

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 135-85.B.(1); Section 135-85.C.(2); Section 135-86.A

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

See 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 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 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 narrative

7. Certification

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

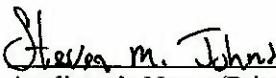
1. The information submitted here in is true and correct to the best of my/our knowledge and upon submittal becomes public record.
2. Fees are not refundable, and payment does not guarantee approval of the Zoning Hearing Board Application.
3. All additional required written graphic materials are attached to this application



Applicant Signature



Date Signed



Applicant's Name (Printed)

Landowner Sign (if different from Applicant)

Date Signed

Landowner's Name (Printed)

NARRATIVE

MOUNT JOY TOWNSHIP ZONING APPLICATION SM&B ENTERPRISES LLC – FAIRVIEW ROAD

The subject property is located along the south side Fairview Road, immediately east of unimproved Pleasure Road, Mount Joy, PA. The property consists of agricultural lands and wooded areas. The property is adjacent to the Weidman property to the west, Florin Hill residential development to the south, Stauffer property to the north, and the Wolgemuth property to the east. The subject property is identified as Lancaster County Tax Account Number 461-125566-0-0000 and Deed Instrument Number 20250047368. The property is currently located in the A Agricultural zoning district. The total property is 18.472 gross acres and 17.540 net acres.

SM&B Enterprises LLC is proposing to subdivide the existing property into 3 single family lots. Each lot will contain a single-family house, driveway, garage, separate garage, and sidewalks. Lot 1 will also be improved with a pool and patio. There is a private street proposed to provide access to all 3 lots from Fairview Road.

In order for SM&B Enterprises LLC to move forward with the proposed site improvements, we are respectfully requesting the following zoning relief, described in greater detail below.

VARIANCES

1. Variance pursuant to **Section 135-85.B.(1)** which indicates that the creation of new lots from parent tracts or erection of single-family dwellings or other principal nonagricultural buildings on existing tracts shall be limited in accordance with the following requirements:

Size of Tract of Land (acres) On the Parent Tract	Number of Lots, Single Family Detached Dwellings, Other Principal Nonagricultural Buildings Permitted
2 but less than 30 acres	1
30 but less than 60 acres	2
60 but less than 90 acres	3
90 but less than 120 acres	4

The existing property is 18.42 acres which permits 1 lot, single family detached dwelling, or other principal, nonagricultural building. The property is one single lot and there are no existing dwellings. The request is to subdivide the existing tract of land into 3 single family lots.

There was a Minor Subdivision Plan for Edward and Joy Sumpman, recorded as 2012-0024-J, which subdivided the existing subject property from the overall property. The plan indicates the subject property as Lot 2 and the remaining property as Lot 1. Lot 1 contains 98.55 acres and Lot 2 contains 18.42 acres. Per the Minor Subdivision Plan, the

Lancaster County Records indicate that an Agricultural Conservation Easement has been granted to the Lancaster County Agricultural Preserve Board to agriculturally preserve the portion of the real property depicted as Lot 1 on the recorded plan. **Lot 2 is not subject to the Agricultural Conservation Easement.**

The Minor Subdivision Plan indicated that the minor subdivision counted toward one subdivision right of the four subdivision rights remaining with the parent tract of the land. All remaining subdivision rights are allocated to Lot 2.

Prior to the Minor Subdivision Plan, the existing property contained 116.97 acres. Based on the zoning ordinance requirements, the property was permitted 4 subdivision rights for properties between 90 acres but less than 120 acres. The subdivision of Lot 1 and Lot 2 created the resultant lot areas. The subdivision was based on the two properties being separated from Fairview Road which is a public street which existed prior to the subdivision. Since Lot 1 is now subject to the Agricultural Conservation Easement, all remaining subdivision rights are allocated to Lot 2. The resultant lot area for Lot 2 is 18.42 which permits 1 subdivision right per the ordinance. However, the subdivision plan allocated the remaining subdivision rights to Lot 2 which is reflected on the proposed subdivision as part of this application.

2. Variance pursuant to **Section 135-85.C.(2)** which requires the maximum lot area for each single-family dwelling shall be 2.5 acres. The request is for Proposed Lot 1 to exceed the 2.5 acres. Proposed Lot 2 and Proposed Lot 3 meet the minimum lot area of 1 acre and maximum lot area of 2.5 acre requirements.

The subject property total lot area is 18.42 acres which is a result of a Minor Subdivision Plan for Edward and Joy Sumpman, recorded as 2012-0024-J, which subdivided the existing subject property from the overall property. There are 3 subdivision rights allocated to the subject property from the subdivision plan. The owner is proposing 3 single family lots. Proposed Lot 1 contains a single family house and associated improvements with a lot area of 14.238 acres. Proposed Lot 2 contains a single family house and associated improvements with a lot area of 1.52 acres. Proposed Lot 3 contains a single family house and associated improvements with a lot area of 1.51 acres.

Proposed Lot 1 contains a lot area greater than 2.5 acres for a single family dwelling. The lot is the remaining acreage of the subdivision. The proposed subdivision utilizes 2 of the 3 allocated subdivision rights from the previous subdivision plan.

The owner proposes to connect to public water and public sewer. As a result, the lot areas shown are not required for on lot water or sewer.

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 25 feet for the accessory garages on each lot.

The owners intend to store larger motorized vehicles such as RV's, boats, and other vehicles which require a garage height of 12 feet to 14 feet. Due to the increased garage door height for access, the roof height increases which increases the total height to a maximum height of 25 feet. There is adequate space for vehicular access into the garages. It is the intent to store these items inside as they are protected from the weather as they are not used daily. They also require electrical service which is supplied inside. The garages comply with all zoning setbacks.

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 subdivision plan created the subject property and allocated the 3 subdivision rights. The subdivision was based on Fairview Road bisecting the property. Fairview Road is a public street which existing prior to the subdivision. The result lot area for Lot 2 is 18.42 acres which is a result of the subdivision.

- (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 SM&B Enterprises LLC.
- (c) The unnecessary hardships described above were not created by the applicant in connection with the proposed improvements. The subdivision plan created Lot 2 with a lot area of 18.42 acres. The total property prior to the subdivision was 116.97 acres which allowed for 4 total subdivision rights. Lot 1 is part of the Agricultural Conservation Easement. The proposed subdivision plan reflects the use of 2 of the 3 subdivision rights on Lot 2.
- (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 3 single family dwellings are located toward the middle of the property. There are no existing agricultural or farm dwellings on the adjacent properties to the west or east which would be impacted. The single family use is consistent with the Florin Hill development to the south which consists of single family dwellings. The development does not alter the essential character of the neighborhood or district, does not substantially or permanently impair the appropriate use of development of adjacent property nor be detrimental to the public welfare.

- (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.

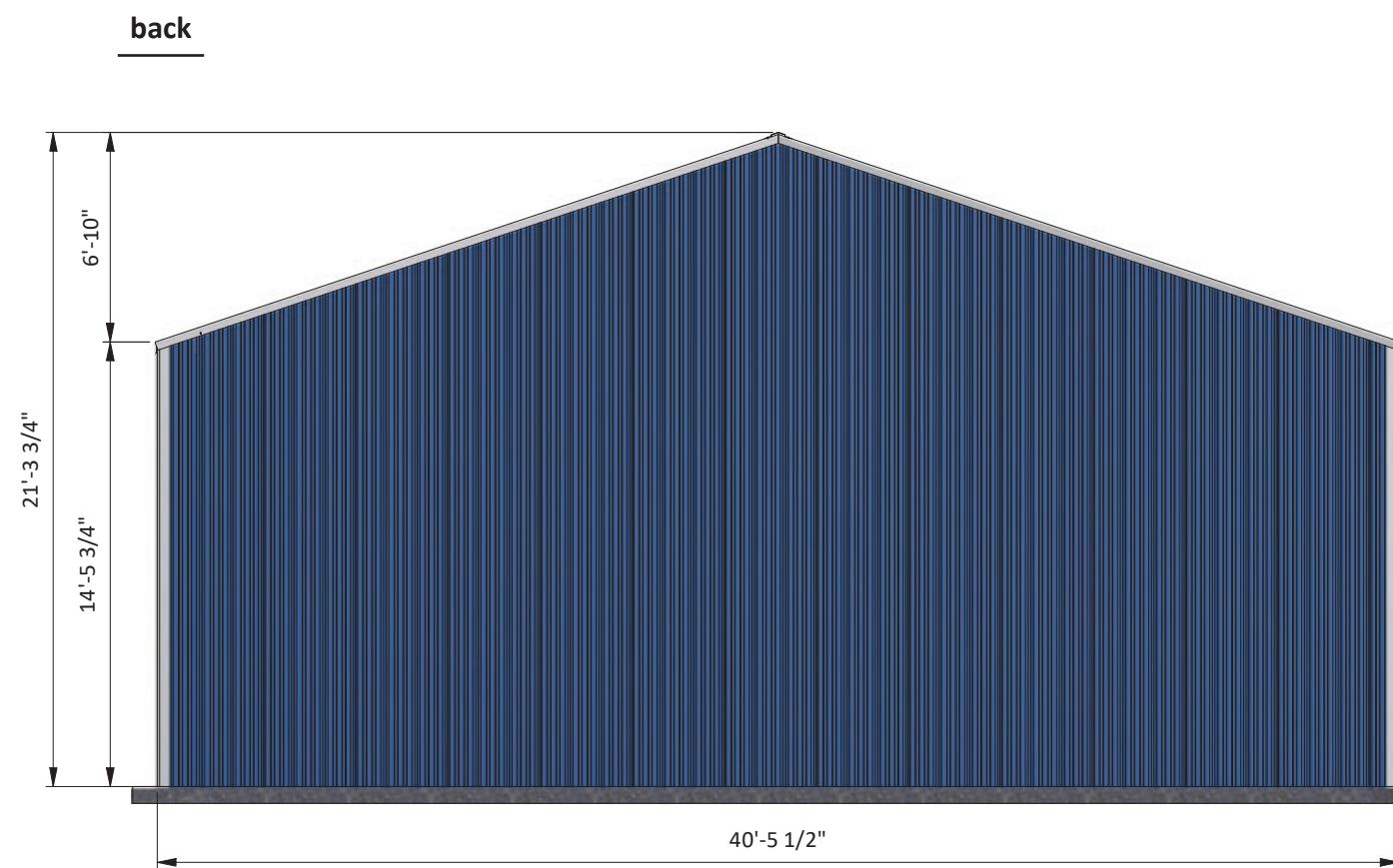
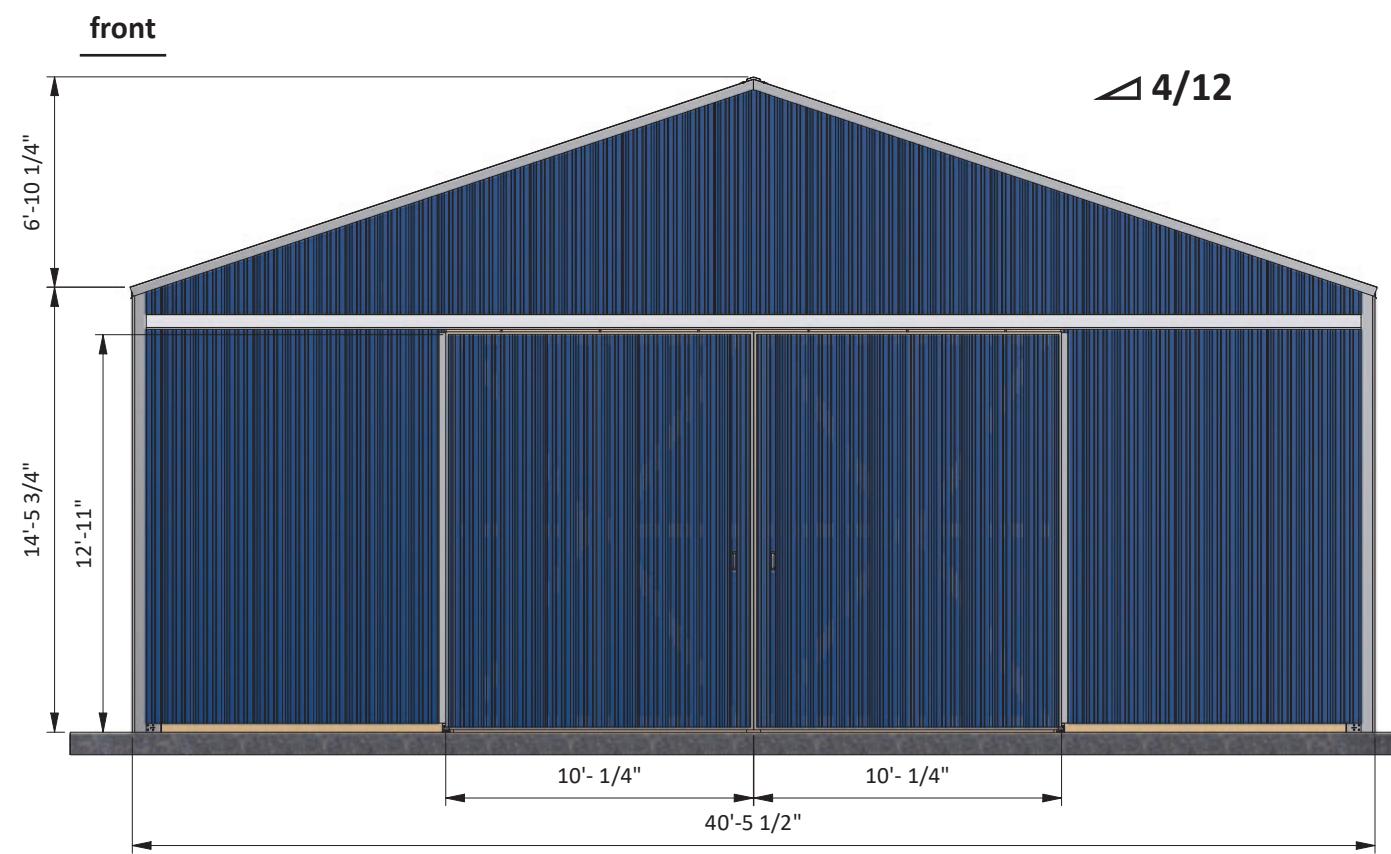
CONCLUSION

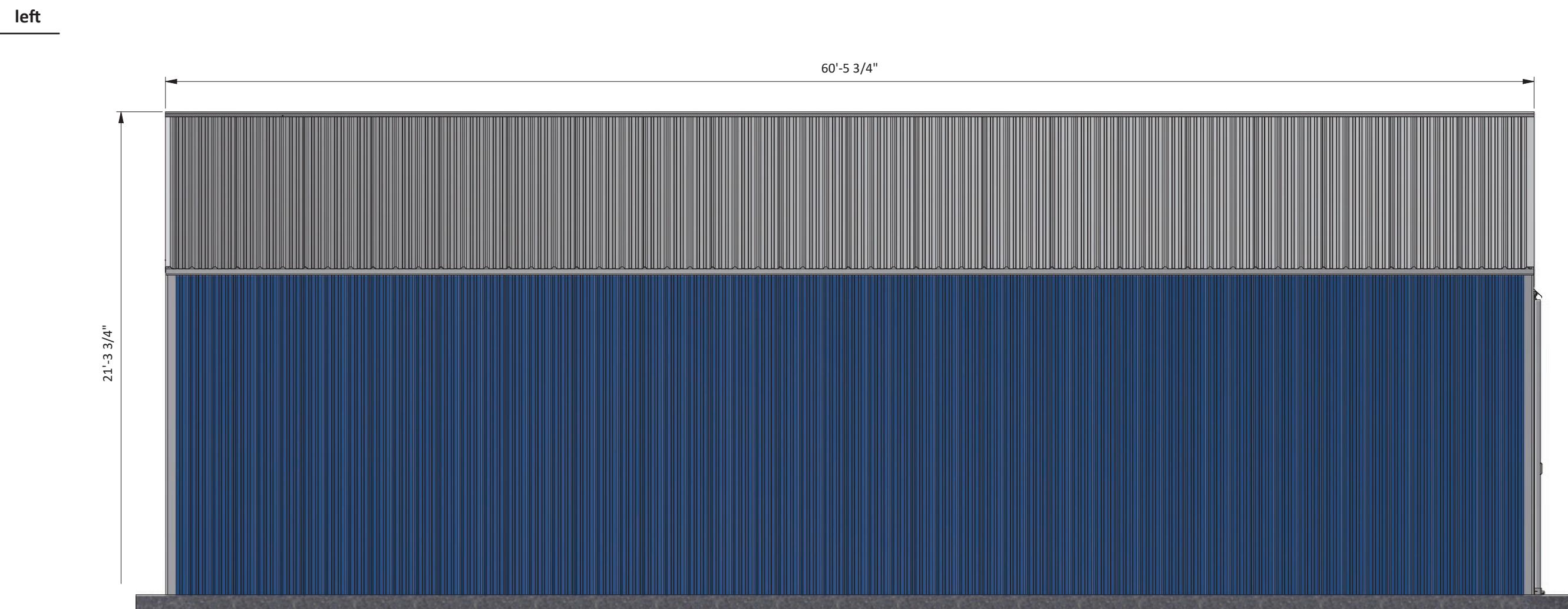
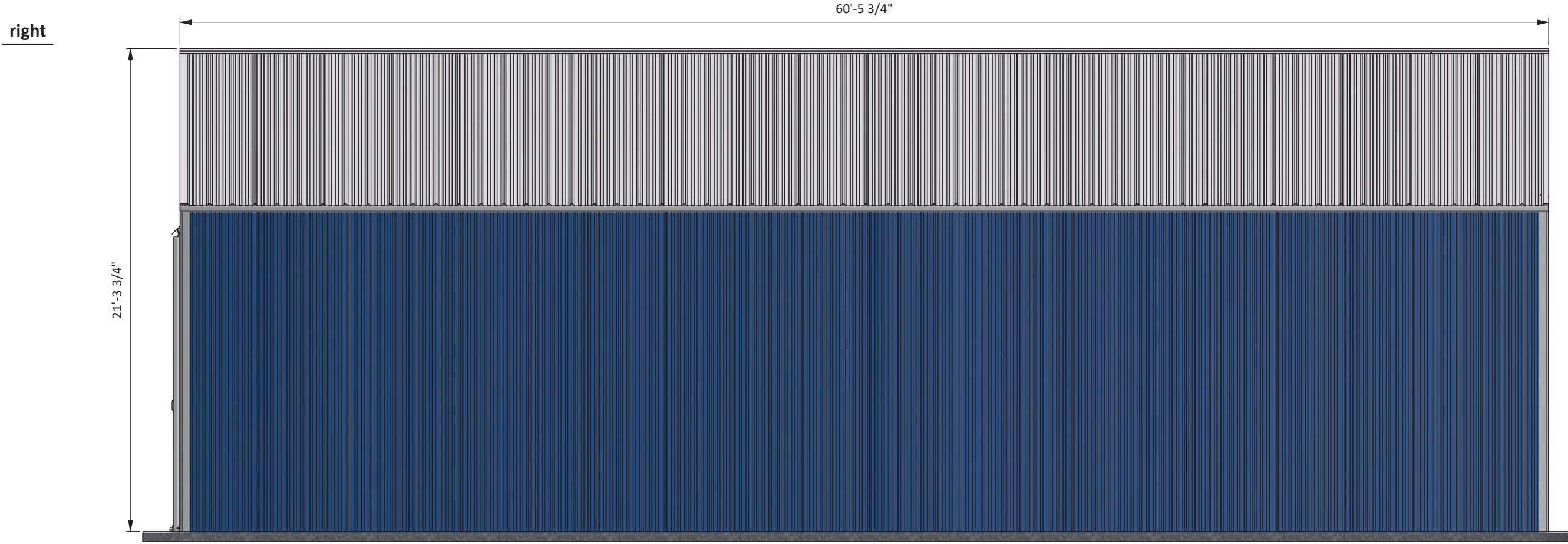
In conclusion, based on the information set forth above, we respectfully request that the Mount Joy Township Zoning Hearing Board grant the requested relief, which will enable SM&B Enterprises LLC to construct the site improvements.



Free 40' x 60' Pole Barn Plan

Size & Dimensions





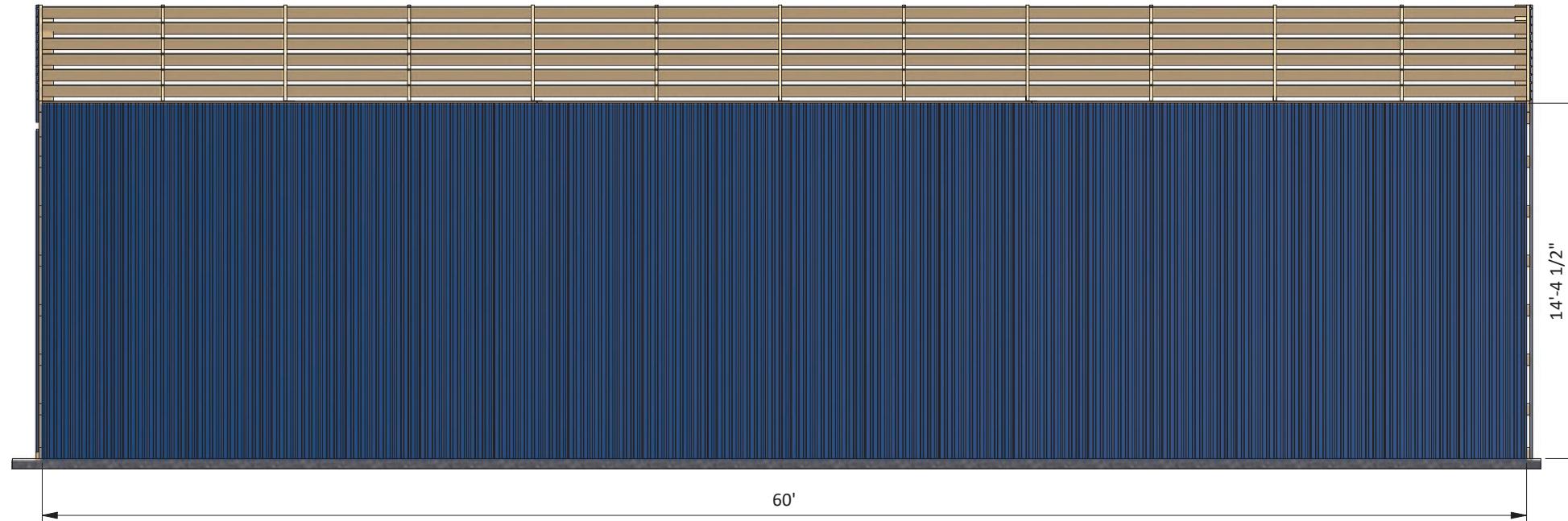
STEP 5

Wall Sheathing Installation

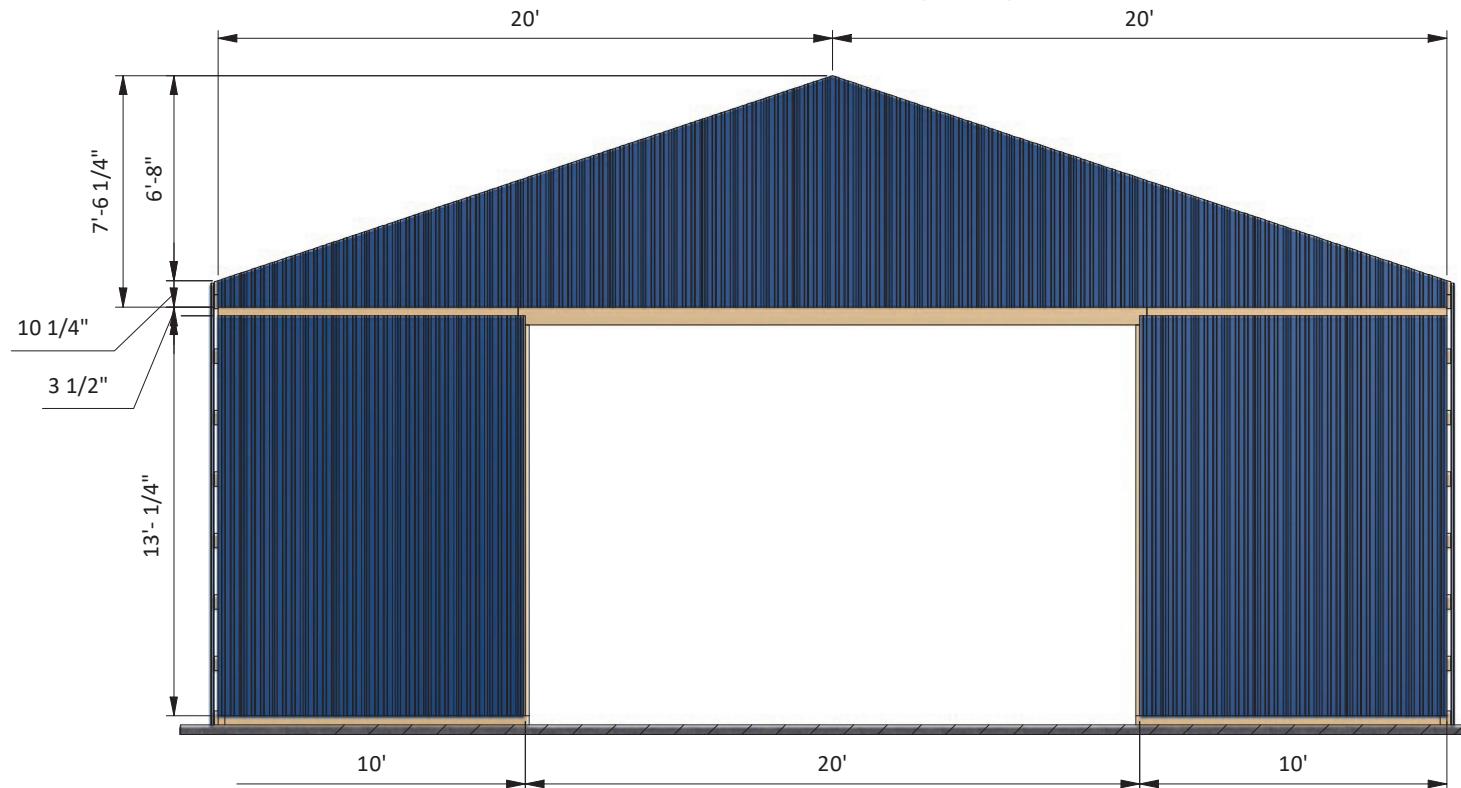
5.1 Install the corrugated metal wall panels to the wall frames, you will need 3000 square feet. Leave the free space on the front wall for the door hangers

5.2 Secure all elements with #9 x 1-1/2" and #9 x 2 1/2" screws.

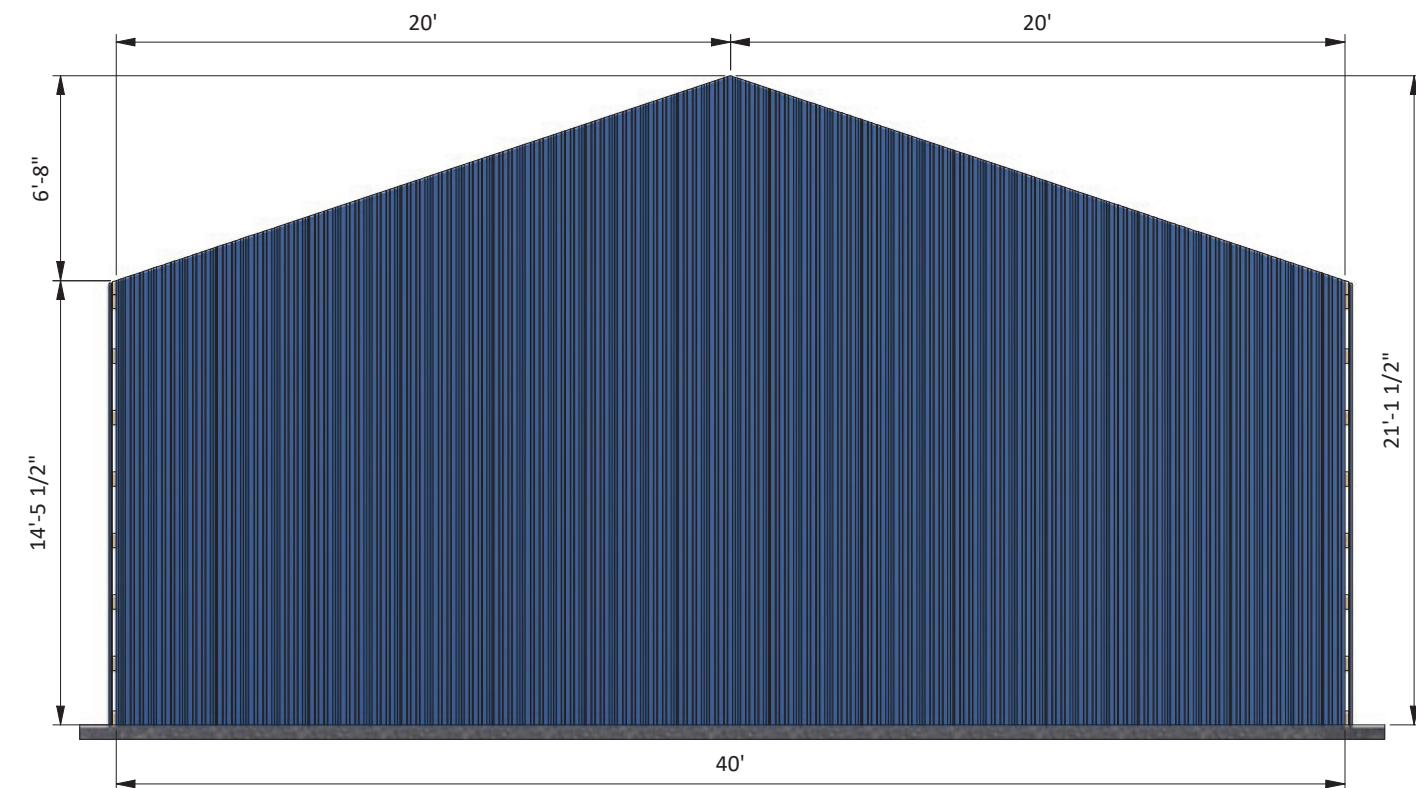
Side walls (1 : 75)



Front wall (1 : 75)



Back wall (1 : 75)



STEP 6

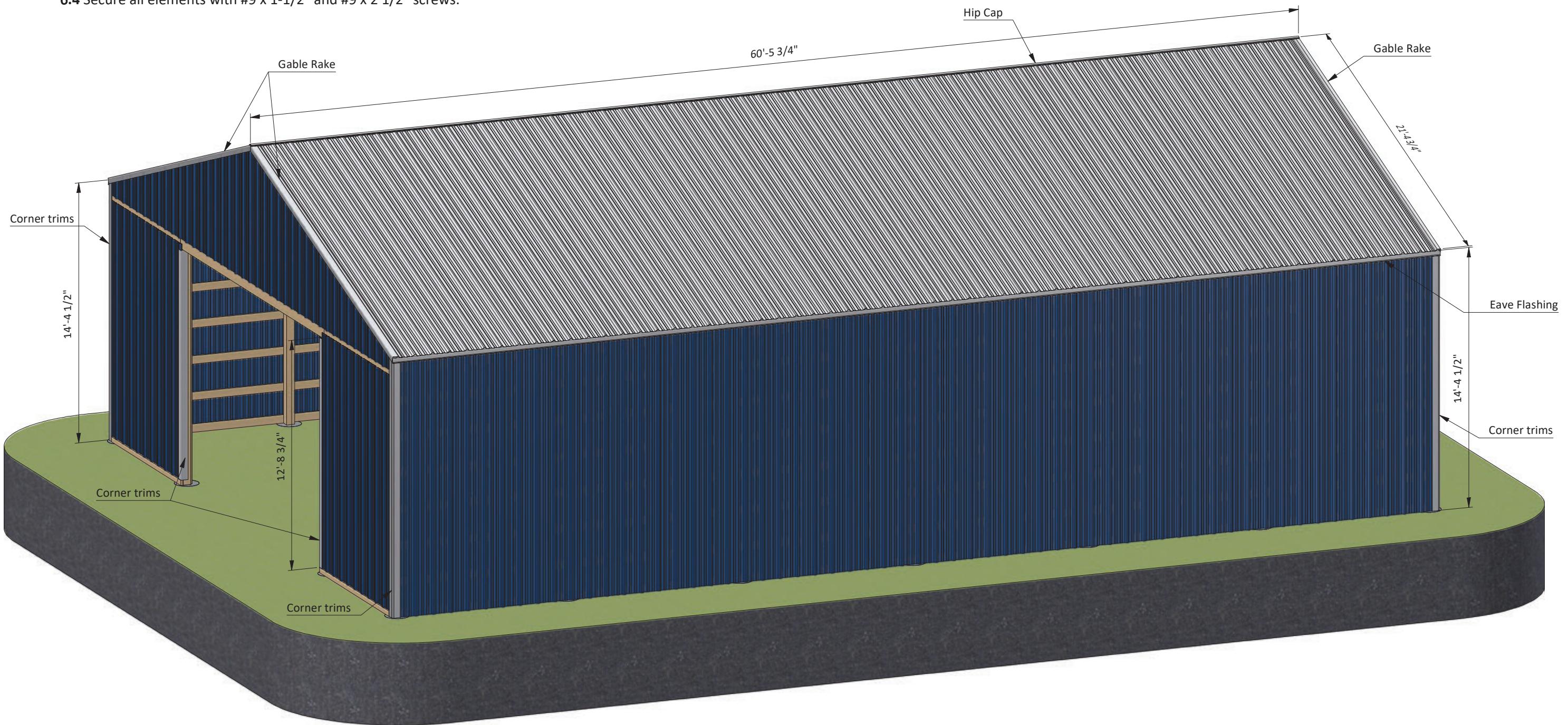
Roof Sheathing Installation

6.1 Assemble the corrugated metal roof panels, you will need 2600 square feet.

6.2 Fit the eaves flashing to cover the fascias. Install metal panels. Cover the side edges with gable raking. Finally, install the Hip Cap on the top ridge to finish the assembly. See the nodes below for installation details.

6.3 Finalize the installation process with trims for the corners and door opening.

6.4 Secure all elements with #9 x 1-1/2" and #9 x 2 1/2" screws.



"Prepared By"

Terri Michael

This Document Recorded
05/08/2008
03:57PM
Doc Code: 45 Lancaster County, Recorder of Deeds Office

Doc Id: 5704809
Receipt #: 790606
Rec Fee: 0.50
Recorder of Deeds Office

"Return To"

Terri Michael
461-99606-0-0000

UPI#



5704809
Page: 1 of 6
05/08/2008 03:57PM

AGRICULTURAL SECURITY AREA DECLARATION

Declaration of Grantors to ADD Land, ESTABLISH
in the Township of Shawnee for joy ("Grantee")

an Agricultural Security Area (ASA) CORRECT Previously Recorded Data

11. NOTICE I previously Recorded Declaration

DATE: 8-34-07

Landowner's/Grantor's Signature & Printed Name	Mailing Address	Acres	Account Number (or Map Block Lot Number)	Property Deed Book/Page (Document ID No.)
---------------------------------------------------	-----------------	-------	------------------------------------------------	-------------------------------------------------

Edward R. Lempkman 991 Fairview Rd 116.58 461-99606-00000 05503921

Edward R. Sumpman

2057-032

IMPORTANT: THE TOWNSHIP MUST RECEIVE DECLARATION VIA CERTIFIED MAIL. ALL LANDOWNERS LISTED ON PROPERTY DECED MUST ALSO BE IDENTIFIED ON THIS DECLARATION AND THEIR SIGNATURES MUST ACCOMPANY THEIR PRINTED OR TYPED NAMES.

the provisions of Pennsylvania law, Act 149. The effects of the proposed Agricultural Security Area are:

1. The Township Supervisors would agree to support agriculture by not passing laws, which restrict normal farming operations.
2. Limitations would be placed on the ability of government to condemn farmland for highway, parks, schools, etc.
3. Farmland preservation options would be available to landowners on a voluntary basis.

STANDARD PROCEDURE

1. Landowners submit a declaration (petition) to the Township via certified mail to establish or add their land to the Township's Agricultural Security Area (ASA). The declaration must include all landowners' signatures, addresses, acres, account numbers and property deed (Bk/Pg., Document ID) numbers that correspond to the subject property.
2. If the proposed property contains land in more than one township, a declaration to add or establish an ASA must be submitted to each township involved.
3. The Township Supervisors acknowledge the receipt of the declaration at their next regularly scheduled meeting. The Township should post five notices in conspicuous places stating that the declaration to form or add to an ASA has been received. Public notices should include the following:
 - The declaration has been filed pursuant to Act 43, as amended, Section 9.
 - The proposal will be on file and open to public inspection at the Township office.
 - Any local government unit or adjacent or nearby landowner to the proposed ASA who wants additional lands to be included or the proposed lands to not be included, may submit modifications and/or objections within 15 days of the date of the publication of the notice.
 - At the end of 15 days the proposed area(s) and submitted modifications go to the local Planning Commission and ASA Advisory Committee for review.
4. The Planning Commission and ASA Advisory Committee have 45 days to make recommendations to the Supervisors on whether or not the proposed area or additions and any modification should be approved.

After receiving confirmation that the declaration has been approved, either by action or no action after 180 days, the Agricultural Preserve Board will record an Agricultural Security Area Declaration with the original declaration in the Lancaster County Recorder of Deeds Office. The original recorded document will be sent to the Township and the landowner will receive a copy. Within 10 days of adoption, the ASA proposal/Addition must be recorded at the Recorder of Deeds Office. Within 10 days of recording the ASA proposal/Addition the Secretary of Agriculture must be notified.

**DECLARATION OF GRANTORS TO ADD LAND or ESTABLISH AN AGRICULTURAL
SECURITY AREA (ASA) IN
MOUNT JOY TOWNSHIP ("Grantee")**

I, Terri L. Michael, Administrative Assistant, Lancaster County Agricultural Preserve Board, 50 North Duke Street, Lancaster, PA 17608-3480 file this Declaration pursuant to 21 P.S. 451 et seq., (Act of November 5, 1981, 1981 P.L. 328 No. 118) to describe an Agricultural Security Area established in Mount Joy Township, Lancaster County, Pennsylvania.

Affiant, having first been AFFIRMED according to law, deposes and states that:

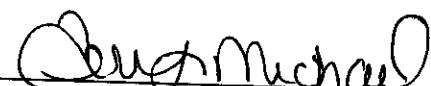
1. I am Terri L. Michael;
2. I am an employee of the Lancaster County Agricultural Preserve Board, 50 North Duke Street, Lancaster, PA 17608-3480;
3. On October 5, 2007 the Board of Supervisors of the Township of Mount Joy ("Grantee") received a petition to add land to the already established Agricultural Security Area or to establish an Agricultural Security Area. The petition was submitted by certified mail pursuant to the procedures set forth in the Agricultural Area Security Law, Act of June 30, 1981, P.L. 128, No. 43, as amended, Section 9.
4. *More than 180 days have passed since the receipt of the petition by the Supervisors of Mount Joy Township.*
5. The description of the said addition to the Agricultural Security Area is attached as the first page hereto showing the owners of the parcels of land to be included in the Agricultural Security Area ("Grantors"), the deed references, tax parcel identification numbers, and approximate number of acres.

6. This Declaration is filed to record the Agricultural Security Area in the Township of Mount Joy, Lancaster County, Pennsylvania.
7. I have personal knowledge of, or have examined official records, which record the actions referred to herein.

IN WITNESS WHEREOF, I have placed by hand and seal this 8 day of May, 2008



Witness



Agricultural Preserve Board

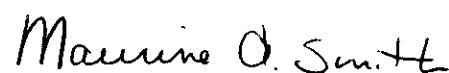
COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF LANCASTER)

) SS:
)

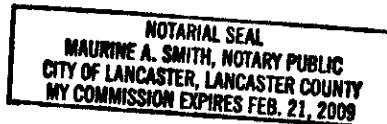
ON THIS, the 8th day of May, 2008, before me, the undersigned Notary Public, personally appeared Terri L. Michael known to me (or satisfactorily proven) to be the person or persons whose names are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial seal.



Notary Public

Enc: Original Petition



461-99606-0-0000; GIS Acres 116.58

10/3/2007

Not guaranteed to be accurate and is a visual reflection of land as it is related to the account number and/or deed reference.

From: edsumpman@windstream.net <edsumpman@windstream.net>
Sent: Friday, January 30, 2026 10:23 AM
To: steve@smjohns.com
Subject: sumpman property

To whom it may concern,

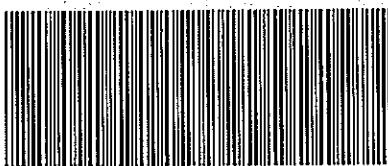
This is in reference to the property on Fairview Road, Mount Joy sold from the Sumpman estate. I, Edward Sumpman, am unaware of any nutrient management plan or conservation plan for that property.

Edward Sumpman

Lancaster County
Bonnie L.Bowman
Recorder of Deeds
150 N. Queen St.
Suite 315
Lancaster, PA 17603
Phone: 717-299-8238
Fax: 717-299-8393



INSTRUMENT # : 2012-0024-J
RECORDED DATE: 01/31/2012 01:30:30 PM



3260921-0006M

LANCASTER COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 5

Document Type: SUBDIVISION PLANS & OTHER PLANS **Transaction #:** 3219920 - 1 Doc(s)
Transaction Reference:
Document Reference:

RETURN TO: ()

**PLEASE NOTE: Recorded documents with completed
Cover Pages are returned via email to the email address(es)
Identified above.

DAVID MILLER ASSOCIATES INC

SUBMITTED BY: ()

DAVID MILLER ASSOCIATES INC

LANCASTER COUNTY ROD BONNIE L. BOWMAN

SUBDIVISION PLANS & OTHER PLANS

2012-0024-J 01/31/2012 01:30:30 PM

RCD Fees: \$21.00 Taxes: \$0.00 Page 1 of 5

*** PROPERTY DATA:**

Parcel ID #:

Municipality:

School District:

*** ASSOCIATED DOCUMENT(S):**

FEES / TAXES:

RECORDING FEE: SUBDIVISION	
PLANS & OTHER PLANS	\$9.50
CRC #6544	\$2.00
RIF #6543	\$3.00
WRIT TAX	\$0.50
EXTRA PAGE FEE	\$6.00
Total:	\$21.00

INSTRUMENT # : 2012-0024-J
RECORDED DATE: 01/31/2012 01:30:30 PM

I hereby CERTIFY that this document is
recorded in the Recorder of Deeds Office in
Lancaster County, Pennsylvania.



Bonnie L. Bowman

Bonnie L. Bowman
Recorder of Deeds

PLEASE DO NOT DETACH
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always controls.

*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT AFTER RECORDING FOR ADDITIONAL
INFORMATION

Prepared by: Lancaster County Planning Commission

Return to: DAVID MILLER ASSOCIATES, INC.
1076 CENTERVILLE ROAD
LANCASTER PA 17601

District #:

461

LANCASTER COUNTY ROD BONNIE L. BOWMAN

SUBDIVISION PLANS & OTHER PLANS

2012-0024-J 01/31/2012 01:30:30 PM

RCD Fees: \$21.00 Taxes: \$0.00 Page 2 of 5



Re: LCPC File #: 11-58

A request to review the plan identified below was received by the Lancaster County Planning Commission on November 21, 2011. **IMPORTANT NOTE:** According to County records, the subject property for which application has been made may be enrolled in the Act 319 (**Clean and Green**) preferential assessment program. Any questions about how this may affect the proposed plan should be directed to the Lancaster County Assessment Office by calling (717) 299-8381.

Plan Name: Edward & Joy Sumpman

Application Classification: Minor Subdivision

Municipality: Mount Joy Township

Project Location: North & south sides of Fairview Rd, south of Rt 283, east of Snyder Road

Proposed Use: Agricultural/Residential

Number of Lots/Units: 2/1

Total Acreage: 116.97

Property Owner(s): Edward & Joy Sumpman
991 Fairview Road Mount Joy, PA 17552

Certified for Recording by:



Patricia K. Baker
Senior Community Planner

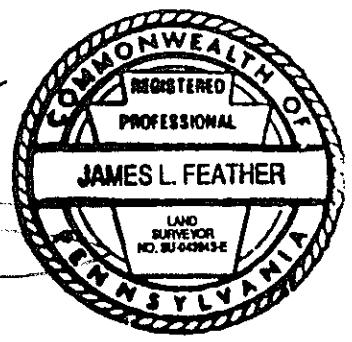
FPB\PK\fs

CERTIFICATES

CERTIFICATION OF ACCURACY

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE SURVEY SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY CHAPTER 119, SUBDIVISION AND LAND DEVELOPMENT.
FOR DAVID MILLER/ASSOCIATES, INC.

1/10, 2012



CERTIFICATION OF PLAN ACCURACY

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY CHAPTER 119, SUBDIVISION AND LAND DEVELOPMENT.

1/10, 2012



LANCASTER COUNTY PLANNING COMMISSION'S ACCEPTANCE CERTIFICATE FOR PLAN REVIEWED UNDER ARTICLE V SECTION 502(b) AND MEMORANDUM OF UNDERSTANDING BETWEEN THE LANCASTER COUNTY PLANNING COMMISSION, COUNTY OF LANCASTER, PENNSYLVANIA, AND MOUNT JOY TOWNSHIP

THIS PLAN, BEARING LPCP FILE NO. 11-58, ACCEPTED BY THE LANCASTER COUNTY PLANNING COMMISSION THIS 21 DAY OF

Chairperson

Vice Chairperson

MOUNT JOY TOWNSHIP PLANNING COMMISSION'S FINAL PLAN APPROVAL CERTIFICATE

AT A MEETING HELD ON January 23, 2012, THE MOUNT JOY TOWNSHIP PLANNING COMMISSION APPROVED THIS PROJECT, INCLUDING THE COMPLETE SET OF PLANS AND INFORMATION WHICH ARE FILED WITH THE COMMISSION IN MOUNT JOY PLANNING COMMISSION FILE NO. 2011-05, BASED UPON ITS CONFORMITY WITH THE STANDARDS OF THE MOUNT JOY TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

Chairman
(PRINTED NAME) (TITLE)

Vice-Chairman
(PRINTED NAME) (TITLE)

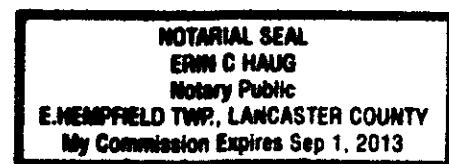
Secretary
Mount Joy Township

CERTIFICATE OF OWNERSHIP, ACKNOWLEDGMENT OF PLAN AND OFFER OF DEDICATION (INDIVIDUAL)

COMMONWEALTH OF PENNSYLVANIA

ON THIS THE 13 DAY OF JANUARY, 2012, BEFORE ME THE UNDERSIGNED OFFICER, PERSONALLY APPEARED EDWARD R. SUMPMAN WHO BEING DULY SWORN ACCORDING TO LAW, DEPOSES AND SAYS THAT HE IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN THEREIN WAS MADE AT HIS DIRECTION, THAT HE ACKNOWLEDGES THE SAME TO BE HIS ACT AND THAT HE HAS READ AND UNDERSTOOD THE PLAN, AND THAT ALL STREETS AND OTHER PROPERTY IDENTIFIED AS PROPOSED PUBLIC PROPERTY (EXCEPTING THOSE AREAS LABELED "NOT FOR DEDICATION") ARE HEREBY DEDICATED TO THE PUBLIC USE.

NOTARY PUBLIC



MINOR SUBDIVISION PLAN FOR EDWARD AND JOY SUMPMAN

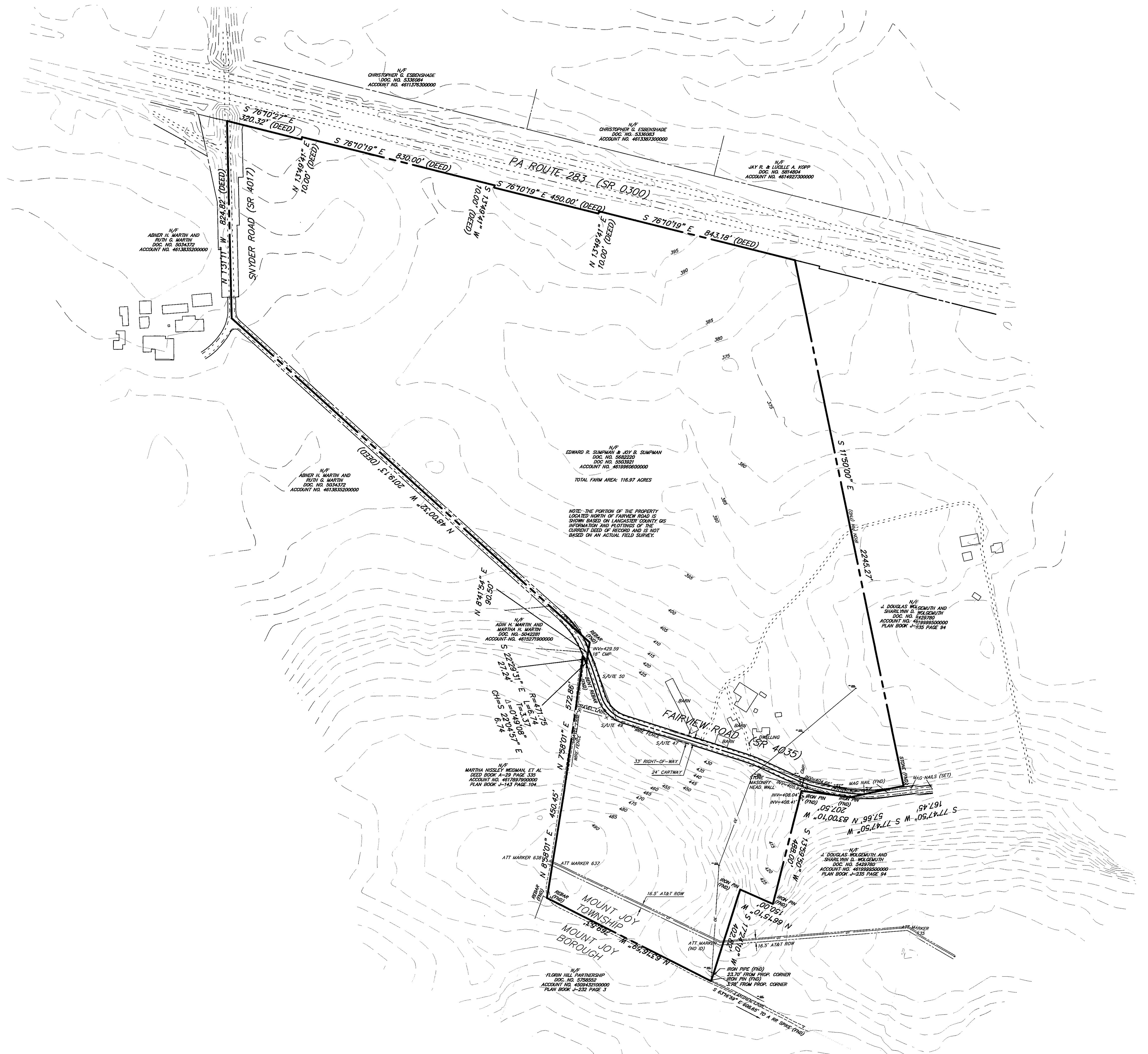
MOUNT JOY TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA

NOTES

GENERAL DESIGN NOTES

1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE THE FARM INTO TWO PROPERTIES.
2. BOUNDARY SURVEY OF LOT 2 PREPARED BY DAVID MILLER/ ASSOCIATES, INC. SURVEY COMPLETED ON OCTOBER 12, 2010.
3. DEVELOPER SHALL ENGAGE THE SERVICES OF A PROFESSIONAL LAND SURVEYOR TO PLACE PERMANENT MARKERS AS SHOWN ON THE PLAN FOLLOWING PLAN RECORDATION.
4. PERMANENT MARKERS SHALL BE ACCURATELY PLACED AS SHOWN ON THE PLAN AND IN ACCORDANCE WITH MOUNT JOY TOWNSHIP CHAPTER 119-35 REQUIREMENTS FOLLOWING APPROVAL OF THE FINAL SUBDIVISION PLAN.
5. ANY REVISIONS TO THIS PLAN AFTER THE DATE OF PLAN PREPARATION OR THE LATEST REVISION SHALL NOT BE THE RESPONSIBILITY OF DAVID MILLER/ASSOCIATES, INC. SUBSTITUTIONS FOR ANY MATERIAL NOTED ON THESE PLANS REQUIRES PRIOR WRITTEN APPROVAL OF DAVID MILLER/ASSOCIATES, INC. AND MOUNT JOY TOWNSHIP.
6. THESE PLANS HAVE BEEN PREPARED AS AN INSTRUMENT OF SERVICE FOR THE CLIENT OR RECORD OF DAVID MILLER/ASSOCIATES, INC. DAVID MILLER/ASSOCIATES, INC. ASSUMES NO LIABILITY FOR THE USE OR REUSE OF THESE PLANS BY ANY INDIVIDUAL OR ENTITY OTHER THAN THE CLIENT, OR FOR THE USE OF THESE PLANS FOR ANY PURPOSE OTHER THAN THAT FOR WHICH THEY HAVE BEEN PREPARED.
7. SLOPED TEXT REPRESENTS EXISTING INFORMATION AND FEATURES. UPRIGHT TEXT REPRESENTS PROPOSED INFORMATION AND FEATURES.
8. THE MUNICIPALITY IS NOT RESPONSIBLE FOR CONSTRUCTION OR MAINTENANCE OF ANY FACILITY NOT DEDICATED FOR PUBLIC USE.
9. THIS SUBDIVISION DOES NOT PROPOSE ANY DEVELOPMENT. THE SEWAGE PLANNING APPROVAL IS TO VERIFY THAT A DWELLING COULD BE PLACED ON LOT 2.
10. A MAXIMUM NUMBER OF FOUR (4) LOTS ARE PERMITTED TO BE SUBDIVIDED FROM THE PARENT AGRICULTURAL ZONED AREA PER CURRENT ZONING REGULATIONS OF MOUNT JOY TOWNSHIP. THIS SUBDIVISION REPRESENTS 1 OF THE 4.
11. ANY DEVELOPMENT RIGHTS REMAINING FROM THIS SUBDIVISION SHALL REMAIN WITH THE OWNERSHIP OF LOT 2.
12. ANY DEVELOPMENT ON LOT 1 OR LOT 2 WILL REQUIRE THE SUBMISSION OF PLANS TO MOUNT JOY TOWNSHIP FOR REVIEW AND APPROVAL, INCLUDING BUT NOT LIMITED TO HIGHWAY OCCUPANCY, STORMWATER MANAGEMENT, EROSION AND SEDIMENT CONTROL AS WELL AS SANITARY SEWER DESIGN IN CONNECTION TO THE MOUNT JOY BOROUGH AUTHORITY SEWER SYSTEM.
13. DEVELOPMENT OF LOT 2 WILL REQUIRE CONNECTION TO MOUNT JOY BOROUGH AUTHORITY PUBLIC SEWER CURRENTLY LOCATED APPROXIMATELY 2,000 FEET AWAY. THE SEWER LINE WILL BE DESIGNED AND APPROVED BY MOUNT JOY TOWNSHIP AND MOUNT JOY BOROUGH AUTHORITY. CONNECTION SHALL BE MADE TO THE SYSTEM TRIBUTARY TO THE FAIRVIEW ROAD PUMP STATION CURRENTLY UNLESS OTHERWISE APPROVED BY MOUNT JOY TOWNSHIP AND THE MOUNT JOY BOROUGH AUTHORITY.
14. LOT 2 HAS BEEN GRANTED 1 EDU OF CAPACITY BY THE MOUNT JOY BOROUGH AUTHORITY PER LETTER DATED OCTOBER 10, 2011.
15. NO STRUCTURES, LANDSCAPING OR GRADING MAY BE CONSTRUCTED, INSTALLED OR PERFORMED WITHIN THE AREA OF THE CLEAR SIGHT TRIANGLE WHICH WOULD OBFSCUE THE VISION OF MOTORISTS, PER SECTION 119-30-L, OF THE MOUNT JOY TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. DEEDS TO LOTS WHICH CONTAIN CLEAR SIGHT TRIANGLES SHALL PROHIBIT THAT NO STRUCTURE, LANDSCAPING OR GRADING SHALL BE ERRECTED, INSTALLED OR PERFORMED WITHIN THE AREA OF THE CLEAR SIGHT TRIANGLE WHICH WILL OBFSCUE THE VISION OF MOTORISTS.
16. A HIGHWAY OCCUPANCY PERMIT IS REQUIRED PURSUANT TO SECTION 420 OF THE ACT OF JUNE 1, 1945 (PL. 1240, NO. 402), KNOWN AS THE STATE HIGHWAY LAW, BEFORE A DRIVeway ACCESS TO A STATE HIGHWAY IS PERMITTED. ACCESS TO STATE HIGHWAY SHALL ONLY BE AS AUTHORIZED BY AN OCCUPANCY PERMIT. THE APPROVAL OF THIS PLAN SHALL NOT IMPLY THAT A STATE HIGHWAY PERMIT CAN BE OBTAINED OR THE GRANTING OF SUCH A PERMIT. IT IS POSSIBLE THAT ACCESS TO THE PROPERTY FROM A STATE HIGHWAY WILL NOT BE PERMITTED BY COMMONWEALTH AND THE PROPERTY THEREFORE CANNOT BE USED FOR THE PURPOSE INTENDED BY ANY PURCHASER. PURCHASERS ARE ADVISED TO PURCHASE AND SHOULD GOVERN THEMSELVES ACCORDINGLY, ACQUIRING STATE AND LOCAL HIGHWAY OCCUPANCY PERMITS BEFORE PURCHASING ANY PREMISES.
17. THE MUNICIPALITY IS NOT RESPONSIBLE FOR CONSTRUCTION OR MAINTENANCE OF ANY FACILITY NOT DEDICATED FOR PUBLIC USE.
18. TOPOGRAPHY, BUILDINGS, DRIVEWAYS AND COVERAGE AREAS ARE PER LANCASTER COUNTY GIS INFORMATION.
19. PER DEED RECORDED AS DOCUMENT NUMBER 5413619 AND CURRENT ZONING, THIS SUBDIVISION SHALL COUNT AS ONE (1) OF THE FOUR (4) SUBDIVISION RIGHTS REMAINING WITH THE PARENT TRACT OF LAND. ALL REMAINING SUBDIVISION RIGHTS ARE ALLOCATED TO LOT 2.
20. DEVELOPER ACKNOWLEDGES THAT CURRENT ZONING REGULATIONS PROHIBIT THE USE OF PARCELS OF REAL ESTATE IN EXCESS OF 2.5 ACRES FOR EXCLUSIVELY SINGLE FAMILY RESIDENTIAL PURPOSES, WITHOUT SPECIAL EXCEPTION APPROVAL. DEVELOPER ACKNOWLEDGES THAT THE USE/DEVELOPMENT OF LOT 2 SHALL COMPLY WITH APPLICABLE ZONING REGULATIONS UNLESS RELIEF IS GRANTED BY THE APPROPRIATE AUTHORITIES.
21. BY RECORDING THIS PLAN, LANDOWNERS EDWARD R. SUMPMAN AND JOY B. SUMPMAN HEREBY IRREVOCABLY DEDICATE RIGHT-OF-WAY ALONG THE ENTIRE LENGTH OF FAIRVIEW ROAD OF LOT 2 SO THAT THE RIGHT-OF-WAY MAY BE 20 FEET IN WIDTH, CENTERED ON ALL POINTS ABUTTING LOT 1 EXCEPTING THE AREAS OF THE EXISTING BUILDINGS. IT IS NOT THE INTENT OF THE LANDOWNERS TO DEDICATE RIGHT-OF-WAY THROUGH EXISTING BUILDINGS, THE RIGHT-OF-WAY RADIAL AT ALL POINTS ABUTTING LOT 2 SHALL BE CONFORMANT WITH SECTION 119-30-K(5) OF THE MOUNT JOY TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. LANDOWNERS, FOR THEMSELVES AND THEIR PERSONAL REPRESENTATIVES, HEIRS, AND ASSIGNS, AGREE BY THE RECORDING OF THIS PLAN THAT LANDOWNERS SHALL, IF REQUESTED BY THE TOWNSHIP IN THE FUTURE, EXECUTE ANY DOCUMENTS NECESSARY TO CONFIRM THE DEDICATION OF THIS RIGHT-OF-WAY.
22. PER THE DEED RESTRICTION RECORDED IN DOCUMENT NUMBER 5413619 AND IN ACCORDANCE WITH CHAPTER 135, ARTICLE IX SECTION 135-83.B(2) OF THE TOWNSHIP ZONING ORDINANCE, THE FUTURE SUBDIVISION RIGHTS ON LOT 2 WILL PROVIDE FOR COMPLIANCE OF THE KNOWN RESTRICTIONS.
23. "WARNING: THE RESIDENTIAL USES OR LOTS PROPOSED BY THIS SUBDIVISION AND/OR LAND DEVELOPMENT PLAN ARE IN THE AGRICULTURAL ZONING DISTRICT. THE PRIMARY USE OF SUCH DISTRICT IS AGRICULTURE AND LAND USES RELATED TO AGRICULTURE SUCH AS THE SMELL OF FARM ANIMALS AND THE ANIMAL WASTES THEY PRODUCE, INSECTS, TOXIC CHEMICAL SPRAYING, SLOW-MOVING AGRICULTURAL MACHINERY ON LOCAL ROADS AND OTHER BY-PRODUCTS OF AGRICULTURAL BUSINESS AND ACTIVITY."

24. "NOTICE: LANCASTER COUNTY RECORDS INDICATE THAT AN AGRICULTURAL CONSERVATION EASEMENT ("ACE") HAS BEEN GRANTED TO THE LANCASTER COUNTY AGRICULTURAL PRESERVE BOARD TO AGRICULTURALLY PRESERVE THE PORTION OF THE REAL PROPERTY DEPICTED AS LOT 1 ON THIS PLAN. THE "ACE" WAS RECORDED IN THE LANCASTER COUNTY RECORDS ON DECEMBER 10, 1974, AS SET FORTH MORE SPECIFICALLY IN THE "ACE". THE "ACE" IS INTENDED TO PREVENT THE DEVELOPMENT, IMPROVEMENT OR USE OF LOT 1 FOR ANY PURPOSE OTHER THAN AGRICULTURAL PRACTICE OR CUSTOMARY INCIDENTAL USES AND OPERATIONS. THE AGRICULTURAL PRESERVE BOARD IS THE OWNER OF THE "ACE". THE "ACE" IS NOT SUBJECT TO THE "ACE" AS SET FORTH MORE SPECIFICALLY IN THE "ACE". THE "ACE" IS INTENDED TO PREVENT THE DEVELOPMENT, IMPROVEMENT OR USE OF LOT 1 FOR ANY PURPOSE OTHER THAN AGRICULTURAL PRACTICE OR CUSTOMARY INCIDENTAL USES AND OPERATIONS. THE AGRICULTURAL PRESERVE BOARD IS THE OWNER OF THE "ACE". 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A graphic scale with a horizontal line marked at 0, 200, and 400. Below the line, there are two rows of alternating black and white squares. The first row starts at 0 and ends at 200. The second row starts at 200 and ends at 400. The text '(IN FEET)' is centered below the scale.

LEGEND

EXISTING

— — — — —	RIGHT-OF-WAY
— — — — —	TRACT BOUNDARY
— — — — —	EDGE OF PAVEMENT
— — — — —	LOT LINE
— — — — —	EASEMENT LINE
O	CORNER
◎	CONCRETE MONUMENT
⊖	UTILITY POLE
OE	OVERHEAD ELECTRIC/
UE	OVERHEAD TELEPHONE
— — — — —	UNDERGROUND ELECTRIC/
— — — — —	UNDERGROUND TELEPHONE
— — — — —	STORM LINE/INLET
— — — — —	MUNICIPAL BOUNDARY
465	CONTOUR

REVISIONS	PER TOWNSHIP ENGINEER, ZONING OFFICER AND SOLICITOR'S REVIEWS
1	TCY 11/16/11 PER LANCASTER COUNTY PLANNING COMMISSION
2	TCY 12/15/11 AND CLIENT'S ATTORNEY REVIEWS
3	TCY 12/28/11 PER PLANNING COMMISSION MEETING

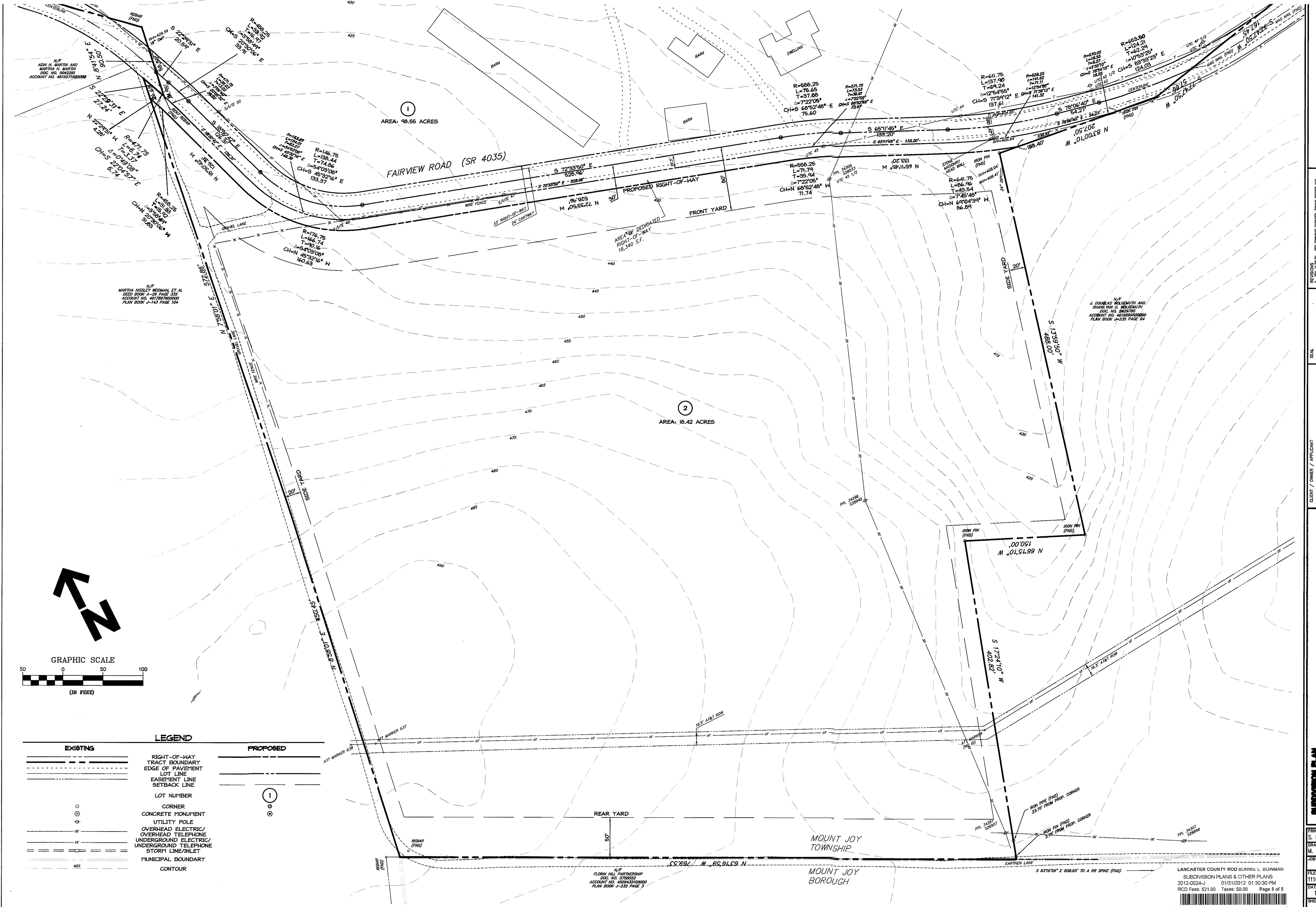
EDWARD AND JOY SUMPMAN

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PRINCIPAL HAIN	PROJECT MANAG. T. VAUGHN
DESIGNED BY WAPLES	CHECKED BY S. HAIN
NO. 11-160	DRAWING NO. 11-160.1
NO. 010AP	
DATE 0/17/11	SCALE 1"=200'
SET NO. 2 OF 3	

CASTER COUNTY ROD BONNIE L. BOWMAN
SUBDIVISION PLANS & OTHER PLANS
0024-J 01/31/2012 01:30:30 PM
Fees: \$21.00 Taxes: \$0.00 Page 4 of 5

A standard linear barcode is positioned horizontally across the page, centered vertically relative to the text above and below it.



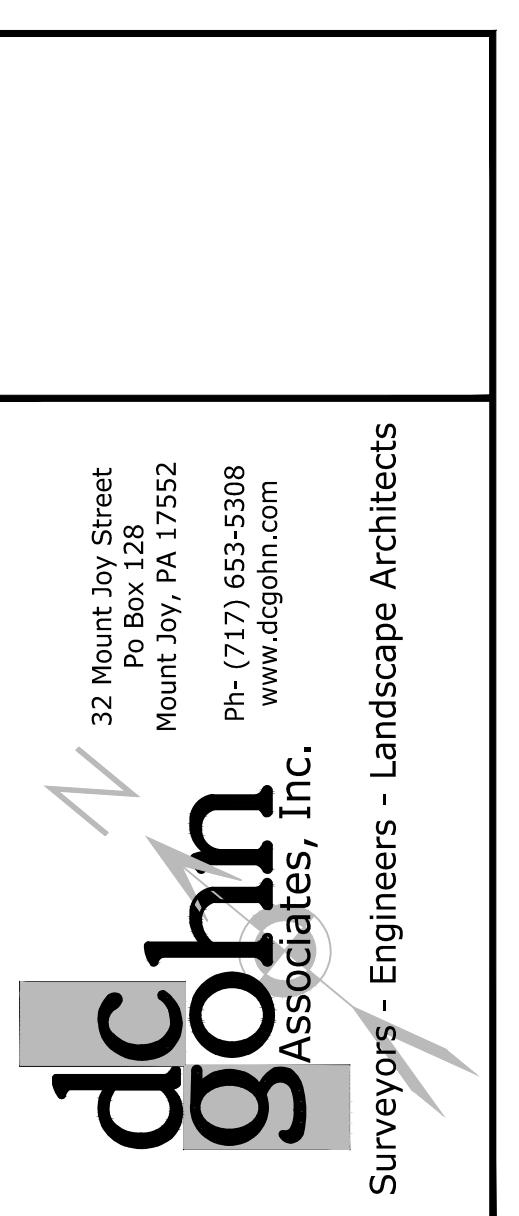
EDWARD AND JOY SUMPMAN

EDWARD AND JOY SUMPMAN

PAL	PROJECT M
AIN	T. VAUG
N BY	CHECKED
APLES	S. HAIN
O.	DRAWING
1-160	11-16
O.	
01SUB	
/17/11	SCALE
NO.	1"=5'
3 OF 3	



OWNER			
NAME:	SM&B ENTERPRISE LLC		
ADDRESS:	645 DONEGAL SPRINGS ROAD		
	MOUNT JOY, PA 17552		
TELEPHONE:	717-492-8126		
SITE ADDRESS:	FAIRVIEW AVENUE MOUNT JOY, PA 17552		
SOURCE OF TITLE:	DEED REF. 20250047368		
LANCASTER TAX ACCT NO:	461-12566-0-0000		
RECORDED PLAN:	2012-0024-J		
REVISIONS	DATE		



AN	ARD	C	NIA
PROJECT NO.: 5183-06	DATE: FEBRUARY 4, 2026	SCALE: 1"=50'	50' 0 25' 50' SCALE IN FEET
DRAWN BY: BRC	CHECKED BY: BRC		

L-RW1	S 22°29'50" E	4.28'
C-RW1	458.25'	31.83'
C-RW2	176.75'	166.74'
C-RW3	558.25'	71.79'
C-RW4	641.75'	86.96'
	S 20°30'26" E	31.83'
	S 45°32'35" E	160.63'
	S 68°53'07" E	71.74'
	S 69°04'58" E	86.89'

LINE	BEARING	DISTANCE
L1	S 22°29'50" E	27.24'
L2	N 08°41'35" E	31.95'
L3	N 22°29'50" W	20.59'
L4	N 78°06'59" W	54.27'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	471.75'	6.74'	S 22°05'16" E	6.74'
C2	488.25'	33.92'	S 20°30'26" E	33.91'
C3	146.75'	138.44'	S 45°32'35" E	133.37'
C4	588.25'	75.65'	S 68°53'07" E	75.59'
C5	611.75'	137.90'	S 71°39'32" E	137.61'
C6	653.50'	124.21'	S 83°33'42" E	124.03'

ZONING DATA

ZONING DATA

1. DISTRICT A - AGRICULTURAL
2. MIN. LOT AREA 1 ACRES SINGLE FAMILY DETACHED DWELLING
3. MAX. LOT AREA 2.5 ACRES SINGLE FAMILY DETACHED DWELLING
4. MIN. LOT WIDTH 100'
5. MIN. LOT DEPTH 150'
6. MIN. FRONT YARD 35' FROM THE ULTIMATE STREET
RIGHT-OF-WAY FOR SINGLE FAMILY DETACHED DWELLING
7. MIN. SIDE YARD 20'
8. MIN. REAR YARD 50'
9. MAX. HEIGHT 35'
10. MAX BLDG COVERAGE .. 20%
11. MAX. LOT COVERAGE .. 25%

EXISTING SITE DATA

EXISTING SITE DATA

1. LOT AREA 804,651.67 S.F. (GROSS)
764,021.98 S.F. (NET)
2. NUMBER OF LOTS 1 EXISTING
3. NUMBER OF ACRES 18.472 ACRES (GROSS)
17.540 ACRES (NET)
4. ZONING A - AGRICULTURAL
5. EXISTING LAND USE AGRICULTURAL
6. UNITS OF OCCUPANCY N/A
7. EXISTING BUILDING COVERAGE.... 0 S.F. = 0%
8. EXISTING LOT COVERAGE..... 10,604 S.F. = 1.4%

DRAWING #: CG-4048A
SHEET #: 1 OF 2



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

February 5, 2026

Certified Mail # 9407 1118 9876 5438 5408 64

Certified Mail # 9407 1118 9876 5438 5403 52

SM&B Enterprises, LLC
645 Donegal Springs Road
Mount Joy, PA 17552

SM&B Enterprises, LLC
3 Sarah Lane
Mount Joy, PA 17552

Re: Proposed Subdivision of Land
Property Located at Fairview Road, Mount Joy, PA 17552
(south side of Fairview Road between Snyder Road and Plum Street)
Tax Parcel Account #461-12566-0-0000
Case #260004

Dear Sir or Ms.:

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 to subdivide an 18.42-acre property into three single-family residential lots. The subject property is located in the (A) Agricultural District and is currently unimproved.
- Among other requests, the application requests a variance from §135-85.B(1) to subdivide the property and construct single-family residences on those lots. The narrative attached to the application states that relief is needed due to the timing of this lot's subdivision from the parent tract. The subject property was created by the Minor Subdivision Plan for Edward and Joy Sumpman, recorded as Recorder of Deeds Document Number 2012-0024-J. That plan represents the first subdivision of the parent tract since the effective date of June 4, 1978 as set forth in §135-85 of the Zoning Ordinance. Plan notes #10 & #11 allocated the three remaining subdivision rights to the subject tract as permitted by §135-85.B(6). My interpretation is that the proposed subdivision and construction of three single-family residences are permitted under §135-85. However, this request for relief will be heard by the Zoning Hearing Board.
- 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:

Variances

- (1) Chapter 135, Article IX, §135-85.B(1) – creation of new lots or single-family dwellings
- (2) Chapter 135, Article IX, §135-85.C(2) – maximum lot area for single-family dwellings
- (3) 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.

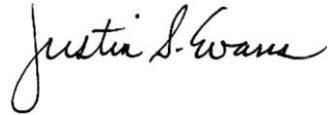
In the event the Mount Joy Township Zoning Hearing Board approves the application, the Township recommends the following conditions be applied to any approvals:

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 apply for and obtain approval of a subdivision plan from the Mount Joy Township Planning Commission.
3. Applicant shall obtain all applicable permits for the construction of any structures on the property.
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: SM&B Enterprises, LLC – First Class Mail
Brian R. Cooley, DC Gohn Associates – via Email
MJT Zoning Hearing Board
File

Enclosures

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