre lot. The subdivision plan was presented to the Township Planning Commission, which considered the applicant's waiver requests but not plan approval. The proposed subdivision exacerbates the existing minimum lot size nonconformity.

Mr. Zortman testified as the design engineer and plan preparer for the project. He described the location and physical characteristics of the site. No improvements are proposed by the plan. The proposed lot line has been drawn to avoid creating any setback encroachments or other zoning-related issues. Additional right-of-way along Mill Road is proposed for dedication to the Township. He confirmed the application requests the minimum relief necessary to accomplish the subdivision. There will be no impacts to the surrounding neighborhood and no physical changes to the properties. Final plan approval is still needed from the Planning Commission once the variance is decided upon.

Mr. Newton asked why the proposed single-family lot extends so far back. The applicant needs to provide at least one half-acre of area for the lot. Mr. Hershey asked if a variance is needed for the two mobile homes in the front yard setback. Attorney Hume stated that the Township Solicitor determined this is an existing nonconformity not affected by the subdivision. Mr. Hitz asked about utilities for the home. It is served by public sewer and the mobile home park's private water system. Mr. Hershey asked if the shed located close to the proposed property line would be relocated. It will.

Ms. Bailey testified as the general manager and water system operator for Lakeview Country Estates. The properties have been in the current configuration since 1962 and the goal is to separate Mr. Bailey's home from the mobile homes. She confirmed that the subdivision will not impact the surrounding neighborhood. The applicants confirmed receipt of the Zoning Officer's letter dated October 14, 2025 and concurred with the proposed conditions therein.

A motion was made by Robert F. Newton Jr. and seconded by James E. Hershey to grant approval of the application subject to the following conditions:

1. The Applicant shall gain approval of the proposed subdivision plan from the Mount Joy Township Planning Commission;

2. The Applicant and/or the owner(s) of the Properties shall comply with all other provisions contained in the Ordinance for which relief has not been requested or granted;
3. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on November 5, 2025 except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

- 8) The Board moved the next regularly scheduled meeting from December 3, 2025 to December 10, 2025 beginning at 6:00 P.M.
- 9) A motion was made by James E. Hershey and seconded by Robert F. Newton Jr. to adjourn the meeting at 6:40 P.M. All members present voted in favor of the motion.

Respectfully Submitted,

A handwritten signature in black ink that reads "Justin S. Evans". The signature is written in a cursive, flowing style.

Justin S. Evans, AICP
Assistant Zoning Officer

For: Robert F. Newton, Jr., Secretary
Mount Joy Township Zoning Hearing Board