

ORDINANCE 2009-01

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING, MODIFYING AND CHANGING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, SECTION 220-8A, THE ZONING MAP OF THE LOWER ALLEN TOWNSHIP ZONING ORDINANCE OF 1995, AS AMENDED, TO REZONE A TRACT OF LAND FROM I-1 GENERAL INDUSTRIAL DISTRICT TO R-4 MULTIFAMILY RESIDENTIAL DISTRICT.

BE IT ENACTED AND ORDAINED by the Board of Commissioners ("Board") of Lower Allen Township ("Township"), Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the same as follows:

SECTION I

The Code of the Township of Lower Allen, Section 220-8A, the Zoning Map of the Lower Allen Township Zoning Ordinance of 1995, as amended, shall be and hereby is amended:

To rezone from I-1 General Industrial District to R-4 Multifamily Residential District, that tract and area of land located in Lower Allen Township, Cumberland County, Pennsylvania, that is shown on **Exhibit "A"** and described by metes and bounds in **Exhibit "B,"** both of which are attached to and made a part of this Ordinance. Such tract and area is hereby intended and deemed to include the entire area identified as Tax Parcel No. 13-10-0256-031 plus portions of the rights of way of Lisburn Road (S.R. 2017) and the Pennsylvania Turnpike (Interstate 76), which areas, as shown on **Exhibit "A,"** are bounded as follows: (1) to the northwest by (a) the land now or formerly of Jeremy S. & Sherry Christian, Tax Parcel No. 13-10-0256-062, the deed for which is recorded in the Office of Recorder of Deeds for Cumberland County at Deed Ref. 272-4236, (b) the land now or formerly of RCP&P LLC, Tax Parcel No. 13-10-0256-061, the deed for which is recorded in the Office of Recorder of Deeds for Cumberland County at Deed Ref. 259-2188, (c) the land now or formerly of West Harrisburg LLC, Tax Parcel No. 13-10-0256-25, the deed for which is recorded in the Office of Recorder of Deeds for Cumberland County at Deed Ref. 266-1220 and (d) the land now or formerly of Pavex, Inc., Tax Parcel No. 13-10-0258-002, the deed for which is recorded in the Office of Recorder of Deeds for Cumberland County at Deed Ref. 260-4183; (2) to the northeast by the lands now or formerly of James, Jr. & Betty L. Ort, Tax Parcel Nos. 13-26-0249-003 & 13-26-0249-014, the deed for which is recorded in the Office of Recorder of Deed for Cumberland County at Deed Ref. 156-581; (3) to the east by the centerline of the right-of-way of Lisburn Road, (S.R. 2017); and (4) to the south by the centerline of the right-of-way of the Pennsylvania Turnpike (Interstate 76).

SECTION II

The Township Engineer is hereby authorized and directed to make the necessary change to the Zoning Map of Lower Allen Township.

SECTION III

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any such suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

SECTION IV

The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses or sentences of the same.

SECTION V

Any ordinance, or any part thereof, inconsistent herewith and any amendments thereof are hereby expressly repealed. The Code of the Township of Lower Allen, Section 220-8A, the Zoning Map of the Lower Allen Township Zoning Ordinance of 1995, as amended, shall in all other respects be and remain in full force and effect

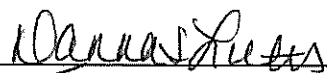
SECTION VI

This Ordinance shall take effect immediately.

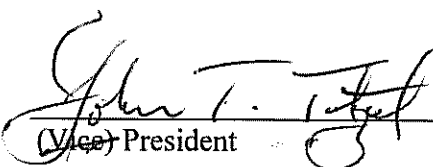
ENACTED AND ORDAINED, into an Ordinance this 13th day of April, 2009, by the Board of Commissioners of Lower Allen Township.

ATTEST:
(Corporate Seal)

BOARD OF COMMISSIONERS
LOWER ALLEN TOWNSHIP

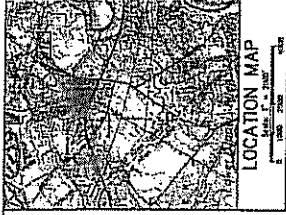
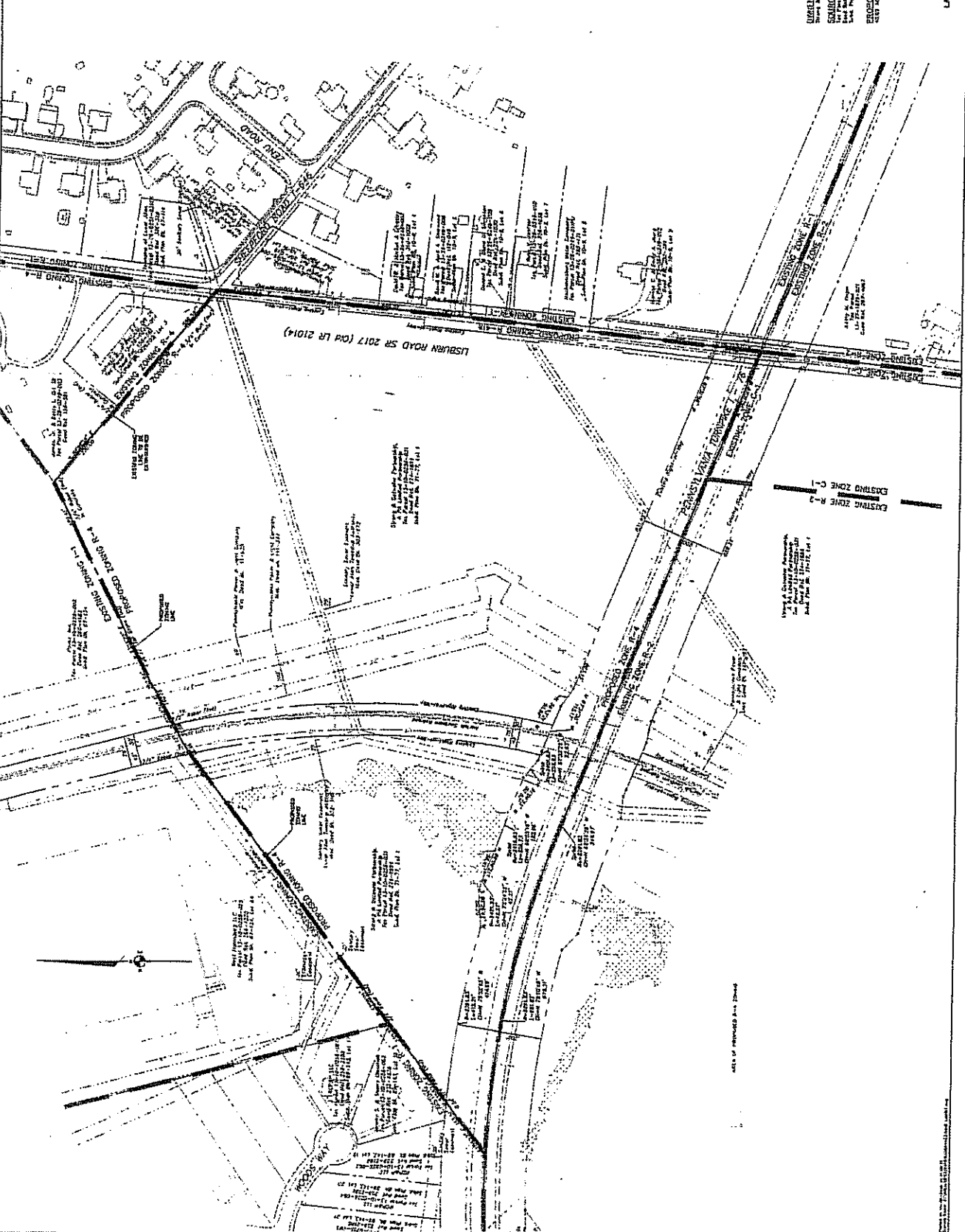


(Assistant) Secretary



(Vice) President

REZONING EXHIBIT LONG ACRE TOWNSHIP - CARBONDALE COUNTY, PA LEISHER PROPERTY 114 Parkway Drive, Leishers, PA 17031	CHARTER HOMES & NEIGHBORHOODS David B. Keayre, P.E. David C. Gorman, P.L.S. Project Engineer
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ISSUED
 JUN 11 2008
 LAKE RIDGE PLANNING & ASSOCIATES



313 W. Liberty St., Suite 1
 Lancaster, PA 17603
 (717) 397-9037
 Fax (717) 397-9098
 www.LRHA.com

LEGAL DESCRIPTION
AREA TO BE REZONED

ALL THAT CERTAIN tract of land to be rezoned from the **I-1 General Industrial District** to the **R-4 Multi-family Residential District**, situated northerly of the Pennsylvania Turnpike (I-76) and westerly of Lisburn Road (SR 2017) in the Township of Lower Allen, County of Cumberland, and Commonwealth of Pennsylvania, as shown on a Rezoning Exhibit Plan prepared by LAKE ROEDER HILLARD & ASSOCIATES, Civil Engineers, Land Surveyors, and Landscape Architects, Lancaster, PA, Project No. 07L016A, and all the same being more fully bounded and described as follows:

Office Locations:
 Lancaster
 Oxford
 Thorndale
 Campbeltown
 New Holland
 Coatesville
 Reading

BEGINNING at the southeasterly corner of the herein-described lands to be rezoned, a point at the intersection of the centerline of Lisburn Road (SR 2017) and the centerline of the Pennsylvania Turnpike (I-76); thence from the point of beginning, along the centerline of the Pennsylvania Turnpike the following three courses and distances: (1) North 67 degrees 31 minutes 56 seconds West a distance of 1,060.15 feet to a point; thence along a spiral curve having a curve radius of 2,291.83 feet and the said spiral subtended by a bearing of North 68 degrees 34 minutes 26 seconds West a chord distance of 249.97 feet to a point; thence (3) along the arc of a 2,291.83 foot radius curve to the left, an arc distance of 681.82 feet and the said curve subtended by a bearing of North 79 degrees 10 minutes 48 seconds West a chord distance of 679.31 feet to a point; thence continuing in the Turnpike right-of-way, North 53 degrees 05 minutes 17 seconds East a distance of 153.51 feet to a point on the northerly right-of-way line of the said Turnpike and being the southeasterly corner of lands now or formerly of Jeremy S. and Sherry Christian; thence along said lands of Christian, North 53 degrees 05 minutes 17 seconds East a distance of 230.25 feet to a ¼-inch rebar found at the southerly corner of lands now or formerly of West Harrisburg, LLC; thence along said lands of West Harrisburg, LLC, North 53 degrees 08 minutes 01 second East a distance of 807.73 feet to a ¼-inch rebar found within the right-of-way for the Norfolk Southern Railroad; thence continuing across the Norfolk Southern Railroad right-of-way and along lands now or formerly of Pavex, Inc., North 61 degrees 48 minutes 51 seconds East a distance of 202.94 feet to a 4-inch by 6-inch by 7-inch stone found; thence continuing along aforesaid lands of Pavex, Inc., North 63 degrees 19 minutes 22 seconds East a distance of 489.41 feet to a ¼-inch rebar found in concrete at a corner of lands now or formerly of the James, Jr. and Betty L. Ort, Trust; thence along said Ort Trust lands and along other lands now or formerly of the James, Jr. and Betty L. Ort, Trust, respectively, South 50 degrees 26 minutes 18 seconds East a distance of 586.39 feet to a point in the middle of Lisburn Road (SR 2017); thence

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AREA TO BE REZONED

along in the middle of Lisburn Road the following two courses and distances: (1) South 06 degrees 13 minutes 27 seconds West a distance of 488.59 feet to a point; thence (2) South 06 degrees 21 minutes 53 seconds West a distance of 800.39 feet to the point of BEGINNING.

CONTAINING: 40.02 acres to deed line

Leshar Property Rezoning – Properties Within 100 Feet

<u>Owner</u>	<u>Physical Address</u>	<u>Tax Parcel No.</u>	<u>Mailing Address</u>
1. Gabbard, Carl T., Jr.	4506 Woods Way	13-10-02556-063	4506 Woods Way, Mechanicsburg, PA 17055
2. Christian, Jeremy S. & Sherry	4502 Woods Way	13-10-02556-062	4502 Woods Way, Mechanicsburg, PA 17055
3. Hoobler, Robert J. & Erin K.	4501 Woods Way	13-10-02556-061	4501 Woods Way, Mechanicsburg, PA 17055
4. TRT-DCT Westport LLC	4501 Westport Dr.	13-10-02556-025	518 17 th St., Denver, CO 80202
5. Pavex, Inc.	Lisburn Rd.	13-10-02558-002	4400 Gettysburg Rd., Camp Hill, PA 17011
6. Ort, James, Jr. & Betty L. TR	2960 Lisburn Rd.	13-26-0249-003	2960 Lisburn Rd., Mechanicsburg, PA 17055
7. Ort, James, Jr. & Betty L. TR	Lisburn Rd.	13-26-0249-014	2960 Lisburn Rd., Mechanicsburg, PA 17055
8. Township of Lower Allen	Lisburn Rd.	13-26-0251-039	1993 Hummel Ave., Camp Hill, PA 17011
9. Ritchey, Mark E. & Carol A.	1501 Sheepford Rd.	13-26-0251-041	1501 Sheepford Rd., Mechanicsburg, PA 17055
10. McDonald, William J., Jr.	3001 Lisburn Rd.	13-26-0249-006	3001 Lisburn Rd., Mechanicsburg, PA 17055
11. Wiley, John & Margaret	1508 Sheepford Rd.	13-26-0249-005	1508 Sheepford Rd., Mechanicsburg, PA 17055
12. Weber, Eugene & Delores	3009 Lisburn Rd.	13-26-0249-007	3009 Lisburn Rd., Mechanicsburg, PA 17055
13. Sherwood, David W. & April A.	3013 Lisburn Rd.	13-26-0249-008	3013 Lisburn Rd., Mechanicsburg, PA 17055
14. Simonton, Donald E. & Diana D.	3017 Lisburn Rd.	13-26-0249-009	3017 Lisburn Rd., Mechanicsburg, PA 17055
15. Yentzer, Ruth V.	3021 Lisburn Rd.	13-26-0249-010	3021 Lisburn Rd., Mechanicsburg, PA 17055
16. Mechanicsburg Water Co.	3025 Lisburn Rd.	13-26-0249-011	399 E. Park Dr., Harrisburg, PA 17111

17. Joerg, Thomas C. & Emily A. 3029 Lisburn Rd. 13-26-0249-012 3029 Lisburn Rd., Mechanicsburg, PA 17055
18. People Sanctuary Inc. 3045 Lisburn Rd. 13-27-1879-021 3045 Lisburn Rd., Mechanicsburg, PA 17055
19. Pennsylvania Turnpike Comm. P.O. Box 67676 Harrisburg, PA 17106-7676
20. Strong & Detweiler Part. Rossmoyne Rd. 13-10-0256-031 1340 Rossmoyne Rd., Mechanicsburg, PA 17055