

IN THE MATTER OF : **BEFORE THE FAIRVIEW TOWNSHIP**
THE APPLICATION OF : **ZONING HEARING BOARD**
CHRISTOPHER S. MCKINNEY : **YORK COUNTY, PENNSYLVANIA**
: **DOCKET NO. 2019-09**

**DECISION GRANTING A SPECIAL EXCEPTION SUBSTITUTING A
NONCONFORMING USE IN THE RESIDENTIAL MIXED-USE DISTRICT**

David Leroy Plumbing, Inc., applied to Fairview Township for a zoning use permit to conduct day-to-day operations of a plumbing and HVAC business at 643 Old York Road, Etters, PA 17319, in the Residential Mixed-Use District of Fairview Township. When the permit was denied the Applicant¹ filed this application to the Zoning Hearing Board to: (1) appeal from the Zoning Officer's decision; (2) request a special exception; and (3) request a variance, all pursuant to Sections 300-4(B), 300-11, and 300-20 (Table 5-2) of the Fairview Township Zoning Ordinance. The hearing was held on the application on October 17, 2019, at 6:30 p.m. at the Fairview Township Municipal Building, 599 Lewisberry Road, New Cumberland, Pennsylvania 17070.

FINDINGS OF FACT

1. The Applicant is Christopher S. McKinney, 71 Pine Hill Road, Enola, PA 17025. The Applicant and his wife, Jacquie L. McKinney, are the legal owners of the property located at 643 Old York Road, Etters, PA 17319, which is subject of this hearing. They entered into an

¹ The application was submitted by David Leroy Plumbing, Inc. Under the Pennsylvania Municipalities Planning Code, the applicant must be the landowner, defined as "the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land." At the beginning of the hearing it was determined that the Applicant did not have the requisite interest in the land to support the application. At the Applicant's request, and with the landowner's agreement, the Board approved the request to amend the application to be in the name of the landowner, Christopher S. McKinney, who was present at the hearing, testified, and agreed to adopt and make the application in his name.

oral agreement to sell the property to David Leroy (or to David Leroy Plumbing, Inc.), contingent upon zoning use approval.

2. Notice of the hearing was properly advertised; the property was properly posted; and all neighboring property owners required to be notified of the hearing were notified in accordance with the Township Ordinance and the Pennsylvania Municipalities Planning Code.

3. The Applicant was represented by Gilbert Malone, Esquire, *Malone & Neubaum*, 42 S. Duke Street, York, PA 17401. David Leroy and Christopher S. McKinney testified on behalf of Applicant.

4. The subject property has frontage on Old York Road and is located in the Residential Mixed-Use District of Fairview Township. The 643 Old York Road property is 2.35 acres in area. Most recently, the building has been utilized as a hobby shop with an indoor remote-control car racetrack. This use was authorized by the Fairview Township Zoning Hearing Board in a decision dated January 16, 2003 (*Christopher S. McKinney, Docket No. 565*). The building also includes storage space and a finished area useable for a business office.

5. David Leroy testified to his plumbing/HVAC business and his plans for the property. He indicated that there would be no retail sales from the premises. Hours of operation would be from 7:30 am – 5:00 pm, although there would be some employees arriving a bit earlier in order to gather supplies and materials to stock their trucks for daily service calls. Essentially, the existing building would be utilized for a business office, as well as for storage of parts and supplies.

6. In terms of impact at the site, Mr. Leroy's business will not have retail traffic. There will be traffic involving customers wishing to pay their invoice in person, by employees needing to pick up parts and materials for service calls, and by supply delivery vehicles. There will be no outside storage.

DISCUSSION

The Zoning Officer denied Mr. Leroy's zoning permit application to utilize the existing building on the property as an office and staging area for the plumbing/HVAC business on the basis that a plumbing/HVAC business falls within the category of a contractor shop constituting a "light industrial" use not permitted in the RMU district. This application followed.

The application to allow the plumbing/HVAC business use is based on multiple legal theories, alternatively: (1) an appeal from the Zoning Officer's interpretation of Section 300-11, Definitions; (2) a request for a special exception for a use not expressly allowed or excluded by the Ordinance; and (3) a use variance under Section 300-20, Table 5-2.

The Ordinance interpretation issue is relatively straightforward. The Ordinance in Section 300-11 defines "Industrial Uses – Light Industrial" to include: "An establishment primarily... (4) Involved in the production and/or repair services of... plumbing, heating, ventilating and air-conditioning...". Light industrial uses are permitted in the LI zoning district, but not in the RMU district. Mr. Leroy contends, however, that he is not using the property for plumbing/HVAC repair services since his employees' work is typically performed at the customer's home. He intends to utilize this property for his business office and storage of parts, and as such, believes that this use more appropriately, falls under the category of "Personal service" or "Office, business and professional and medical", both of which are permitted uses in the RMU zoning district. In the Zoning Hearing Board's view, on the basis of the plain language of the Ordinance which expressly includes plumbing, heating, ventilating and air-conditioning repair businesses within the definition of Light Industrial uses, the Zoning Officer's interpretation and application of the Ordinance was correct and the appeal must be denied.

The express listing of plumbing and HVAC services in the light industrial uses definition in the Ordinance also requires that the requested special exception for a use "not expressly

permitted or denied” must be rejected. The Applicant’s business is expressly provided for in the LI district of Fairview Township under the Zoning Ordinance.

The current use was recognized as a permitted use in the then-existing Commercial Neighborhood District by the Zoning Hearing Board upon the application of Christopher S. McKinney granted in January 2003. However, when the current Zoning Ordinance was adopted in 2013, the property was placed in the RMU district and the indoor recreational racetrack use is not permitted in that district. Therefore, the property is presently permitted for a nonconforming use, although not the use requested in this application.

The Fairview Township Zoning Ordinance Section 300-81 authorizes the Zoning Hearing Board to grant a special exception for a change of nonconforming use when certain criteria are met.² Proof must be provided to show that the proposed use is in general conformity with the township’s comprehensive plan and in harmony with the neighborhood in which it is proposed to be located; that the external impacts associated with the use are equal to or less than the existing nonconforming use; that the character of the use is similar to the character of the existing nonconforming use; that the location will not endanger the health or safety of the public nor deteriorate the environment nor create a nuisance condition; that the applicant demonstrate that hazardous waste will be properly disposed of; that the use will comply with all pertinent township requirements that it may be subject to; and that the hours of operation, management plan and other obligations under the Ordinance be followed. The applicant documented compliance with these requirements.

² This application did not expressly request a special exception to change the nonconforming use. However, a special exception is a lesser deviation from the Ordinance than a use variance, which was requested, and the proposed use of the property for the plumbing/HVAC repair business has been advertised, the Zoning Hearing Board may properly and will consider the Applicant’s request as one for a special exception to Change the Nonconforming Use under Ordinance Section 300-81.

The proposed business use for Mr. Leroy's plumbing and HVAC business will, in many respects, have less of an impact on the neighborhood than the indoor remote-control racetrack and hobby shop facility. The traffic to the business will, in all likelihood, be less than for the indoor racetrack. There will be little, if any, noise at the site. There will be no hazardous wastes used. Parking can easily be accommodated for the limited number of customers and employees who will be present or come and go from the office during the day. On the basis of these findings and all the testimony and evidence presented, the special exception to change the nonconforming use from the indoor recreational use to the plumbing/HVAC repair business should be granted.

CONCLUSIONS

1. The Applicant has the burden of establishing entitlement to the requested special exception and demonstrating that all requirements of the Fairview Township Zoning Ordinance are met.

2. Changes of nonconforming uses are allowable as special exceptions under Fairview Township Zoning Ordinance Section 300-81, provided the criteria set forth in the Ordinance are met.

3. On the basis of the testimony and documentary evidence presented, the Board hereby concludes, as follows:

A. The appeal of the Zoning Officer's interpretation of the Ordinance is denied;

B. The request for a special exception finding that the use is not provided for under the Ordinance is denied;

C. A special exception to replace one nonconforming use with another nonconforming use under Section 300-81 of the Ordinance is granted; and

D. The request for a use variance is hereby deemed moot.

DECISION

On the basis of the foregoing findings and conclusions and on the basis of all the testimony and evidence presented at the hearing, the Board hereby concludes, as follows:

A. The appeal of the Zoning Officer's interpretation of the Ordinance is denied;

B. The request for a special exception finding that the use is not provided for under the Ordinance is denied;

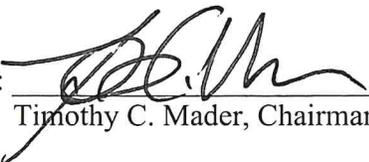
C. A special exception to replace one nonconforming use with another nonconforming use under Section 300-81 of the Ordinance is granted; and

D. The request for a use variance is hereby deemed moot.

The application was approved upon the motion of Mr. Perry, seconded by Mr. Bashore, and adopted 3-0 by the Board members present and voting.

FAIRVIEW TOWNSHIP ZONING HEARING
BOARD

Dated: November 21, 2019

By: 

Timothy C. Mader, Chairman

Distribution: Gilbert Malone, Esquire, *for Applicant*



ZONING HEARING BOARD APPLICATION
YORK COUNTY, PENNSYLVANIA

Part 1:

APPLICANT(S)/EQUITABLE OWNER

Name: David Leroy Plumbing, Inc.
Address: 539 Old York Road
New Cumberland, PA 17070-3126
Phone: (717) 938-8214

EXISTING OWNER OF PROPERTY:

Name: Christopher S. & Jacquie L. McKinney
Address: 71 Pine Hill Road
Enola, PA 17025

PROPERTY LOCATION:

Address: 643 Old York Road
Etters, PA 17319
Lot Size: 2.35 acres
Date Purchased: December 23, 2003
Location: 27-000-23-0241.00-00000

PRESENT USE OF PROPERTY:

RC Speedway until one month ago

EXISTING ZONE: Residential Mixed Use

Part 2:

ZONING REQUEST (Identification of the applicable request(s)):

- () SUBSTANTIVE CHALLENGE
(X) SPECIAL EXCEPTION
(X) VARIANCE
(X) APPEAL OF THE ZONING OFFICERS DECISION

SECTION(S) OF ZONING ORDINANCE WHICH APPLY TO THIS REQUEST - Please identify the specific section(s) of the Zoning Ordinance involved in the request):

§300-4(B) and §300-11. Definition of "Light Industrial", "Industry", "Office, Professional & Business" and "Personal Service". §300-20 "Table 5-2 Permitted Uses Growth Area Zoning Districts"

Part 3:

DESCRIPTION OF REQUEST:

See attached pages

DESCRIPTION OF REQUEST:

Applicant wishes to move his plumbing and HVAC service business from 539 Old York Road, New Cumberland, PA 17070 to the building at 643 Old York Road, Etters, PA 17319, which has until recently been used as an RC Speedway. Applicant will utilize the existing building on the property for its business office and for the storage of parts and supplies. There will be no outside storage. There will be no retail sales from the premises. Customer traffic will be minimal, involving only those coming to the office to pay bills, etc. Office hours will be Monday through Friday, 7:30 AM to 5:00 PM. Service employees can pick up parts and supplies no earlier than 7:00 AM. Office employees will park at the premises. Most service employees take their service trucks home with them but will park temporarily at the premises to load parts and materials for their service calls. There will be no assembling or construction work on the premises. The proposed use of the property will involve less traffic and less parking than the prior use as an RC Speedway. Often on weekends, there were over 100 vehicles in the area of the use, many of which could not park on the site itself.

The property is located immediately adjacent to the sewage treatment plant. The size and configuration of the existing building together with the odors emanating from the sewage treatment plant make the property unmarketable for most uses permitted in the RMU District.

APPEAL FROM ZONING OFFICER DECISION

The township zoning officer rejected the applicant's proposal to move his plumbing and HVAC service business to the site at 643 Old York Road, Etters, PA 17319 asserting that this is a "contractor shop" which constitutes a "light industrial" use and is not permitted in the residential mixed use zoning district. The applicant disagrees with the interpretation of the township zoning officer. The applicant asserts that the word "industrial" does not reasonably describe the applicant's business or the business of other trades, such as "electrician". "Industry" is defined in the ordinance as, "the manufacturing, compounding, processing, assembly or treatment materials, articles or merchandise." The definition of "industry" implies something being done with materials at the property. The applicant does not propose to make anything, repair anything, assemble anything, process anything or treat anything at the property. The property will solely be used as applicant's office and a place for indoor storage of materials, parts and supplies.

Two other definitions within the ordinance better encompass the applicant's proposal, both of which are permitted in the Residential Mixed Use district. They are:

1. Personal service. Personal service is defined in the ordinance as "An establishment where service-oriented activities for personal needs are provided to the general public, but which do not primarily involve retail sales of goods nor professional advisory services. Such activities shall include and be similar to barbershops and beauty shops/salons; health spas; photographic studios; small home appliance repair including radios and televisions; repair shops for tools, bicycles, guns, locks, shoes and watches; tailor, dressmaking, and upholstering shops; tutoring, individualized tutoring and teaching, and pet/small animal grooming/washing with no overnight boarding. Personal service establishments shall not be construed to be a sexually oriented business and/or related use as defined in this Article II of this chapter."

While most uses identified as personal service involve activities at the premises this makes them more intrusive on the community than the applicant's business. What the applicant proposes is, in reality, a personal service business, he will operate at the premises a business that provides

service to people at their residential or business properties by repairing and/or replacing plumbing fixtures, piping and air conditioning facilities.

2. Office, professional and business. This use is described in the ordinance definitions as follows: "An establishment in which one or more persons are employed in the management, direction or conducting of business/commerce and whose staffs/employees serve clients who seek advice and consultation regarding business/commerce. A business office may include the administrative, corporate or professional offices for profit, nonprofit or charitable organizations, but also includes contractors, real estate, stock and bond brokers, accountants, adjusters, appraisers, utility companies, lawyers, clergy, teachers, architects, engineers, landscape architects, planners, interior designers, insurance agents, and similar office-oriented uses."

While most of these uses do not involve the storage of parts and materials, the definition does include "contractors" whose facilities would certainly include the storage of parts, supplies and materials.

SPECIAL EXCEPTION

In the event the Zoning Hearing Board should conclude that the applicant's proposed use is not included within either "personal service" or "office, professional and business", then your applicant seeks approval of his proposed use by Special Exception pursuant to the provisions of Section 300-4(b). Your applicant seeks approval of his proposed use as a use not permitted by right, special exception or conditional use within any zoning district and asserts that his proposal meets all of the conditions set forth in Section 300-4(b) as follows:

(1) The proposed use is in general conformity with the township Comprehensive Plan. The Comprehensive Plan identifies the location of applicant's proposed use as within the primary designated growth area and as an interim primary growth area. The plan also identifies this area as "community mixed use (CMU)" asserting that there should be included not only residential neighborhoods with a mix of housing types but also a wide range of commercial, retail and service uses. Residential mixed use centers are to include convenience scale commercial operations. The applicant asserts that his proposed use represents a minimal scale commercial operation with minimal community impact.

(2) (a) Applicant's use is clearly similar and compatible with permitted uses in the zoning district, such as "personal service" and "office business and professional and medical" and is much less intrusive than other permitted businesses such as restaurant, retail business, commercial school, massage parlor, community center and daycare facility.

(b) Assuming applicant's proposed use is not classified either as "personal service" or as "office, professional and business" then it is not permitted in any of the zoning district under the terms of this chapter.

(c) The purpose of the RMU Residential Mixed Use zoning district is to, as set forth in Section 300-19, Table 51, include "moderate density residential with a compatible mixture of smaller less intensive commercial businesses and related uses." The applicant's proposed use represents a small less intensive commercial business.

(3) The external impacts associated with the applicant's proposed use are less intensive than the external impacts associated with many other uses permitted in the RMU residential mixed use zoning district including bank, food service, laundry and dry cleaning establishment, restaurant, retail business, commercial school, therapeutic massage business, community center, commercial

day care.

(4) The location of applicant's proposed use will not endanger public health and safety. It will not deteriorate the environment or generate use and conditions such as traffic congestion, noise, dust, smoke, litter or vibration. The applicant's proposed use will not create any significant noise, dust, smoke, litter or vibration. It will not generate traffic congestion as there will be minimal traffic going to and from applicant's place of business.

(5) The applicant's proposed use will not involve any local, county, state or federal code or licensing requirements. The building which will be utilized by applicant in his business is already UCC compliant.

(6) The proposed use will meet the standards that apply under Article XII relating to special exceptions as follows:

- (1) The use is consistent with the purpose and intent of this chapter. See above.
- (2) The proposed use will not detract from the use and enjoyment of adjacent or nearby properties. The proposed use, using an existing building to the rear of a parcel 2.3 acres in size will constitute a minimum commercial intrusion into the district. It will have much less adverse impact than the historic use of the property.
- (3) The proposed use will not substantially change the character of the subject property's neighborhood. The applicant will utilize the structure currently on the property. There will be no new construction on the property. The impact on the adjacent area will be less than the historic use of the property. There will be substantially less traffic to and from the site than has historically existed at the property
- (4) Adequate public facilities are available to serve the proposed use. The facility is served by public water and sewage. There is more than adequate parking and access is through an existing driveway. The proposed use will not involve any school usage. Fire, police and ambulance protection in the neighborhood are adequate.
- (5) The site is not within a flood plain overlaying zoning district.
- (6) There are no criteria listed in Article X related to applicant's proposed use.
- (7) The use will not impair the integrity of the township comprehensive plan. See above No. 1.

VARIANCE

In the alternative, applicant requests a use variance to permit use of the property and the existing structure as the situs of his plumbing and HVAC business and in support thereof, asserts the following:

Applicant, as an alternative, requests that a use variance be granted to permit him to locate his plumbing and HVAC service business at the property with an address of 643 Old York Road, Etters, PA 17319, and asserts that all of the requirements for a variance as set forth in Article XII of the township zoning ordinance as follows:

- (A) The physical circumstances of the property are that it has a heavily traveled road to the front and a sewage treatment plant with related odors to the rear which make the

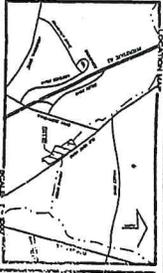
property virtually unuseable for residential purposes. Further, the odors from the treatment plant render the property unuseable for any of the permitted uses involving food. There is little demand in the area for locations for other non-residential uses which are permitted in the residential mixed use zoning district.

- (B) For reasons set forth in response to (A), the property cannot be reasonably developed in conformity with the provisions of the ordinance.
- (C) Neither the heavy traffic on Old York Road nor the sewage treatment plant were created by applicant. There is currently on the property a large commercial building with approximately 9,000 square feet first floor area and 3,000 square feet second floor area. While this building was constructed by the McKinnys on the property, it was done so to accommodate a use permitted in the zoning district by special exception, which use is no longer viable at the property and the existence of which building further impairs the use of the property for residential purposes because of either cost of converting the structure to residential uses, or alternatively, removing the structure. While the structure could reasonably accommodate uses such as a restaurant, the location adjacent to a sewage treatment plant effectively precludes such uses.
- (D) The variance to permit the applicant to locate his business at the property in question will not alter the essential characteristics of the zoning district or neighborhood and will not substantially or permanently impair the use for development of adjacent properties nor be detrimental to the public welfare. The applicant's business is minimally intrusive, would not bring significant traffic to the area and will represent a use for the tract of land with less detrimental impact on the community than most any other use permitted within the zoning district.
- (E) To permit applicant to utilize this property as the location of his business represents the minimum variance that would afford relief and will represent the least modification possible of the regulations in issue.
- (F) The property in question is not within the flood plain overlays zoning district.

❖ Part 4

LIST ALL INDIVIDUAL PROPERTY OWNERS WITHIN 200 FEET OF THE PERIMETER OF THE ENTIRE PROPERTY.

NAME	ADDRESS	MAP	PARCEL	USE TYPE
Pennsylvania American Water Company	P. O. Box 2738 Camden, NJ 08101	23	234A	Vacant land
Donald E. Wintermyer	623A Old York Rd. Etters, PA 17319	23	234M001	Single wide mobile home
Michael P. Hamilton	623 Old York Rd. Etters, PA 17319	23	234	1-1/2 story house
Seward E. & Lisa L. Hutton, Trustees of Seeward E. Hutton Intervivos Trust	620 Wyndamere Rd. Etters, PA 17319	23	235	2 story house
Pennsylvania American Water Co.	P. O. Box 2738 Camden NJ 08101	23	240D	Commercial (NEC)
S & S Rental Properties LLC	760 Garrison Rd. Lewisberry, PA 17339-9641	23	240B	Residential Vacant Land
Robert R. & Denise E. Brooks	647 Old York Rd. Etters, PA 17319	23	242	Double Wide Mobile Home
S & S Rental Properties LLC	760 Garrison Rd. Lewisberry, PA 17339-9641	23	243A	1 story house
S & S Rental Properties LLC	760 Garrison Rd. Lewisberry, PA 17339	23	243	Mixed Residential/Commercial
Scott Rauch & Judith Elizabeth Davita-Rauch	658 Old York Rd. Etters, PA 17319	QG	61B	Less 10AC Vac Baby parcel
Gerald C. & Marian E. Mansberger; Gail E. Ulrich & Karen L. Mansberger	632 Old York Rd. Etters, PA 17319	QG	49	2 story house
George R. McClure III	2265 Valley Green Rd. Etters, PA 17319	QG	50	1 story house
George E. & Theresa Marie McClure	2265 Valley Green Rd. Etters, PA 17319	QG	61A	1 story house
Remington Development Corporation	129 Old Ford Drive Camp Hill, PA 17011	QG	61C	Condominium Master Record



SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
(Symbol)	PROPERTY LINE	(Symbol)	ROAD CENTERLINE
(Symbol)	EXISTING UTILITY	(Symbol)	PROPOSED UTILITY
(Symbol)	EXISTING EASEMENT	(Symbol)	PROPOSED EASEMENT
(Symbol)	EXISTING CURB	(Symbol)	PROPOSED CURB
(Symbol)	EXISTING DRIVE	(Symbol)	PROPOSED DRIVE
(Symbol)	EXISTING SIDEWALK	(Symbol)	PROPOSED SIDEWALK
(Symbol)	EXISTING FENCE	(Symbol)	PROPOSED FENCE
(Symbol)	EXISTING WALL	(Symbol)	PROPOSED WALL
(Symbol)	EXISTING POLE	(Symbol)	PROPOSED POLE
(Symbol)	EXISTING SIGN	(Symbol)	PROPOSED SIGN
(Symbol)	EXISTING LIGHT	(Symbol)	PROPOSED LIGHT
(Symbol)	EXISTING TREE	(Symbol)	PROPOSED TREE
(Symbol)	EXISTING BUSH	(Symbol)	PROPOSED BUSH
(Symbol)	EXISTING GRASS	(Symbol)	PROPOSED GRASS
(Symbol)	EXISTING PAVEMENT	(Symbol)	PROPOSED PAVEMENT
(Symbol)	EXISTING CONCRETE	(Symbol)	PROPOSED CONCRETE
(Symbol)	EXISTING BRICK	(Symbol)	PROPOSED BRICK
(Symbol)	EXISTING STONE	(Symbol)	PROPOSED STONE
(Symbol)	EXISTING SAND	(Symbol)	PROPOSED SAND
(Symbol)	EXISTING GRAVEL	(Symbol)	PROPOSED GRAVEL
(Symbol)	EXISTING DIRT	(Symbol)	PROPOSED DIRT
(Symbol)	EXISTING ROCK	(Symbol)	PROPOSED ROCK
(Symbol)	EXISTING CLAY	(Symbol)	PROPOSED CLAY
(Symbol)	EXISTING SILT	(Symbol)	PROPOSED SILT
(Symbol)	EXISTING SANDSTONE	(Symbol)	PROPOSED SANDSTONE
(Symbol)	EXISTING LIMESTONE	(Symbol)	PROPOSED LIMESTONE
(Symbol)	EXISTING GNEISS	(Symbol)	PROPOSED GNEISS
(Symbol)	EXISTING GRANITE	(Symbol)	PROPOSED GRANITE
(Symbol)	EXISTING QUARTZITE	(Symbol)	PROPOSED QUARTZITE
(Symbol)	EXISTING SLATE	(Symbol)	PROPOSED SLATE
(Symbol)	EXISTING SCHIST	(Symbol)	PROPOSED SCHIST
(Symbol)	EXISTING METAMORPHIC	(Symbol)	PROPOSED METAMORPHIC
(Symbol)	EXISTING IGGNEOUS	(Symbol)	PROPOSED IGGNEOUS
(Symbol)	EXISTING SEDIMENTARY	(Symbol)	PROPOSED SEDIMENTARY
(Symbol)	EXISTING METAMORPHIC	(Symbol)	PROPOSED METAMORPHIC
(Symbol)	EXISTING IGGNEOUS	(Symbol)	PROPOSED IGGNEOUS
(Symbol)	EXISTING SEDIMENTARY	(Symbol)	PROPOSED SEDIMENTARY

LEGEND

PROPERTY LINE
 PROPERTY LINE
 CENTRAL LINE
 ROAD CENTERLINE
 2' CONTOUR INTERVAL
 PERMANENT FIELD
 SOIL PROTECTIVE
 OPEN-SAND SETTING
 1:50'

THE STATE

THE STATE OF PENNSYLVANIA, BEING A COUNTY OF YORK, I, the undersigned, County Recorder, do hereby certify that the following is a true and correct copy of the original as recorded in the Office of the County Recorder, York County, Pennsylvania, on the 14th day of April, 1980, at 10:30 A.M.

BOOK 55, PAGE 310

RECORDED IN THE OFFICE OF THE COUNTY RECORDER, YORK COUNTY, PENNSYLVANIA, ON THE 14TH DAY OF APRIL, 1980, AT 10:30 A.M.

CLERK OF THE COUNTY RECORDER

CONTRACT

1. THE ENGINEER HAS BEEN ENGAGED BY THE OWNER TO DESIGN AND CONSTRUCT THE SEWER SYSTEM SHOWN ON THESE PLANS AND TO SUPERVISE THE CONSTRUCTION OF THE SAME.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES AND FOR THE PROTECTION OF ALL EXISTING EASEMENTS AND RIGHTS.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING EASEMENTS AND RIGHTS AND FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

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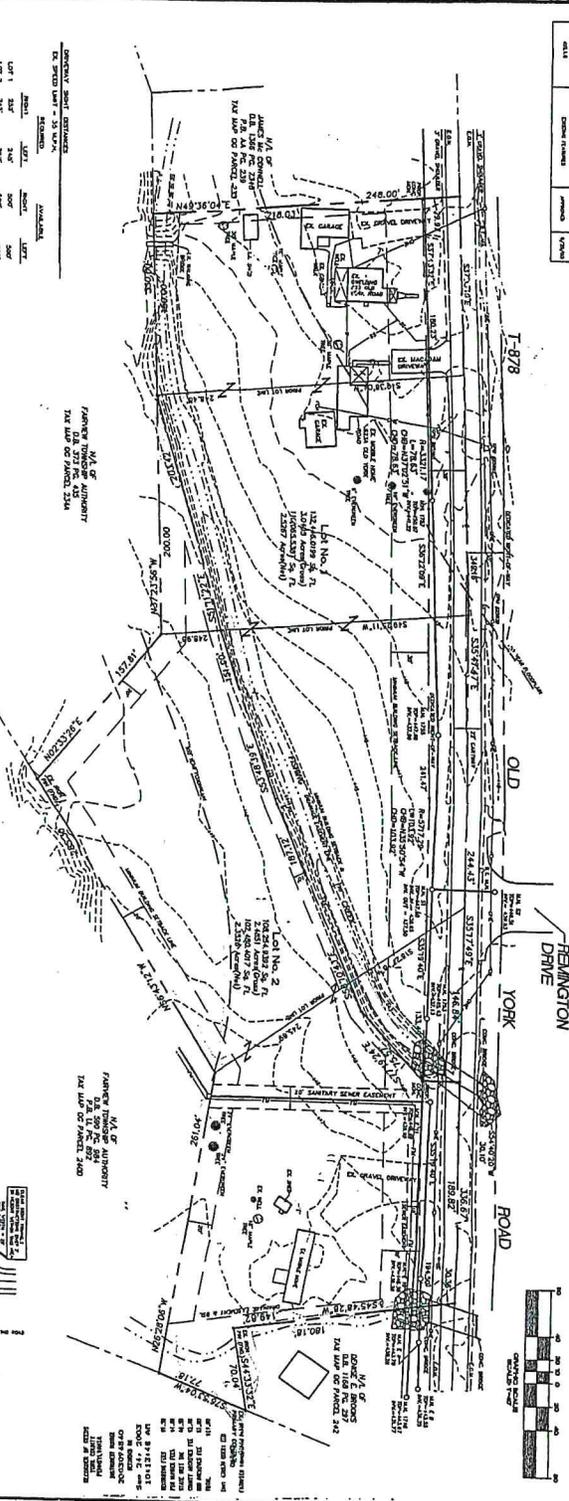
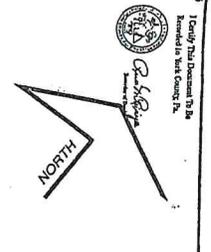
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING EASEMENTS AND RIGHTS AND FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

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10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING EASEMENTS AND RIGHTS AND FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.



APPROXIMATE AREA

LOT	AREA	AREA	AREA
LOT 1	2.87	3.47	5.00
LOT 2	2.17	2.27	5.00

OWNER

HELEN WINTERMYER
 1111 JONES BLVD
 EITERS PA 17024
 (717) 298-524

DESIGNER

HOOPER ENGINEERING SERVICES, INC.
 1111 JONES BLVD
 EITERS PA 17024
 (717) 298-524

CONTRACT

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2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

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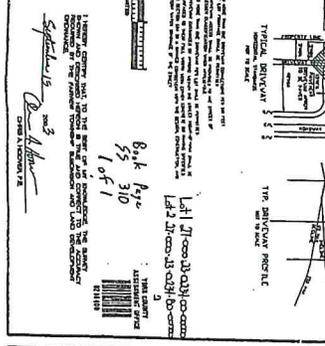
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HOOPER ENGINEERING SERVICES, INC.

ENGINEERS - PLANNERS - SURVEYORS

1111 JONES BLVD
 EITERS PA 17024
 (717) 298-524 FAX (717) 298-527

CRIS A. ROOVER

REGISTERED PROFESSIONAL ENGINEER

NO. DATE

NO.	DATE	DESCRIPTION
1	7/18/70	ADD SEWER LAYOUT NOTE TO PREVIOUS PLAN DOCUMENTS
2	8/15/70	
3	11/15/70	
4	12/15/70	
5	1/15/71	
6	2/15/71	
7	3/15/71	
8	4/15/71	
9	5/15/71	
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16	12/15/71	
17	1/15/72	
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19	3/15/72	
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100	12/15/78	

FINAL SUBDIVISION PLAN

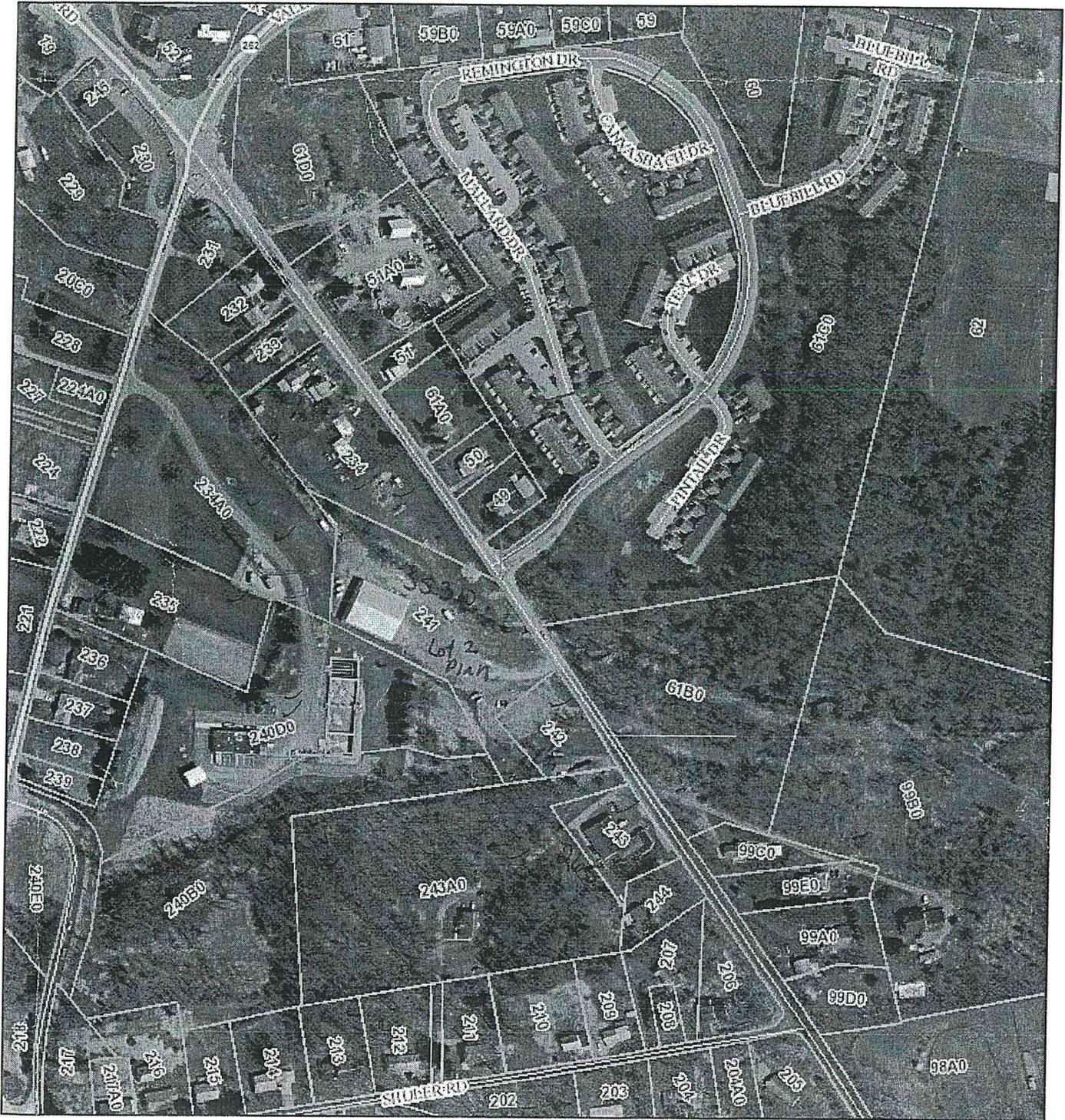
FOR

HELEN WINTERMYER

PARTVIEW TOWNSHIP, YORK CO., PA.

DESIGN	DAK
DRAWN	JK
DATE	4/9/80
SCALE	1" = 40'
FILE NUMBER	010
OWN	BASE

Tax Parcel Information



9/5/2019, 11:31:39 AM

Tax_Parcel

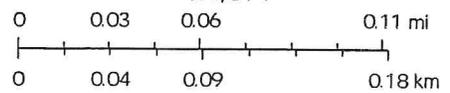
Green: Band_2

Image

Blue: Band_3

Red: Band_1

1:4,514



USDA FSA, GeoEye, Imagery: 2018Parcel Updated: 8/06/19

Exhibit

97 2

