

# EAST COCALICO TOWNSHIP

100 Hill Road, Denver, PA 17517  
717-336-1720 • www.eastcocalicotownship.com

## ZONING HEARING BOARD APPLICATION

**1. APPLICANT:**

Name: Lebanon Valley Investments, LLC  
Address: 721 E. Lincoln Avenue, Myerstown, PA 17067  
Phone: 717-507-3676 Cell: \_\_\_\_\_ Email: galen@macct.com

**2. OWNER (if other than applicant):**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

**3. APPLICANT'S ATTORNEY/REPRESENTATIVE, IF APPLICABLE:**

Name: Christopher C. Muvdi, Esquire  
Address: 1100 Berkshire Boulevard, Suite 201, Wyomissing, PA 19610  
Phone: 670-372-7700 Cell: \_\_\_\_\_ Email: cmuvdi@masanobradley.com

**4. PROPERTY INFORMATION:**

Address/Location: 446 Hill Road, Denver, PA 17517  
Lot Size: 23.077 total Width: 80 feet Depth: \_\_\_\_\_  
Zoning District: Conservation Tax ID No. 080-06382-0-0000; 080-2427499-334749-0-000;  
Present Use: Campground 080-2427955-334637-0-000  
Proposed Use/Purpose for Which Hearing is Sought: See attached Exhibit "A"

**5. APPLICATION IS MADE FOR:**

- A. Variance from Requirement(s) of the Zoning Ordinance - see page 2
- B. Special Exception under the Zoning Ordinance - see page 3
- C. Appeal Zoning Officer Determination or Enforcement Notice - see page 3
- D. Other Type of Appeal, as provided for by the PA Municipalities Planning Code - see page 3

<b>FOR TOWNSHIP USE</b>	
ZHB Case No. <u>771-23</u>	Date Complete Application Received: <u>3/31/23</u>
Zoning Hearing Board Hearing Date(s): _____	
Date of Zoning Hearing Board Decision: _____	
Date of Written Decision: _____	
Date Decision Mailed to Applicant(s): _____	

**A. VARIANCES** – The following information shall be provided for variance applications:

1. Include:

- (a) The Zoning Ordinance section(s) from which relief is sought: See attached Narrative
- (b) A written description of the requested variance, along with a description of the hardship that is being alleged, and reasons why the variance should be granted, and
- (c) A site plan with sufficient detail and accuracy so as to present the nature of the request and the unique site conditions that create hardship to strict compliance with the Zoning Ordinance.
- (d) Names and addresses of adjoining property owners, including properties directly across a public right-of-way.

2. Describe the unique physical circumstances or conditions of the property, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions, that create an unnecessary hardship that prevents it from being used in a manner that is consistent with the Ordinance: See attached Narrative

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3. Describe how because of such unique physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the Ordinance, and therefore the granting of a variance is necessary to enable the reasonable use of the property: See attached Narrative

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4. Explain why the unnecessary hardship has not been created by the applicant: See attached Narrative

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5. Explain why the variance, if granted, will not alter the character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property, nor be detrimental to the public welfare: See attached Narrative

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6. Describe how the variance, if granted, will represent the minimum variance that will afford relief, and will represent the least modification possible of the relevant Ordinance provision(s): See attached Narrative

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*(attach additional sheets of paper if necessary)*

**B. SPECIAL EXCEPTIONS** – An application for a special exception must demonstrate compliance with the general requirements of Section 220-142.C(2) below, as well as any use-specific requirements.

1. Include:

- (a) Ground floor plans and elevations of proposed structures,
- (b) Names and addresses of adjoining property owners, including properties directly across a public right-of-way,
- (c) A site plan with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of the Zoning Ordinance, and
- (d) A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of the Zoning Ordinance.

2. The proposed use shall be consistent with the purpose and intent of this chapter;

3. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties;

4. The proposed use will not substantially change the character of the subject property's neighborhood;

5. Adequate public facilities are available to serve the proposed use (e.g., schools, fire, police and ambulance protection, sewer, water and other utilities, parks, solid waste disposal, vehicular access, etc.)

6. The proposed use shall comply with those criteria specifically attached to it. In addition, the proposed use must comply with all other applicable regulations contained in this chapter;

7. The traffic generated by the proposed use shall be safely and adequately accommodated during peak and nonpeak periods, or improvements made by the applicant shall be made in order to effect the same;

8. The proposed use shall be in and of itself properly designed with regard to internal circulation, parking, buffering, screening, and all other elements of proper design, as required by this chapter and any other federal, state or local ordinance, law or regulation;

9. The proposed use will not have deleterious impact on adjoining properties or the neighborhood, due to impacts and/or by-products of the proposed use, such as noise, dust, odor, smoke, litter, glare, heat, radiation, electromagnetic interference, etc.;

10. The proposed use will not substantially impair the integrity of the Comprehensive Plan; and

11. For development within the Floodplain Zone, the application shall comply with those requirements listed in § 220-19 of this chapter.

**C. APPEAL OF ZONING OFFICER DETERMINATION OR ENFORCEMENT NOTICE** – These include, but are not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order, or the registration or refusal to register any nonconforming use, structure or lot. Attach copies of enforcement notices or other relevant documentation.

**D. OTHER TYPE OF APPEAL** – The PA Municipalities Code gives municipal Zoning Hearing Boards the jurisdiction to hear appeals and render decisions on the following matters:

- 1. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to sections 609.1 (landowner curative amendments) and 916.1(a)(2) (validity of ordinance).

2. Appeals from a determination by a Township Engineer or the Zoning Officer with reference to the administration of any flood plain or flood hazard ordinance or such provisions within a land use ordinance.
3. Appeals from the determination or any officer or agency charged with the administration of any transfers of development rights (TDRs) or performance density provisions of the Zoning Ordinance.
4. Appeals from the Zoning Officer's preliminary determination (MPC Section 916.2).
5. Appeals from the determination of the Zoning Officer or the Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management not relating to land development or planned residential development.

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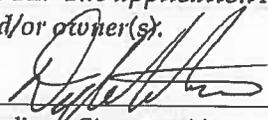
Please submit seven (7) copies of the application, plans, list of adjoining property owners, photographs, all other supporting documentation, and the correct application fee to the East Cocalico Township Office. Note the Township must receive a complete application package and correct fee to be scheduled for a hearing.

Zoning hearings are generally conducted the 2<sup>nd</sup> Wednesday of the month; the Zoning Hearing Board schedule can be confirmed on the Township calendar, available at the Township office or on the website. Return complete application and fee four (4) weeks in advance of the hearing.

**THIS IS A LEGAL PROCEEDING; YOU MAY WANT TO CONSIDER HAVING AN ATTORNEY REPRESENT YOU AT THE HEARING.**

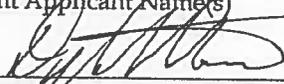
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*To the best of my/our knowledge and belief, all information submitted herein is true and complete.*  
 NOTE: The application MAY NOT be signed by an agent, but MUST be signed by the applicant(s) and/or owner(s).

  
 \_\_\_\_\_  
 Applicant Signature(s)

03-30-2023  
 \_\_\_\_\_  
 Date

Lebanon Valley Investments, LLC  
 \_\_\_\_\_  
 Print Applicant Name(s)

  
 \_\_\_\_\_  
 Owner Signature(s)

03-30-2023  
 \_\_\_\_\_  
 Date

Daryl G. Martin, Member  
 \_\_\_\_\_  
 Print Owner Name(s)

## ZONING APPLICATION ADDENDUM FOR LEBANON VALLEY INVESTMENTS, LLC

### **Background**

The Applicant owns and operates the Dutch Cousin Campground (the "Campground") located at 446 Hill Road, Denver, East Cocalico Township, Lancaster County, Pennsylvania (the "Subject Property"). The Campground is a family owned and operated campground which has been in continuous operation since the late 1950's. Pictures of the Campground from years past and present are attached hereto as Exhibit "A". The Campground is open year-round and is presently able to offer patrons the option of selecting a number of different camping options, including, small cabin camping, RV camping, as well as tent camping. The Applicant prides itself on being able to offer a true camping experience to its patrons while they visit Lancaster County and explore all the County has to offer.

The Applicant proposes to construct a roughly 15,200 square foot social/recreational hall at the Subject Property, which will serve as a recreation center for the Campground (the "Recreation Center"). The Applicant proposes the Recreation Center to include a dining hall as well as be designed to include thirteen (13) indoor single-room bedroom campsites available for rent. The Recreation Center is partially an effort to accommodate a large family or multiple families who wish to camp in the same area of the Campground and share dining and recreation facilities. Some families have access RVs or tents while others would prefer indoor accommodations. An added benefit of the bedroom campsites in the Recreation Center would be that some will be fully ADA compliant. The Applicant is permitted to have a total of 100 campsites on the Subject Property and the construction of the Recreation Center will not increase the total number of campsites at the Subject Property, since 13 of the existing campsites will be moved into the Recreation Center.

It should also be noted that two adjacent properties have been acquired to provide supporting services for the campground, namely on-site sewage disposal and stormwater management facilities. These two additional parcels will be annexed together with the original Campground boundary but are not intended to be developed with additional camp sites.

As the operations of campgrounds generally have evolved overtime, patrons of campgrounds have come to look for and expect that the campground they choose for their stay will have some type of indoor recreation facilities where people can gather and enjoy indoor activities. See attached Exhibit "B" showing other campgrounds with indoor recreation facilities. The indoor Recreation Center is proposed to also include volleyball, basketball, shuffleboard and common area which the patrons of the Campground will be able to enjoy. The Recreation Center will be available on a first come first served basis exclusively for campground occupants. The Applicant will not permit the Recreation Center to be rented for weddings or any other type of large event. The Recreation Center will strictly be utilized by patrons of the Campground.

## **Purpose of this Application**

A Campground is a permitted use within the Conservation Zoning District by Special Exception. Because the Applicant desires to expand the use in order to construct the Recreation Center, and because the proposed use is not technically provided for within the Zoning Ordinance, the Applicant comes before the Zoning Hearing Board of East Cocalico Township seeking to expand the existing use and to allow indoor bedroom campsites by Special Exception pursuant to Section 220-6 and Section 220-13.C(4). The Applicant is also requesting a number of dimensional variances as part of its Application.

## **Specific Relief Requested**

- 1) Special Exception from Section 220-6 and 220-13.C(4) to expand the existing campground to include the Recreation Center and indoor bedroom campsites.
- 2) A variance from Section 220-13.H to allow impervious cover of 37%, which is actually a reduction of the existing non-conforming impervious coverage of 53%.
- 3) A variance from Section 220-29 to allow the construction of the proposed detention basin as shown on site plans for the Subject Property, with the acknowledgement that the Historic and Riparian Buffer Overlay Map inaccurately depicts the location of the Riparian Buffer on the site.
- 4) A variance from Section 220-29.E(1) to allow the proposed detention basin to include grading for the berm within Riparian Zones 2 and 3.
- 5) A variance from Section 220-39 to allow the Recreation Center to be constructed without direct access to a street.
- 6) A variance from Section 220-42.C(2) to permit the parking presently contained in the Campground to remain the same with the addition of nineteen (19) parking spaces to serve the Recreation Center.
- 7) A variance from Section 220-43 to not provide a loading and unloading space from the Recreation Center as no large events will take place at the Recreation Center.
- 8) A variance from Section 220-44 to provide no additional landscaping at the Subject Property given the wooded nature of the Subject Property, which the Applicant desires to maintain.
- 9) A variance from Section 220-48.F to permit the parking presently contained within the Campground to remain the same with the addition of nineteen (19) parking spaces to serve the Recreation Center.

## **Basis for Relief**

The Applicant is seeking to modify a preexisting use on the Subject Property by constructing the Recreation Center thereon. The Recreation Center is a natural modification to the

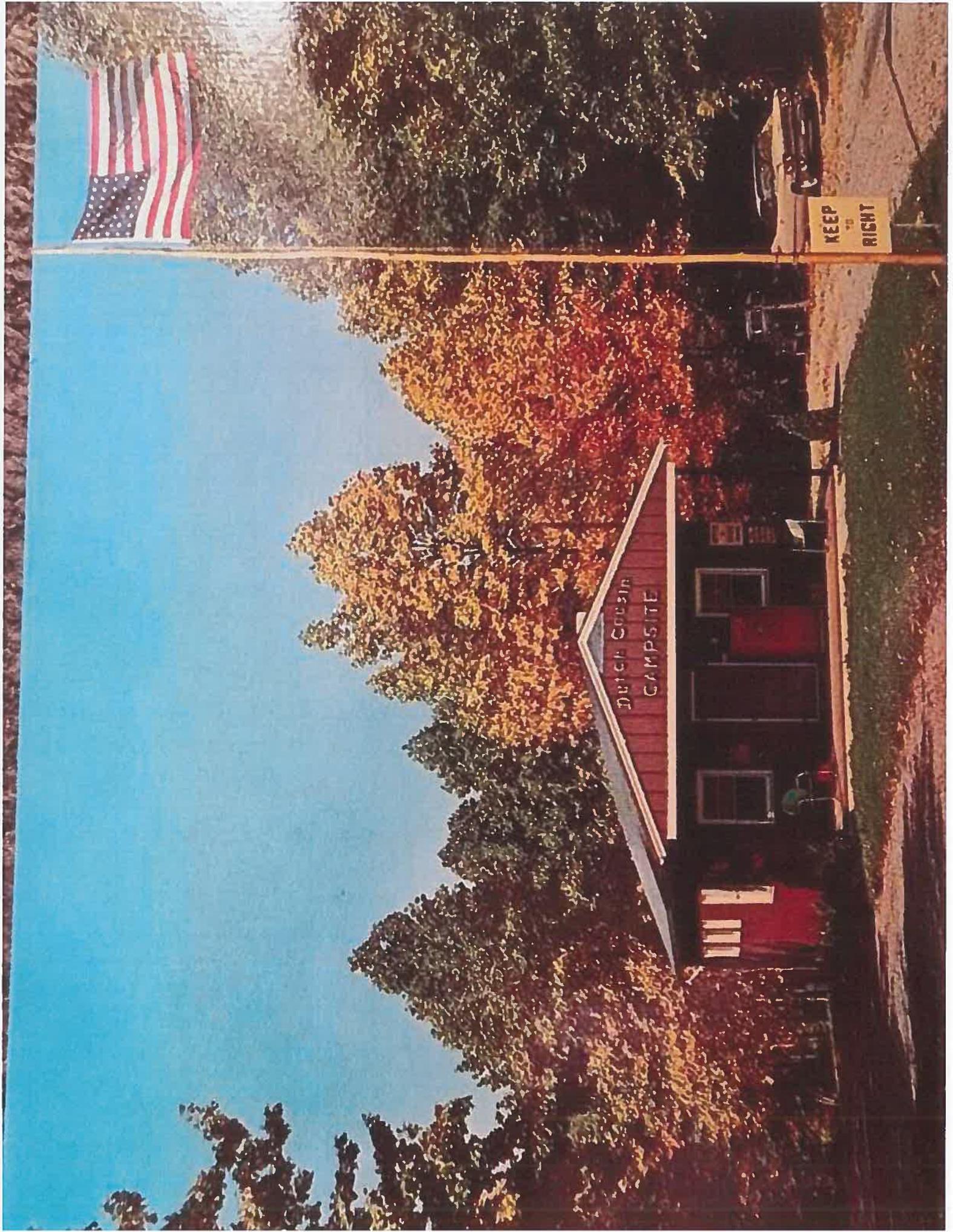
existing use and will help the Applicant provide amenities to its patrons that are in line with the current industry standard.

The Subject Property has unique physical circumstances or conditions, including slopes, woodlands, current campground layout, and the irregularly shaped nature of the property, which all create an unnecessary hardship and prevent development in strict compliance with the provisions of the Zoning Ordinance.

The unnecessary hardship has not been created by the Applicant. The requested zoning relief, if authorized would not alter the essential character of the neighborhood or district, nor substantially impair the appropriate use or development of adjacent property owners, nor be detrimental to the public welfare.

The zoning relief, if authorized, would be a natural modification to the use already present at the Subject Property and the associated variances requested would be the minimum that would afford relief and represent the least modification possible of the regulations in issue.

**EXHIBIT "A" TO LEBANON VALLEY INVESTMENTS, LLC APPLICATION  
CAMPGROUND PHOTOS**



KEEP TO THE RIGHT

Dutch Cousin CAMPSITE

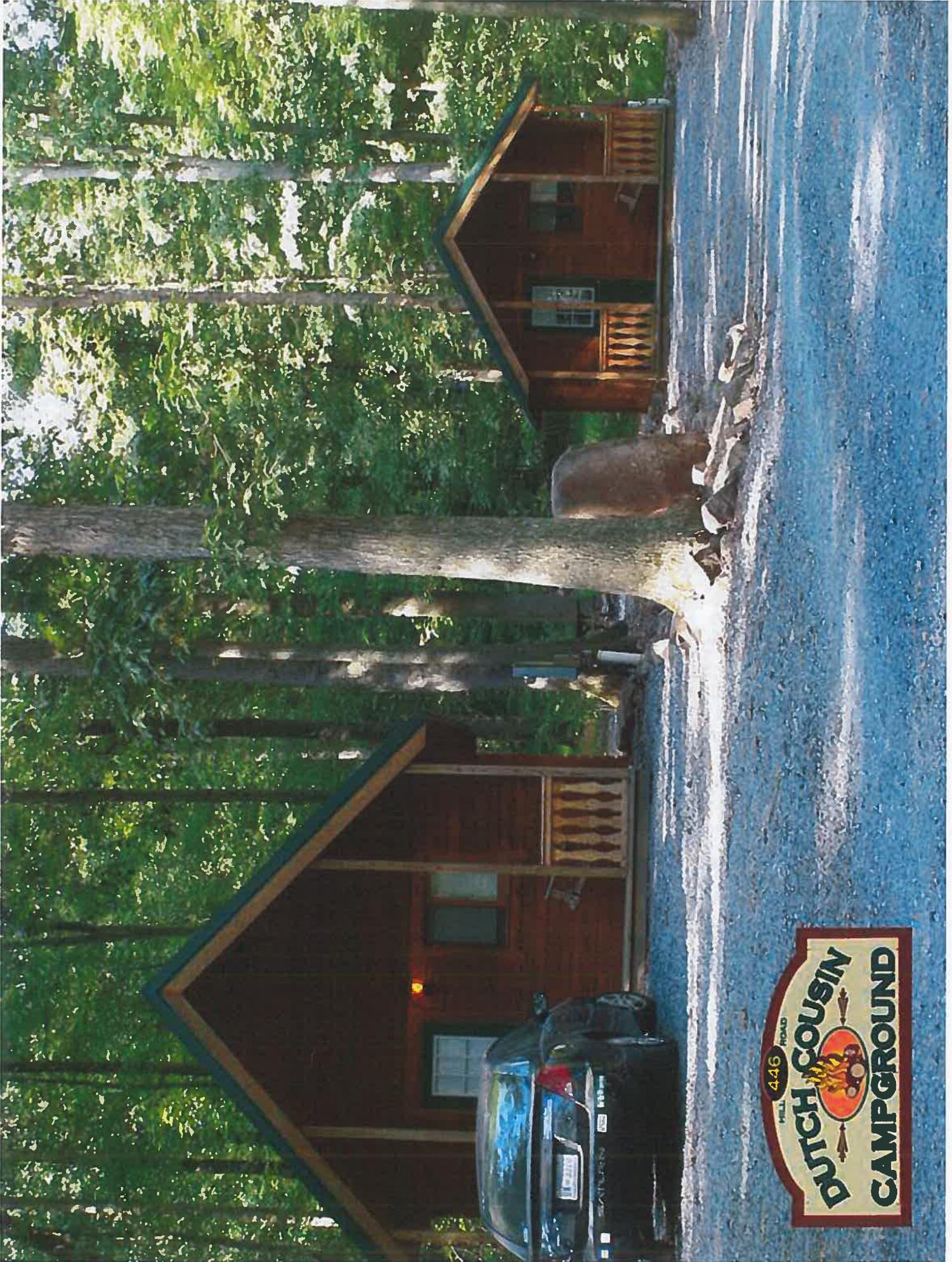




Nutch Cousin  
WOODED  
CAMPSITES  
GROCERIES - GIFTS  
ICE - PROPANE



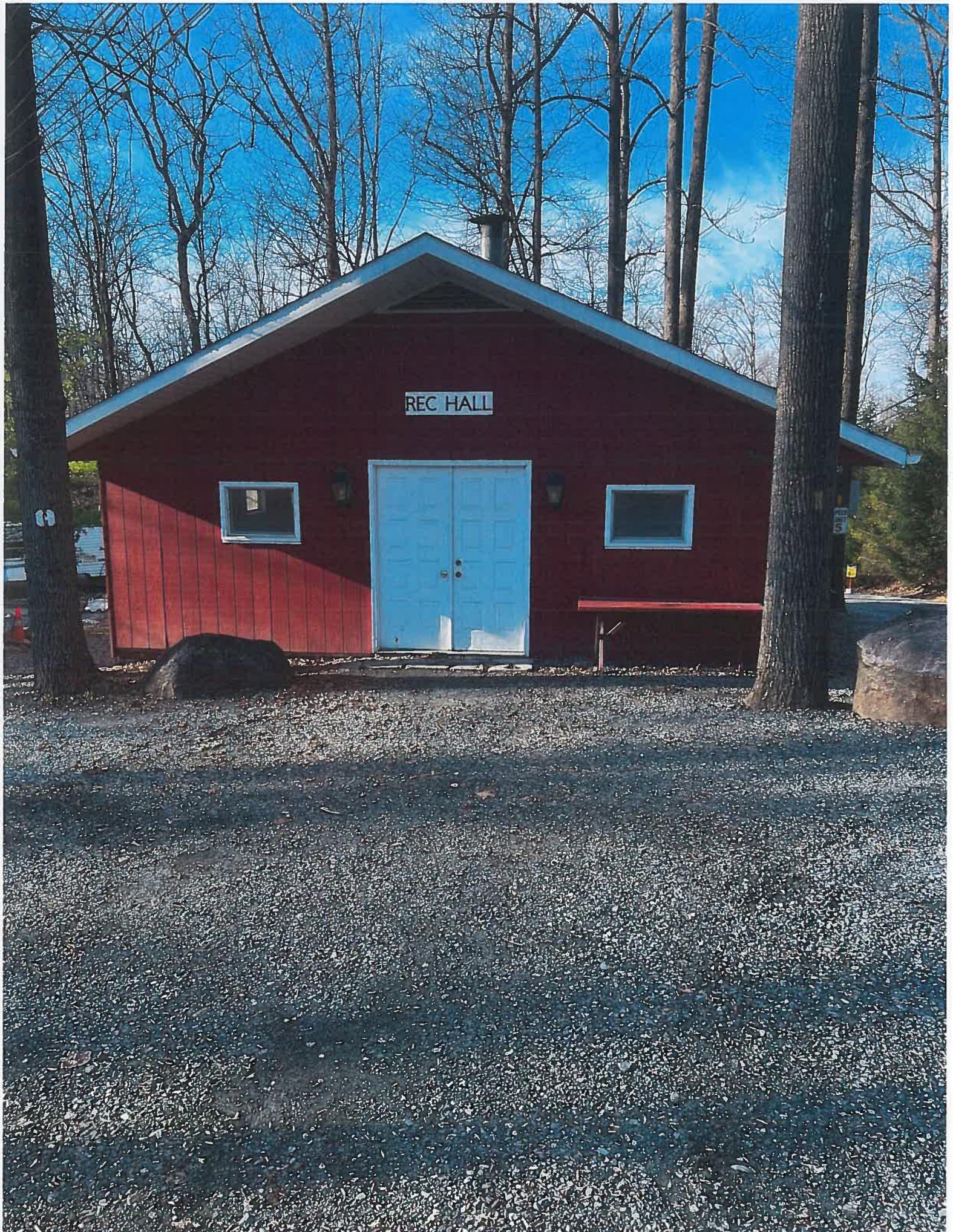




HILL ROAD 446  
**DUTCH COUSIN**  
  
**CAMPGROUND**







REC HALL

11

5

**EXHIBIT "B" TO LEBANON VALLEY INVESTMENTS, LLC APPLICATION  
OTHER CAMPGROUNDS WITH INDOOR RECREATION FACILITIES**



Retreat Meal Planning and Dining at Refreshing Mountain

## Activities

Whether you're planning a retreat for the whole family, a group of friends or a getaway for two, there's no shortage of unique activities to explore at Circle M RV & Camping Resort. Plan activities upon arrival or visit this page before your departure to plan ahead. Looking for more? Our friendly staff can fill you in on all of the great ways to make your stay a memorable experience.

- Activities Center
- Children's Playground
- Mini Golf
- Bingo/Card Playing
- Arts & Crafts
- Children's Programs - Fee
- Activities Director
- Children's Program

[View All](#)





## NORTH LODGE

The North Lodge at Camp Swatara is considered by many to be our "Camp Hotel." This facility has 10 bedrooms that each sleep up to 5 people (double bed, queen bed, and one bunk over the double), private bathrooms in each room, a first floor lounge, and a second floor conference room. There is a small kitchen for snacks, but groups are not permitted to do meal cooking in this facility. Groups must do a food service package.

It provides a natural, relaxed, and prayerful atmosphere for retreats, seminars, meetings, leadership training's, and more, away from the hustle and bustle of daily life. The North Lodge is available for retreats during the fall, winter, and spring months (Sept. 1-May 31). During the summer months it serves as Camp Swatara's infirmary for the resident camping program.

## Gyms

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If your group is in need of a large, indoor activity space, we offer two full-sized gyms on-site. Gym #1, located on the western end of the property, features a sport-court floor, motion-sensor lighting, a peg board, and equipment for volleyball, basketball, indoor soccer, street hockey, and other indoor sports. There is also bleacher seating and bathroom access.

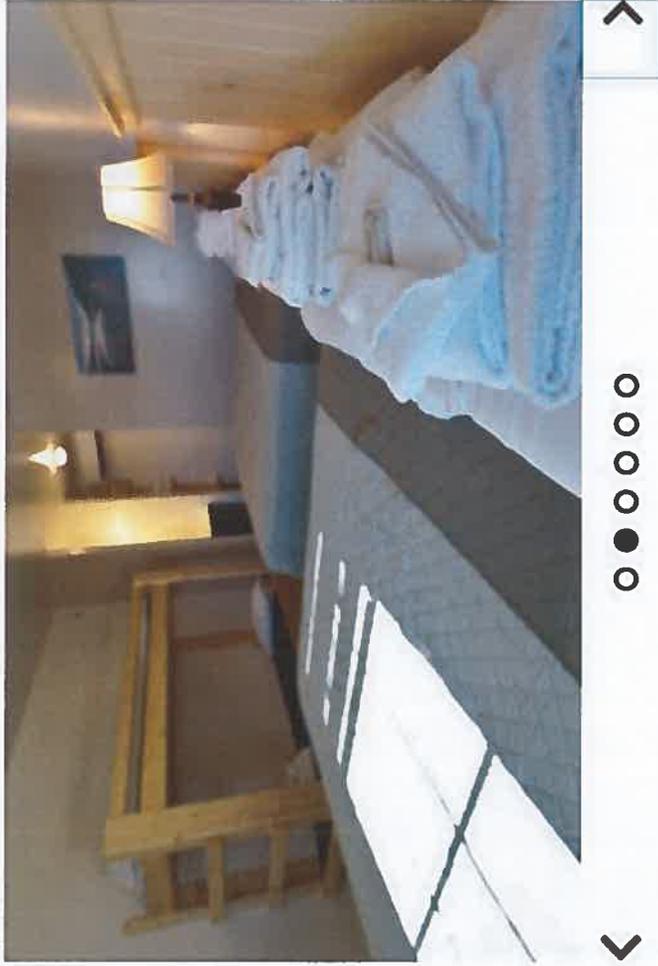
The indoor climbing wall is also located in Gym #1, and can be rented as part of your event.

Gym #2, located on the eastern end of our property, features a hard carpeted floor, and equipment for volleyball, basketball, indoor soccer, street hockey, and other indoor sports. There is a second floor carpeted walking space encircling the gym for views from above.

You must schedule use of gyms with the office. No one is permitted to be in the gym without it being scheduled for your group.



## LODGES & PRIVATE ROOMS



Feel refreshed after a great night's sleep in one of our attractively decorated, clean and comfortable hotel-style rooms. Ideal for family retreats, men's and women's events, couples' retreats, and young adult retreats. You will not find any televisions in your room, as we encourage you to enjoy the peaceful setting and recreation opportunities of our facilities. We have 2 styles of lodge rooms with varying occupancy levels available.

- **Lodges:** each sleep up to 6 persons (2 queen beds, and 2 bunk beds). There are a total of 27 rooms like this.
- **Private Rooms:** each sleep up to 2 people (1 queen bed). There are a total of 4 rooms like
- [View Our Newly Renovated Hotel-style Accommodations](#)
- Handicap Accessible Rooms
- Central Heating & Air Conditioning
- Private Bath with Linens & Towels Service Available
- Accommodate groups of 20 – 160 persons
- this.











## LEBANON VALLEY INVESTMENTS, LLC ADJOINING PROPERTY OWNERS

Timothy I. and Carolyn P. Wahl  
632 Smokestown Road  
Denver, PA 17517

Oksanna Sophia Karaman  
588 Smokestown Road  
Denver, PA 17517

Gregory T. Kreider  
580 Hill Road  
Denver, PA 17517

John C. Wolf  
540 Hill Road  
Denver, PA 17517

John M. Shenk  
576 Smokestown Road  
Denver, PA 17517

Jody L. Mohler  
211 Mountain View Circle  
Denver, PA 17517

Gary Frey  
210 Mountain View Circle  
Denver, PA 17517

Judith A. Pallishusky  
494 Hill Road  
Denver, PA 17517

Derrick J. Good  
456 Hill Road  
Denver, PA 17517

Jay and Charlotte M. Bange  
451 Hill Road  
Denver, PA 17517

Karl D. Ludwig  
405 Hill Road  
Denver, PA 17517

Brenda J. Peters Revocable Trust  
821 Pleasant View Drive  
Ephrata, PA 17522

Dennis J. Wike  
10 Corey Drive  
Denver, PA 17517

MAE Holdings LLC  
55 Sleepy Hollow Circle  
Denver, PA 17517

Curtis H. Olsen  
43 Sleepy Hollow Circle  
Denver, PA 17517

Mark C. and Susan E. Mosser  
55 Sleepy Hollow Circle  
Denver, PA 17517

Gary K. Auken  
75 Sleepy Hollow Circle  
Denver, PA 17517

Florence Smolka  
43 Sleepy Hollow Circle  
Denver, PA 17517

Quinton F. Rutt  
436 Hill Road  
Denver, PA 17517

Kristin K. and Donald C. Edmiston  
120 Sleepy Hollow Circle  
Denver, PA 17517

Steven L. McCosby  
2160 N. Reading Road  
Denver, PA 17517

Clair L. Zeager  
131 Sleepy Hollow Circle  
Denver, PA 17517