

FAIRVIEW TOWNSHIP ZONING HEARING BOARD

Fairview Township Municipal Building
7471 McCray Road
Fairview, Pennsylvania 16417
Tel: 474-5942, Fax: 474-1199

APPEAL NO. 4

August 6, 2013 @ 7:00 P.M.

Owners: Adam and Summer Weaver
Property Subject to Appeal:
6924 Sheffield Drive, Fairview, PA 16415
Index No: (21) 44-59-10.03

I. FINDINGS OF FACT:

1. The public hearing on August 6, 2013 was called to order at 7:00 P.M. by Board Member Brian McGrain. Others present at the hearing were as follows: Board Members Judy Miller, David Biletnikoff, Keith Farnham and Alternate Member Barbara Partchey, Stand in Solicitor Dave Rhodes, Secretary Judy Schroeck, Assistant Zoning Officer Nathan Miller, Fairview Township Planning and Zoning Administrator James Cardman, Court Stenographer Sonya Black, and Fairview Township Supervisors, Pete Kraus and Ralph Heidler.

Introductions were given and hearing procedures were reviewed. The oath was administered to those wishing to give testimony.

2. The secretary verified the hearing had been advertised with legal notice in the Erie Times News on July 23 and 30, 2013. A copy of the legal notice was posted on the property on July 26, on the Township bulletin board and web site on July 18 and mailed to seventeen (17) area residents within a 200 foot radius.

The summary for Appeal No. 4 was read requesting special exception to exceed storage provisions by adding a third bay to the existing garage and a second floor living area to an existing dwelling in an R-2 Suburban Single District. The owner filed an appeal (No. 4) after being denied by the Zoning Officer. (A copy of the owner's building permit application and appeal application is attached and incorporated by reference as Exhibit "A") (A copy of Section 824 of the Ordinance is attached and incorporated by references Exhibit "B").

3. Jim Cardman testified the property is limited to 800 square feet of storage space and that this request for 1,225 square feet of additional space will put the Weavers 425 feet over the limit. Mr. Cardman also testified the addition will meet the 40 foot rear yard setback and the required 10 foot minimum side yard setback.

4. Adam Weaver, resident at 6924 Sheffield Drive, testified that they have a growing family and would like the additional storage space. Summer Weaver, also resident at 6924 Sheffield Drive, testified that they have a finished basement and are not able to use the basement for storage items and that they would like to add additional closet space for a bedroom that does not have any. The Weavers also stated that five other homes in their neighborhood have added a

third bay to their existing garages in the past few years.

6. Rick Kern, resident at 2035 Hamilton Road, a neighbor and architect for the Weavers, explained the proposed addition to the board, as having a walk in closet added to the first floor bedroom, an additional third bay to the existing garage and a large playroom over the existing garage. He also spoke in favor of the request.

7. No one spoke in opposition to the request.

CONCLUSIONS OF LAW:

1. The application was properly brought before the Board for consideration with proper legal advertisement and posting of the property.

2. The Board considered all of the facts including those conditions of Section 824 and was of the opinion that the special exception to construct a third bay to the existing garage and storage addition in an R-2 Suburban Residential District should be granted.

Section 824

RESIDENTIAL STORAGE

Residential lots, 20,000 square feet or less shall have not more than 800 square feet of storage area, including garages and detached storage buildings. Residential lots over 20,000 square feet and less than one acre shall have not more than 1,000 square feet of storage area, including garages and detached storage buildings. Residential lots one acre or more and less than two acres shall not have more than 1,200 square feet of storage area, including garages and detached storage buildings. Any residential lot exceeding the provisions of this Section may be permitted as a special exception by the Zoning Hearing Board. Conditions to be considered in determining approval shall be: type of use, density of surrounding area, type of construction, size of structure including height, exterior lighting, setback requirements and open space, land use of surrounding area, and access of topography of a lot.

3. The Board has determined that the Weavers request does comply with all of the conditions listed under Section 824.

4. A motion to approve the decision of the Board was made by David Biletnikoff, seconded by Keith Farnham, and passed, unanimously.

Meeting adjourned: 7:24 P.M.

Respectfully submitted,
Fairview Township Zoning and Hearing Board