

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

IN THE MATTER OF

Property owner:

Kevin and Mindy Forte

8151 Louisa Drive

Fairview, PA 16415

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Premises at 8151 Louisa Drive

Fairview Township, PA

Index No. (21) 6-3.00-1.00

**FINDINGS OF FACT**

1. The Applicants are Kevin and Mindy Forte, 8151 Louisa Drive, Fairview, Pennsylvania, (hereinafter "Applicants").

2. Applicants are the owners of the Subject Property located at 8151 Louisa Drive, Fairview, Pennsylvania.

3. The Subject Property is located in Fairview Township, Pennsylvania, and is identified by the Erie County Index No. (21) 6-3.00-1.00. The parcel is currently zoned A-1.

4. Applicants would like to build an 8' x 32' deck on the front of the residence located on the Subject Property.

5. Fairview Township Zoning Ordinance, Section 709(D)(3) requires a 35 foot front yard setback in the A-1 District.

6. The existing home located on the Subject Property has a 25 foot front yard setback and lawfully exists as a non-conforming structure.

7. Applicants are seeking a variance to allow for the construction 8' x 32' deck which would reduce the front yard setback to 17 feet.

8. Mindy Forte testified that the deck would be 8' x 32' and would replace landscaping that currently exists in the location of the proposed deck.

9. Kevin Forte testified that the deck would be 24" off the ground, constructed with treated lumber, and have skirting along the sides of the deck.

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

### CONCLUSION OF LAW

Applicants have met their burden to entitle them to the requested variance of the Fairview Township front yard setback.

### DECISION

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2016, the Fairview Township Zoning Hearing Board hereby grants Applicants' request for a variance to permit construction of an 8' x 32' deck which would reduce the front yard setback to 17 feet.

These Findings of Fact, Conclusions of Law, and Decision are signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Brian McGrain, Chairperson

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David Biletznikoff

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Judy Miller