

BEFORE THE ZONING HEARING BOARD

TOWNSHIP OF EAST LAMPETER

IN RE: :
 : No. 2026-09
APPLICATION OF ISAAC D. KING :
AND REBECCA M. KING :

DECISION

I. FINDINGS OF FACT

1. Applicants are Isaac D. King and Rebecca M. King, 1975 Horseshoe Road, Lancaster, Pennsylvania 17602 ("Applicants").

2. The property which is the subject of the instant application is known as 1975 Horseshoe Road, East Lampeter Township, Lancaster County, Pennsylvania (the "Property").

3. The Property is located in the Light Industrial District as shown on the Official Zoning Map of East Lampeter Township.

4. Applicants are the owners of the Property.

5. Notice of the hearing on the within application was duly advertised and posted in accordance with the provisions of the Pennsylvania Municipalities Planning Code ("MPC") and the East Lampeter Township Zoning Ordinance of 2016 (the "Zoning Ordinance").

6. A public hearing was held before the Zoning Hearing Board of East Lampeter Township ("Board") on this application on August 27, 2026.

7. Testimony at the hearing was stenographically recorded.

8. Applicants were represented at the hearing by Nicholas T. Gard, Esquire.

9. Applicant has requested a variance from the terms of Section 11020.B of the Zoning Ordinance regarding accessory uses permitted as of right.

10. The Property contains approximately 54 acres, and is located on both sides of Horseshoe Road.

11. The Property is used for agricultural purposes and currently is improved with a single family dwelling and outbuildings, including a tobacco barn.

12. Applicants desire to raze the tobacco barn and construct a new two-floor structure.

13. The new two-floor structure will be 54 feet by 74 feet.

14. The first floor of the new structure will be used for storage, including carriages and stables for horses.

15. The second floor of the new structure will be used as an apartment, recreation room, an area for church services, and storage.

16. Applicants desire to have their son and his family live in the apartment to help with and eventually take over the farm.

II. CONCLUSIONS OF LAW

1. An applicant for a variance bears the burden of proving that unnecessary hardship will result if the variance is not granted and that the grant of the proposed variance will not be contrary

to the public interest. Valley View Civic Association v. Zoning Board of Adjustment, 501 Pa. 550, 462 A.2d 637 (1983); Zaruta v. Zoning Hearing Board of the City of Wilkes-Barre, 117 Pa. Commonwealth Ct. 526, 543 A.2d 1282 (1988); Pennsylvania Municipalities Planning Code ("MPC") §910.2.

2. A variance, if granted, "must be the minimum that will afford relief and will represent the least modification of the ordinance." Rogers v. Zoning Hearing Board of East Pikeland Township, 103 Pa. Commonwealth Ct. 478, 520 A.2d 922, 924 (1987); MPC §910.2(a)(5).

3. Applicants have satisfied the requirements for the variance from Section 11020.B of the Zoning Ordinance as requested.

4. Conditions must be attached to the grant of the variances to protect and preserve the surrounding neighborhood.

III. DECISION

Based upon the foregoing findings of fact and conclusions of law, the Zoning Hearing Board of the Township of East Lampeter hereby grants the application of Isaac D. King and Rebecca M. King for a variance from the terms of Section 11020.B of the Zoning Ordinance. The variance shall be subject to the following conditions and safeguards which the Board deems necessary to implement the purposes of the Zoning Ordinance and the MPC:

1. Applicants shall obtain all approvals and permits required by applicable federal, state and Township laws and regulations.

2. Applicants shall at all times comply with and adhere to the information and representations submitted with and contained in their application and the evidence presented to the Board at the hearing held on August 27, 2026.

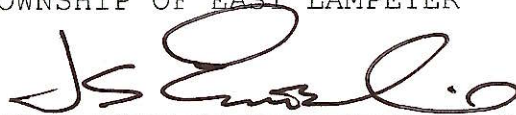
3. Occupancy of the apartment shall be limited to relatives of the owners of the Property. The apartment may not be used for short or long term rentals.

4. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Pennsylvania Municipalities Planning Code.

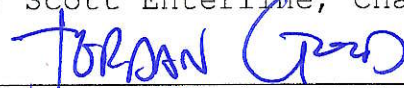
5. The approval granted by this Decision shall expire in accordance with the terms of Section 25060 of the Zoning Ordinance.

6. The foregoing Decision shall be binding upon the Applicants and their heirs, successors and assigns.

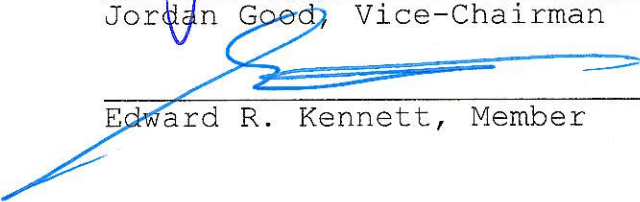
ZONING HEARING BOARD OF THE
TOWNSHIP OF EAST LAMPETER



J. Scott Enterline, Chairman



Jordan Good, Vice-Chairman



Edward R. Kennett, Member

Dated and filed September 10, 2026, after hearing held on August 27, 2026.

The undersigned certifies that a copy of this Decision was served upon all parties on or prior to September 11, 2026