

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

IN THE MATTER OF	:	
	:	Premises at 2816 Millfair Road
Property owner:	:	Fairview Township, PA
Walter Bender, Jr.	:	
2816 Millfair Road	:	Index No. 56-81-26.01
Erie, PA 16506	:	

FINDINGS OF FACT

1. The Applicant is William Long on behalf of Walter Bender, Jr., 2816 Millfair Road, Erie, Pennsylvania, 16506 (hereinafter “Applicant”).
2. Walter Bender, Jr. is the owner of the Subject Property located at 2816 Millfair Road, Erie, Pennsylvania, 16506. William Long’s son is renting the Subject Property.
3. The Subject Property is located in Fairview Township, Pennsylvania, and is identified by the Erie County Index No. 56-81-26.01. The parcel is currently zoned I-3.
4. Currently located on the Subject Property are a residence and a one story metal and frame storage building. The residence exists as a lawful non-conforming use. The storage building is a use consistent with the I-3 zone.
5. Applicant is proposing to construct a 32.4' x 60' addition to the storage building.
6. The existing storage building is not parallel to the south property line.
7. Due to the angle of the existing property line, the proposed addition would result in the southwest corner of the addition being 23.4' from the side yard property line.
8. Fairview Township Zoning Ordinance, Section 707(C)(4)(a), requires a 25' minimum side yard.
9. Applicant is requesting a 1.6' dimensional variance to allow for the construction of the proposed addition.
10. William Long appeared and testified on behalf of Applicant. Mr. Long confirmed that the proposed addition would be attached to the existing building. He indicated the addition was placed in the most logical place due to the grade levels and proper stormwater drainage.

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

12. There was no correspondence submitted to the Board regarding the variance request.

CONCLUSION OF LAW

Applicant has met his burden to entitle him to a 1.6' dimensional variance from the required side yard setback at the southwest corner of the Subject Property to allow for the construction of the proposed addition.

DECISION

AND NOW, this _____ day of _____, 2015, the Fairview Township Zoning Hearing Board hereby grants Applicant's request for a 1.6' dimensional variance from the required side yard setback at the southwest corner of the Subject Property.

These Findings of Fact, Conclusions of Law, and Decision are signed this _____ day of _____, 2015.

Barbara Parchay, Chairperson

David Biletnikoff

Keith Farnham

Brian McGrain

Judy Miller