

**FAIRVIEW TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2025- 01

AN ORDINANCE OF FAIRVIEW TOWNSHIP, YORK COUNTY, PENNSYLVANIA, AMENDING THE CODE OF FAIRVIEW TOWNSHIP, YORK COUNTY, PENNSYLVANIA TO AMEND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF THE FOLLOWING PROPERTIES OR PORTIONS THEREOF, AS FOLLOWS: YORK COUNTY TAX PARCELS 27-000-RF-0114.00-00000 (PORTION OF +/- 4.45 ACRES ONLY) AND 27-000-RF-0117.00-00000 (ALL - +/- 1.40 ACRES) FROM RESIDENTIAL MIXED USE TO COMMERCIAL BUSINESS; YORK COUNTY TAX PARCEL 27-000-RF-0118.00.00000 (ALL - +/- .24 ACRES) FROM RURAL LIVING TO COMMERCIAL BUSINESS AND YORK COUNTY TAX PARCELS 27-000-RF-0119.00.00000 (ALL - +/- .39 ACRES) AND 27-000-RF-0113.00.00000 (PORTION OF +/-3.02 ACRES) FROM RURAL LIVING TO RESIDENTIAL MIXED USE

WHEREAS, Loxas, LLC is the legal owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Numbers 27-000-RF-0114.00-00000, containing +/-45.48 acres, situate at 349 Pleasant View Road, New Cumberland, PA, which property is zoned Residential Mixed Use (“Parcel 114”); and

WHEREAS, Kenneth B. Snyder is the legal owner and Loxas, LLC is the equitable owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-RF-0117.00-00000, containing +/-1.40 acres, situate at 335 Pleasant View Road, New Cumberland, PA, which property is zoned Residential Mixed Use (“Parcel 117”); and

WHEREAS, MJH Investments, LLC, is the owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000- RF-0118.00-00000 containing +/- .24 acres, situate at 341 Pleasant View Road, which property is zoned Rural Living (“Parcel 118”); and

WHEREAS, Loxas, LLC is the legal owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Numbers 27-000-RF-0119.00-00000, containing +/- .39 acres, situate at 345 Pleasant View Road, New Cumberland, PA, which property is zoned Rural Living (“Parcel 119”); and

WHEREAS, Nick and Angela Loxas are the legal owners of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Numbers 27-000-RF-0113.00-00000, containing +/- 58.99 acres, situate at 319 Pleasant View Road, New

Cumberland, PA, which property is zoned Rural Living (“Parcel 113”); and

WHEREAS, the above-referenced owners have submitted an application to rezone all or portions of the subject parcels of land, as follows: 1) a portion of Parcel 114, containing +/- 4.45 acres of land and all of Parcel 117 containing +/- 1.40 acres of land from Residential Mixed Use to Commercial Business; 2) all of Parcel 118 containing +/- .24 acres of land from Rural Living to Commercial Business and 3) all of Parcel 119 containing +/- .39 acres and a portion of Parcel 113 containing +/- 3.02 acres of land from Rural Living to Residential Mixed Use; and

WHEREAS, the area to be rezoned from Residential Mixed Use to Commercial Business contains +/- 6.08 acres, as more fully set forth in the legal description, dated April 15, 2025 and entitled “Legal Description of Proposed Area to be Re-Zoned Commercial Business, Fairview Township, Pennsylvania,” attached hereto as Exhibit A, which Exhibit A is incorporated herein by reference; and

WHEREAS, the area to be rezoned from Rural Living to Residential Mixed Use contains +/- .39 acres, as more fully set forth in the legal description, dated April 15, 2025 and entitled “Legal Description of Proposed Area to be Re-Zoned to Residential Mixed Use, Fairview Township, Pennsylvania,” attached hereto as Exhibit B, which Exhibit B is incorporated herein by reference; and

WHEREAS, the area to be rezoned from Rural Living to Residential Mixed Use contains +/- 3.02 acres, as more fully set forth in the legal description, dated April 15, 2025 and entitled “Legal Description of Proposed Area to be Re-Zoned to Residential Mixed Use, Fairview Township, Pennsylvania,” attached hereto as Exhibit C, which Exhibit C is incorporated herein by reference; and

WHEREAS, all areas to be rezoned pursuant to the application of the owners are shown graphically on the attached drawing, entitled, “Proposed Zoning Exhibit for Loxas – Reeser’s Summit,” dated May 15, 2024 attached hereto as Exhibit D, which Exhibit D is incorporated herein by reference; and

WHEREAS, a public hearing was duly advertised and conducted according to law in order to hear public comment on the petition submitted by the legal owners of the subject property; and

WHEREAS, on January 27, 2025, Fairview Township adopted Resolution 02-2025 adopting an updated Comprehensive Plan and the Board of Supervisors have determined that the proposed rezoning of the above-described parcels is consistent with the future land use map for such parcels; and

WHEREAS, upon consideration of the petition, and public comment, as well as the comments of the Fairview Township Planning Commission and the York County Planning Commission, the Board of Supervisors desires to amend the Fairview Township Zoning Map.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Fairview Township,

York County, Pennsylvania, and it is hereby enacted and ordained by and through the authority of the same, as follows, to wit:

Section 1. The Official Zoning Map of Fairview Township is amended as follows:

- A. As shown on Exhibit D, the zoning classification of the various parcels or portions thereof are hereby changed as follows: 1) a portion of Parcel 114, containing +/- 4.45 acres of land and all of Parcel 117 containing +/- 1.40 acres of land from Residential Mixed Use to Commercial Business; 2) all of Parcel 118 containing +/- .24 acres of land from Rural Living to Commercial Business and 3) all of Parcel 119 containing +/- .39 acres and a portion of Parcel 113 containing +/- 3.02 acres of land from Rural Living to Residential Mixed Use.
- B. The total area of the various parcels of land or portions thereof rezoned hereunder are more specifically described in the Exhibits A – C, which Exhibits shall be used to amend the Official Zoning Map of Fairview Township.

Section 2. Within 30 days of enactment hereof, the Township Secretary is hereby directed to forward a copy of this Ordinance to the York County Planning Commission.

Section 3. Effective Date. This Ordinance shall take effect as provided by law.

ENACTED AND ORDAINED this 28th day of April, 2025.

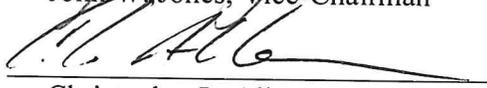
ATTEST:

By: 
Donald F. Martin
Township Secretary

BOARD OF SUPERVISORS OF
FAIRVIEW TOWNSHIP

By: _____
Dr. Lawrence G. Cox, Chairman

By: 
John W. Jones, Vice-Chairman

By: 
Christopher L. Allen

By: 
Matthew Cox

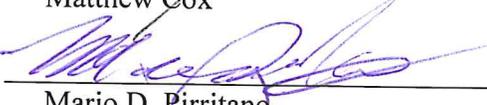
By: 
Mario D. Pirritano

EXHIBIT A

April 15, 2025

**LEGAL DESCRIPTION OF
PROPOSED AREA TO BE RE-ZONED COMMERCIAL BUSINESS
FAIRVIEW TOWNSHIP, YORK COUNTY, PENNSYLVANIA**

ALL the following tracts of land, with the improvements thereon erected, situate, lying and being in Fairview Township, York County, Pennsylvania, known as lands now or formerly of Kenneth Snyder. (D.B. 1799-6186), MJH Investments, LLC (D.B. 2777-1138) bounded and described as follows, to wit:

BEGINNING AT A POINT, said point being an iron pin at the northeasternmost property corner of lands now or formerly of MJH Investments LLC, following the northern property line of lands now or formerly of Loxas, LLC, South 56 degrees 32 minutes 18 seconds West, a distance of 174.27 feet to an iron pin. Thence, turning into lands now or formerly Loxas, LLC the following eight (8) courses and distances:

1. South 56 degrees 32 minutes 18 seconds West, a distance of 6.51 feet to a point.
2. Thence an arc, curving to the right having a radius of 40.00 feet and an arc distance of 22.99 feet, the chord of said curve being South 73 degrees 00 minutes 18 seconds West a distance of 22.68 feet to a point.
3. Thence, South 89 degrees 28 minutes 18 seconds West, a distance of 54.28 feet to a point.
4. Thence an arc, curving to the left having a radius of 525.00 feet and an arc distance of 296.07 feet, the chord of said curve being South 73 degrees 18 minutes 57 seconds West a distance of 292.16 feet to a point.
5. Thence, South 57 degrees 09 minutes 36 seconds West, a distance of 97.58 feet to a point.
6. Thence, North 32 degrees 50 minutes 24 seconds West a distance of 155.58 feet to a point.
7. Thence, North 12 degrees 00 minutes 48 seconds West a distance of 476.94 feet to a point.
8. Thence, North 23 degrees 03 minutes 00 seconds East a distance of 60.38 feet to a point. Said point located on the southern right-of-way for Pleasant View Road.

Thence, following the right-of-way for Pleasant View Road, in an easterly direction, the following two (2) courses and distances:

1. South 66 degrees 55 minutes 53 seconds East, a distance of 603.29 feet to an iron pin.

EXHIBIT A

2. Thence an arc, curving to the right having a radius of 405.00 feet and an arc distance of 264.12 feet, the chord of said curve being South 48 degrees 14 minutes 55 seconds East a distance of 259.46 feet to an iron pin; the **POINT OF BEGINNING**.

The area to be re-zoned commercial business contains 264,980.33 square feet or 6.08 acres.

EXHIBIT B

April 15, 2025

**LEGAL DESCRIPTION OF
LANDS TO BE RE-ZONED TO RESIDENTIAL MIXED-USE
FAIRVIEW TOWNSHIP, YORK COUNTY, PENNSYLVANIA**

ALL the following tracts of land, with the improvements thereon erected, situate, lying and being in Fairview Township, York County, Pennsylvania, known as lands now or formerly of Loxas, LLC (D.B. 2773-2556) bounded and described as follows, to wit:

BEGINNING AT AN IRON PIN, said point being an iron pin at the northeasternmost property corner of lands now or formerly of MJH Investments LLC. Said point also being the southern right-of-way line for Pleasant View Road.

Thence from said **POINT**, and following the southern right-of-way for Pleasant View Road, the following two (2) courses and distances:

1. An arc, curving to the right having a radius of 405.00 feet and an arc distance of 18.76 feet, the chord of said curve being South 28 degrees 14 minutes 21 seconds East a distance of 18.75 feet to an iron pin.
2. Thence, South 26 degrees 54 minutes 45 seconds East, a distance of 111.36 feet to an iron pin.

Turning into lands now or formerly of Elisabeth Hickok and Daub Haldeman (D.B. 2016-3605), Loxas, LLC (D.B. 2777-1138) and MJH Investments, LLC (D.B. 2459-879) the following four (4) courses and distances:

1. South 86 degrees 17 minutes 28 seconds West a distance of 52.60 feet to a point.
2. Thence, South 60 degrees 37 minutes 45 seconds West a distance of 105.72 feet to a point.
3. Thence, North 38 degrees 40 minutes 57 seconds West, a distance of 96.06 feet to an iron pin.
4. Thence, North 56 degrees 32 minutes 18 seconds East, a distance of 174.27 feet to an iron pin. Said iron pin also being the **POINT OF BEGINNING**.

Area to be re-zoned to residential mixed-use contains 17,170.79 square feet or 0.39 acres.

EXHIBIT B

EXHIBIT C

April 15, 2025

**LEGAL DESCRIPTION OF
AREA TO BE RE-ZONED TO RESIDENTIAL MIXED-USE
FAIRVIEW TOWNSHIP, YORK COUNTY, PENNSYLVANIA**

ALL the following tracts of land, with the improvements thereon erected, situate, lying and being in Fairview Township, York County, Pennsylvania, known as lands now or formerly of Nick & Angela Loxas (D.B. 2147-6929) bounded and described as follows, to wit:

BEGINNING AT AN IRON PIN, along the western property line of lands now or formerly of Loxas, LLC (D.B. 2777-1138) the following three (3) courses and distances:

1. South 55 degrees 06 minutes 42 seconds East, a distance of 717.58 feet to a point.
2. Thence, North 78 degrees 31 minutes 15 seconds West, a distance of 402.56 feet to an axel.
3. Thence, 49 degrees 16 minutes 01 seconds West, a distance of 144.59 feet to a point. Thence, turning into lands now or formerly of Nick & Angela Loxas the following two (2) courses and distances:
 1. North 55 degrees 06 minutes 42 seconds West, a distance of 312.24 feet to a point.
 2. Thence, North 34 degrees 53 minutes 18 seconds East, a distance of 300.00 feet to an iron pipe, said iron pipe being the **POINT OF BEGINNING**.

Area to be re-zoned residential mixed-use contains 131,473.36 square feet or 3.02 acres.

EXHIBIT C

EXHIBIT D

