

**BEFORE THE
ZONING HEARING BOARD OF
FAIRVIEW TOWNSHIP, ERIE COUNTY, PENNSYLVANIA**

IN THE MATTER OF	:	
	:	Premises at 7450 Water Street
Property owner:	:	Fairview Township, PA
Peter Basista and	:	
Michelle Basista	:	Index No. 21-082-026.0-025.00
7450 Water Street	:	
Fairview, PA 16415	:	

FINDINGS OF FACT

1. The Applicants are Peter and Michelle Basista, 7450 Water Street, Fairview, PA 16415.
2. Applicants are the owner of the Subject Property located at 7450 Water Street, Fairview, Pennsylvania, 16415.
3. The Subject Property is located in Fairview Township, Pennsylvania, and is identified by the Erie County Index No. 21-082-026.0-025.00. The parcel is currently zoned R-1.
4. Michelle Basista appeared on behalf of the applicants.
5. Ms. Basista testified that she sought to construct a 40' x 60' detached garage building on the Subject Property, with the garage area to be used for storage of vehicles, lawn care equipment, tools and other items.
6. Ms. Basista testified that the new garage would be a steel building, approximately 21'4" tall at the peak, with two double garage doors on the front and a single garage door on the back; a man door on the side; a concrete floor; and three front exterior lights mounted to the building. She indicated that her family has collector vehicles, and would like to install a lift in the garage, which requires a taller structure. She further indicated that there are no current water or drainage issues affecting the subject property.
7. Applicants' lot is .6212 acres, or 27,059 square feet. It currently contains a garage structure that will be removed as part of the construction of the proposed new garage building.
8. Applicants' proposed 40' x 60' structure would bring total storage on the lot to 2,400 square feet.
9. Fairview Township Ordinance Section 821 limits residential storage on lots over 20,000 square feet and less than one acre to 1,000 square feet. Additional storage may be permitted by Special Exception.

10. Applicants are requesting a Special Exception to allow additional storage in excess of 1,000 square feet on their residential lot.

11. Shawn Cornell, owner of the property across the street from the Subject Property, testified that he had no opposition to the request and felt that the Applicants were making attempts to improve the property and the neighborhood.

12. The Board raised certain concerns regarding storm water issues arising from the proposed project, and were advised that those issues will be addressed by the Township through the permitting process.

13. There was no other testimony offered either in favor of or in opposition to Applicant's request.

CONCLUSION OF LAW

Applicant has met the requirements for a special exception to construct the proposed 40' x 60' garage building on the subject property.

DECISION

AND NOW, this 8th day of August, 2018, it is ordered that Applicants' request for a Special Exception is GRANTED.

These Findings of Fact, Conclusions of Law, and Decision are signed this _____ day of _____, 2018.

George Wilkosz, Chairperson

Judy Miller

Barbara Partchey

Brian McGrain

Keith Farnham

Kellie Tokar