



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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

Minutes of a Meeting of The Mount Joy Township Zoning Hearing Board Wednesday, June 3, 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., James E. Hershey, & Robert F. Newton Jr.
 - Members Absent: Roni K. Clark
 - 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 Gregory R. Hitz Sr. to approve the minutes of the April 1, 2026 meeting. All members present voted in favor of the motion.
- 4) Mr. Evans confirmed that the public notice was published in the Thursday, May 14, 2026 and Thursday, May 21, 2026 editions of the LNP. The property was posted on Thursday, May 21, 2026.
- 5) Solicitor John P. Henry provided a procedural briefing for the meeting.
- 6) Old Business
 - a) Zoning Case #210011: Lancaster Portfolio I, LLC - 1444 Cloverleaf Road - Request to extend the approvals granted in this case by an additional one year to obtain building permits and complete construction.

Applicant's counsel submitted a written request for extension of the project's zoning approvals while working through plan and other agency approvals. A motion was made by Robert F. Newton Jr. and seconded by James E. Hershey to grant an additional year to obtain building permits and complete construction. All members present voted in favor of the motion. (New deadlines are June 9, 2027 to pull permits and June 9, 2028 to complete construction.)
- 7) Zoning Case #260008
 - a. Applicant: Ali & Amir Boutorabi
 - b. Landowner: Akbar & Susan Boutorabi
 - c. Property Location: 583 Trail Road N, Elizabethtown, PA 17022, Tax Parcel ID #460-81845-0-0000
 - d. Zoning District: (A) Agricultural
 - e. Variance Requests:
 - (1) Chapter 135, Article IX, §135-85.B(1) – subdivision limitations
 - (2) Chapter 135, Article IX, §135-85.C(3) – minimum lot size for agricultural uses
 - (3) Chapter 135, Article XXIII, §135-302.A – animal exercise area setback
 - (4) Chapter 135, Article XXIII, §135-302.C(1) – animal barn setback

Gerard Polizzi of 493 Trail Road North requested party status as a landowner separated from the subject property by another lot. A motion was made by Robert F. Newton Jr. and seconded by James E. Hershey to accept Mr. Polizzi as a party. All members present voted in favor of the motion.

Applicant Amir Boutorabi presented the application with consultant David Keener. The Boutorabis came before the Board several years ago before purchasing the property with a similar application. Approvals were granted to subdivide it into three total lots, but that has since expired. His parents live in the existing home. He and his brother intend to live on the two lots to be created. He is in receipt of the Zoning Officer's May 7, 2026 letter and agrees with the proposed conditions.

Mr. Hitz asked if the property is served by public water and sewer. No. Each lot and house will have its own well and on-lot septic system. They have obtained approval from the Sewage Enforcement Officer for the new sewage systems. The subdivision plan submitted with this application is nearly identical to the plot plan filed with the prior application. A flag lot will be created on the north end of the property (Lot 1), the existing home will be on Lot 2, and a larger lot with a new home will be on the south side (Lot 3).

Mr. Hershey asked about concerns with the existing horse riding ring extending across the proposed property line. The family does not have an issue with it, though the Planning Commission flagged this issue. They are willing to require the fence and stone dust surface be removed if sold to another party. Mr. Newton asked if the proposed lot line that the ring straddles could be moved. It is possible but they are trying to maintain a 10-acre minimum for those two lots. Mr. Keener noted that the design is far along and sewage approvals are based on this configuration.

Mr. Newton referred to the aerial image in Exhibit T-1, asking if the land around the home is farmed. Not necessarily, though areas are used as pasture. Much of proposed Lots 1 and 3 are wooded. The corner of the barn is 56' from the proposed property line and the required setback is 100'. There are some wetlands in the woods behind Lots 1 & 2, though the house on Lot 1 will be in front of the tree line.

Mr. Hershey asked what the setback is for a driveway. Mr. Keener noted that one ordinance says 5' and the Zoning Ordinance says 6'. The driveway for Lot 1 is an existing field lane that can be adjusted to comply with the setback. Permits are required to connect a driveway to the public road. Construction on Lot 3 is not scheduled yet but sewage testing is complete. An entrance to this lot was recently installed for the testing.

Mr. Polizzi came to the meeting under the impression the applicant was requesting three lots in addition to the prior approval to subdivide. He is not opposing the application and had no questions given the circumstances.

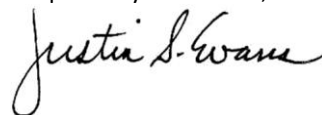
A motion was made by James E. Hershey to grant approval of the application, subject to the following conditions:

1. 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;
2. The Applicant shall apply for and gain approval of a subdivision plan from the Mount Joy Township Planning Commission to create the additional lots; and
3. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on June 3, 2026 except to the extent modified by conditions imposed by the Board herein.

Mr. Newton asked if an additional condition is needed to address removal of the riding ring when applicable. Solicitor Henry stated that Mr. Boutorabi's testimony reflects the intent to do so if sold and the approval is tied to the testimony. Mr. Newton seconded the standing motion. All members present voted in favor of the motion.

- 8) Next regularly scheduled meeting is Wednesday, July 1, 2026 beginning at 6:00 P.M.
- 9) A motion was made by James E. Hershey and seconded by Robert F. Newton Jr. to adjourn the meeting at 6:35 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