

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

IN THE MATTER OF	:	
	:	Premises at 795 Gunton Drive
Property owner:	:	Fairview, PA 16415
Brittany Solvedt	:	
795 Gunton Drive	:	Index No. (21) 11-11.00-69.00
Fairview, PA 16415	:	

**FINDINGS OF FACT**

1. The Applicant is Brittany Solvedt, 795 Gunton Drive, Fairview, Pennsylvania (hereinafter "Applicant").
2. Applicant is the owner of the Subject Property located at 795 Gunton Drive, Fairview, Pennsylvania.
3. The Subject Property is located in Fairview Township, Pennsylvania, and is identified by the Erie County Index No. (21) 11-11.00-69.00. The parcel is 1.18 acres in size and is currently zoned R-2.
4. The residence is located on a corner lot at the intersection of Gunton Drive and Avonia Road. The Subject Property currently has a front yard set back of 35 feet from Avonia Road.
5. Applicant would like to construct a 26 foot x 24 foot garage addition and a 10 foot x16 foot roof structure on the Subject Property. This would give the Subject Property a total of 1504 Square feet of storage.
6. If built as proposed, the garage would reduce the front yard setback on Avonia Road from 35 feet to 11 feet.
7. Fairview Township Zoning Ordinance Section 701 requires a 35 foot front yard setback in the R-2 District.
8. Fairview Township Zoning Ordinance Section 821 limits residential storage for lots between one and two acres to 1200 square feet. Property owners may exceed such the limitation on storage by Special Exception.
9. Applicant is seeking a 24 foot front yard Variance to allow the proposed garage to be located 11 feet from Avonia Road and a Special Exception to increase the total permitted storage on the Subject Property from 1200 square feet to 1504 square feet.
10. Thomas Solvedt testified that he lives on the Subject Property with Applicant, his daughter. He testified that he has had significant health problems which make it necessary to have warm covered parking for his car.

11. Applicant testified that she would like to build the garage to help her father. In addition, she wants to build a storage building to house lawn equipment and tractor attachments.

12. Applicant testified that the additional storage buildings will match the existing home, would have water drainage directed to the rear of the Subject Property, and would not add any new exterior lighting on the Subject Property.

13. James Cardman, Fairview Township Zoning Officer, testified that the Subject Property has had a recent history of excessive exterior storage. He testified that the proposed additional storage would enable Applicant to move her lawn equipment and tractor attachments into a closed building away from open view.

14. Anastasia Shimek, a neighbor of Applicant, expressed concern over the appearance of the Subject Property due to the large amount of property stored outside. She does not want the additional storage to lead to the accumulation of more equipment and property. She also raised objections to the current lighting on the Subject Property, indicating that it is too bright and that it shines across the Subject Property into neighboring properties.

15. Brian Dean, a resident in the Subject Property, testified that much of the equipment that had been stored outside has recently been moved off of the Subject Property. He indicated that the remainder of the equipment would be moved inside once the additional storage is constructed.

16. James Cardman testified that he will review the current lighting on the Subject Property to ensure compliance with Fairview Township's Ordinances.

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

### **CONCLUSION OF LAW**

Applicant has met her burden to entitle her to a Variance from Fairview Township Zoning Ordinance Section 701 regarding front yard setbacks and has met her burden to entitle her to a Special Exception pursuant to Fairview Township Zoning Ordinance Section 821 to allow for the construction of additional storage.

### **DECISION**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2021, the Fairview Township Zoning Hearing Board hereby grants Applicant's request for a Special Exception to construct a 26 foot x 24 foot garage addition and a 10 foot x 16 foot 3 sided roofed structure which will give the Subject Property a total of 1504 square feet of total storage; and grants Applicant a Variance to reduce the front yard setback off Avonia Road to allow Applicant to place the garage addition

11 feet from Avonia Road. With this approval, Applicant shall ensure that there is no more than 200 square feet of outside storage at any given time.

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

\_\_\_\_\_  
George Wilkosz, Chairperson

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Barb Parchey

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Judy Miller

\_\_\_\_\_  
Kellie Tokar

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Christopher Preston