



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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Minutes of a Meeting of The Mount Joy Township Zoning Hearing Board Wednesday, July 1, 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., & Roni K. Clark
 - Members Absent: None
 - 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 James E. Hershey to approve the minutes of the June 3, 2026 meeting. All members present voted in favor of the motion.
- 4) Mr. Evans confirmed that the public notice was published in the Thursday, June 11, 2026 and Thursday, June 18, 2026 editions of the LNP. The property was posted on Monday, June 22, 2026.
- 5) Solicitor John P. Henry provided a procedural briefing for the meeting.
- 6) Zoning Case #260009
 - a. Applicant: Richard Gates
 - b. Property Location: 235 Oberholtzer Rd, Elizabethtown, PA 17022, Tax Parcel ID #460-60379-0-0000
 - c. Zoning District: (A) Agricultural
 - d. Special Exception Request:
 - (1) Chapter 135, Article IX, §135-83.F – echo housing

Landowner Richard Gates presented the application requesting to modify the prior approval of an echo housing unit on his property. A condition of the prior approval requires that a future owner of the property gain new approvals from the Zoning Hearing Board to continue use of the echo house prior to its purchase. His goal is to eliminate that restriction as it can be a hurdle to the sale. The echo house is properly permitted and has been used in accordance with the approval. He acknowledged receipt of the Zoning Officer's May 28, 2026 letter and did not object to the proposed conditions.

The echo house has been in place since January 1, 2000. It uses two 500-gallon tanks for sewage disposal and a hand-dug well for water supply. It has its own electrical service and address, while being situated near the main house and is approximately 460' from Oberholtzer Road. Mr. Gates does not recall recording any paperwork after the original ZHB approval. Solicitor Henry suggested recording a memorandum in accordance with Section 135-225.F if the request is approved so the echo housing terms for family occupancy are publicly searchable.

A motion was made by Robert F. Newton Jr. and seconded by James E. Hershey to approve the request to modify a condition of approval imposed by the Board in connection with a prior special exception and variance granted to the Applicant related to Echo housing subject to the following conditions:

1. The Township shall record, at the cost of the applicant, a memorandum of the 1999 Decision and the approval granted hereby. The memorandum shall indicate that the occupancy of the Echo housing shall be limited to persons related by blood, marriage, adoption or foster relationship to occupants of the principal dwelling, that

the Echo housing unit shall not be rented to persons who are not so related to the occupants of the principal dwelling or otherwise subdivided from the principal dwelling, and that the mobile home shall be removed at such time when the use of the mobile home ceases to strictly comply with the 1999 Decision as modified by this Decision.

2. 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;
3. The Applicant and any representative of the Applicant, and any future owner of the Property, shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on July 1, 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 #260010

- a. Applicant: Jonathan Baltozer
- b. Property Location: 1465 Briarwood Lane, Mount Joy, PA 17552, Tax Parcel ID #460-49306-0-0000
- c. Zoning District: (A) Agricultural
- d. Special Exception Request:
 - (1) Chapter 135, Article IX, §135-83.F – Article IX, §135-83.G – farm-related business

Landowner Jonathan Baltozer was present for the hearing. Neighboring resident Patrick Strasbaugh of 1405 Cloverleaf Road farms property along Briarwood Lane owned by his mother-in-law, Miriam Ruhl. He requested party status to the case. A motion was made by James E. Hershey and seconded by Robert F. Newton Jr. to grant Mr. Strasbaugh party status. All members present voted in favor of the motion.

Mr. Baltozer began his testimony by stating his intent to add a small welding business to his farm for supplemental income. His current company is downsizing and wants to bring some business to the property and serve the community. Some welding and light fabrication work is already done at the farm but would like to have one or more of his sons work with him. All work will take place indoors.

His desire is to minimize traffic to and from the farm. Some customers would come to the site and drop off items for repair. One building will be used for manufacturing and repair, another for storage and a CNC machine to cut items. Workload will be sporadic and dependent on the season and weather. Hours of operation will be limited from 7:00 am to 9:00 pm in accordance with the ordinance, though some work may need to take place late to meet deadlines.

Overnight parking of tractor trailers is not anticipated and no signage is needed. There should not be noxious noise, odor, or glare noticeable from the outside. There is plenty of area for parking on the premises and not the road. Existing buildings will be used without the need for exterior modification. No outdoor storage of materials is anticipated unless it is screened in accordance with Section 135-227.M.

A discussion about traffic and access to the site took place. Mr. Baltozer was not sure how much traffic to expect since this business is on a smaller scale than the offsite business he is leaving. The goal is to have no more than ten trips per day. He would like the freedom to repair items like cutting edges for buckets and manufacturing stoves, furnaces, and boilers for customers.

Mr. Hershey asked who is responsible for maintaining the lane. The Baltozers have maintained along the portion going by their land up to the Ruhl's property, who maintains the rest. Mr. Baltozer expressed interest in helping to maintain the entire length.

Mr. Hitz asked where Mr. Baltozer's current facility is located. It is on Route 72 north of Elstonville. Mr. Hitz expressed concern with traffic in relation to the other landowners on the lane, then asked about heavy traffic periods. Mr. Baltozer said there will be trucks occasionally delivering steel, customers picking up and dropping off items, and shipments going out via common carrier. He will deliver some items himself and estimated around ten trips per day during busy periods. Mr. Baltozer's testimony concluded.

Mr. Strasbaugh began his testimony by stating that their family's main concern is traffic on the lane. Four homes, two farming operations, a cell tower, and the Baltozer cabinet shop all use it. The lane is located approximately 15' from their house. Adding another business would bring the total to three. They had an attorney research the public records who could not find an easement or right-of-way for Briarwood Lane and could not find information on the Baltozer deeds. His family does not want to restrict what the Baltozers can do but does not want additional traffic on the lane. They believe that no right-of-way was established once Mount Joy Township no longer owned it after construction of Route 283.

Solicitor Henry noted that the ZHB does not consider the right to use the lane or the legal rights of ownership. However, the Board considers the traffic and impacts to the lane. Mr. Hitz asked Mr. Strasbaugh how much traffic he sees pass by their farm. Approximately 30 or more trips per day between trash service, customers, and farming operations. He would have no issue with the business if its traffic did not pass by their farm and home. Mr. Newton asked Mr. Baltozer if there is any other way to access their property. No, their land does adjoin another right-of-way.

A motion was made by Robert F. Newton Jr. and seconded by James E. Hershey to close the testimony for the case. A decision will be rendered within 45 days.

- 8) Next regularly scheduled meeting is Wednesday, August 5, 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 7:15 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