

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

IN THE MATTER OF	:	
	:	Premises at 6786 Haskell Drive
Property owner:	:	Fairview Township, PA
Chad and Amanda Pettit	:	
6786 Haskell Drive	:	Index No. (21) 53-93-17
Fairview, PA 16415	:	

FINDINGS OF FACT

1. The Applicants are Chad and Amanda Pettit, 6786 Haskell Drive, Fairview, Pennsylvania, (hereinafter “Applicants”).

2. Applicants are the owners of the Subject Property located at 6786 Haskell Drive, Fairview, Pennsylvania.

3. The Subject Property is located in Fairview Township, Pennsylvania, and is identified by Erie County Index No. (21) 53-93-17. The parcel is currently zoned R-2.

4. Located on the Subject Property is a structure used by Applicants as a single family residence.

5. Applicants constructed a 10' x 20' shed and placed it west of their residence 2.5 feet from their westerly property line.

6. Fairview Township Zoning Ordinance, Section 701(C)(4)(b) requires properties in the R-2 District to have a side yard of five feet.

7. Applicants are requesting a side yard variance of 2.5 feet to allow the shed to remain in its current location, 2.5 feet from their westerly property line.

8. Applicant Amanda Pettit testified that Applicants placed the shed on the Subject Property without first obtaining a permit. She explained that they were not aware of the Township’s requirement for a permit. She explained that the current location is ideal because it is “tucked away” from view and improves privacy for both Applicants and their westerly neighbor. She explained that due to the configuration of their residence, the shed could not be placed along the western property line of the Subject Property and be five or more feet from the western property line.

9. Melissa DiBacco, the neighbor immediately to the west of the Subject Property, testified in support of Applicants' variance request. She explained that there used to be a row of trees between her house and the Subject Property. The trees provided significant privacy to both properties. The prior owner of the Subject Property removed the trees. The placement of the shed has successfully returned some level of privacy to both properties.

10. Elizabeth Beal and Bruce Giles, two other neighbors, also appeared and testified in support of Applicants' variance request.

11. 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 Section 701(C)(4)(b) of the Fairview Township side yard setback.

DECISION

AND NOW, this _____ day of _____, 2021, the Fairview Township Zoning Hearing Board by a vote of 4-1 hereby grants Applicants' request for a 2.5' side yard variance to allow for the placement of the 10' x 20' shed as proposed.

These Findings of Fact, Conclusions of Law, and Decision are signed this _____ day of _____, 2021.

George Wilkosz, Chairperson

Barbara Parchey

Kellie Tokar

Christopher Preston

I voted to deny Applicant's variance request. I dissent from the decision of the Board.

Judy Miller