



# MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022  
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## Minutes of a Meeting of The Mount Joy Township Zoning Hearing Board Wednesday, March 4, 2026

- 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., & Roni K. Clark
  - Members Absent: James E. Hershey
  - 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 January 7, 2026 meeting. All members present voted in favor of the motion.
- 4) Mr. Evans confirmed that the public notice was published in the Thursday, February 12, 2026 and Thursday, February 19, 2026 editions of the LNP. The property was posted on Thursday, February 19, 2026.
- 5) Solicitor John P. Henry provided a procedural briefing for the meeting.
- 6) Zoning Case #260003
  - a. Applicant/Landowner: Jonathan Hubler
  - b. Property Location: 202 Ridgeview Road N, Elizabethtown, PA 17022, Tax Parcel ID #460-62153-0-0000
  - c. Zoning District: (A) Agricultural
  - e. Special Exception Request:
    - (1) Chapter 135, Article IX, §135-83.J & §135-83.L – expansion of a landscaping business with an accessory structure
  - f. Variance Requests:
    - (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

Applicant Jon Hubler presented the application with Brian Cooley from DC Gohn Associates. Mr. Cooley provided an overview of the property, noting the landscaping business located at the rear being established in 2003. The larger shed adjacent to Route 283 was approved in 2009 and the Township Zoning Officer issued Mr. Hubler a letter in 2010 stating that landscaping businesses were changed from permitted use to special exception in the Zoning Ordinance at that time.

The application proposes the construction of a 55' x 150' building on existing gravel surface. This specific location was selected to avoid the 100' PPL right-of-way crossing through the business area. Topsoil is stockpiled to the west of the existing buildings near an area used as a plant nursery. Wetlands and a watercourse are located immediately to the north. The applicant reviewed compliance with the use's specific standards as presented in the application materials, including no retail sales and that the proposed building will replace area currently used for outdoor storage.

Mr. Clark asked about trash disposal as well as water and sewer service. A small dumpster provided by Good's Disposal is in place and is sufficient for business waste. The new building is dry storage with no water or sewer connections needed. The applicant acknowledged receipt of the Zoning Officer's February 5, 2026 letter and agreed with the proposed conditions.

Mr. Hitz referred to the aerial image of Exhibit T-1, asking if there were PPL transmission line towers on site. Mr. Hubler noted that one was just added west of the building area. Access will continue to be maintained after the new building is constructed. Mr. Cooley confirmed the project will not increase the amount of impervious coverage on the property. No new employees are proposed with this project, and no toxic or explosive hazards will be stored in the building.

The landscaping and buffer variances were discussed. Residences are located on either side of the property but near Ridgeview Road, as opposed to the business area to the rear along Route 283. 24 existing trees are in a 10' strip along the residence to the southeast; a significant amount of trees and vegetation are along the northwest boundary. Additional trees were recently planted north of the wetlands and watercourse areas that will help screen the new building.

Sheet 2 of the plan set details the existing impervious area encroachment of the new riparian corridor. The project will reduce a 2,827-sf encroachment down to 187 sf. A variance to permit the new structure to be approximately 31' high will accommodate 14' high doors for business vehicles to pass through. Mr. Cooley noted the general variance criteria are addressed in the application narrative. He stated this is not a physical expansion of the business and the screening issue is mitigated by the lack of houses adjoining the business area on the property. Mr. Newton reiterated his understanding that the application will put outdoor storage items under roof and reduce the riparian corridor encroachment by 93%.

A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to grant approval of the application, subject to the following conditions:

1. The Applicant shall obtain approval of a Stormwater Management Site Plan for the project;
2. The Applicant shall obtain all applicable permits for the construction of the proposed structure;
3. The Applicant and/or the owner(s) of the Property shall comply with all other provisions contained in the Ordinance for which relief has not been requested or granted; and
4. 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 March 4, 2026 except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

7) Zoning Case #260004

- a. Applicant/Landowner: SM&B Enterprise, LLC
- b. Property Location: Fairview Road, Mount Joy, PA 17552, Tax Parcel ID #461-12566-0-0000 (south side of Fairview Road between Snyder Road and Plum Street)
- c. Zoning District: (A) Agricultural
- d. Variance Requests:
  - (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

Applicant Steven Johns presented the application with Brian Cooley from DC Gohn Associates. Mr. Cooley acknowledged that the application listed the landowner as "SM&B Enterprises", but the actual name is "SM&B Enterprise". The application proposes to subdivide the 18.42-acre property into three residential lots serviced by a private street off Fairview Road. Public water and sewer will be provided by the Mount Joy Borough Authority through the adjacent Florin Hill development to the south.

Mr. Cooley reviewed the Sumpman Minor Subdivision Plan that created the subject tract from a parent tract on the north side of Fairview Road. Three remaining subdivision rights were allocated to the subject tract via the Sumpman plan and the remaining farm was preserved by an Agricultural Conservation Easement. A discussion took place with

respect to Mr. Evans' comments in his February 5, 2026 letter to the applicant confirming the number of subdivision rights remaining with the property per Section 135-85.

The maximum lot size for a residential lot in the Agricultural District is 2.5 acres. Lot 1 is proposed to be 14.2 acres, the remainder after lots of 1.52 and 1.51 acres are subdivided. All three lots will meet setbacks and other area requirements. A variance to exceed the 20' maximum height for accessory buildings is requested to permit garages approximately 25' high. This will allow vehicles like boats and RVs that need a higher door to be stored on the lots. Approximate locations of these garages are shown on the plan included in the application package.

General criteria for variances were addressed in the application narrative and briefly discussed. The applicant received the Zoning Officer's February 5, 2026 letter and does not have any issues with the proposed conditions. Mr. Hitz asked if the 25' height variance for the accessory structures will suit all three properties. Yes.

Mr. Hitz asked if the private street is wide enough to access all three lots and accommodate emergency vehicles. The 24' wide street meets Township standards for a local road located outside of the Urban Growth Area. On street parking is doubtful considering the amount of space in each of the three driveways. The cul-de-sac is designed with an 80' diameter that also meets Township road specifications. Mr. Newton asked if there is an issue with adding a condition prohibiting on street parking. No issue.

Mr. Clark asked where the utilities are coming from. The Board of Supervisors recently approved EDU allocations for public water and sewer from the Mount Joy Borough Authority. Service lines will come from the south. A conversation was started with PPL but the utility company is waiting until ZHB approval before designing. The electrical services will be underground from the Fairview Road line. The proposed private street will tie into Fairview Road at the western corner of the property for better sight lines.

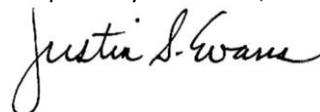
A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to grant approval of the application, subject to the following conditions:

1. The Applicant shall apply for and obtain approval of a subdivision plan from the Mount Joy Township Planning Commission;
2. The Applicant shall obtain all applicable permits for the construction of any permits on the Property;
3. There shall be no parking of vehicles on or along the private street to be constructed in connection with the proposed subdivision;
4. 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;
5. 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 March 4, 2026 except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

- 8) Next regularly scheduled meeting is Wednesday, April 1, 2026 beginning at 6:00 P.M.
- 9) A motion was made by Roni K. Clark and seconded by Robert F. Newton Jr. to adjourn the meeting at 6:51 P.M. All members present voted in favor of the motion.

Respectfully Submitted,



Justin S. Evans, AICP  
Assistant Zoning Officer

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