

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

IN THE MATTER OF	:	Premises at 7666 West Ridge Road
	:	Lower Apartment
Property owner:	:	Fairview Township, PA
Robert and Joyce Egli	:	
10455 Meadville Road	:	Index No. 79-15-6.03
Albion, PA 16401	:	

**FINDINGS OF FACT**

1. The Applicants are Robert and Joyce Egli, 10455 Meadville Road, Albion, Pennsylvania, 16401.
2. Applicants are presently the owners of the subject property located at 7666 West Ridge Road, Fairview, Pennsylvania.
3. The subject property is located in Fairview Township, Pennsylvania, and is identified by the Erie County Index No. 79-15-6.03. The parcel is currently zoned B-2.
4. Section 704A of Fairview Township Zoning Ordinances identifies the permitted principle uses in the B-2 District. Section 201 of Fairview Township's Zoning Ordinance limits each parcel to one principle use per parcel. Residential use is not an identified permitted use in the B-2 District.
5. On December 6, 2005, Applicants applied for and received a variance from the Fairview Township Zoning Hearing Board which permitted Applicants to use the first floor of the commercial property for residential use as an apartment. A copy of this Decision is attached hereto and incorporated by reference.
6. Pursuant to the December 6, 2005 Decision, the variance will cease and "the apartment will revert back to a commercial use if the property is sold."
7. Applicants are in the process of selling the subject property.
8. The prospective buyer desires to continue to utilize the first floor of the commercial structure as an apartment.
9. Applicants are seeking a variance to Sections 201 and 704A of Fairview Township's Zoning Ordinance. Specifically, Applicants are seeking permission to continue the existing variance after the sale of the subject property.

10. Applicant Robert Egli testified that he has used the property for commercial purposes but has been unable to rent the first floor to any commercial tenant due to lack of visibility, limited parking and difficulty accessing the property.

11. Mr. Egli testified that the use of the property has not changed since the 2005 variance and confirmed that the same tenants would remain on the property after the sale.

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

### CONCLUSION OF LAW

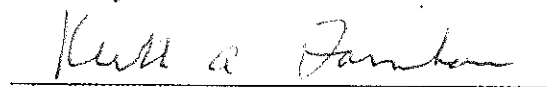
Applicants have the requirements for a variance to Sections 201 and 704A of Fairview Township's Zoning Ordinance as requested.

### DECISION

AND NOW, this 3rd day of December, 2013, it is ordered that Applicants' request for a Variance is GRANTED.

These Findings of Fact, Conclusions of Law, and Decision are signed this 3rd day of December, 2013.

  
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Judy Miller, Chairperson

  
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Keith Farnham

  
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David Biletnikoff