

RECEIVED

FEB - 4 2026

MOUNT JOY TOWNSHIP

ZHB Case # 260003

## 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: Jonathan Hubler

Address: 202 Ridgeview Road North City/State/Zip: Elizabethtown, PA 17022

Phone: 717-367-6637 Fax: \_\_\_\_\_

E-mail: jon@jhubler.com

### 2. Landowner Information (if different from the Applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### 3. Property Information

Property Address: 202 Ridgeview Road North

City/State/Zip: Elizabethtown, PA 17022

Existing Use: Landscape Business Proposed Use: Landscape Business

Total Property Area (Sq. Ft. or Acres): 8.589 acres

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### FOR TOWNSHIP USE ONLY

Date Application Received: February 4, 2026

Date Application to be heard: March 4, 2026

Tax Parcel #: 460-62153-0-0000

Zoning District: Agricultural (A)

Application Denied/Approved: \_\_\_\_\_

#### **4. Request for Special Exception**

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

Section 135-83.J and Section 135-83.L

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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:

See narrative

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This site is suitable for a Special Exception Use because:

See narrative

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How will the request affect adjacent properties? (Dust, noise, fumes, odors, glare, increased traffic, character of the neighborhood etc.):

See narrative

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#### **5. Expansion of Special Exception Uses**

Are there any existing nonconformities on the lot, if so list them:

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Existing and proposed square footage of the structure:

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Percentage of Expansion:

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Existing front, side and rear yard setbacks:

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Proposed front, side and rear yard setbacks:

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**6. Request for a Variance**

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

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Section 135-299.B.(1), Section 135-299.B.(3), and Section 135-299.C.(1)  
Section 135-306.B; Section 135-86.A

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

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See narrative

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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.):"

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See narrative

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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:

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See narrative

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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:

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See narrative

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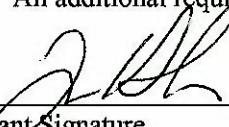
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## 7. Certification

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

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Applicant Signature

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2-2-2026

Date Signed

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Jon Huber

Applicant's Name (Printed)

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Landowner Sign (if different from Applicant)

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Date Signed

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Landowner's Name (Printed)

## NARRATIVE

### MOUNT JOY TOWNSHIP ZONING APPLICATION J HUBLER LANDSCAPING – 202 RIDGEVIEW ROAD NORTH

The property is located at 202 Ridgeview Road North, Elizabethtown, PA and contains the current J Hubler Landscaping business and the residence for Jon & Dawn Hubler. J Hubler Landscaping has existed at the property since 2003. The property is adjacent to the Eve property to the west, State Route 283 to the south, Ridgeview Road to the north, and the Carl property to the east. The subject property is identified as Lancaster County Tax Account Number 460-62153-0-0000 and Deed Instrument Number 6494814. The property is currently located in the A Agricultural zoning district. The owner of record is Jonathan A Hubler. The total property is 8.589 gross acres and 8.287 net acres.

J Hubler Landscaping is proposing to construct a storage building on the north side of the landscape business area. Currently, there are storage containers and outdoor equipment stored on gravel areas. The storage building will enable the storage of equipment inside and out of the weather. It will also allow for the removal of the storage containers. The landscape business consists of commercial and residential landscape services. There are no retail customers and no goods are sold directly to the public at this location. The existing parking areas accommodate 14 employees. There are no new employees.

There is a previous site plan from 2009 which provided for the existing pole barn on site. There is a Mount Joy Township zoning approval letter dated April 21, 2010, which confirmed that the landscaping business is a legal use on the property when the use was established in 2003. The zoning ordinance update of 2005 indicated that a landscape business is permitted by special exception. The letter indicated that any expansion or alteration of the landscape business requires a special exception which is the reason for the application.

In order for J Hubler Landscaping to move forward with the proposed site improvements, we are respectfully requesting the following zoning relief, described in greater detail below.

### SPECIAL EXCEPTION

1. Special Exception pursuant to **Section 135-83.J and Section 135-83.L** for the expansion of the landscape business for the proposed storage building in the Agricultural zoning district and the accessory structure incidental to the special exception.  
**The request is for a special exception for the storage building. The building is considered an accessory structure for the landscape business use.**

J Hubler Landscaping is proposing to construct a storage building on the north side of the landscape business area. Currently, there are storage containers and outdoor equipment stored on gravel areas. The storage building will enable the storage of equipment inside and out of the weather. It will also allow for the removal of the storage containers.

The storage building is over existing impervious areas. It is situated adjacent to the existing PPL 100 feet right of way which traverses the property. The location of the storage building allows vehicles to enter the building on the east side and drive thru the west side. It is located away from the existing pole barn and hoop material bins which allows continued vehicular access to these facilities. Lastly, it is located away from an existing topsoil stockpile and plant material storage area which is used by the business. There are existing wetlands and watercourses on the site which are not impacted by the new building.

### **Specific Use Regulations – Landscape Business and Sales**

Section 135-240 of the zoning ordinance sets forth Specific Use Regulations for Landscape Business and Sales which are satisfied below:

- A. Any products sold on site shall relate to the landscape industry.  
*There are no products sold in a retail fashion on site.*
- B. All vehicles and equipment used in the conduct of the business, except farm equipment, shall be stored in enclosed buildings during non-operating hours.  
*The proposed building is being constructed to enclose vehicles and equipment.*
- C. Landscape strips and screens shall be installed, maintained and contain such materials as required by §135-299 for all buildings, parking areas and outdoor storage areas.  
*A variance is being requested for Section 135-299.B.(1), Section 135-299.B.(3), and Section 135-299.C.(1) as part of this application.*

### **General Special Exception Criteria - Section 135-383.B**

Section 135-383.B of the zoning ordinance sets forth general Special Exception requirements, which are satisfied below:

- 1) Compliance with this Chapter. The applicant shall establish by credible evidence compliance with all conditions on the special exception enumerated in the section which gives the applicant the right to seek the special exception. The applicant shall present to the Board with sufficient plans, studies, or other data to demonstrate compliance with all applicable regulations.

The application presented provides the required information in support of the special exception request.

- 2) Traffic and Public Services. The applicant shall establish by credible evidence that the proposed special exception shall be properly serviced by all existing public service systems. The peak traffic generated by the subject of the application shall be accommodated in a safe and efficient manner or improvements made in order to effect the same. Similar responsibilities shall be assumed with respect to other public service

systems, including but not limited to police protection, fire protection, utilities, park and recreation.

There is no water or sewer connection for the building. There are no new employees. The site access to the building will utilize the existing access drive to Ridgeview Road North. The surrounding street network is adequate for the storage building. The storage building is located adjacent to the existing business which will provide internal vehicular circulation. The site provides adequate access for all emergency vehicles.

- 3) Site Planning. The applicant shall establish by credible evidence that the proposed special exception shall be in and of itself properly designed with regard to internal circulation, parking, buffering, and all other elements of proper design as specified in this Chapter and any other governing law or regulation.

The storage building is located adjacent to the existing business which will provide internal vehicular circulation and site security. There are no new employees and the existing parking spaces are adequate for the existing employees. There are existing landscape buffers along the western property line and north of the wetlands and watercourse which provide screening for the adjacent property. The existing trees will remain.

- 4) Neighborhood. The proposed special exception shall not substantially injure or detract from the use of the neighboring property or from the character of the neighborhood, and the use of the property adjacent to the area included in the special exception application shall be adequately safeguarded.

The existing property and the adjacent properties are all within the Agricultural zoning district. Route 283 creates a divide from the existing development to the south. The proposed storage building location minimizes the impact on the surrounding properties. It is located over existing impervious and replaces existing module storage trailers in the same areas. The building is a substantial distance from the existing property lines and there is existing landscaping which screens the landscape business from the existing properties. The use will not detract from the character of the neighborhood.

- 5) Safety. The applicant shall establish by credible evidence that the proposed use will not create a significant hazard to the public health and safety, such as fire, toxic or explosive hazards.

The proposed use will not create a hazard for public safety. The storage building and landscape business will not contain any toxic or explosive hazards.

- 6) The Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of and ensure compliance with the MPC and this Chapter, which conditions may include plantings and buffers, harmonious designs of buildings and the elimination of noxious, offensive or hazardous elements.

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

- 7) Unless otherwise specified by the Board or by law, a special exception shall expire if the applicant fails to obtain a zoning permit within one year from the date of authorization thereof by the Board or by the court if such special exception has been granted after an appeal or fails to complete any erection, construction, reconstruction, alteration or change in use authorized by the special exception approval within two years from the date of authorization thereof by the Board or by court if such special exception has been granted after an appeal. The Board, upon written application and for reasonable cause shown, may extend the approval for an additional period of up to two years.

## VARIANCES

1. Variance pursuant to **Section 135-299.B.(1), Section 135-299.B.(3), and Section 135-299.C.(1)** which requires a landscape strip shall be a minimum of 10 feet wide for a non-residential use unless a greater width is required by another section of this chapter. The landscape strip requires for every 750 square feet of the required landscape strip, one shade/ornamental tree shall be provided in the required landscape strip. All nonresidential uses shall contain landscape screen in addition to the landscape strip when such use is adjacent to a residential zone or to a property that is available for residential use.

The request is to utilize the existing landscaping adjacent to Eve's property and Carl's property and the existing landscaping on site. There are existing trees between the residential dwelling on each adjacent property and the landscape business. There are existing trees along the existing wetlands and watercourse on the north side of the proposed building which provides additional screening. The landscape business is setback a considerable distance from each adjoining residential unit. The total area of the landscape strip is 23,950 square feet which requires 32 trees. There are 24 existing trees within the existing landscape strip. The existing trees within the landscape strip and the existing trees outside of the landscape strip meet the intent of the ordinance and provides adequate screening for the landscape business and adjacent properties.

2. Variance pursuant to **Section 135-306.B** which requires riparian corridors of 30 feet on each side of any other stream or watercourse, measured from the top of each stream bank, which shall be maintained free of any buildings or structures other than bridges, culverts, and other stormwater management facilities.

There are existing gravel and module storage units which encroach into the 30 feet riparian corridor. The existing encroachment is 2,827 square feet. The request is to encroach 187 square feet into the 30 feet riparian corridor with the proposed building. The proposed building and site improvements will decrease the encroachment to 187 square feet which is a 93.4% decrease from the 2,827 square feet. However, since the existing improvements are not shown on a previously approved plan, the request is

required. The riparian corridor is calculated from the top of embankment of the existing watercourse.

The proposed storage building is adjacent to the existing PPL 100 feet right of way which traverses the property. PPL does not permit buildings within the easement. The location of the storage building allows vehicles to enter the building on the east side and drive thru the west side. It is located away from the existing pole barn and hoop material bins which allows continued vehicular access to these facilities. Lastly, it is located away from an existing topsoil stockpile and plant material storage area. There are existing wetlands and watercourses on the site which are not impacted by the new building.

3. Variance pursuant to **Section 135-86.A** which requires the maximum height shall be 20 feet for an accessory building. The request is for a maximum height of 31 feet for the proposed storage building. The proposed storage building is 30'-10".

The proposed building provides storage for vehicles and equipment. There are 14 feet high doors which provide access due to the height of the vehicles and the trailers pulling equipment. Since the door heights are 14 feet, the resultant space above the doors and the roof height result in a building height of 31 feet. There is adequate space for vehicular access into the building. The storage building complies with all zoning setbacks related to side, front and rear yards. The building is situated more or less central within the property minimizing any impacts to both adjoining residential properties.

The existing building height is 30'-10" which is the same as the proposed building. The existing building provides storage for vehicles and equipment.

### **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.

The landscape business use has existed at the location since 2003. The storage building is within the area of the landscape business. There is existing screening adjacent to the residential uses.

- (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 Hubler Landscaping to better serve the business in its current location.

- (c) The unnecessary hardships described above were not created by the applicant in connection with the proposed improvements. The use existed prior to the current zoning regulations. The current zoning ordinance requires landscape strip requirements based on a 10 foot landscape strip in all yards, residential screening, and certain number of trees based on the 10 foot landscape strip. There are no existing uses for which screening would be effective as it relates to Route 283 to the south. There are no residential uses on the north side of Ridgeview Road North. The existing residential uses on the east and west are screened by the existing trees.
- (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 location of the storage building is the logical location for the business. Currently, there are existing module trailers which will be removed and outside storage will be moved inside. The access to the storage building will be from the existing access drive.
- (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 Hubler Landscaping to construct the site improvements to improve the existing business operations. The special exception and variances would allow the highest and best use of the subject property without compromising the neighboring properties or the character of the neighborhood.



# MOUNT JOY TOWNSHIP

LANCASTER COUNTY, PENNSYLVANIA

April 21, 2010

Jon Hubler  
202 Ridgeview Road North  
Elizabethtown, PA 17022

RE: Zoning Approval for Landscaping Use

Dear Mr. Hubler

This letter is to confirm that the landscaping and tree farm business on your property is a legal use on the property. When the use was established in 2003, the Agricultural zoning district permitted agricultural and agricultural related uses including plant nurseries. It appears that the previous zoning officer interpreted the use as a plant nursery or related use.

The zoning ordinance has been updated since the use was established, the update occurred in 2005. Landscaping is now permitted by special exception. Therefore, if any expansion or alteration is ever proposed for the landscaping and tree farm operation on your property, a special exception pursuant to section 135-228 of the Zoning Ordinance must be requested before an expansion or alteration may occur. I have included said section for your review. Also included is the permit for your sign to advertise the business on your property.

Should you have any questions regarding this letter or the permit for your sign, please do not hesitate to contact me at my office. Thank you..

Sincerely,

Brandon J. Williams  
Zoning Officer  
[brandon@mtjoytwp.org](mailto:brandon@mtjoytwp.org)

# PLOT PLAN

Revised

RECEIVED

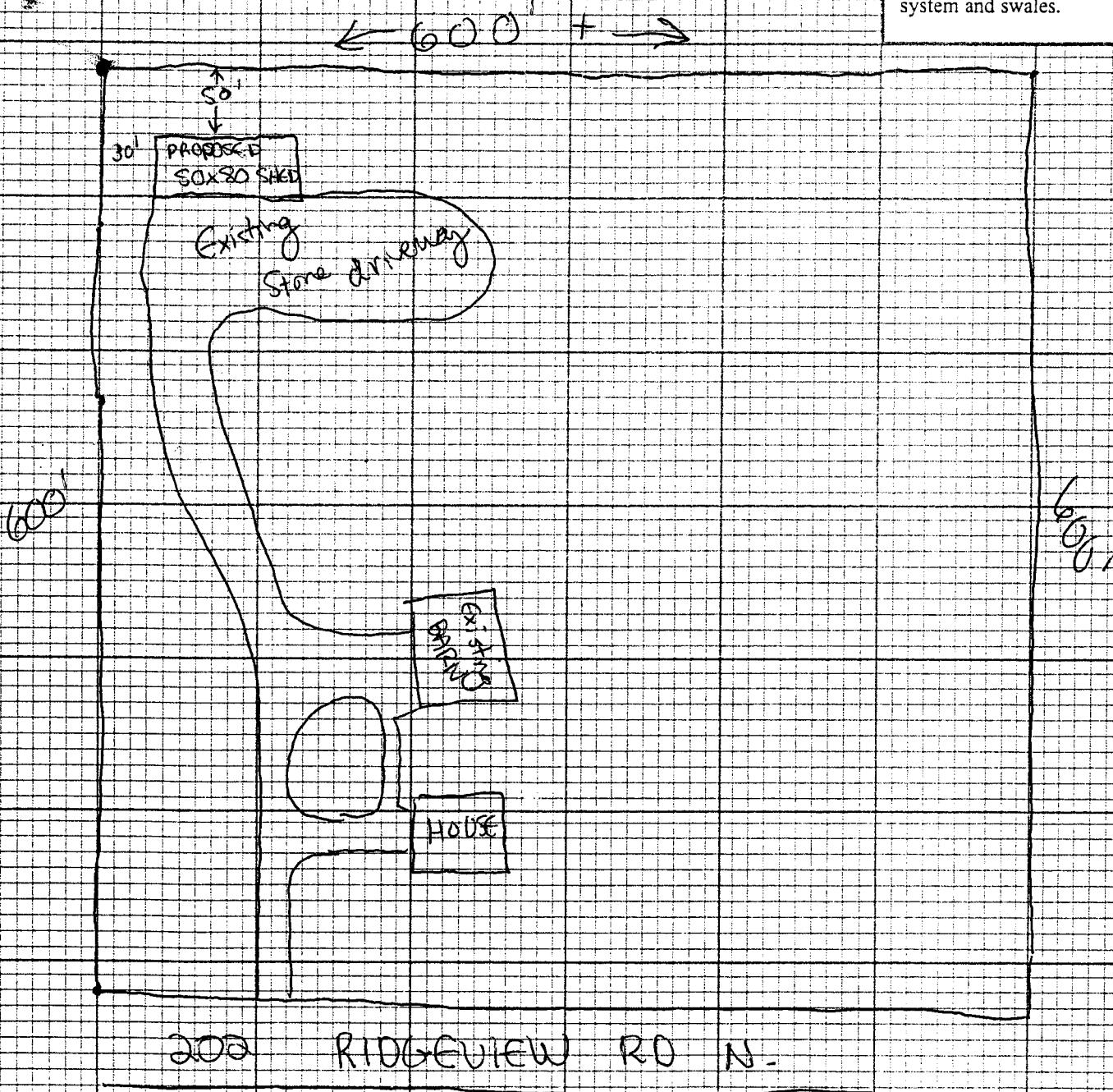
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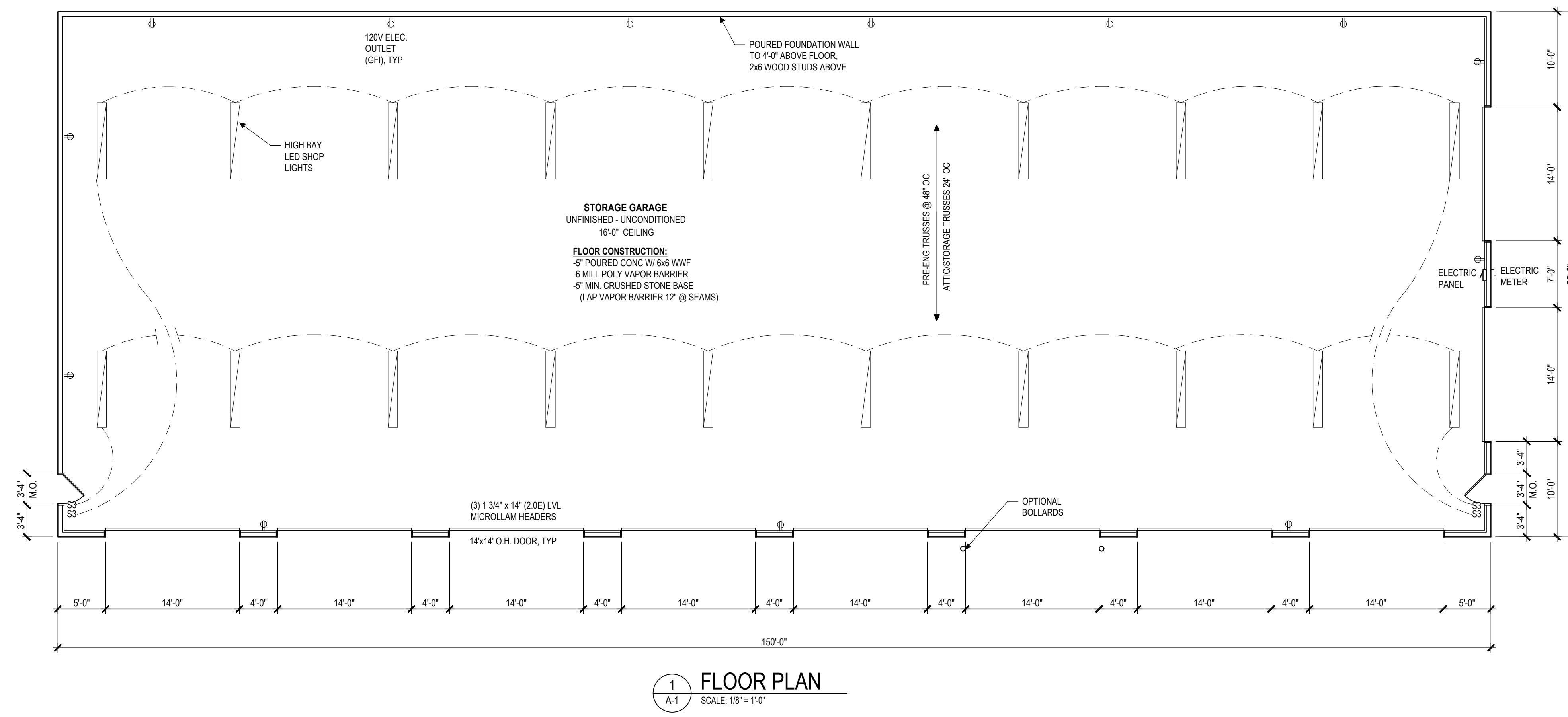
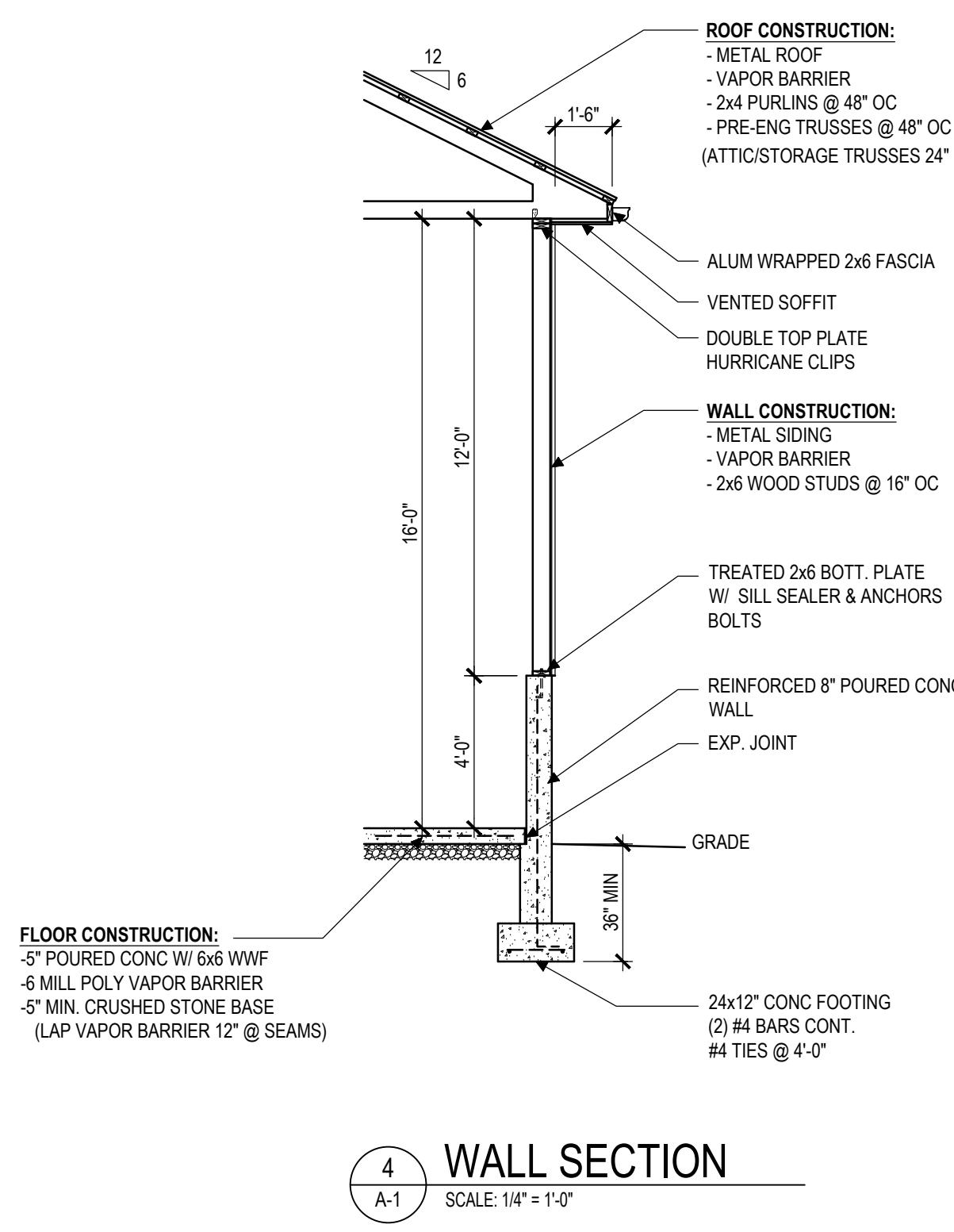
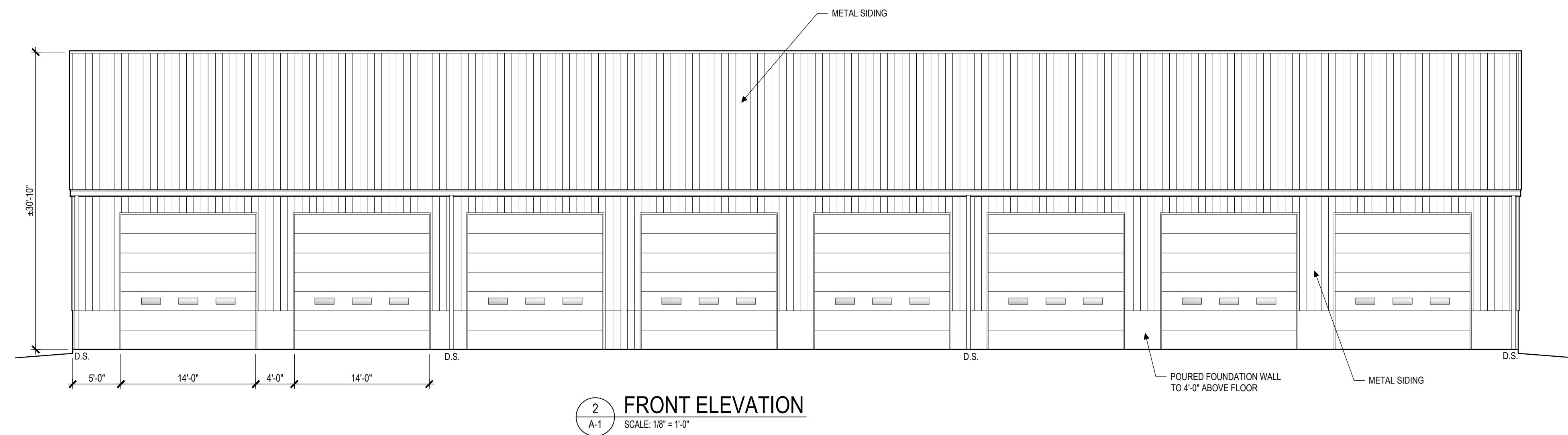
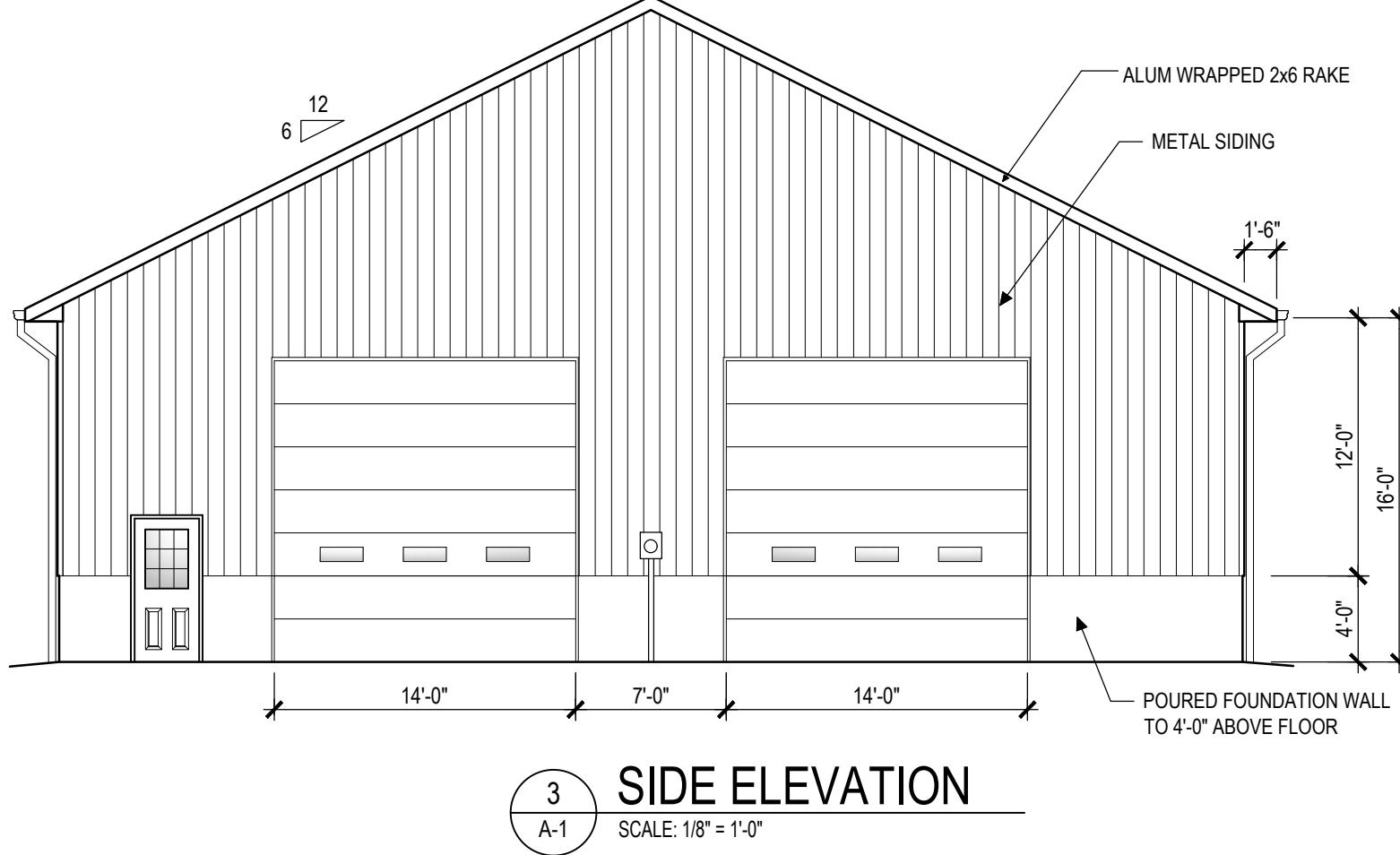
ROUTE 283

MOUNT JOY TOWNSHIP

The following shall be shown on this plot plan:

Size of the lot. (& shape)  
 Location of house on the lot.  
 House dimensions.  
 Width of each side yard.  
 Depth of front yard.  
 Watercourses, flow arrows,  
 berms, terraces, infiltration  
 system and swales.



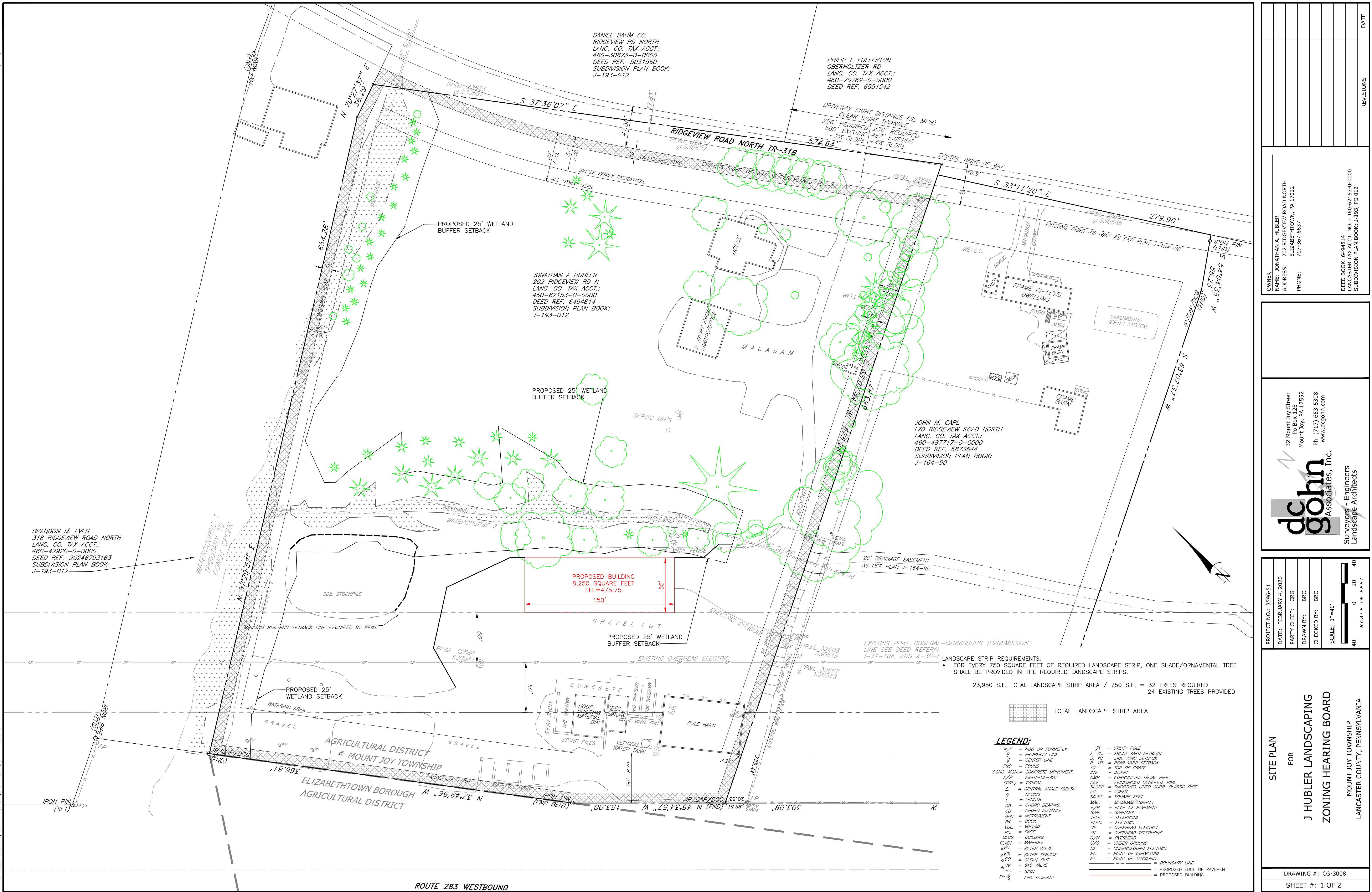


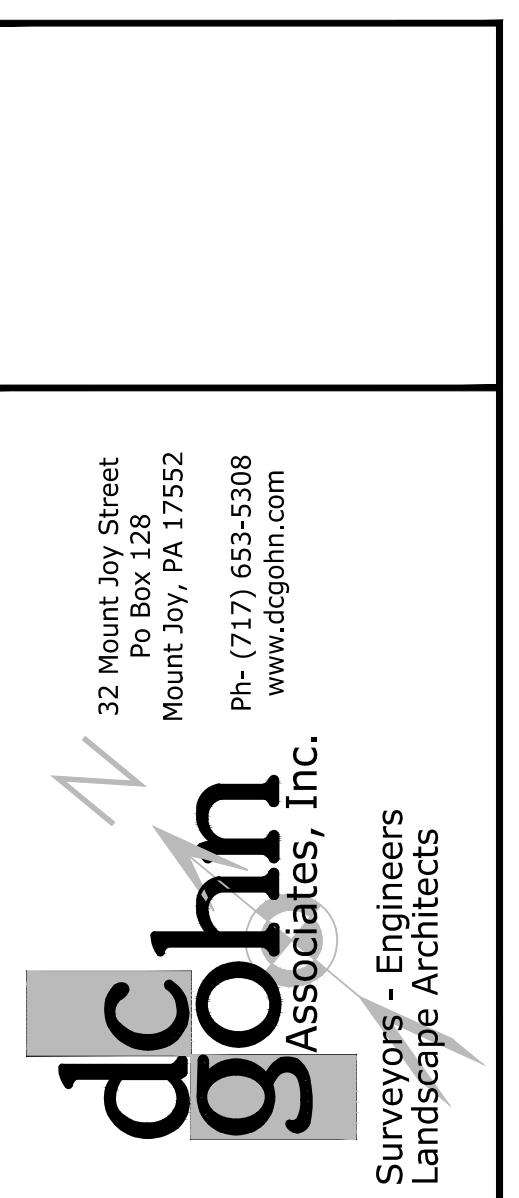
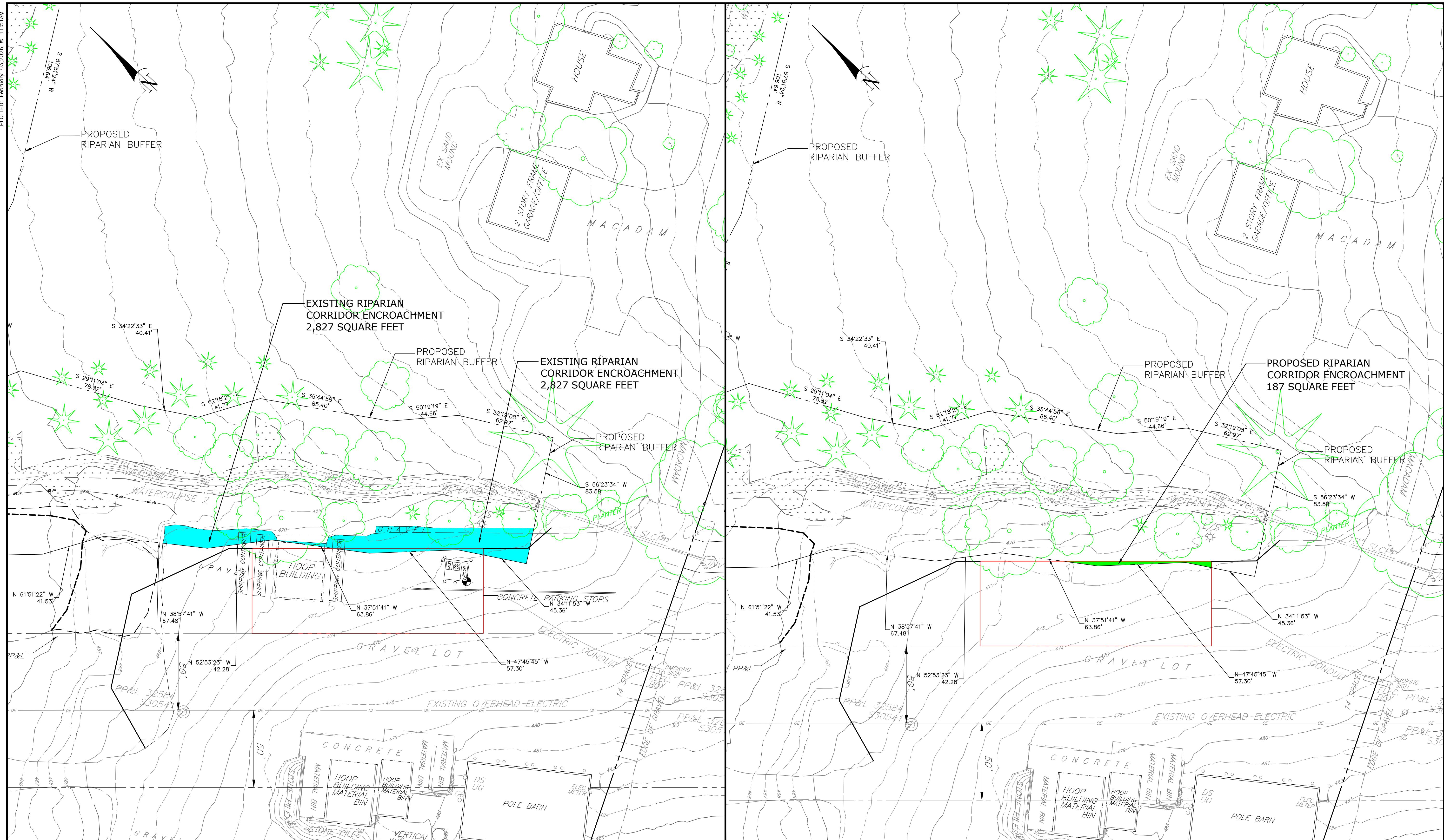
NEW STORAGE BUILDING FOR:  
**INTER LANDSCAPING, INC.**  
202 RIDGEVIEW RD N,  
ELIZABETHTOWN, PA 17022  
MOUNT JOY TOWNSHIP

REVISIONS	
NO.	DATE
DATE:	FEBRUARY 3, 2026
PROJECT NUMBER	NDS 25-18

**A-1**

DWG NO.





PROJECT NO.:	3596-51		
DATE:	FEBRUARY 4, 2026		
PARTY CHIEF:	CRG		
DRAWN BY:	BRC		
CHECKED BY:	BRC		
SCALE:	1"=30'		
			
30'	0	15'	30'
SCALE IN FEET			
RIPARIAN CORRIDOR PLAN			
FOR			
J HUBLER LANDSCAPING			
ZONING HEARING BOARD			
MOUNT JOY TOWNSHIP			
LANCASTER COUNTY, PENNSYLVANIA			
DRAWING #: CG-3008			
SHEET #: 2 OF 2			



# MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022  
717.367.8917 • 717.367.9208 fax  
[www.mtjoytwp.org](http://www.mtjoytwp.org)

February 5, 2026

Certified Mail # 9407 1118 9876 5438 5427 76

Jonathan Hubler  
202 Ridgeview Road North  
Elizabethtown, PA 17022

Re: Proposed Expansion of a Landscaping Business  
Property Located at 202 Ridgeview Road North, Elizabethtown, PA 17022  
Tax Parcel Account #460-62153-0-0000  
Case #260003

Dear Mr. Hubler:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on February 4, 2026. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, March 4, 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 expansion of an existing landscaping business via the construction of an 8,250-sf building. The building will be situated on existing impervious coverage toward the rear of the property. A Stormwater Management Site Plan has been submitted after receiving a Land Development Plan Waiver from the Mount Joy Township Planning Commission on February 24, 2025.
- The subject property is 8.589 acres in size and is located in the (A) Agricultural District. The front portion of the property is used residentially, while the rear portion is used for the landscaping business.
- 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 requests have been made pursuant to Chapter 135:

Special Exception

- (1) Chapter 135, Article IX, §135-83.J & §135-83.L – expansion of a landscaping business with an accessory structure

Variances

- (2) Chapter 135, Article XXIII, §135-299.B(1) & §135-299.B(3) – landscaping requirements
- (3) Chapter 135, Article XXIII, §135-299.C(1) – buffer/screening requirements
- (4) Chapter 135, Article XXIII, §135-306.B – riparian corridor
- (5) Chapter 135, Article IX, §135-86.A – accessory structure height

General criteria for special exceptions and variances are found in §135-383 of the Zoning Ordinance. You have addressed these criteria in the supplemental narrative to your application. Additionally, you may wish to have an attorney present at the hearing to present your case to the Mount Joy Township Zoning Hearing Board.

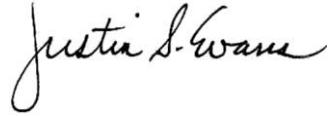
In the event the Mount Joy Township Zoning Hearing Board approves the application, the Township recommends the following conditions be applied to any approvals:

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 the Stormwater Management Site Plan for the project.
3. Applicant shall obtain all applicable permits for the construction of the proposed 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 4, 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: Hubler, Jonathan – First Class Mail  
Brian R. Cooley, DC Gohn Associates – via Email  
MJT Zoning Hearing Board  
File

Enclosures



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