

BEFORE THE ZONING HEARING BOARD

TOWNSHIP OF EAST LAMPETER

IN RE: :
APPLICATION OF JEMAR : No. 2025-14
MANAGEMENT LLC :
: :
: :

DECISION

I. FINDINGS OF FACT

1. Applicant is Jemar Management LLC, 110 Short Street, New Holland, Pennsylvania 17557 ("Applicant").
2. The property which is the subject of the instant application is 311 Airport Drive, East Lampeter Township, Lancaster County, Pennsylvania (the "Property").
3. Applicant is the owner of the Property.
4. The Property is located within the I-1 Light Industrial District as shown on the Official Zoning Map of East Lampeter Township.
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 Revised Zoning Ordinance of East Lampeter Township 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 December 11, 2024.

7. Testimony at the hearing was stenographically recorded.

8. Applicant was represented at the hearing by Seth Hiller, Esquire.

9. Michael Huxta, of ELA Group, Inc., appeared at the hearing and testified on behalf of Applicant.

10. Applicant has requested: (i) a special exception pursuant to Section 375-11020.C.1 of the Zoning Ordinance; (ii) a variance from the terms of Section 375-23040.D.1 of the Zoning Ordinance; and (iii) a variance from the terms of Section 375-22200.B of the Zoning Ordinance.

11. Section 375-11020.C.1 of the Zoning Ordinance states that airports are permitted by special exception within the I-1 Light Industrial District.

12. Section 375-23040.D.1 of the Zoning Ordinance states that all buildings, runways, landing strips, landing pads and/or other accessory structures related to the airport shall be located at least 100 feet from all street right of way lines or property lines.

13. Section 375-22200.B of the Zoning Ordinance states that non-residential uses that are adjoining to properties that are

located within the AG, R-1, R-2, R-3 and VR Zoning Districts should contain five feet of landscape screen.

14. Applicant desires to expand the its airport facilities by adding additional hangars and expanding some existing hangars, all as more fully shown on the plan submitted by Applicant (the "Plan").

15. Applicant will construct 4 new hangars and increase the size of 2 existing hangars, as more fully shown on the Plan.

16. The total floor aggregate hangar expansion will be 42,070 square feet.

17. The existing hangar located closest to a property line has a 58 foot setback. The new hangars and hangar expansions will not encroach any closer than 58 feet.

18. Compliance with the 100 foot setback requirement is not necessary to protect the health, safety and welfare of the residents and properties in the vicinity of the airport because there is a railroad right of way to the rear of the Property.

19. Compliance with the 5 foot screening requirement is not necessary to protect the health, safety and welfare of the residents and properties in the vicinity of the airport because there is a railroad right of way to the rear of the Property.

20. Applicant proposes to reconfigure the existing parking lot at the entrance from Airport Drive, as more full shown on the Plan.

II. CONCLUSIONS OF LAW

1. The applicant for a special exception bears the burden of proving that he will comply with all requirements of the zoning ordinance relative to the use intended. Ralph & Joanne's, Inc. v. Neshannock Township Zoning Hearing Board, 121 Pa. Commonwealth Ct. 83, 550 A.2d 586 (1988).

2. Section 375-11020.C.1 of the Zoning Ordinance states that airports are permitted by special exception within the I-1 Light Industrial District.

3. With the exception of Section 375-23040.D.1 and Section 375-22200.B of the Zoning Ordinance, Applicant has satisfied the requirements for a special exception pursuant to Section 375-23040.D.1 of the Zoning Ordinance.

4. Applicant requires variances from the terms of Section 375-23040.D.1 and Section 375-22200.B of the Zoning Ordinance.

5. 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. Common-

wealth Ct. 526, 543 A.2d 1282 (1988); Pennsylvania Municipalities Planning Code ("MPC") §910.2.

6. Applicant has presented evidence sufficient to establish that unnecessary hardship will result if the variances are not granted, that the grant of the proposed variances will not be contrary to the public interest, and that the variances requested are the minimum that will afford relief and will represent the least modification of the ordinance.

7. Conditions must be imposed on the granting of the special exception and variances in order to preserve and protect the surrounding neighborhood and the purposes of the Zoning Ordinance.

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 Jemar Management LLC for: (i) a special exception pursuant to Section 375-11020.C.1 of the Zoning Ordinance; (ii) a variance from the terms of Section 375-23040.D.1 of the Zoning Ordinance; and (iii) a variance from the terms of Section 375-22200.B of the Zoning Ordinance. The special exception and variances 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. Applicant shall obtain all approvals and permits required by applicable federal, state and Township laws and regulations.

2. Applicant shall at all times comply with and adhere to the information and representations submitted with and contained in its application and the evidence presented to the Board at the hearing held on December 11, 2025.

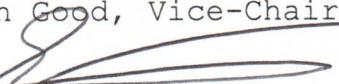
3. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Pennsylvania Municipalities Planning Code.

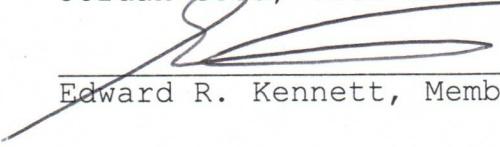
4. The approval granted by this Decision shall expire in accordance with the terms of Section 375-25060 and Section 375-25070 of the Zoning Ordinance.

5. The foregoing Decision shall be binding upon the Applicant and its successors and assigns.

ZONING HEARING BOARD OF THE
TOWNSHIP OF EAST LAMPETER

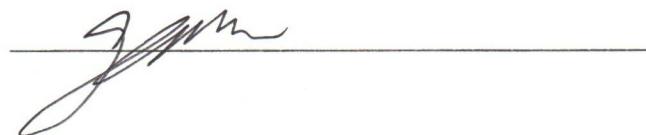

J. Scott Enterline, Chairman


Jordan Good, Vice-Chairman


Edward R. Kennett, Member

Dated and filed January, 7, 2026, after hearing held on December 11, 2025.

The undersigned certifies that a copy of this Decision was served upon all parties on or prior to January, 8, 2026.

A handwritten signature in black ink, appearing to read "John" or a similar name, is written over a horizontal line.