

June 14, 2016
City of Erie, Pennsylvania
ZONING HEARING BOARD
1:00 P.M.

The regular meeting of the Zoning Hearing Board was held Tuesday, June 14, 2016 at 1:00 P.M. in City Council Chambers, Municipal Building, 626 State Street.

-- MINUTES --

THE FOLLOWING APPEALS WAS HEARD:

Appeal No. 12,129 by Stephanie Segal (5043-138) concerning property located at 2512 Brandes Street in an R-2 district. The appellant is seeking a use variance for a single-family dwelling and an office. Per Section 204.12 of the Erie City Zoning Ordinance, offices are not permitted in the R-2 district.

A quorum was not present at the time of the scheduled hearing. Board members Mike Hornyak and Patty Szychowski were in attendance; they proposed, and the appellant agreed before the hearing began, that Ms. Szychowski would serve as the hearing officer.

Findings of Fact

1. The appellant Stephanie Segal appeared on her own behalf. She told the Board that she operates a small notary service out of her home. The service, which she has operated since 2012, is the primary source of income for her and her family. She is seeking a variance so that she can expand the business into a full notary business, capable of providing services that she is not able to offer presently.
2. According to Ms. Segal, Pennsylvania law requires that in order to become a full notary agent, licensed to provide registration tags and license plates, a notary service must operate from a fixed location open to the public. If she receives the variance, she could then submit her application to the state for her notary service license; she is therefore proposing to operate the notary service from her single-family house on Brandes Street.
3. The appellant indicated that the granting of the variance would not affect the character of the neighborhood. She lives close to East 26th Street, which is a very busy street with many businesses. This was confirmed by Mr. James Duchini, a nearby business owner who also appeared to testify on behalf of the appellant.

4. Mr. Duchini told the Board that the appellant's house is located very close to a commercially zoned area. He added that his construction company often parks its trucks across the street from the appellant's property. He reiterated that the proposed notary business would blend in with the rest of the neighborhood, where there are many businesses that conduct much more activity than the notary service would.

Conclusions

1. The appellant presently operates a small notary service. In order to receive a license from the state that would enable the appellant to expand the business to provide license plates and registration tags, she must operate the notary service from a business location.
2. The appellant proposes to convert her single-family dwelling into a notary service. However, according to Section 204.12 of the Erie City Zoning Ordinance, offices are not permitted in an R-2 district.
3. The proposed location is near East 26th Street where there are many businesses, including construction companies, retail stores, etc... Therefore, the variance would not affect nor alter the character of the neighborhood.

Decision

The Board hearing officer voted to approve the use variance. Ms. Szychowski cited the fact that the appellant's business is already successfully operating in the location, and that the business is well suited near a commercial district.

It is So Ordered.
