

September 13, 2016
City of Erie, Pennsylvania
ZONING HEARING BOARD
1:00 P.M.

The regular meeting of the Zoning Hearing Board will be held Tuesday, September 13, 2016 at **1:00 P.M.**, in City Council Chambers, Municipal Building, 626 State Street.

- A G E N D A -

OLD BUSINESS:

The decision will be rendered for the **continuation of Appeal No. 12,083 by S.O.N.S. of Lake Erie Fishing Org. and Ed Kissell (4148-100)** concerning property located at 216 Bayfront Road in a WC district. The Erie City Zoning Hearing Board shall receive “any further testimony Appellants deem necessary for their case,” as court ordered on February 8th 2016 by the Court of Common Pleas of Erie County. The appellants appealed the Zoning Office’s determination regarding a public access walkway constructed at the property. The Zoning Office has determined that per Section 306 and 306.10 of the Erie City Zoning Ordinance, the public access walkway met the provisions set forth in the Zoning Ordinance for width and materials used for the constructed public access walkway.

THE FOLLOWING APPEALS WILL BE HEARD:

Appeal No. 12,132 by John and Susan Huster (5046-101) concerning property they own located at 3232 Burton Ave in an R-1 district. The appellant is seeking a use variance to continue using the property as a two family dwelling. Per Section 204.10 of the Erie City Zoning Ordinance, two family dwellings are not permitted in the R-1 district.

Appeal No. 12,133 by James Phillips (1113-226) concerning property located on Cranch Ave (Lakeside Sub) in an R-1 district. The appellant is seeking a dimensional variance to continue to locate a detached accessory structure in the front yard. Per Section 205.18 of the Erie City Zoning Ordinance, detached accessory structures shall be located in the side or rear yard.

Appeal No. 12,134 by Marie Connelly (6226-107) concerning property she owns located at 2801 Emerson Ave in an R-1 district. The appellant is seeking two dimensional variances for a proposed detached garage. Per Section 205.23 of the Erie City Zoning Ordinance, the minimum distance between any street property line and any garage doors facing same shall be twenty (20) feet; seven (7) feet is proposed. Per Section 205 of the Erie City Zoning Ordinance, the maximum lot coverage by buildings in the R-1 district is 35%; 47% is proposed.

Appeal No. 12,135 by the Catholic Spiritual Family, The Work, Inc. (5372-728) concerning property located at 4415 Briggs Ave in an R-1 district. The appellant is appealing the zoning officer’s determination that a proposed convent with four or more nuns at this location is a rooming/boarding house. Per Section 204.10 of the Erie City Zoning Ordinance, a rooming/boarding house is not permitted in the R-1 district.

Appeal No. 12,136 by Rebecca and Barry Westgate (5372-619) concerning property they own located at 4111 Briggs Ave in an R-1 district. The appellants are seeking a use variance for a rooming/boarding house. Per Section 204.10 of the Erie City Zoning Ordinance, rooming/boarding houses are not permitted in the R-1 district.

Appeal No. 12,137 by Thomas Picheco (5034-236) concerning property he owns located at 809 East 22nd Street. The appellant is seeking a nonconforming change of use from a contractor's office and storage to a service garage. Per Section 301.20 of the Erie City Zoning Ordinance, a nonconforming change of use shall be referred to the Zoning Hearing Board.

Appeal No. 12,138 by Garry Lombardo (6026-114) concerning property he owns located at 921 West 21st Street. The appellant is seeking a nonconforming change of use from a beer distributor to a service garage. Per Section 301.20 of the Erie City Zoning Ordinance, a nonconforming change of use shall be referred to the Zoning Hearing Board.

Appeal No. 12,139 by Upstate Tower Co., LLC (2114-201) concerning property located at the lot north of 1602 East 12th Street in an M-1 district. The appellant is a dimensional variance and special exception approval for a wireless communication facility (WCF). Per Section 305.45.4(a)(2) of the Erie City Zoning Ordinance, the minimum distance between the base of a tower-based WCF and any adjoining property line or street right-of-way line shall equal 33% of the proposed WCF structure height for a setback of 52.8'; the proposed setback is 25'. Per Section 204.19 of the Erie City Zoning Ordinance Wireless Communication Facilities is a special exception in the M-1 district.

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