

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

IN THE MATTER OF	:	
	:	Premises at 1333 Central Drive
Property owner:	:	Erie, PA 16505
Judith Mehler	:	
1333 Central Drive	:	Index No. (21) 39-47.00-1100
Erie, PA 16505	:	

FINDINGS OF FACT

1. The Applicant is Judith Mehler, 1333 Central Drive, Erie, PA 16505 (hereinafter "Applicant").

2. Applicant is the owner of the Subject Property located at 1333 Central Drive, Erie, PA 16505.

3. The Subject Property is located in Fairview Township, Pennsylvania, and is identified by the Erie County Index No. (21) 39-47.00-1100. The parcel has an area of less than 20,000 square feet and is currently zoned R-2.

4. The Subject Property currently has a front yard set back of 30 feet from Central Drive. The residence was constructed prior to Fairview Township's adoption of its zoning ordinance.

5. Central Drive has a road right of way of 66 feet. This is larger than most of the road right of ways in the Township.

6. Applicant would like to construct a 10'x10' porch on the front of her residence. If built as proposed, the porch would reduce the front yard setback by 7 feet (from 30' to 23').

7. In addition to the proposed front porch, Applicant would like to 24 foot x 30 foot addition consisting of a 24'x20' garage (480 sq. feet of storage) and 24'x10' porch on the north side of the Subject Property. The Subject Property currently has 465 sq. feet of storage. With the proposed 480 sq. foot garage addition, the Subject Property would have a total of 945 square feet of storage.

8. Fairview Township Zoning Ordinance Section 701(C)(3) requires a 35 foot front yard setback in the R-2 District. Applicants residence currently exists as a non-conforming structure.

9. Fairview Township Zoning Ordinance Section 821 limits residential storage for lots smaller than 20,000 sq. feet to 800 square feet. Property owners may exceed such the limitation on storage by Special Exception.

10. Applicant is seeking a 7 foot front yard Variance to allow the proposed front porch to be located 23 feet from Central Drive and a Special Exception to increase the total permitted storage on the Subject Property from 800 square feet to 945 square feet.

11. John Keller testified that he lives on the Subject Property. He would like to build the proposed two car garage and side porch on the north side of his property. He explained that while there is an existing garage on the Subject Property, the residential area encroaches into the garage area, leaving only enough room for one car.

12. Mr. Keller also testified that he would like to build a new 10' x 10' front porch to replace the existing 3' x 10' porch/stoop. It would be located 23 feet from the Central Drive right of way.

13. Mr. Keller testified that the additions would match the existing house and would be constructed of brick on the front with vinyl siding on the side and rear. He would construct hip roofs to match the existing roof and would re-shingle the entire roof area. All water runoff would be directed by gutters southward to existing underground drainage pipes that connect to Fairview's storm water drainage system. The garage addition would have one 16' garage door. The garage and porch additions would have some additional lighting which would not shine away from the property.

14. Kenneth and Susan Burdick, owners of the property abutting the rear yard of the Subject Property appeared and asked several questions. They were particularly concerned about setbacks. During the discussion, it was explained that with the additions, the rear yard of the Subject Property would be approximately 52 feet, 12 more than the 40 feet required by Fairview Township's Zoning Ordinance. The northern side yard would be 10 feet, leaving 20 feet 2 inches between the proposed addition and the northern neighbor's garage. Mr. And Mrs. Burdick appeared to be satisfied with these answers.

15. 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(C)(3) 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 as proposed.

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 24 foot x 20 foot garage addition on the north side of the Subject Property which will give the

Subject Property a total of 945 square feet of total storage; and grants Applicant a Variance to reduce the front yard setback off Central Drive from the existing 30 feet to 23 feet to allow Applicant to construct the a 10 foot x 10 foot front porch as proposed.

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

George Wilkosz, Chairperson

Dan Stroup

Judy Miller

Justin Havern

Christopher Preston