

## **FAIRVIEW TOWNSHIP ZONING HEARING BOARD**

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

### **APPEAL NO. 1**

April 3, 2012, 7:00 PM

Owners: Mark & Angela Barsotti

Property Subject to Appeal:  
7647 Lakewood Drive, Fairview, PA 16415  
Index No: (21) 84-22-13

### **I. FINDINGS OF FACT:**

1. The public hearing on April 3, 2012 was called to order at 7:00 P.M. by Chairman Brian McGrain. Others present at the hearing were as follows: Board Members Kim Palmer, George Harmon, Bonnie Miller, Alternate member Barbara Partchey, Solicitor Edward Betza, Secretary Judy Schroeck, Fairview Township Planning and Zoning Administrator James Cardman, and Court Stenographer Sonya Hoffman.

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 March 20 and 27, 2012. A copy of the legal notice was posted on the property on March 27, 2012, on the Township bulletin board and web site on March 15, 2012 and mailed to twenty-three (23) area residents within a 200 foot radius. The summary for Appeal No. 1 was read requesting approval for a side yard variance to construct a 14' x 28' two story addition in an R-2 Suburban Single District. The owner filed an appeal (No. 1) after being denied by the Zoning Officer to construct the above addition. (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 701 C4a of the Ordinance is attached and incorporated by references Exhibit "B").

3. Jim Cardman, Planning and Zoning Administrator, testified the property at 7647 Lakewood Drive is zoned R-2, Suburban Residential, and as such requires a 24 foot side yard setback with a 10 foot minimum on one side. He stated Mr. Barsotti applied for zoning and was denied as he plans to construct the addition up to nine (9) feet from his west boundary line. He is asking for a one (1) foot side yard variance from the Board.

4. Mark Barsotti, owner of the property at 7647 Lakewood Drive, testified that he has lived there for twelve years and that they would like to build a 14 x 28 foot bedroom addition on the second floor and a 14 x 28 foot garage on the first floor. Mr. Barsotti also stated that his builder recommended 14 x 28 feet so that the garage is wide enough to open the doors of their

car and for a bedroom with a bathroom. Mr. Barsotti also testified that they are going to reside the entire house, match the existing brick and that the windows will be consistent with the rest of the house and the roof line will be identical to the existing roofline. He also stated that there will be one overhead garage door, no man door, block windows on the first floor and two windows and a sliding glass door on the second floor addition.

5. Judy Schroeck, Secretary, verified that no correspondence was received regarding this variance request.

6. No one else spoke either for or against 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 and was of the opinion that the side yard variance of one foot to construct a 14' x 28' foot two story addition in an R-2 Suburban Residential District should be granted.

#### **Section 701**

#### **R-2 SUBURBAN SINGLE DISTRICT**

C. Lot and Area Requirements

4. Minimum side yard

a. Principal use - 24 feet total, 10 feet minimum one side

3. A motion to approve the decision of the Board was made by George Harmon, seconded by Kim Palmer, and passed, unanimously.

Meeting adjourned: 7:18 P.M.

Respectfully submitted,

Judy Schroeck, Secretary  
Zoning and Hearing Board