

**BEFORE THE FAIRVIEW TOWNSHIP
ZONING HEARING BOARD**

DECISION

**IN RE: APPLICATION OF MESSIAH HOMES
 APPLICATION NO. 2026-01**

APPLICANT(S): Messiah Homes
HEARING DATE: January 22, 2026
DECISION DATE: January 22, 2026
APPEARANCES: James Strong, Esq. with McNess Wallace & Nurick, LLC (attorney
 for Applicant)
 Bill Fredricks with RGS Associates (the engineer/design
 management for Applicant)
 Karl Brummer, President of Applicant
 Homer Hetrick, neighbor (via letter submission)
 Stephen Waller, Township Zoning Officer
 Ken Keim, Resident (questions only)
EXHIBITS: Exhibit 1 – Application (including all submittals)
 Exhibit 2 – Aerial Exhibit (marked as A-1 at hearing)
 Exhibit 3 – Site Plan (marked as A-2 at hearing)
 Exhibit 4 – Courtyard Homes Exhibit (marked as A-3 at hearing)
SUBJECT PROPERTY: 100 Spanglers Mill 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 or about December 16, 2025 (the “*Application*”), seeking zoning relief under the Township’s Zoning Ordinance (the “*Ordinance*”) as follows: (i) §300.73.D.6.d.3 – to permit an 8.5’ front to rear separation where 40’ is required, (ii) §300.73.D.6.d.4 – to permit an 8.5’ side to rear separation where 20’ is required, (iii) §300.73.D.6.d.5 – to permit an 8.5’ side to side separation where 15’ is required, and (iv) §300.73.D.6.d.7 – to permit a 13’ corner to corner separation where 20’ is required. The subject property is located at 100 Spanglers Mill Road, New Cumberland, PA 17070 within the Township’s Single Family Residential (RS) Zoning District.

A hearing was held on the Application on Thursday, January 22, 2026, with the meeting starting at 6:00 p.m. The Zoning Hearing Board was represented by Timothy Mader (Chairman), Mark Perry (Vice Chairman), and Keith Bashore (with Daniel Alderman (as the acting alternate member) being in attendance but not voting. All published and posted notices were duly given, with no objection thereto being made in writing or orally at the time of the hearing. No testimony in opposition to the Application was offered or taken, and no parties attended the hearing to provide testimony in opposition, although the above referenced resident did submit questions to the Applicant. A letter in support of the Application was submitted by a neighbor, Homer Hetrick, dated January 14, 2026. After hearing the testimony and viewing the evidence in this matter, the Board makes the following determinations:

FINDINGS OF FACT

1. Messiah Homes (“*Applicant*”) is a wholly owned subsidiary of Messiah Lifeways (“*Owner*”) as the owner of property located at 100 Spanglers Mill Road, New Cumberland, PA 17070, having an area of roughly 85.24 acres (the “*Property*”).
2. The Property is located in the Township’s Single Family Residential (RS) Zoning District (the “*RS Zone*”) and is unimproved.
3. Owner and/or Applicant has received both preliminary and final land development approval for the construction of a Continuing Care Retirement Community at the Property (the “*Project*”), for which limited site-work has commenced.
4. Owner, at Docket No. 2023-07, obtained a variance from the Board on May 25, 2023 under Section 300-33(A) to reduce the buffer requirement on either side of a second emergency access from thirty five feet (35’) to seventeen feet (17’) (for the second emergency access only).
5. The Property is accessed by Spangler Mill Road, which borders the southwestern portion of the Property, for both the main entrance and the second emergency access (as noted above).
6. The Property is otherwise bound by the Yellow Breeches Creek for the majority of the boundary and residential dwellings on the south and southwestern borders of the Property.
7. The Property has an irregular shape, and contains a variety of open space, wooded area, floodplain area, and steep slopes.
8. Applicant is in the process of commencing an initial phase of the Project to construct a courtyard home area in the Project consisting of 38 units.
9. The Ordinance requires certain minimum building separation for continuing care retirement community facilities having more than one building on a single lot, requiring: (i) front to rear separation of 40 feet, (ii) side to rear separation of 20 feet, (iii) side to side separation of 15 feet, and (iv) corner to corner separation of 20 feet.
10. As depicted on Exhibit 4, the courtyard homes propose the following: (i) a front to rear separation of 8.5 feet at unit nos. 224-222; (ii) a front to rear separation of 8.5 feet at unit nos. 226-228; (iii) a side to rear separation of 8.5 feet at unit nos. 207-209; (iv) a side to rear separation of 8.5 feet at unit nos. 223-225; (v) a side to side separation of 8.5 feet at unit nos. 229-227; (vi) a side to side separation of 8.5 feet at unit nos. 203-205; (vii) a corner to corner separation of 18.59 feet at unit nos. 236-238; (viii) a corner to corner separation of 18.59 feet at unit nos. 208-206; (ix) a corner to corner separation of 13.88 feet at unit nos. 206-204; and (x) a corner to corner separation of 13.88 feet at unit nos. 236-234.

11. The courtyard units are essentially leased to the occupants for the remainder of their lives, with such occupants paying an initial entry fee, and then a monthly fee.

12. The courtyard style of the Project allows occupants to remain at the facility while providing an open, neighborly atmosphere.

13. The courtyard areas were initially planned to be connected via overhead walkways (meaning they would be considered the same structure) at each of the ten (10) areas where variances are requested, which is how the courtyard is depicted on the final land development plan and approved.

14. Applicant received feedback from potential residents that they would not prefer the walk-way connections.

15. All other aspects of the Project will comply with the Ordinance regulations.

16. Stephen Waller, as the Township Zoning Officer, testified as follows:

A. All public notice of the application and hearing was legally conducted, with the hearing being advertised in the newspaper on January 8th and 15th, the Property being posted at multiple locations on January 15th, and the adjoining property owners had letters mailed to them on January 2nd.

B. The courtyard phase of the Project has obtained conditional approval of its Final Land Development plan.

CONCLUSIONS OF LAW

1. The Applicant seeks ten (10) separate variances (as there are ten (10) defined building separations that it seeks to be reduced), as outlined in paragraph 10 above.

2. For all ten (10) variances, Applicant has failed to established 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 300.73.D.6.d regarding minimum building separation for continuing care retirement community facilities having more than one building on a single lot.

3. Specifically, Applicant failed to establish that any hardship necessitating the requested variances was not self-created as a result of the Project.

DECISION

Mr. Perry moved to deny the zoning relief requested by the Applicant in the Application, being ten (10) dimensional variances from Section 300.73.D.6.d regarding minimum building separation for continuing care retirement community facilities having more than one building on a single lot (with each specific variance as outlined in paragraph 10 above).

Mr. Bashore seconded the motion. Upon a vote, the Fairview Township Zoning Hearing Board unanimously approved the motion to deny the requested zoning relief in the Application.

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: January 27, 2026

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: January 27, 2026

PUBLIC NOTICE

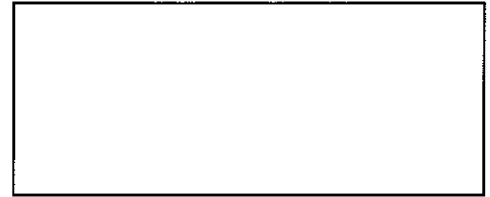
The Fairview Township Zoning Hearing Board will hold a Public Hearing on Thursday, **January 22, 2026, at 6:00pm**, at the Fairview Township Municipal Building, 599 Lewisberry Road, New Cumberland, PA 17070, to discuss the following:

Docket No. 2026-01: The applicant, Messiah Home, is requesting four (4) Variances from Section §300.73.D.6.d. minimum building separation for continuing care retirement community facilities having more than one building on a single lot. Applicant seeks the following relief: (i) §300.73.D.6.d.3 – 8.5' front to rear separation (where 40' is required), (ii) §300.73.D.6.d.4 – 8.5' side to rear separation (where 20' is required), (iii) §300.73.D.6.d.5 – 8.5' side to side separation (where 15' is required), and (iv) §300.73.D.6.d.7 – 13' corner to corner separation (where 20' is required). The subject property is located at 100 Spanglers Mill Road, New Cumberland, PA 17070, within the Single-Family Residential (SR) Zoning District.



ZONING HEARING BOARD
APPLICATION
YORK COUNTY, PENNSYLVANIA

Please see instructions for further information on completing the application.



PART 1 - APPLICANT/OWNER AND PROPERTY INFORMATION

APPLICANT(S):

Name: Messiah Home (Karl Brummer, President)
Address: 100 Mt. Allen Drive City Mechanicsburg State PA Zip: 17055
Email: kbrummer@messiahlifeways.org Phone: 717-796-8141

PROPERTY OWNER(S) (if other than applicant):

Name: Messiah Home
Address: 100 Mt. Allen Drive City Mechanicsburg State PA Zip: 17055
Email: kbrummer@messiahlifeways.org Phone: 717-796-8141

PROPERTY INFORMATION:

Address: 100 Spanglers Mill Road City New Cumberland State PA Zip: 17070
Lot Size: 85.25 acres gross Date Purchased: 06/14/2017 Tax Parcel ID: 27000SE00020000000
Current Use of Property: CCRC (phase 1 currently under construction) Zoning Map District Designation: RS (single family residential)

PART 2 - ZONING REQUEST TYPE:

Please identify one or more of the following applicable type(s) of relief being requested.

[] SPECIAL EXCEPTION As required in Section(s) of the Zoning Ordinance.

The proposed use for the location is claimed by the applicant:

a. To be considered with such other standards as required by the Zoning Ordinance in Section(s):

b. Will not detract from the use and enjoyment of adjacent or nearby properties for the following reasons:

c. Will not substantially change the character of the neighborhood for the following reasons:

d. To comply with various elements and objectives of the Comprehensive Plan, and/or any other applicable plans adopted by the Township of Fairview:

[x] VARIANCE of Section: 300-73 Subsection: D.6.d.3 - 40' Front to Rear Separation
Section: 300-73 Subsection: D.6.d.4 - 20' Side to Rear Separation
Section: 300-73 Subsection: D.6.d.5 - 15' Side to Side Separation
Section: 300-73 Subsection: D.6.d.7 - 20' Corner to Corner Separation

of the Fairview Township Zoning Ordinance.

Nature of Variance(s) requested: Relief of building separation for more than one building on a single lot. The separation relief is for the Courtyard Home product type only. This housing type offers a unique neighborhood style of living that creates internal courtyards that are bordered by units. This style of living encourages resident interaction with front porches all fronting on the courtyards/greens, enhancing the sense of community and quality of life.

The dimensional relief includes 8.5' Front to Rear, 8.5' Side to Rear, 8.5' Side to Side, & 13' Corner to Corner

The applicant believes the Variance should be granted due to:

- Applicant is unable to make reasonable use of his property for the following reasons:
see included narrative
- The unnecessary hardship on this property is:
 - The result of the application of the Zoning Ordinance;
 - Due to unique physical circumstances of the property in question not shared by other properties in the vicinity;
 - Not financial in nature;
 - Not self-created;
- The proposed Variance will not alter the essential character of the neighborhood nor impair the use of the adjacent property for the following reasons:
see included narrative
- The Variance requested represents the minimum that will afford relief for the following reasons:
see included narrative

APPEAL OF THE ZONING OFFICERS DECISION

The decision of the Zoning Officer dated: _____, 20 _____ based upon an interpretation of Section(s) _____ of the Zoning Ordinance. The nature of the appeal by applicant is as follows: _____

PART 3 – PREVIOUS ZONING HEARING BOARD ACTIONS

To the best of your knowledge, has there been any previous Zoning Appeals, Variances or Special Exceptions associated with this property? YES NO .
If yes, please provide dates or Case #'s May 25, 2023 - No. 2023-07

PART 5 – APPLICANT/OWNER AUTHORIZATION AND AFFIDAVIT

Commonwealth of Pennsylvania :

County of Cumberland :

The undersigned, being duly sworn according to law, deposes and says that he/she is the above-mentioned applicant/owner/representative, that they are the owner OR authorized to take this Affidavit on behalf of the owner and that the forgoing information and facts contained in the application are true and correct to the best of their knowledge.

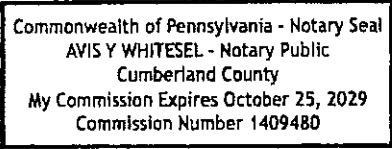
Applicant/Owner/Representative

Karl J. Blummer, CEO
Name/Title

[Signature]
Signature

Sworn to and subscribed before me
this 16 day of December, 2025.

[Signature]
Notary Public



For office use only:
ZONING HEARING BOARD CHECKLIST

- Application received: _____
- Property Zoning District: _____
- Request Type: Special Exception, Variance or Appeal: _____
- Case No.: _____ Fee paid: \$ _____ Payment type: _____
- Hearing date: _____
- Draft Public Notice sent to Attorney for review: _____
- Notice sent to newspaper: _____
- Notice published in newspaper: _____
- Notice mailed to property owners (225 ft. buffer): _____
- Public Notice posted on property: _____
- ZHB packets mailed and emailed: _____
- Action taken: _____

**100 Spanglers Mill Road
Variance Request Narrative
Fairview Township
RGS Project No: 2021557-017
December 16, 2025**

BACKGROUND

The subject property is located at 100 Spanglers Mill Road, New Cumberland, PA 17070 and is approximately 1,500 feet northwest of the intersection of Spanglers Mill Road and Limekiln Road. The property consists of approximately 85 acres in the RS Single Family Residential District in which a CCRC is allowed. The property is currently under construction.

The applicant, Messiah Home, is proposing a CCRC community at the property, including a mix of single and duplex cottages, apartments, and onsite amenities for the residents. The proposed project provides two means of access to the property, both along Spanglers Mill.

VARIANCE

On behalf of our client, Messiah Home, we are requesting the following variances from the Fairview Township Zoning Ordinance:

Section 330-73.D.6.d.3/4/5/7: Building Separation regulations for CCRC

The ordinance states that the required building separation requirements for a CCRC use, where multiple buildings are to be located on the same lot, in the RS Zone is 40' Front to Rear, 20' side to rear, 15' side to side, and 20' corner to corner.

We are requesting variances from these requirements to allow for 8.5' separation for front to rear, side to rear and side to side distances, as well as 13' for corner to corner distances for certain of the proposed buildings.

The separation relief is for the Courtyard home product type only. This housing type offers a unique neighborhood style of living that creates internal courtyards that are bordered by units. This style of living encourages resident interaction with front porches all fronting on the courtyards/greens, enhancing the sense of community and quality of life, while allowing greater accessibility between units.

JUSTIFICATIONS

- **The existing site is limited in lot size and configuration.**
- **There are existing steep slopes and woodlands that limit the area of development.**
- **Instead of spacing out units and impacting natural features or creating higher density type units, the applicant is seeking to create internal courtyard homes to better reflect the surrounding community.**
- **The units in their proposed configuration will still meet the building code requirements.**
- **The proposed use aligns with the Zoning Ordinance.**

Per the Fairview Township Zoning Ordinance, the following Variance Criteria found in Section 330-99.E(4) has been provided for all of the above requested relief:

- a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or of shape, or exceptional topographical or other physical conditions peculiar to the particular property, and the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or zoning district in which the property is located.

To preserve as much of the topography of the site, the woodland areas, and the waters of the Commonwealth, the applicant is proposing a courtyard design that reduces the building separation criteria as defined in the ordinance. The relief would allow the units to be placed with internal courtyards that helps to preserve the woodlands and steep slopes. Due to the existing conditions and shape of the property, the variances are necessary to limit the impact on existing natural site features.

- b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

The variance would enable a reasonable use of the property.

- c) That such unnecessary hardship has not been created by the appellant.

The hardship is created by the existing improvements and natural site features.

- d) That the variance, if authorized, will not alter the essential character of the zoning district or neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, and will not be detrimental to the public welfare.

The variance will not alter the essential character of the zone or neighborhood, nor will it permanently impair the appropriate use or development of adjacent property, and will not be detrimental to the public welfare.

- e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue.

The variance represents the minimum variance that will afford relief and represents the least modification possible of the regulation.

- f) The proposed use complies with Article VI of this chapter relating to Floodplain Overlay Zoning District (FPO) and Chapter 151, relating to floodplains.

The variance request does not impact the floodplain or Floodplain Overlay Zoning District.

ADDITIONAL INFORMATION MAY BE PROVIDED AT THE HEARING.



LANCASTER
53 W. James Street
Suite 101
Lancaster, PA 17603
717.715.1396

YORK
221 W. Philadelphia Street
Suite 108E
York, PA 17401
717.854.3910

HARRISBURG
P.O. Box 841
Camp Hill, PA 17001
717.599.7615

December 16, 2025

Fairview Township
c/o Stephen Waller, Zoning Officer
599 Lewisberry Road
New Cumberland, PA 17070

RE: 100 Spanglers Mill Road – Zoning Variance Application

Dear Mr. Waller:

On behalf of our client, Messiah Home, we are hereby submitting the enclosed zoning variance application as outlined in the Township Application Form and supporting documentation. The submission package includes:

- a) Variance Application fee: check for \$850;
- b) Six (6) copies, Zoning Hearing Board Application;
- c) Six (6) copies, Properties within 200' list
- d) Six (6) copies, Properties within 200' exhibit
- e) Six (6) copies, Zoning Variance Request Narrative
- f) Eight (8) copies, Zoning Plan, full size, dated 12/16/2025

If you have any questions, comments or concerns related to this request, please feel free to contact me. We look forward to working with you on this process.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Fredericks', written over a white background.

William Fredericks, PE
Client Manager/Associate

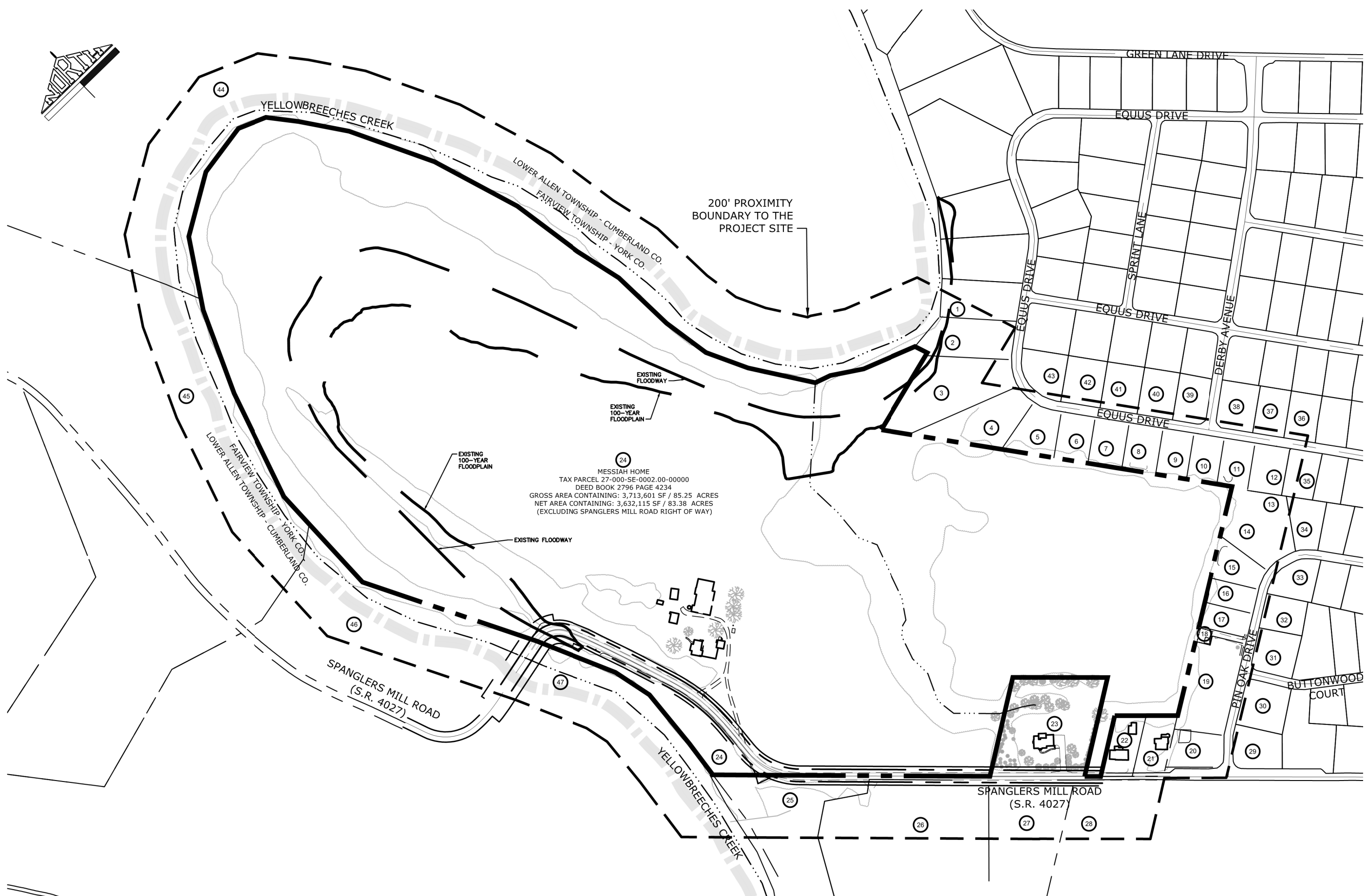
cc: Mr. Karl Bruimmer, Messiah Lifeways
Mr. James Strong, McNees

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ID	NAME	ADDRESS	USE TYPE
1	David A & Deide S Hooper	326 Equus Drive	Single Family
2	David H & Heidi H Dorrow	328 Equus Drive	Single Family
3	Fernando & Trudy C N Saravia	330 Equus Drive	Single Family
4	Christopher & Kerri D Frey	332 Equus Drive	Single Family
5	Scott & Lisa A Schriener	334 Equus Drive	Single Family
6	Stephen A & Paige S Massaro	336 Equus Drive	Single Family
7	Joseph & Jennifer B Sassano	338 Equus Drive	Single Family
8	Jordan D & Debora L Cunningham	340 Equus Drive	Single Family
9	Kevin J & Glenda S Arnold	342 Equus Drive	Single Family
10	Kevin L & Mary R Earnest	344 Equus Drive	Single Family
11	Kenneth J & Jean M Keim & Christine Dehler	346 Equus Drive	Single Family
12	Timothy E & Patty A Wallick	348 Equus Drive	Single Family
13	Gregory C & Jodi L Boal	115 Pin Oak Drive	Single Family
14	Douglas L & Laura A Musselman	113 Pin Oak Drive	Single Family
15	Daniel K JR & Alexandra W Hodge	111 Pin Oak Drive	Single Family
16	Matthew B & Lisa A Wagoner	109 Pin Oak Drive	Single Family
17	Matthew B & Lisa A Wagoner	107 Pin Oak Drive	Single Family
18	Pennsylvania American Water Company	105 Pin Oak Drive	Sewer Pump Station
19	Buttonwood Homeowners Association	Pin Oak Drive	Stormwater Management Facility
20	Todd W & Jeri L Kramer	128 Spanglers Mill Road	Single Family
21	Diane E Topalian	126 Spanglers Mill Road	Single Family
22	Messiah Home	124 Spanglers Mill Road	Single Family
23	Homer S & Janis B Hetrick	120 Spanglers Mill Road	Single Family
24	Messiah Home	100 Spanglers Mill Road	CCRC
25	Bruno G Bertin	101 Spanglers Mill Road	Single Family
26	Robin Wiley	101A Spanglers Mill Road	Agriculture
27	Sienna Fee Simple LLC	Limeklin Road	Residential
28	Sienna Fee Simple LLC	Limeklin Road	Residential
29	Kiley W & Jennifer M Bixler	100 Pin Oak Road	Single Family
30	Gregory G Martynuska	102 Pin Oak Road	Single Family
31	Christopher M & Lisa D Williams	104 Pin Oak Drive	Single Family
32	Darron K & Julie A Wilt	106 Pin Oak Drive	Single Family
33	Douglas & Melinda Hayes	108 Pin Oak Drive	Single Family
34	Rudolph K & Barbara A Geisler	117 Pin Oak Drive	Single Family
35	David A & Veronica L Morrison	350 Equus Drive	Single Family
36	Vincent K & Jamie M Ruminski	337 Equus Drive	Single Family
37	Gregory D & Nicole H Biesecker	335 Equus Drive	Single Family
38	Sally L Fisher	333 Equus Drive	Single Family
39	Gregory A Jr & Ashley Joan Earle	818 Derby Drive	Single Family
40	Joseph C & Debra S Phillips	331 Equus Drive	Single Family
41	John V IV & Jennifer L Foster	329 Equus Drive	Single Family
42	Robert C & Colleen O Gill	327 Equus Drive	Single Family
43	David L & Janet E Wazeter	325 Equus Drive	Single Family
44	Hempt Brothers Incorporated	205 Creek Road	Quarry
45	Hempt Brothers Incorporated	1325 Spanglers Mill Road & 1329 Spanglers Mill Road	Agricultural (with buildings)
46	Charles D. Ewing	1425 Spanglers Mill Road	General Commercial
47	PA Industrial School	2500 Lisburn Road	Correctional



**100 Spanglers Mill Road Adjoiner List
2025-12-16**



MESSIAH HOME
 TAX PARCEL 27-000-SE-0002.00-00000
 DEED BOOK 2796 PAGE 4234
 GROSS AREA CONTAINING: 3,713,601 SF / 85.25 ACRES
 NET AREA CONTAINING: 3,632,115 SF / 83.38 ACRES
 (EXCLUDING SPANGLERS MILL ROAD RIGHT OF WAY)

200' PROXIMITY
 BOUNDARY TO THE
 PROJECT SITE

PLOTTED: Tuesday, December 16, 2025 @ 11:08AM

FILENAME: P:\2021\2021557-017\CADD\PH1-Construction\Exhibits\2025-12-16 - Adjoiner Exhibit - Variance Submission\Plot\Z-Adjoiner-Exhibit.dwg

NOT FOR BIDDING/NOT FOR CONSTRUCTION

PROJECT TITLE 100 SPANGLERS MILL ROAD VARIANCE ADJOINER EXHIBIT	CLIENT MESSIAH LIFEWAYS 100 MT. ALLEN DRIVE MECHANICSBURG, PA 17055 (717) 589-4316	MANAGER: WILLIAM FREDERICKS, PE	CHECKED BY: WNF	DATE 12/16/25	REVISION
1" = 300'					
REG ASSOCIATES Land Planning Landscape Architecture Civil Engineering 8000 W. LANTANA, PA 15053 (717) 715-1586 FAX: (717) 428-8777 8000 W. LANTANA, PA 15053 (717) 715-1586 FAX: (717) 428-8777 8000 W. LANTANA, PA 15053 (717) 715-1586 FAX: (717) 428-8777 8000 W. LANTANA, PA 15053 (717) 715-1586 FAX: (717) 428-8777					
DATE: DECEMBER 16, 2025 PROJECT NO.: 2021577-017 SHEET NO.: 1 OF 1					

