

**FAIRVIEW TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2023- 06**

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**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 PROPERTIES KNOWN AS YORK COUNTY TAX PARCELS; 27-000-SF-0077.00-00000, 27-000-SF-0078.00-00000, 27-000-SF-0078.B0-00000, 27-000-SF-0079.00-00000, 27-000-SF-0079.B0-00000, 27-000-SF-0080.A0-00000, 27-000-SF-0081.00-00000, 27-000-SF-0082.00-00000 AND 27-000-SF-0086.C0-00000; FROM VILLAGE BUSINESS USE TO AIRPORT BUSINESS USE.**

WHEREAS, Matthew Rutkowski is equitable owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0082.00-00000, containing 2.99 acres, situate at 105 Meadowbrook Road, New Cumberland, on which is constructed an automotive repair facility, a commercial building and mobile homes as well as associated accessory structures; and

WHEREAS, Caldwell Development Inc. is the owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0086.C0-00000, containing 1.77 acres, situate at 105 Old York Road on which is constructed a commercial retail business (Rite Aid); and

WHEREAS, Elias Harbilas is the owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0077-000-00000 containing a total of 1.30 acres, situate at 113 Old York Road on which is constructed a commercial business and a several mobile homes associated with a mobile home park, AND real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0078-000-000-00000 containing a total of 1.43 acres, situate at 119 Meadowbrook Road on which is constructed several mobile homes associated with a mobile home park, AND real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0078-B00-00000 containing a total of 0.91 acres, situate at 123 Meadowbrook Road on which is constructed several mobile homes associated with a mobile home park, AND real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0079-000-00000 containing a total of 0.15 acres, situate at 113 Meadowbrook Road on which is constructed a mobile home associated with a mobile home park AND real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0079-B00-00000 containing a total of 0.14 acres, situate at 115 Meadowbrook Road, on which is

constructed a mobile home associated with a mobile home park; and

WHEREAS, Pennsylvania American Water Company is the owner of real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0080-A00-00000 containing a total of 0.02 acres, situate at 110 Meadowbrook Road on which is constructed a public utility wastewater pump station AND real property situate in Fairview Township, York County, and identified as York County Tax Parcel Number 27-000-SF-0081-00-00000 containing a total of 3.84 acres, situate at 107 Meadowbrook Road on which is constructed a public utility raw water pump station; and

WHEREAS, Parcels 27-000-SF-0077.00-00000, 27-000-SF-0078.00-00000, 27-000-SF-0078.B0-00000, 27-000-SF-0079.00-00000, 27-000-SF-0079.B0-00000, 27-000-SF-0080.A0-00000, 27-000-SF-0081.00-00000, 27-000-SF-0082.00-00000 AND 27-000-SF-0086.C0-00000 are zoned as Village Business Use; and

WHEREAS, Matthew Rutkowksi, as equitable owner and applicant; Caldwell Development Inc as owner; and Elias Harbilas as owner, have submitted a request to rezone the subject properties from Village Business use, respectively, to Airport Business use; 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, 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 desire 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 designated on Exhibit "A" which is attached hereto and made a part hereof, the zoning classification of the entirety of York County Tax Parcel Nos. 27-000-SF-0077.00-00000, 27-000-SF-0078.00-00000, 27-000-SF-0078.B0-00000, 27-000-SF-0079.00-00000, 27-000-SF-0079.B0-00000, 27-000-SF-0080.A0-00000, 27-000-SF-0081.00-00000, 27-000-SF-0082.00-00000 AND 27-000-SF-0086.C0-00000 are hereby changed to Airport Business Use.

**Section 2.** Comprehensive Plan Amendment. The staff of Fairview Township is hereby directed to revise the Comprehensive Plan of Fairview Township in accordance with the amendment to the Zoning Map approved herein.

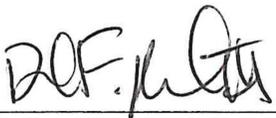
**Section 3.** Within 30 days of enactment, the Township Secretary is hereby directed to forward a copy of this Ordinance to the York County Planning Commission.

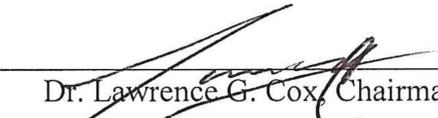
**Section 4.** Effective Date. This Ordinance shall take effect as provided by law.

ENACTED AND ORDAINED this 31<sup>st</sup> day of July, 2023.

ATTEST:

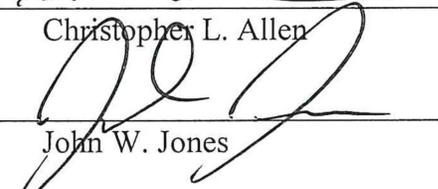
BOARD OF SUPERVISORS OF  
FAIRVIEW TOWNSHIP

By:   
Donald F. Martin  
Township Secretary

By:   
Dr. Lawrence G. Cox, Chairman

By:   
Mario D. Pirritano, Vice-Chairman

By:   
Christopher L. Allen

By:   
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Matthew Cox