

**February 24, 2009**  
**City of Erie, Pennsylvania**  
**ZONING HEARING BOARD**  
**1:00 P.M.**

The regular meeting of the Zoning Hearing Board will be held Tuesday, February 24, 2009 at 1:00 p.m., in City Council Chambers, Municipal Building, 626 State Street.

**- AGENDA -**

**THE FOLLOWING APPEAL WILL BE HEARD:**

**Appeal No. 11,034 (5211-207, continued made by Gregory Moore)** concerning a property located at **3603 Brandes Street**. The appellant lives at this location and wishes to purchase the house, but only if it can remain a two-unit dwelling, which is in violation of Section 204.10, Permitted Uses in an R-1 zoning district.

**Appeal No. 11,035 (3047-120) made by Jason Fultz** concerning a property located at **945 West 9<sup>th</sup> Street** in an R-2 zoning district. The appellant wishes to subdivide this property, which currently comprises of a church and one single family dwelling, in order to sell the structures separately. The subdivision plan is in violation of Section 205, Lot Yard and Height requirements, as the rear yard does not contain at least 20 feet in depth and the maximum lot coverage exceeds 50%.

**Appeal No. 11,036 (4032-104) made by Patricia Quinn** concerning a property located at **1011 West 5<sup>th</sup> Street** in an R-2 zoning district. The appellant wishes to use this structure as a Group Care Facility, extending the services provided at Program House, an adjacent lot at 1001 West 5<sup>th</sup> Street. This request is in violation of Section 204.12, as Group Care Facilities are not permitted in an R2 zoning district.

**Appeal No. 11,030 (1108-102) by Erie Renewable Energy** concerning a property located at the **1600 Block of East 10<sup>th</sup> Street**. The appellant is appealing the Zoning Officer's denial of the September 24, 2008 application for a final Zoning Certificate. If the appeal is denied, ERE will further apply for a dimensional variance of the 100' maximum height limit in an M2 Zoning district. If the variance is denied, ERE will challenge the validity of the Zoning Ordinance for its alleged exclusion of power plants in the City Of Erie.

**Appeal No. 11,037 (1108-102) by Robert Petroff** concerning a property located at the **1600 Block of East 10<sup>th</sup> Street**. The appellant is appealing the Zoning Officer's December 23, 2008 plan approval of Erie Renewable Energy's proposed Tires-to-Energy Power Plant. Mr. Petroff claims that the City Zoning Office erred in finding structures in excess of the 100' maximum height limit as appurtenances as set forth the Zoning Ordinance.