

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

IN THE MATTER OF

Property owner:

Harry and Denise Harpst
8231 West Avonia Road
Girard, PA 16417

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Premises at 8231 West Avonia Road
Fairview Township, PA

Index No. (21) 71-125.00-1.00

FINDINGS OF FACT

1. The Applicants are Harry and Denise Harpst, 8231 West Avonia Road, Girard, Pennsylvania, (hereinafter "Applicants").
2. Applicants are the owners of the Subject Property located at 8231 West Avonia Road, Girard, Pennsylvania.
3. The Subject Property is located in Fairview Township, Pennsylvania, and is identified by the Erie County Index No. (21) 71-125.00-1.00. The parcel is currently zoned B-1.
4. Applicants would like to build a 30' x 44' pole barn on the Subject Property.
5. Fairview Township Zoning Ordinance, Section 707(C)(3) requires a 50 foot front yard in the B-1 District.
6. Fairview Township Zoning Ordinance, Section 707(C)(4)(a), requires a 10' minimum side yard in the B-1 District.
7. Applicants are requesting a side yard variance of 5 feet and a front yard variance of 6 feet to allow the pole barn to be placed 5 feet from the side yard boundary and 44 feet from the front yard boundary.
8. The Fairview Township Zoning Hearing Board held hearings on Applicants' variance request on September 1, 2015 and September 8, 2015.
9. Applicant Harry Harpst testified that his Subject Property fronts Avonia Road (Route 98) but that the side yard boundary line is not perpendicular to Avonia Road, but rather follows the orientation of Sterrettania Road.
10. Mr. Harpst testified that he would like to situate the pole barn so that it is square with the house. The proposed location would require the requested variances. Mr. Harpst

testified that he could situate the pole barn on the Subject Property so that it complied with the setbacks, but that "it would look bad".

11. Mr. Harpst testified that he could not erect the pole barn behind his house due to the location of well and septic.

12. At the first hearing, Mr. Harpst estimated his need for a variance at 5-6 feet on the side yard and about 10 feet in the front yard. At the Board's request, Mr. Harpst placed stakes clearly identifying the proposed location of the pole barn. Based on the placement of these stakes, it was confirmed at the second hearing that Applicants were requesting a 5 yard side variance and a 6 foot front yard variance.

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

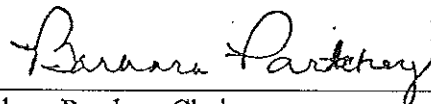
CONCLUSION OF LAW

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

DECISION

AND NOW, this 8th day of September, 2015, the Fairview Township Zoning Hearing Board hereby grants Applicants' request for a 5 foot side yard variance and a 6 foot front yard variance from the required setbacks as proposed.

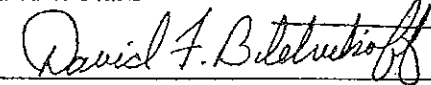
These Findings of Fact, Conclusions of Law, and Decision are signed this 16th day of September, 2015.



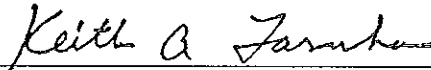
Barbara Parthey, Chairperson



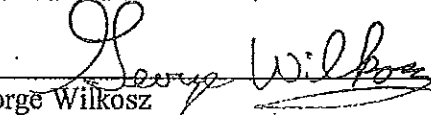
Brian McGrain



David Biletnikoff



Keith Farnham



George Wilkosz