

FAIRVIEW TOWNSHIP ZONING HEARING BOARD

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

APPEAL NO. 3

June 5, 2012, 7:00 PM

Owner: Carol Blackmond
Property Subject to Appeal:
7667 Wellman Drive, Fairview, PA 16415
Index No: (21) 74-1.2-2

I. FINDINGS OF FACT:

1. The public hearing on June 5, 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 and Bonnie Miller, 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 May 21 and 28, 2012. A copy of the legal notice was posted on the property on May 25, 2012, on the Township bulletin board and web site on May 17, 2012 and mailed to eighteen (18) area residents within a 200 foot radius. The summary for Appeal No. 3 was read requesting approval for a front yard variance to construct an 8 x 18 front deck in an R-1 Village District. The owner filed an appeal (No. 3) 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 700 C 3 of the Ordinance is attached and incorporated by references Exhibit "B").

3. Jim Cardman, Planning and Zoning Administrator, testified the property at 7667 Wellman Drive is in the R-1 Village District and has a front yard setback of 25 feet and that all of the houses on Wellman Drive are built at the 25 foot setback. Mr. Cardman testified that Ms. Blackmond will require an 8 foot variance to construct an 8 x 18 foot front deck.

4. Carol Blackmond, owner of the property at 7667 Wellman Drive, testified that most of the houses on her street have front stoops and she would like to add a lighted front deck with railings and an awning. She also testified that she has a man door on the side of her garage that is not lit and that her overhead garage door is not operable so the new front entrance would be safer for her family.

5. No one spoke for or against the variance.

6. Judy Schroeck, Secretary, verified that no correspondence was received regarding

this variance 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 felt the proposed front deck was not injurious to the neighborhood and would enhance the resident's safety.
3. The Board considered all of the facts and was of the opinion that the front yard variance to construct an 8 x 18 front deck in an R-1 Village District should be granted.

Section 700 R-1 VILLAGE DISTRICT

- C. Lot and Area Requirements
 3. Minimum front yard – 25 feet.

A motion to approve the decision of the Board was made by Kim Palmer, seconded by Judy Miller, and passed unanimously.

Meeting adjourned: 7:45 P.M.

Respectfully submitted,
Judy Schroeck, Secretary ZHB