

DICKINSON TOWNSHIP ZONING HEARING BOARD

219 Mountain View Road
Mt. Holly Springs, PA 17065

DETERMINATION

Docket No. Z-20260004, John L. Stoltzfus

I. PROCEDURAL BACKGROUND

John L. Stoltzfus (the "Applicant"), owner of the real estate located at 392 Peach Glen Road, Gardners, Pennsylvania, Tax Parcel No. 08-16-0210-005A, in Dickinson Township, Cumberland County, Pennsylvania (the "Property"), filed an Application dated June 4, 2026, seeking a variance from Section 205-107.F of the Dickinson Township Zoning Ordinance (the "Ordinance") to permit a short-term rental on a parcel not occupied by the owner as a principal residence. The Application is associated with the short-term rental operation identified in the public notice as Mountainside Hideway LLC.

Notice of the hearing was provided to the Applicant and to surrounding property owners on June 22, 2026; the Property was posted on July 8, 2026; and the hearing was advertised in the Carlisle Sentinel on July 7 and July 14, 2026. The Zoning Hearing Board of Dickinson Township (the "Board") conducted a public hearing on the Application on July 22, 2026, at 5:00 p.m. at the Dickinson Township Municipal Building, 219 Mountain View Road, Mount Holly Springs, Pennsylvania.

At the conclusion of the hearing, the Board voted to grant the Application, subject to reasonable conditions, and this written decision is in support of the action of the Board.

II. DISCUSSION AND FINDINGS OF FACT

The Applicant filed the Application under Section 205-107.F of the Ordinance, which requires that the owner of a property used for short-term rental reside on the property. The Applicant seeks a variance from the owner-occupancy requirement in order to use the Property as a short-term rental without residing on the Property.

The Applicant submitted a narrative with the Application, and the Zoning Officer submitted a report to the Board. Based on the narrative, the Zoning Officer's report, and the evidence presented at the hearing, the Board makes the following findings of fact, which factual assertions are accepted as true by the Board:

1. The Applicant owns the Property.
2. The Property consists of approximately 160 acres and includes a five-bedroom home.
3. The Property is located in the Agricultural Zoning District.
4. The Property currently is used as a recreational property.
5. The home will be renovated and maintained to provide a safe and comfortable lodging experience for guests.
6. The northern boundary of the Property adjoins Michaux State Forest, and the large acreage provides a private setting with substantial separation from neighboring properties.
7. Short-term rentals are permitted within the Agricultural Zoning District, subject to the requirements of Section 205-107 of the Ordinance.
8. The only requirement of Section 205-107 that is not met is the owner-occupancy provision of subsection F, as the Applicant will not reside on the Property.
9. The Property will be managed by Alliance Network, a ministry organization dedicated to serving individuals, families, and groups through hospitality and stewardship.
10. The purpose of the short-term rental will be to provide rest and relaxation to guests.
11. While many guests will be those already within the Alliance Network's network, other individuals will not be excluded from reserving the Property, as appropriate.
12. Alliance Network will be responsible for reservations, guest communications, property oversight, maintenance, and responding to any concerns.
13. The management organization will ensure that the Property is operated responsibly, maintained in good condition, and managed in a manner that respects neighboring properties and preserves the rural character of the area.
14. Guests will be able to utilize the outdoor spaces; however, no hunting by guests will occur on the Property.
15. The Zoning Officer reviewed the Application under the variance standards of Section 205-151.D(2) of the Ordinance and recommended approval of the requested variance.

III. CONCLUSIONS OF LAW

The Board has jurisdiction to hear and decide requests for variances under Section 205-151.D of the Ordinance, where it is alleged that the provisions of the Ordinance inflict unnecessary hardship upon the applicant. Applying the general criteria of Section 205-151.D(2), the Board makes the following Conclusions of Law:

1. There are unique physical circumstances or conditions peculiar to the Property — including its size of approximately 160 acres, its five-bedroom home, and its location adjoining Michaux State Forest with substantial separation from neighboring properties — and the unnecessary hardship is due to these conditions,

and not to conditions generally created by the provisions of the Ordinance in the Agricultural Zoning District.

2. Because of such physical circumstances or conditions, the Property cannot be developed in strict conformity with the owner-occupancy provision of Section 205-107.F, and the authorization of the variance is therefore necessary to enable the reasonable use of the Property as a short-term rental, a use otherwise permitted in the Agricultural Zoning District.
3. The unnecessary hardship has not been created by the Applicant.
4. The variance, if authorized, will not alter the essential character of the Agricultural Zoning District or the neighborhood in which the Property is located, will not substantially or permanently impair the appropriate use or development of adjacent property, and will not be detrimental to the public welfare, particularly in light of the size of the Property, its separation from neighboring properties, and the management arrangements described above.
5. The variance, as conditioned below, represents the minimum variance that will afford relief and the least modification possible of the regulation at issue, as it relieves the Applicant only of the owner-occupancy requirement of Section 205-107.F while leaving all other requirements of Section 205-107 in effect.
6. The variance requested is not contrary to the public interest.
7. In granting a variance, the Board is authorized under the Pennsylvania Municipalities Planning Code and the Ordinance to attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Municipalities Planning Code and the Ordinance.

IV. DECISION

It is the decision of the Zoning Hearing Board of Dickinson Township that the Application is **GRANTED**, subject to the conditions set forth below. The Applicant is granted a variance from the owner-occupancy requirement of Section 205-107.F of the Ordinance to permit use of the Property as a short-term rental without the owner residing on the Property, with the following reasonable conditions:

1. The Applicant shall establish and maintain written house rules governing guest conduct at the Property, and shall provide those house rules to all guests. The house rules shall address responsible use of the Property, respect for neighboring properties, and preservation of the rural character of the area. A draft of these rules will be provided to the Zoning Officer and the Solicitor to ensure they adequately accomplish the goals stated above. All guests must agree in writing to these rules.
2. The Applicant shall provide to all guests a map of the Property that clearly identifies the Property's boundary lines, so that guests are aware of the limits of the Property and do not enter adjoining lands, including the adjacent Michaux State Forest.

3. Alliance Network will ensure that there is at least one designated individual who can be the local point of contact for any issues that may arise during any rental of the Property.
4. The Applicant shall comply with all other applicable requirements of Section 205-107 and all other applicable provisions of the Zoning Ordinance and other ordinances of the Township.

DICKINSON TOWNSHIP ZONING
HEARING BOARD:

Date: 9/24/26

By: 
Name: Mike Kistler
Title: ZHB Member

ANY PERSON AGGRIEVED BY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL TO THE COURT OF COMMON PLEAS. THE APPEAL MUST BE FILED WITHIN 30 DAYS FROM THE DATE OF THIS DECISION.