

**BEFORE THE FAIRVIEW TOWNSHIP  
ZONING HEARING BOARD**

**DECISION**

**IN RE:           APPLICATION OF ROBERT SMEIGH, SR.  
APPLICATION NO. 2024-03**

APPLICANT(S):           Robert Smeigh, Sr.  
HEARING DATE:           June 20, 2024  
DECISION DATE:         June 20, 2024  
APPEARANCES:           Robert Smeigh, Sr., being represented by Atty. Brian Linsenbach  
                                  Patrick Walsh  
                                  Barry Gramm  
                                  Merrill Zerbe  
                                  Mark Eckhart  
                                  James Langer  
                                  Steve Fleming  
                                  Stephen Waller, Township Zoning Officer  
EXHIBITS:                 Exhibit 1 – Application (including all submittals)  
                                  Exhibit 2 – Floor Plan (marked as A-1 in record)  
                                  Exhibit 3 – ATV Printout from USDA dated Dec. 2008 (marked as  
                                  O-1 in record)  
                                  Exhibit 4 – Unpublished document on ATV Impacts on  
                                  Environment (marked as O-2 in record)  
                                  Exhibit 5 – Online article by Haavard Krislok regarding ATV  
                                  noise (found at [www.boostatv.com](http://www.boostatv.com))(marked as O-3 in record)  
                                  Exhibit 6 – Property overview/aerial (marked as O-4 in record)  
LETTER SUBMITTAL:       N/A  
SUBJECT PROPERTY:       Off Steigerwalt Hollow Road, New Cumberland, PA 17070

**BACKGROUND**

This decision of the Fairview Township Zoning Hearing Board (the “**Board**”) is from an application filed with Fairview Township (the “**Township**”) on April 25, 2024 (the “**Application**”) which the Applicant agreed to a time extension until June 20, 2024. The Application sought zoning relief under the Township’s Zoning Ordinance (the “**Ordinance**”), including: (i) an appeal of the Zoning Officer’s Decision dated April 12, 2024 stating a private outdoor recreational use is not permitted by right in the RL Zone because it would not be open to the public; or alternatively (ii) a Variance from Section §300.30.A – Accessory buildings and similar structures to construct a storage shed for storage at the property without a defined principal use, or (iii) a Variance from Table 4-2 to permit a “Park, playground, and other noncommercial outdoor recreational use” that is not open to the public. The subject property is located at Tax Parcel No. 27-000-RF-0110.A0-00000 - Steigerwalt Hollow Road, New Cumberland, PA 17070, which is located within the (RL) Rural Living Zoning District.

A hearing was held on the Application on Thursday, June 20, 2024, with the meeting starting at 6:00 p.m. The Zoning Hearing Board was represented by Timothy Mader (Chairman), Mark Perry (Vice Chairman), Keith Bashore, and Daniel Alderman (as the alternate member in attendance but not voting). All published and posted notices were duly given. Testimony in favor of Applicant, and the Application, was given by Patrick Walsh, Barry Gramm, Steve Fleming and Merrel Zerbe. Testimony in opposition to the Application was offered by Mark Eckard and James Langer. After hearing the testimony and viewing the evidence in this matter, the Board makes the following determinations:

### **FINDINGS OF FACT**

1. Robert Smeigh, Sr. (“**Applicant**”), is the current owner of property located off Steigerwalt Hollow Road, New Cumberland, PA 17070 (the “**Property**”), which is currently vacant.
2. The Property is located in the Township’s Rural Living (RL) Zoning District (the “**RL Zone**”) and is unimproved.
3. Applicant’s objective in purchasing the Property is to both preserve the Property as well as to use it privately for various recreation activities, such as hunting, hiking, ATV riding and similar leisure activities.
4. Use of the Property for recreational activities would not be open to the public, but would be limited to Applicant, his family, and their respective guests.
5. The Property is encumbered by a gas line easement running through, and splitting, the Property.
6. The Property is mainly wooded, but also contains some cleared areas which can be overgrown at certain times of the year.
7. Applicant seeks to construct a 14’ wide by 28’ long, two (2) story shed on the Property in order to store tools, equipment, and recreational vehicles (the “**Shed**”).
8. The purpose of the Shed would be to secure such personal property from theft or vandalism, to keep the same from exposure to the weather, and to permit Applicant to store such personal property at the Property instead of having to transport the same to and from the Property with each use.
9. The only utility hook-ups to the Shed would be electricity in order to provide chargers for the equipment stored, and to provide limited lighting.
10. Except for electricity, the Shed would not have any other utilities, including without limitation septic/sewer, water, or any gas/heating fuel.
11. The Shed would not be used in any capacity or manner for dwelling or residential purposes.

12. Neighboring properties and uses include a number of residential uses (both adjoining and some in close proximity but not adjoining), as well as two religious meeting uses, and American Water Company down the street.

13. Testimony was offered that the use would not impact or alter the surrounding neighborhood, that the closest neighbors would welcome the Shed because it meant Applicant would keep the Property in an orderly manner, and that Applicant is a good steward of land.

14. Testimony was also offered about adverse impacts of ATV use and questioning whether the proposed Shed was in conformity with the objectives of the RL Zone.

15. The zoning officer established that Applicant's proposed use of the Property (for various recreation activities, such as hunting, hiking, ATV riding and similar leisure activities) was permitted in a non-commercial manner regardless if the Shed is permitted or not.

16. Applicant seeks: (i) an appeal of the Zoning Officer's Decision dated April 12, 2024 stating a private outdoor recreational use is not permitted by right in the RL Zone because it would not be open to the public; or alternatively (ii) a Variance from Section §300.30.A – Accessory buildings and similar structures to construct a storage shed for storage at the property without a defined principal use, or (iii) a Variance from Table 4-2 to permit a "Park, playground, and other noncommercial outdoor recreational use" that is not open to the public.

17. No testimony was provided as to why the Zoning Officer's April 12, 2024 interpretation, stating a private outdoor recreational use is not permitted by right in the RL Zone because it would not be open to the public, was incorrect or should be treated differently.

18. No testimony was provided related to hardships created, or unique physical characteristics of the Property, which make use of the Property in conformity with the ZO impossible or impractical.

19. Stephen Waller, as the Township Zoning Officer, testified that all public notice of the application and hearing were legally conducted and performed, with the hearing being advertised in the newspaper on June 6<sup>th</sup> and 13<sup>th</sup>, the Property being posted at multiple locations on June 11<sup>th</sup>, and the adjoining property owners having letters mailed to them on May 28<sup>th</sup>.

20. Mr. Waller also testified to his process to arrive at his determination on April 12, 2024 (that a private outdoor recreational use is not permitted by right in the RL Zone because it would not be open to the public) by going through various definitions and sections of the ZO which supported his interpretation.

21. Mr. Waller also provided background on the history of the ZO, and the rationale for enactment of Section §300.30.A prohibiting accessory buildings and similar structures without having, or commencing construction of, a principal use/building.

### **CONCLUSIONS OF LAW**

1. The Zoning Officer’s initial interpretation and determination of April 12, 2024, (that a private outdoor recreational use is not permitted by right in the RL Zone because it would not be open to the public) was correct and acceptable, and there was no basis to upset, set aside, reverse, or otherwise disregard such interpretation.

2. The Applicant has failed to establish the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section §300.30.A – Accessory buildings and similar structures to construct a two (2) story, 14x28 storage shed for storage of a tractor, ATV as well as other miscellaneous items at otherwise vacant property without a defined principal use, specifically the failure to establish the unique physical characteristics of the Property that exist creating a hardship which makes use of the Property in strict conformity with the Ordinance unavailable, and that such hardship are not created by the Applicant.

3. The Applicant has failed to establish the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Table 4-2 to permit a “Park, playground, and other noncommercial outdoor recreational use” that is not open to the public, specifically the failure to establish the unique physical characteristics of the Property that exist creating a hardship which makes use of the Property in strict conformity with the Ordinance unavailable, and that such hardship are not created by the Applicant.

### **DECISION**

Mr. Bashore moved to deny the zoning relief requested by the Applicant in the Application, being (i) an Appeal of the Zoning Officer’s Decision dated April 12, 2024, that a private outdoor recreational use is not permitted by right in the RL Zone because it would not be open to the public; or alternatively (ii) a Variance from (either or both) Section §300.30.A – Accessory buildings and similar structures to construct a two (2) story, 14x28 storage shed for storage of a tractor, ATV as well as other miscellaneous items at otherwise vacant property without a defined principal use or from Table 4-2 to permit a “Park, playground, and other noncommercial outdoor recreational use” that is not open to the public.

Mr. Perry seconded the motion. Upon a vote, the Fairview Township Zoning Hearing Board unanimously approved the motion.

**APPLICANT SHALL ABIDE BY ALL FEDERAL, STATE AND LOCAL LAWS, REGULATIONS AND ORDINANCES PERTAINING TO PERMISSIONS GRANTED BY THIS DECISION.**

**APPLICANT SHALL PROCEED PURSUANT TO THIS DECISION IN ACCORDANCE WITH THE TESTIMONY AND EXHIBITS PRESENTED AT THE HEARING.**



\_\_\_\_\_  
Timothy Mader, Chairmen

Date: June 27, 2024

**ANY PERSON AGGRIEVED BY THIS DECISION OF THE FAIRVIEW TOWNSHIP ZONING HEARING BOARD MAY APPEAL TO THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA. THE APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS FROM THE MAILING OF THESE FINDINGS OF FACT, CONCLUSIONS OF LAW AND THE ABOVE DECISION.**

**MAIL DATE: June 27, 2024**



ZONING HEARING BOARD APPLICATION
YORK COUNTY, PENNSYLVANIA

❖ Part 1:

APPLICANT(S)/EQUITABLE OWNER

Name: Robert Smeigh, Sr.
Address: 310 Berkshire Road
Mechanicsburg, PA 17055
Phone: (717) 697-8418

EXISTING OWNER OF PROPERTY:

Name: Robert Smeigh, Sr. & Vignon L. Smeigh
Address: 310 Berkshire Road
Mechanicsburg, PA 17055

PROPERTY LOCATION:

Address: off Steigerwalt Hollow Road
New Cumberland, PA 17070
Lot Size: 21.99 acres
Date Purchased: February 20, 2024
Location:
Tax Parcel No. 27-000-RF-0110.A0-00000

PRESENT USE OF PROPERTY:

Vacant Wooded Land

EXISTING ZONE: RL

Rural Living

❖ Part 2:

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

- ( ) SUBSTANTIVE CHALLENGE
( ) 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):

Section 300-30 Accessory Buildings and Similar Structures, specifically Section 300-30(A)
Table 4-2 Permitted Uses, Rural Area Zoning Districts - Park and other noncommercial outdoor recreational uses

❖ Part 3:

DESCRIPTION OF REQUEST:

Applicant desires to place a 2-story, 14' x 28' storage shed on Applicant's property for storage of tractor, ATV, and other miscellaneous items, in relation to recreational use of the property and its maintenance, without the necessity of constructing a residential dwelling or commercial building or use on it prior to the placement of the storage shed.

See supplemental attachment regarding the Appeal of the Zoning Officer's Decision.

❖ Part 4

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

NAME	ADDRESS	USE TYPE
James A. & Rebecca B. Langer	310 Steigerwalt Hollow Road, New Cumberland, PA 17070	Residential
Barry L. Gramm	321 Steigerwalt Hollow Road, New Cumberland, PA 17070	Residential
Merrill S. Zerbe	313 Steigerwalt Hollow Road, New Cumberland, PA 17070	Residential
Hindu American Religious Institute	301 Steigerwalt Hollow Road, New Cumberland, PA 17070	Church Building
Pennsylvania America Water Co.	275 Steigerwalt Hollow Road, New Cumberland, PA 17070	AG w/Commercial
Association of Baptists for World Evangelism	522 Lewisberry Road New Cumberland, PA 17070	Church Building
Daniel Sprenkle	Steigerwalt Hollow Road, New Cumberland, PA 17070	Vacant Land
Amy C. & Douglas A. Stouffer	Steigerwalt Hollow Road, New Cumberland, PA 17070	Vacant Land
Mark C. Kambic, Frank J. Kambic, Debra H. Kambic	Steigerwalt Hollow Road, New Cumberland, PA 17070	Vacant Land
Samuel C. Steigerwalt, Jr.	326 Steigerwalt Hollow Road, New Cumberland, PA 17070	Residential

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❖ *Part 5 For office use only:*

## ZONING HEARING BOARD CHECKLIST

Application Received: \_\_\_\_\_

Property Zoned: \_\_\_\_\_

Asking for Special Exception, Variance or Appeal: \_\_\_\_\_

Case No.: \_\_\_\_\_

Fees Paid: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Draft Public Notice sent to Attorney for review: \_\_\_\_\_

Notice sent to Newspaper: \_\_\_\_\_

Notice Published in Newspaper: \_\_\_\_\_

Notice Mailed to Property Owners in 225ft. Buffer: \_\_\_\_\_

Public Notice Posted on Property: \_\_\_\_\_

ZHB Packets Mailed and Emailed: \_\_\_\_\_

**SUPPLEMENTAL ATTACHMENT TO THE APPLICATION  
FOR THE APPEAL OF THE ZONING OFFICER'S DECISION**

Under Section 300-30(A) What if the Principal Use does not require any construction?

For example under Table 4-2, the section titled Park and other noncommercial outdoor recreational uses is an allowable "Permitted Use".

Further, Recreation under the township definition is defined as any activity, whether structured or not, in which individuals voluntarily engage during their leisure, including but not limited to:

- A. Sports (individual, dual, team, coed recreational, and combative) athletics; both land- and water-based.
- B. Arts and crafts, spectating, picnicking, nature study, and board games.
- C. Dance, drama, music, games, social recreation, special events, hiking/walking, cycling, hobbies, outdoor educational activities, and cultural activities.

As per the above subsection (C), it allows for dance, drama, music, games, social recreation, special events, hiking/walking, cycling, hobbies, outdoor educational activities, and cultural activities. Hobbies would include such things as hunting and ATV riding.

The hiking/walking and the hobbies recreational activities would not require the construction to enjoy those activities, as a principal use on this sizeable lot.

The Zoning Officer determined that those are not necessarily principal uses that would allow an accessory structure. We respectfully disagree and believe that those are principal uses, which would allow an accessory structure to be used to store an ATV, miscellaneous items and equipment for the enjoyment of the hiking and other recreational activities on the property, and farm equipment, such as a tractor, to properly maintain the property.

That type of equipment and items could be kept outside on the lot; however, it would be safer, more secure, and certainly more aesthetic to store all of those items inside the storage shed.

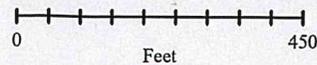
Recreation should be considered the principal use of a lot of this size and interpret it in favor of the landowner to allow the placement of an accessory structure, under your township zoning ordinance.



# Parcel - 27000RF0110A000000



**Owner - SMEIGH ROBERT SR & VIGNON L**  
**Property Address - STEIGERWALT HOLLOW RD**  
**Tax Municipality - Fairview Twp**  
**School District - West Shore School District**  
**Class - Farm**  
**Land Use - F - Vacant Agricultural**  
**Acres - 21.99**  
**Assessed Land Value - \$ 1,690**  
**Assessed Building Value - \$ 0**  
**Assessed Total Value - \$ 1,690**  
**Sale Date - Feb. 26, 2024**  
**Sale Price - \$ 225,000**  
**Deed Book - 2817, Page 2383**



1 inch = 300 ft 1:3,600

**Legend**

- Selected Parcel
- Parcels
- Municipal Boundary

Layers should not be used at scales larger than 1:2400 (Note: Pixilation will occur at scales 1" = below 200 Ft.)

**Inset Map**



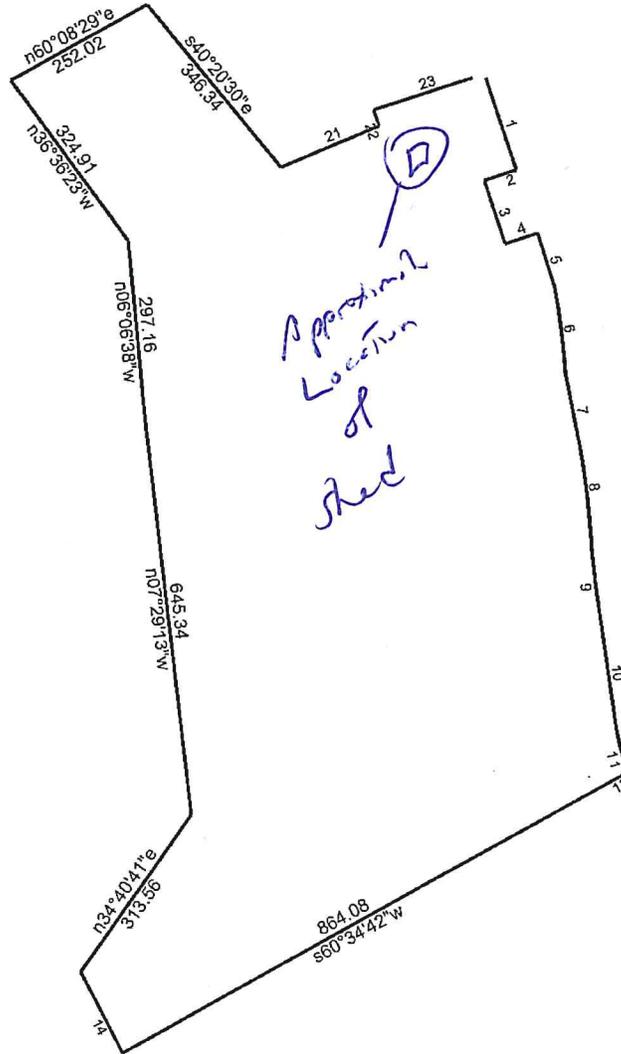
**Disclaimer:**  
The York County Planning Commission provides this Geographic Information System map and/or data (collectively the "Data") as a public information service. The Data is not a legally recorded plan, survey, official tax map, or engineering schematic and should be used for only general information. Reasonable effort has been made to ensure that the Data is correct, however the Commission does not guarantee its accuracy, completeness, timeliness. The Commission shall not be liable for any damages that may arise from the use of the Data."

Aerial Photography - 2021



Last Updated: 3/4/2024





Steigerwalt Hollow Rd #27-000-RF-0110.A0

2/19/2024

Scale: 1 inch= 300 feet

File: SMEIGH Steigerwalt Hollow Rd..ndp

Tract 1: 21.8898 Acres, Closure: n88.5114e 21.78 ft. (1/226), Perimeter=4919 ft.

01 s19.1540e 158.90  
 02 s70.5409w 55.00  
 03 s19.0551e 110.00  
 04 n70.5409e 55.00  
 05 s19.0551e 91.13

06 Rt, r=1114.54, arc=146.50, chord=s08.0427e 146.39  
 07 s11.5023e 116.26  
 08 Rt, r=1114.54, arc=146.50, chord=s08.0427e 146.39  
 09 Lt, r=1399.61, arc=132.37, chord=s07.0105e 132.32  
 10 s09.0439e 174.95  
 11 Lt, r=518.10, arc=87.69, chord=s14.3435e 87.59  
 12 s60.3442w 81.17  
 13 s60.3442w 864.08  
 14 n27.5714w 149.44

15 n34.4041e 313.56  
 16 n07.2913w 645.34  
 17 n06.0638w 297.16  
 18 n36.3623w 324.91  
 19 n60.0829e 252.02  
 20 s40.2030e 346.34  
 21 n66.3544e 174.61  
 22 n18.2631w 27.90  
 23 n71.3329e 168.12



**TAX PARCEL #27-000-RF-0110.A0-00000**  
**Steigerwalt Hollow Road, New Cumberland, PA 17070**  
**Fairview Township, York County**

## DEED

**THIS DEED** made this 20<sup>th</sup> day of February, 2024, by and between **HOMEFRONT ACQUISITIONS, LLC, a Wisconsin Limited Liability Company**, of 1923 E. Wood Place, Shorewood, WI 53211, hereinafter called **Grantor**,

- AND -

**ROBERT SMEIGH, SR., and VIGNON L. SMEIGH, Husband and Wife**, hereinafter called **Grantees**.

**WITNESSETH**, that in consideration of **TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000.00)** in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantees, their heirs and assigns,

**ALL** that certain piece or parcel of land situate in the Township of Fairview, County of York, Commonwealth of Pennsylvania, being more fully described as follows:

**BEGINNING** at a point said point being located on the dedicated right of way line of Steigerwalt Hollow Road on the dividing line of lands now or formerly of Melvin P. Fishel, and the lands here in described, said point being referenced the following five courses and distances from the lands now or formerly the Hindu American Religious Institute, as measured by and through the bed of Steigerwalt Hollow Road. **THENCE** the following five courses and distances:

1. S 29 degrees 12' 55" E a distance of 80.25' to a point.
2. By a curve to the right having a radius of 500.00', an arc length of 37.68', a chord bearing of S 27 degrees 03' 24" E, a chord length of 37.67' to a point.
3. S 24 degrees 53' 53" E a distance of 80.18' to a point.
4. S 19 degrees 33' 22" E a distance of 176.10' to a point.
5. S 71 degrees 33' 29" W a distance of 25.00' to a pin (set) on dedicated right of way line of Steigerwalt Hollow Road, the place of **BEGINNING**.

**THENCE** by the dedicated right of way line of Steigerwalt Hollow Road S 19 degrees 15' 40" E a distance of 158.90' to a pin (set) at lands now or formerly Barry Lee Gramm. **THENCE** by the same the following three courses and distances:



1. S 70 degrees 54'09" W a distance of 55.00' to a pin (set).
2. S 19 degrees 05'51" E a distance of 110.00' to a pin (set).
3. N 70 degrees 54'09" E a distance of 55.00' to a pin (set) on the dedicated right of way line of Steigerwalt Hollow Road.

**THENCE** by the same the following seven courses and distances:

1. S 19 degrees 05'51" E a distance of 91.13' to a point.
2. By a curve to the right having a radius of 1157.60' an arc length of 146.63' a chord bearing of S 15 degrees 28'07" E, a chord length of 146.53' to a point.
3. S 11 degrees 50'23" E a distance of 116.26' to a point.
4. By a curve to the right having a radius of 1114.54', an arc length of 146.50', a chord bearing of S 08 degrees 04'27" E, a chord length of 146.39' to a point.
5. By a reverse curve to the left having a radius of 1399.61', an arc length of 132.37', a chord bearing of S 07 degrees 01'05" E, a chord length of 132.32' to a point.
6. Thence S 09 degrees 43'39" E a distance of 174.95' to a point.
7. By a curve to the left having a radius of 518.10', an arc length of 87.69', a chord bearing of S 14 degrees 34'35" E, a chord length of 87.59' to a pin (set) at other lands now or formerly of the Steigerwalt Estate.

**THENCE** by the same S 60 degrees 34'42" W a distance of 81.17' to a pin in the stones (found) at lands now or formerly of Andrew T. Juliana. **THENCE** by the same S 60 degrees 34'42" W a distance of 864.08' to a pin (found) at lands now or formerly of Association of Baptist for World Evangelism, Inc. **THENCE** by the same the following three courses and distances:

1. Thence N 27 degrees 57'14" W a distance of 149.44' to a post (found).
2. N 34 degrees 40'41" E a distance of 313.56' to a post (found).
3. N 07 degrees 29' 13" W a distance of 645.34' to a pin in stones (found) at lands now or formerly PA. American Water Co.

**THENCE** by the same the following two courses and distance:

1. N. 06 degrees 06'38" W a distance of 297.16' to a pin in cone. (found)
2. N 36 degrees 36'23" W a distance of 324.91' to a pin (found) at lands now or formerly the Hindu American Religious Institute.

**THENCE** by the same N 60 degrees 08'29" E a distance of 252.02' to a point at the corner of Lot 2 and the lands herein described. **THENCE** by the same the following three courses and distances:

1. S 40 degrees 20'30" E a distance of 346.34' to a pin (set).
2. N 66 degrees 35'44" E a distance of 174.61' to a pin (set).

3. N 18 degrees 26'31" W a distance of 27.90' to a pipe (found) at lands of Melvin P. Fishel.

**THENCE** by the same N 71 degrees 33'29" E a distance of 168.12' to a pin (set), the place of **BEGINNING**.

**BEING** Lot No. 1, containing an area of 21.99 acres, as shown on Final Subdivision Plan of Steigerwalt Estate, recorded in Plan Book 2092, at Page 6272, and being subject to all easements of record. The foregoing description is based on a plan prepared by Michael C. D'Angelo, P.L.S. titled Final Subdivision Plan Steigerwalt Estate, dated 3/01/2010 bearing Drawing No. SD-98-112.

**THIS** conveyance is made under and subject to the following special sewer notes as shown on said plan recorded at York County Plan Book 2092, Page 6272:

- A. The deeds for lots 1 and 2 shall recite these conditions.
- B. Any future subdivision of Lot no. 1 will require the extension of public sewer.
- C. All costs associated with the sewer extension will be borne by the person extending the sewer.
- D. At the time of public sewer extension provisions will be made to accommodate the connection of lot no. 2 to the public sewer.
- E. The owner of record of lot no. 2 at the time public sewer is extended will be responsible for the connection from the lateral to dwelling.

**BEING** the same premises which is vested in Homefront Acquisitions, LLC, a Wisconsin Limited Liability Company, by virtue of deed dated January 11, 2024 and recorded January 12, 2024 in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record Book 2812, Page 4302, as Instrument #2024001599.

**UNDER AND SUBJECT** to, nevertheless, all conveyances, exceptions, restrictions and conditions, which are contained in prior deeds or other instruments of record in York County, Pennsylvania, all visible easements; municipal zoning ordinances; building codes; laws, ordinances or governmental regulations relating to sewage disposal; and all laws, ordinances and regulations relating to subdivisions.

**TOGETHER WITH** all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversions and remainders, rents, issues and profits thereof and all the estate, right, title, interest, property, claim and demand whatsoever of the Grantor, in law, equity or otherwise, of, in and to the same and every part thereof.

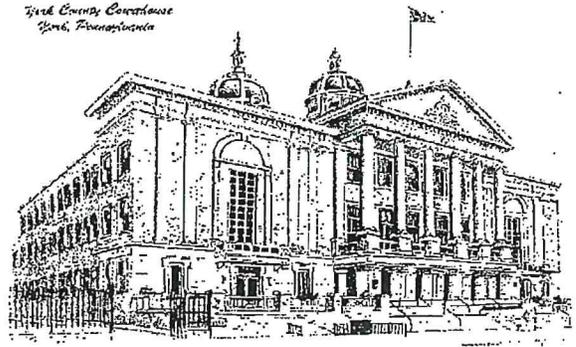
**TO HAVE AND TO HOLD** the above-described premises with the appurtenances unto the Grantees, their heirs and assigns, forever.

**AND**, the said Grantor does hereby covenant and agree that he will **SPECIALLY WARRANT** the property hereby conveyed.



**YORK COUNTY RECORDER OF DEEDS**  
**28 EAST MARKET STREET**  
**YORK, PA 17401**

Laura Shue - Recorder  
Tina M. Channell - Deputy



Instrument Number - 2024006922  
Recorded On 2/26/2024 At 1:54:17 PM

Book - 2817 Starting Page - 2383  
\* Total Pages - 5

- \* Instrument Type - DEED
- Invoice Number - 1571036
- \* Grantor - HOMEFRONT ACQUISITIONS LLC
- \* Grantee - SMEIGH, ROBERT SR
- User - JLC
- \* Customer - STONE WILEY & LINSENBACH

\* Received By: MAIL

**\* FEES**

STATE TRANSFER TAX	\$2,250.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$40.25
RECORDING FEES	\$13.00
AFFORDABLE HOUSING	\$11.50
PIN NUMBER FEES	\$10.00
BLIGHT DEMOLITION FUND	\$15.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
WEST SHORE SCHOOL	\$1,125.00
REALTY TAX	
FAIRVIEW TOWNSHIP	\$1,125.00
TOTAL PAID	\$4,595.25

York County UPI Certification  
On February 26, 2024 By JV

PARCEL IDENTIFICATION NUMBER  
27000RF0110A000000  
Total Parcels: 1

I Certify This Document To Be  
Recorded In York County, Pa.



*Laura Shue*  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE  
***PLEASE DO NOT DETACH***  
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

Book: 2817 Page: 2387

## Chapter 300. Zoning

### Article VII. General Regulations

#### § 300-30. Accessory buildings and similar structures.

In all zoning districts, accessory buildings and/or similar structures, including but not limited to detached garages, carports, barns, storage buildings, sheds, garden structures, etc., are permitted subject to the following criteria:

- A. Accessory buildings and similar structures shall not be erected, set, placed or otherwise permitted to be constructed upon a lot until the construction of the principal use has actually begun, except as provided elsewhere in this chapter.
- B. Accessory buildings and similar structures shall be located no closer than 10 feet to the closest point of any exterior wall of the principal building on the same lot; otherwise, they shall be attached to the principal building and shall be considered as part of that principal building.
- C. Accessory buildings and similar structures shall comply with the area and dimensional requirements of the applicable zoning district relating to accessory buildings and similar structures, except as otherwise provided for in this section:
  - (1) For accessory buildings and similar structures located within the RS, RMU, VR, and/or VMU Zoning District on a lot with a single-family dwelling or a two-family dwelling use upon it:
    - (a) No more than two accessory buildings or similar structures may be located on a lot.
    - (b) The total building footprint of all accessory buildings or similar structures on a lot shall not exceed the building footprint of the principal building on the same lot.
    - (c) Accessory buildings and similar structures that are less than 10 feet in height and have a building footprint of less than 100 square feet shall be set back at least two feet from any interior lot line, and five feet from any exterior lot line coinciding with a street or alley right-of-way.
  - (2) For single-family semidetached and/or single-family attached dwellings, accessory buildings and similar structures which are designed to abut other accessory structures on abutting lots and may have the same side setback as the principal building at the shared lot line, provided that the owner of the abutting lot and building provides notarized, written consent.
- D. In addition to any yard and setback requirements set forth in this section, all accessory buildings and similar structures shall comply with the yard and setback requirements for accessory structures in the applicable zoning district.
- E. All accessory buildings and similar structures shall comply with all applicable standards in this chapter, Chapter 113 relating to code enforcement, Uniform Construction Code, and elsewhere.



Table 4-2 Permitted Uses, Rural Area Zoning Districts		
Types of Uses	RL Rural Living Zoning District	Criteria and Regulations Section
<b>A. RESIDENTIAL USES</b>		
Group home	P	§ 300-70
Single-family detached dwelling	P	
<b>B. NONRESIDENTIAL USES</b>		
<b>B.1 Commercial Uses</b>		
Animal hospital	SE	§ 300-71
Campground or recreational vehicle park	P	§ 300-71
Commercial recreation, outdoor	SE	§ 300-71
Craftsman/artisan studio	P	
Golf course	P	§ 300-71
Kennel, commercial	P	§ 300-71
Landscaping service	P	§ 300-71
Outdoor shooting range	SE	§ 300-71
Veterinary office	P	§ 300-71
<b>B.2 Industrial Uses</b>		
Mineral extraction	CU	§ 300-72
Sawmill	SE	
<b>B.3 Institutional/Civic Uses</b>		
Animal rescue shelter	P	§ 300-73
Cemetery	P	§ 300-73
Clubhouse or lodge, private	P	§ 300-73
Government facility other than municipal-owned uses	P	
Hunting club	P/SE (if outdoor shooting range)	(if outdoor shooting range, § 300-71)
Municipal-owned uses	P	§ 300-73
Nature preserve and wildlife sanctuary	P	
Park and other noncommercial outdoor recreational uses	P	
Place of worship and related uses	P	
Public/private utility	P	§ 300-73
School, public or private	P	
<b>B.4 Forestry/Agriculture Uses</b>		
Agribusiness	SE	§ 300-74
Agricultural operation	P	§ 300-74
Agricultural support business	P	§ 300-74
Community garden	P	§ 300-74
Forestry (commercial timber harvesting)	P	§ 300-74
Greenhouse/plant nursery	P	§ 300-74

X



**RECREATION**

Any activity, whether structured or not, in which individuals voluntarily engage during their leisure, including but not limited to:

- A. Sports (individual, dual, team, coed recreational, and combative), athletics; both land- and water-based.
- B. Arts and crafts, spectating, picnicking, nature study, and board games.
- C. Dance, drama, music, games, social recreation, special events, hiking/walking, cycling, hobbies, outdoor educational activities, and cultural activities.

**RECREATION, ACTIVE**

Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields,

**RECREATION, OPEN SPACE**

The area of land suitable for the development of specific active recreation facilities for leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites or fields, including but not limited to baseball fields, soccer fields, football fields, tennis, basketball and other court games, hockey facilities, multipurpose fields and community swimming pools.

**RECREATION, PASSIVE**

Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, checkers, and similar table games.

**RECREATION AREA, ACTIVE**

Any area developed in such a manner as to be conducive to those activities that fall within the range of active recreation. Examples: athletic fields and hard-surfaced courts, pools, large dams, bicycle and walking trails, open turf areas, and apparatus areas.

**RECREATION AREA, PASSIVE**

Any area developed in such a manner as to be conducive of those activities that fall within the range of passive recreation. Examples: scenic vistas, natural areas, craft areas, meeting areas, sitting areas, walkways, sunbathing, gardens, streams and impoundments, social events, picnicking, and spectating areas.



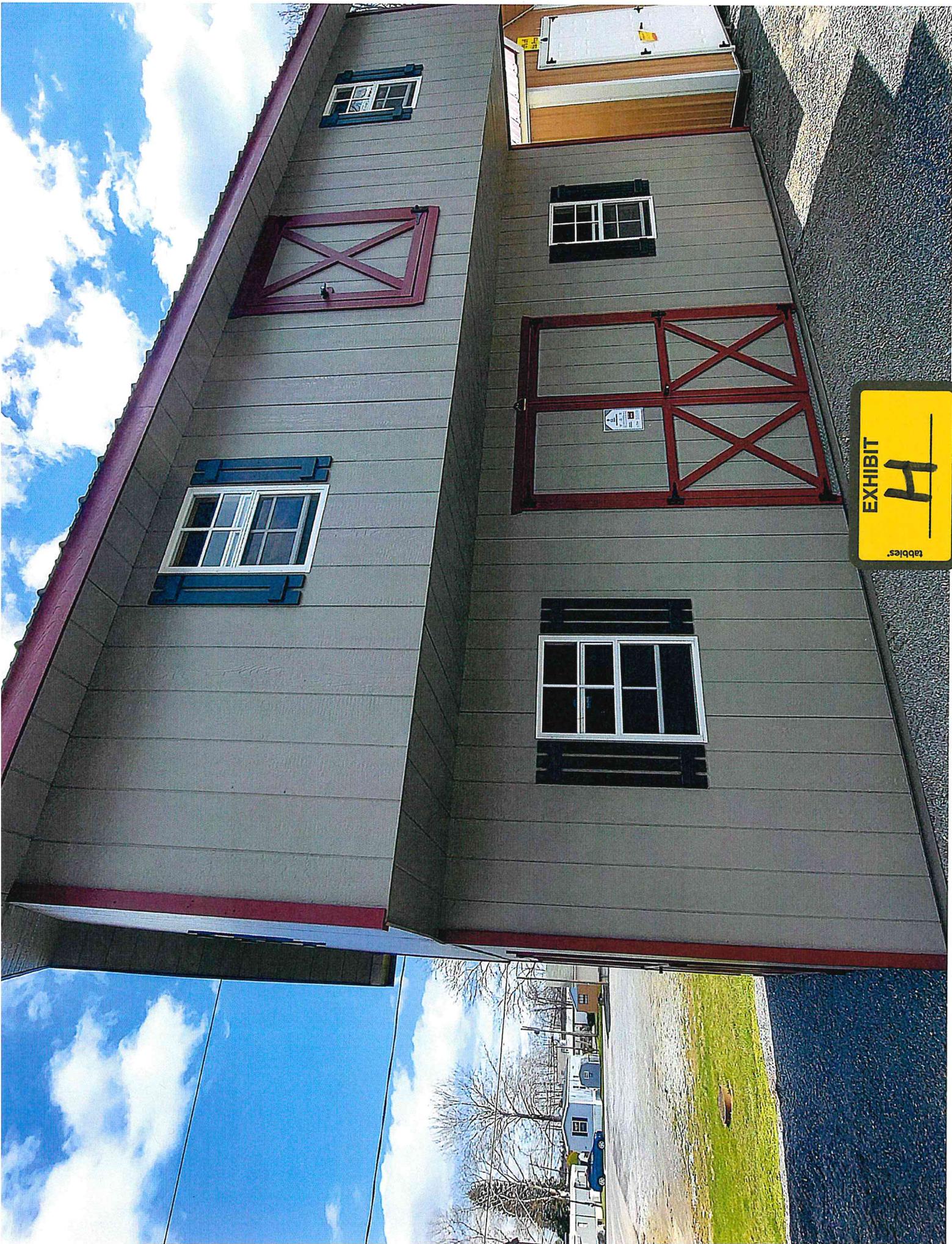


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