

September 10, 2013
City of Erie, Pennsylvania
ZONING HEARING BOARD
1:00 P.M.

The regular meeting of the Zoning Hearing Board was held on Tuesday, September 10, 2013 at 1:00 p.m., in the City Council Chambers, Municipal Building, 626 State Street.

- MINUTES -

THE FOLLOWING APPEAL WAS HEARD:

Appeal No. 12,049 by John Sementilli (6069-229) concerning property he owns located at **334 West 19th Street** in an R-2 District. The appellant is seeking a nonconforming change of use from a warehouse to a personal self-storage facility. Per Section 301.20 of the Erie City Zoning Ordinance, a request for nonconforming change of use shall be referred to the Zoning Hearing Board.

Findings of Fact

1. The appellant, John Sementilli, appeared to testify on his own behalf and began by passing out to the Board an addendum to his application, which contained some typographic corrections and photographs of his building. Mr. Sementilli told the Board that he wishes to change the 11,000+ square foot structure because it is currently underutilized; it is presently being used as a storage warehouse for his construction business. The appellant hopes to convert the warehouse into a storage facility, renting individual units to other tenants.
2. Mr. Sementilli said that he purchased the building on the open market five years ago. He asked the Board to examine the (before and after) photographs of the property, which show the extensive work that the appellant performed on the building since purchasing it. The appellant then directed the Board to the site plan/outline that was included in the application. The outline for the property (which Zoning Office officials confirmed has remained the same since 1968) identifies individual lots on either side of the appellant's warehouse on the West 19th Street side. The appellant said that both lots are presently unoccupied; on the west side is a vacant lot, and on the east side there is a vacant, dilapidated old house. When asked about his potential

interest in these lots, Mr. Sementilli said that at this time he has no plans of purchasing either of the lots for parking or other purposes.

3. The appellant answered several questions from the Board about the property, including whether he has incurred any opposition to the proposal from other area residents. Mr. Sementilli said that to his knowledge there is no opposition to his proposal from neighboring residents or anyone else. Zoning Office officials indicated that everyone within five hundred feet of the appellant's property (including the Sisters of St. Joseph Neighborhood Watch) received notices of the proposal and subsequent hearing.
4. As for the building itself, the appellant said that the north side of the facility – facing West 18th Street – would be the office. The tenants would enter and exit through the West 19th Street side. All of the storage units would be inside the structure, with not more than one of the tenant's vehicles in the building at a time. The tenants would therefore enter and exit the property one at a time. Mr. Sementilli said that the hours of operation would be weekdays from 9:00 a.m. to 5:00 p.m., but added that he is willing to make reasonable accommodations for renters to gain access to the facility on evenings or weekends.
5. Mr. Sementilli said that he is not sure at this time how many units the facility would contain, nor the size of the individual units. He said that he could not say for certain until he gets an architectural draft of the property, which he plans to obtain upon approval of the zoning. The architectural draft would also take into consideration the best use for the four large bay doors (all facing 19th Street). The appellant added that he does not rule out using 18th Street as an entrance way for the tenants to use.
6. The appellant concluded by indicating that he plans to erect a high quality storage facility, with the units probably being made from corrugated metal, rather than a cheaper wooden and chicken wire frame. Addressing concerns from the Board, Mr. Sementilli agreed to the facility being a controlled environment, equipped with alarms and security features. Only he himself or one of his employees would have access to the facility, and would be present when one of the tenants was loading or unloading their units. The appellant said that there would be no free access to the facility at all hours of the day and week by the individual tenants.

Conclusions

1. The appellant's building on West 19th Street is presently being used as a warehouse for his construction business. The appellant believes that the property is being underutilized by using it solely as a warehouse.
2. The appellant's proposal is to convert the warehouse into an indoor, personal storage facility, renting the individual units to the public.
3. According to the Erie City Zoning Ordinance, storage facilities in not a permitted use in the R-2 District. The appellant is seeking permission for a nonconforming change of use for the property.

4. The exact number and size of the storage units has not been determined. The appellant hopes to obtain an architectural draft pending the Board's permission to convert the building. It is most likely, however, that the West 19th Street side of the building will be where the tenants enter and exit.

Decision

By a unanimous decision, the Board voted to approve the nonconforming change of use for the appellant's West 19th Street building. Board Chairman Richard Wagner said that similar facilities in the nearby area are not as well maintained as the appellant's building is. Mr. Wagner added that the area has traditionally been manufacturing in nature, and that this proposal will not alter the character of the neighborhood. Board member Lisa Austin said that she was also influenced by the appellant's agreeing to keep the property well secured, and with limited hours of use. For the same reasons, Board members Patty Szchowski and Angela McNair also voted to approve the request.

It is So Ordered.