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May 01 2024

ZHB Case # 240006

MOUNT JOY TOWNSHIP

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: Bailey Family Limited Partnership c/o Tonya Baily

Address: 1501 Mill Road City/State/Zip: Elizabethtown, PA 17022

Phone: (717) 875-3864 Fax: _____

E-mail: tonyabailey40@yahoo.com

2. Landowner Information (if different from the Applicant)

Name: ~~Jon Michael Bailey~~ Michael Jon Bailey

Address: 1501 Mill Road City/State/Zip: Elizabethtown, PA 17022

Phone: (717) 314-9499 Fax: _____

E-mail: Mjbailey978@icloud.com

3. Property Information

Property Address: 1501 Mill Road, 1563 Mill Road, Mill Road

City/State/Zip: Elizabethtown, PA 17022

Existing Use: Manufactured Home Park Proposed Use: Manufactured Home Park

Total Property Area (Sq. Ft. or Acres): 4.28 acres, 10.79 acres, 40.41 acres respectively

FOR TOWNSHIP USE ONLY

Date Application Received: May 1, 2024

Date Application to be heard: June 5, 2024

Tax Parcel #: 460-33237-0-0000 460-22479-0-0000 460-05534-0-0000

Zoning District: Rural (R) & High Density Residential (R-3)

Application Denied/Approved: _____

4. Request for Special Exception

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

N/A

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:

N/A

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:

135-246 - Manufactured Home Parks - Subsection H. All buildings shall be set back a
minimum of 50 feet from exterior lot lines.

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

See attached 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.):"

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 attached 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 attached 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

Tommy J Bailey
Applicant Signature

3-2-2024
Date Signed

Tommy J Bailey
Applicant's Name (Printed)

Michael J Bailey
Landowner Sign (if different from Applicant)

3-2-24
Date Signed

Michael J Bailey
Landowner's Name (Printed)



Surveyors - Engineers - Landscape Architects

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MAY - 1 2024

MOUNT JOY TOWNSHIP

April 30, 2024

PROJECT NARRATIVE

Bailey Family Limited Partnership Lakeview Estates 1501 Mill Road Mount Joy Township

The Bailey Family Limited Partnership, is planning on re-subdividing three separate parcels situated off of Mill Road. Those parcels are 1501 Mill Road, tax parcel number 460-33237-0-0000, being 4.28 acres, 1563 Mill Road, tax parcel number 460-22479-0-0000, being 10.79 acres and Mill Road, tax parcel number 460-05534-0-0000, being 40.41 acres in size. Jon Michael Bailey is the owner of 1501 Mill Road. The Bailey Family Limited Partnership owns the other two subject parcels. 1501 Mill Road and the un-numbered Mill Road parcel make up the manufactured home park known as Lakeview Estates. This manufactured home park has been in existence for over 50 years. All subject properties are served by public sewer and a privately owned, PA DEP permitted water supply system.

1501 and 1563 Mill Road are designated as R-Rural zone, while the 40.41 acre Mill Road parcel is designated as R3-High Density Residential. Lakeview Estates adjoins a fully developed, high-density zone neighborhood known as Rockwood.

The attached Zoning Hearing Exhibit – Lot Add-On Plan depicts proposed changes to the existing boundary lines of the three subject properties which operate together as Lakeview Estates with the address of record being 1501 Mill Road.

No new lots are to be created; The Bailey Family wants to re-allocate land appropriately to allow for the continued, long-term operation of the park and to consolidate open, wooded land with the original family farm at 1563 Mill Road. 1501 Mill Road is proposed to be a 1.21 acre single-family property. The 3.07 acres subdivided from 1501 will be joined in common with the un-numbered Mill Road parcel which contains the bulk of the manufactured home park. There is undeveloped, wooded land being roughly 5.27 acres of the Mill Road parcel which is to be joined in common with the family farm parcel of 1563 Mill Road. A small 0.57 acre, triangular shaped parcel at the rear of 1563 Mill Road which is to be joined in common with the un-numbered Mill Road parcel. When finished, 1563 Mill Road will be 15.49 acres and the resultant parcel of Lakeview Estates will be 38.78 acres.

Section 135-246 the Zoning Ordinance of Mount Joy Township contains standards (A. thru N.) specific to a manufactured home park use. No changes to the properties are being proposed which would affect the existing number of homes or the location of the existing homes within the existing manufactured home park.

The Bailey Family Limited Partnership is seeking relief to Section 135-246.N which requires all buildings to be set back 50’ from exterior lot lines. This section also requires a landscape strip and screen a minimum of 25’ wide to be planted and include no buildings and no parking.

The Zoning Hearing Exhibit shows detail of the proposed property line configurations and the intended setbacks. The proposed property boundaries can be established 50’ from all existing dwelling units with the exception of one on the 1501 Mill Road parcel. The Ordinance Section stated makes no differentiation between accessory buildings/sheds and the manufactured homes. We are respectfully requesting relief from the 50’ setback requirement as it would apply to shed/accessory structures and one existing manufactured home along Mill Road. Not all units have sheds.

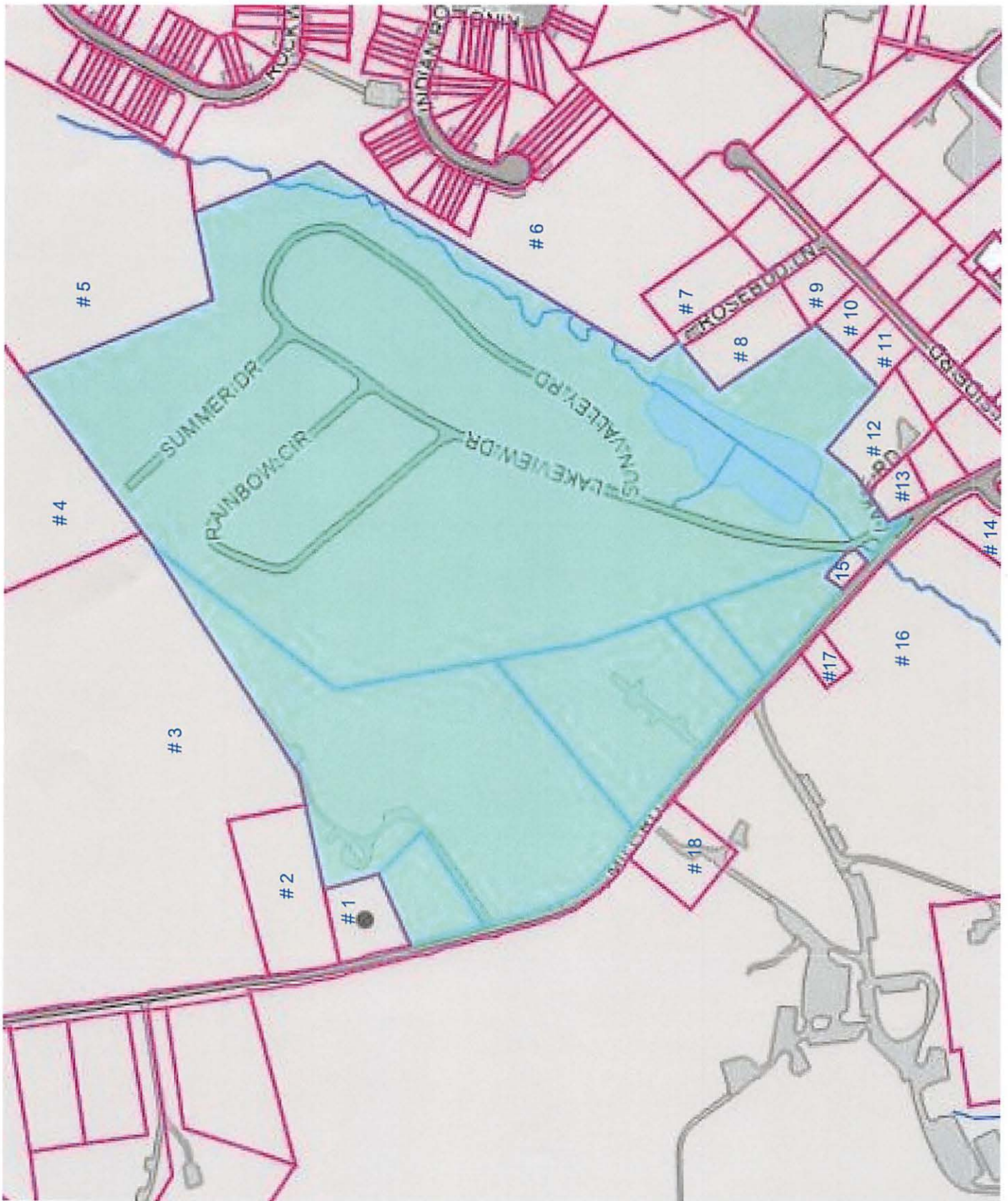
In addition, we are respectfully requesting relief from the requirement in the same Ordinance Section requiring the planting of the 25’ wide landscape strip. A majority of the area where new boundaries are proposed is mature woodland. The family wants to keep the existing wooded condition as that is what the residents are used to seeing from their respective units. The manufactured homes have existed on the parcel at 1501 Mill Road for 50 years. Ownership of the resulting parcels remains with the Bailey Family. No other changes are being proposed and the character of the neighborhood will remain as it exists.

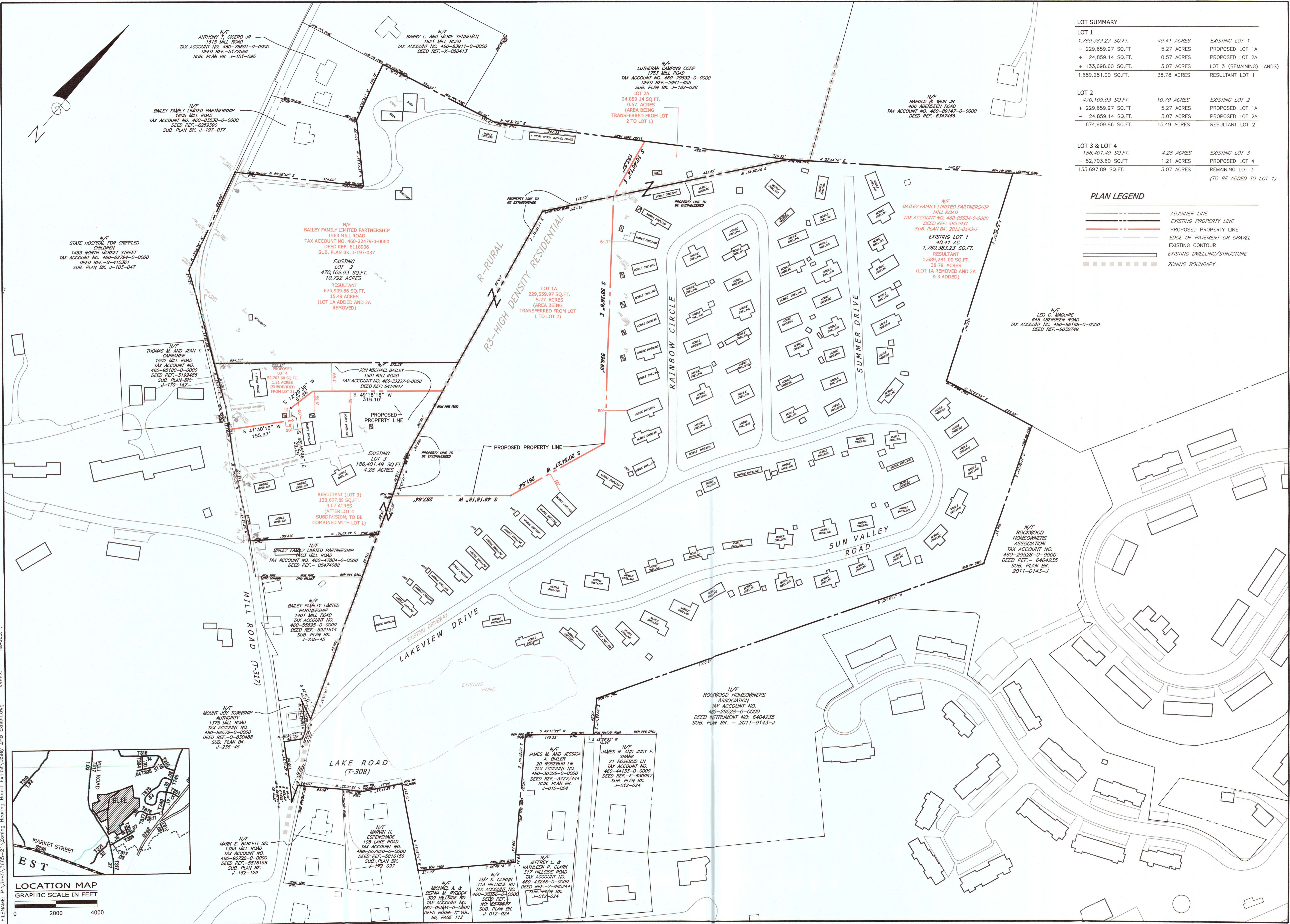
Presently, off-street parking spaces are provided at the respective dwelling units, but no paving exists or is proposed to be within the 25’ landscape strip. The Bailey Family has taken care to properly maintain the pond, the grounds and the overall park in a clean, neat and safe condition through out its existence for the residents.

The manufactured home park was developed and put into operation on the existing parcels as currently configured long before the current Ordinance standards. Lakeview Estates operates and will continue to operate within the design standards of the Zoning Ordinance.

We believe this is the minimal relief necessary to re-allocate property boundaries for the successful, long-term operation and maintenance of the Lakeview Estates manufactured home park, the property being created for Jon Michael Bailey at 1501 Mill Road and preserving as much land as possible to remain with the family farm at 1563 Mill Road.

The Bailey Family Limited Partnership is open to other conditions the zoning hearing board sees fit to attach to this request for relief.



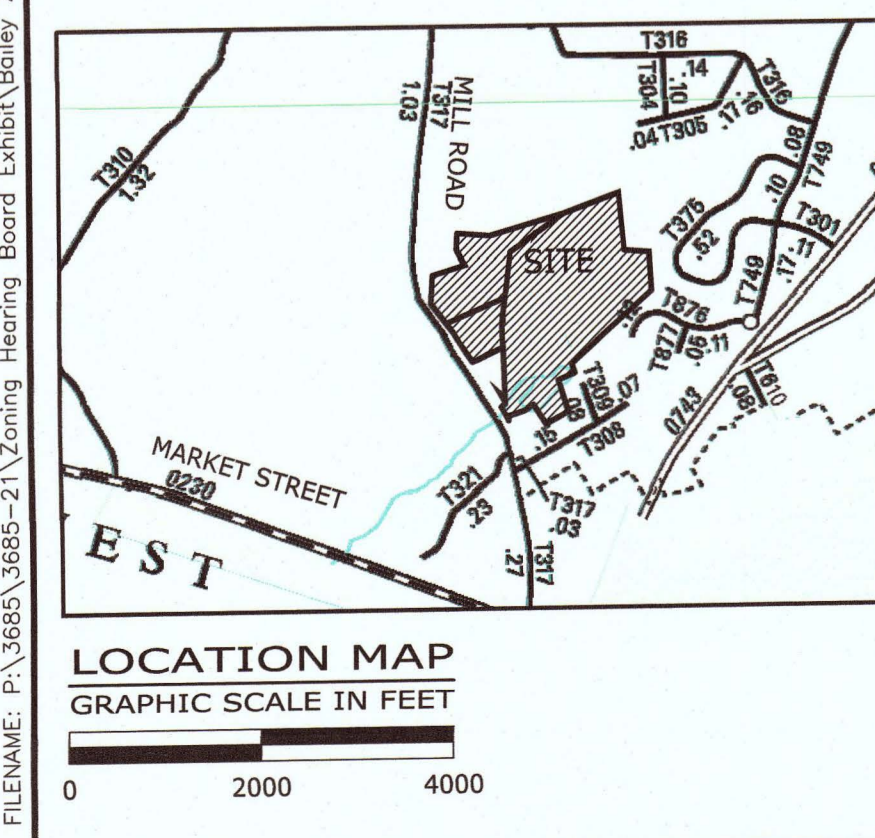
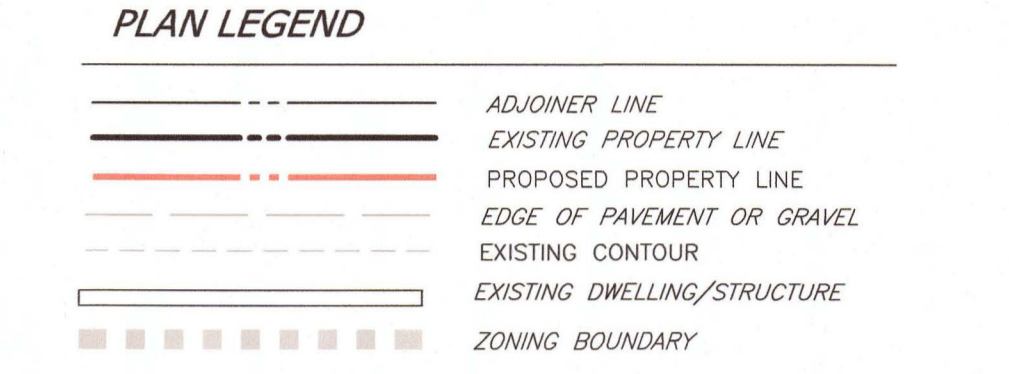


LOT SUMMARY

LOT 1	1,760,383.23 SQ.FT.	40.41 ACRES	EXISTING LOT 1
	- 229,659.97 SQ.FT.	5.27 ACRES	PROPOSED LOT 1A
	+ 24,859.14 SQ.FT.	0.57 ACRES	PROPOSED LOT 2A
	+ 1,689,281.00 SQ.FT.	38.78 ACRES	LOT 3 (REMAINING LANDS)
			RESULTANT LOT 1

LOT 2	470,109.03 SQ.FT.	10.79 ACRES	EXISTING LOT 2
	+ 229,659.97 SQ.FT.	5.27 ACRES	PROPOSED LOT 1A
	- 24,859.14 SQ.FT.	3.07 ACRES	PROPOSED LOT 2A
	674,909.86 SQ.FT.	15.49 ACRES	RESULTANT LOT 2

LOT 3 & LOT 4	186,401.49 SQ.FT.	4.28 ACRES	EXISTING LOT 3
	- 52,703.60 SQ.FT.	1.21 ACRES	PROPOSED LOT 4
	133,697.89 SQ.FT.	3.07 ACRES	REMAINING LOT 3 (TO BE ADDED TO LOT 1)



OWNER/EQUITABLE OWNER-SUBDIVIDER	BAILEY FAMILY LIMITED PARTNERSHIP
NAME:	TONYA BAILEY
C/O:	1501 MILL ROAD
ADDRESS:	ELIZABETHTOWN, PA 17022
TELEPHONE:	717-875-3864

dcjohn
Associates, Inc.

32 Mount Joy Street
Po Box 128
Mount Joy, PA 17552
Ph: (717) 653-5308
www.dcgoin.com

Surveyors - Engineers - Landscape Architects

PROJECT NO.:	3685-21
DATE:	APRIL 30, 2024
DRAWN BY:	GRN
CHECKED BY:	TES
SCALE:	1"=100'

ZONING HEARING EXHIBIT
LOT ADD-ON PLAN
FOR
BAILEY FAMILY LIMITED PARTNERSHIP
MOUNT JOY TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA

DRAWING #: CG-FILE
SHEET #: 1 OF 1



Surveyors - Engineers
Landscape Architects

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May 01 2024
MOUNT JOY TOWNSHIP

**Adjoining Property Owners
Bailey Family Partnership
Mount Joy Township**

1. Owner Name: Anthony T. Cicero Jr.
Tax Account No: 460-76601-0-0000
Deed Inst. # 5172586
Recorded Plan: Book J-151 Page 095
Address: 1615 Mill Road
2. Owner Name: Barry L. and Marie Senseman
Tax Account No: 460-83911-0-0000
Deed Inst. # X-880-413
Address: 1621 Mill Road
3. Owner Name: Lutheran Camping Corp.
Tax Account No: 460-79832-0-0000
Deed Inst. # 2981-655
Recorded Plan: Book J-182 Page 028
Address: 1753 Mill Road
4. Owner Name: Harold W. and Melissa A. Weik
Tax Account No: 460-89147-0-0000
Deed Inst. # 6347466
Address: 406 Aberdeen Road
5. Owner Name: Leo C. Maguire
Tax Account No: 460-66168-0-0000
Deed Inst. # 6032749
Address: 646 Aberdeen Road
6. Owner Name: Rockford Homeowners Association
Tax Account No: 460-29528-0-0000
Deed Inst. # 6404235
Recorded Plan: 2011-0143-J
Address: Old Hershey Road

7. Owner Name: James R. and Judy F. Shank
Tax Account No: 460-44133-0-0000
Deed Inst. # K-630-097
Recorded Plan: Book J-012 Page 024
Address: 21 Rosebud Lane
8. Owner Name: James M. and Jessica A. Bixler
Tax Account No: 460-30326-0-0000
Deed Inst. # 3727-444
Recorded Plan: Book J-012 Page 024
Address: 20 Rosebud Lane
9. Owner Name: Jeffrey L. and Kathleen R. Clark
Tax Account No: 460-43248-0-0000
Deed Inst. # Y-960-244
Recorded Plan: Book J-012 Page 024
Address: 317 Hillside Road
10. Owner Name: Amy S. Cairns
Tax Account No: 460-35356-0-0000
Deed Inst. # 6573517
Recorded Plan: Book J-012 Page 024
Address: 313 Hillside Road
11. Owner Name: Michael A. and Berna M. Rydock
Tax Account No: 460-27173-0-0000
Deed Inst. # T-660-112
Recorded Plan: Book J-66 Page 112
Address: 309 Hillside Road
12. Owner Name: Marvin H. Espenshade
Tax Account No: 460-05762-0-0000
Deed Inst. # 5816156
Recorded Plan: Book J-179 Page 097
Address: 105 Lake Road
13. Owner Name: Mark E. Barlett, Sr.
Tax Account No: 460-90722-0-0000
Deed Inst. # 5816156
Recorded Plan: Book J-182 Page 129
Address: 1353 Mill Road
14. Owner Name: Thomas P. and Anne D. Lavin
Tax Account No: 460-744409-0-0000
Deed Inst. # 5953066
Recorded Plan: Book J-187 Page 140
Address: 6 Old English Lane

15. Owner Name: Mount Joy Township Authority
Tax Account No: 460-68579-0-0000
Deed Inst. # O-830-488
Recorded Plan: Book J-235 Page 045
Address: 1375 Mill Road

16. Owner Name: State Hospital for Crippled Children
Tax Account No: 460-62794-0-0000
Deed Inst. # 410361
Recorded Plan: Book J-103 Page 47
Address: 1453 N. Market Street

17. Owner Name: Karen M. Shank
Tax Account No: 460-46410-0-0000
Deed Inst. # 5995882
Address: 1400 Mill Road

18. Owner Name: Thomas M. and Jean T. Carraher
Tax Account No: 460-95180-0-0000
Deed Inst. # 3199486
Recorded Plan: Book J-170 Page 147
Address: 1502 Mill Road



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

May 9, 2024

Certified Mail # 9407 1118 9876 5465 5507 75

Certified Mail # 9407 1118 9876 5465 5509 59

Bailey Family Limited Partnership, c/o Tonya Bailey
1501 Mill Road
Elizabethtown, PA 17022

Michael Jon Bailey
1501 Mill Road
Elizabethtown, PA 17022

Re: Proposed Resubdivision of Land
Properties Located at 1501 & 1563 Mill Road, Elizabethtown, PA 17022
Tax Parcel Account #460-33237-0-0000, 460-22479-0-0000, & 460-05534-0-0000
Case #240006

Dear Ms. Bailey and Mr. Bailey:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on May 1, 2024. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, June 5, 2024** at the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022. I offer the following comments on the application:

- You provided a zoning exhibit plan in the application package that will be provided to the Zoning Hearing Board. Additionally, an aerial image of the properties is attached to this letter and will also be provided to the Board.
- The subject property consists of the following tax parcels, totaling approximately 55.48 acres:
 - 1) 1501 Mill Road; Tax Parcel #460-33237-0-0000 – 4.28 acres
 - 2) 1563 Mill Road; Tax Parcel #460-22479-0-0000 – 10.79 acres
 - 3) Mill Road; Tax Parcel #460-05534-0-0000 – 40.41 acres
- The application proposes to re-subdivide these three parcels, resulting in a 1.21-acre single-family lot (1501 Mill Road), 15.49-acre lot (1563 Mill Road), and the 38.78-acre mobile home park. The location of the proposed property line between the mobile home park and the 1563 Mill Road lot will situate several existing structures within the required 50' setback.
- The applicant is seeking and has requested approval of the proposed project via Chapter 135 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Zoning Ordinance of 2012. The following variance has been requested pursuant to Chapter 135, as noted below:
 - Chapter 135, Article XXII, §135-246.H – 50' setback; 25' landscape strip and screen

General criteria for variances are found in §135-383.C of the Zoning Ordinance. I have enclosed a copy of §135-383 for your use in preparing for the scheduled hearing. You may wish to have an attorney present at the hearing to present your case to the Mount Joy Township Zoning Hearing Board. Additionally, you should be prepared to testify specifically to the general criteria for variances as set forth in §135-383.C.


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

1. Applicant shall comply with all other provisions contained in Chapter 135 of the Code of Ordinances of the Township of Mount Joy for which relief has not been requested or granted.
2. Applicant shall apply for and gain approval of a Subdivision Plan from the Mount Joy Township Planning Commission.
3. Applicant and any representatives of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Mount Joy Township Zoning Hearing Board at the hearing held on June 5, 2024 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
Zoning Officer
Mount Joy Township

Copy: Bailey Family Limited Partnership c/o Tonya Bailey – First Class Mail
Michael Jon Bailey – First Class Mail
D.C. Gohn Associates, Inc. – via email
MJT Zoning Hearing Board
File

Enclosures

