

January 10, 2017
City of Erie, Pennsylvania
ZONING HEARING BOARD
1:00 P.M.

The regular meeting of the Zoning Hearing Board was held Tuesday, January 10, 2017 at 1:00 P.M. in Council Chambers, City of Erie Municipal Building, 626 State Street, Erie PA.

-- MINUTES --

THE FOLLOWING APPEAL WAS HEARD:

Appeal No. 12,144 by Qussay Abbas (5258-413) concerning property he owns located at 3954 Alan Drive in an R-1 district. The appellant is seeking a dimensional variance 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 of the principal building.

Findings of Fact

1. The appellant, Qussay Abbas, appeared on his own behalf and told the Board that he is requesting a variance in order to build a garage in the front yard area of his property. According to Mr. Abbas, he would not be able to install the garage in the rear or side of his house without encroaching on the neighboring property.
2. Mr. Abbas purchased the house, which was built in 1883, four years ago. Using an aerial photograph view of the houses on the street, the appellant showed the Board the unusual lot configuration of his property. The photograph also identified where the proposed structure will be built in the front of the home, and how the detached garage would not fit on the appellant's property behind the house.
3. The proposed garage will be 20' x 30', and large enough to fit the two cars that the appellant's family owns. There will be one 16' x 7' garage door in the front of the structure, facing the street. The appellant told the Board that he has already obtained a permit from the appropriate City officials to install a driveway that would lead from the street to the garage.
4. Answering questions from the Board, the appellant indicated that he plans to construct a steel garage, with siding very similar in color to that of the house. Mr. Abbas pointed out that several of his neighbors also have similar problems with non-linear property lots, and that his proposal would not change the character of the neighborhood. In support of the

proposal, the appellant's next door neighbor sent a letter to the Erie Zoning Office, which Zoning official Matthew Puz read into the record.

Conclusions

1. The appellant proposes to build a detached garage in the area of his property that is in front of his house.
2. According to Section 205.18 of the Erie City Zoning Ordinance, detached accessory structures must be located in the side or rear yard of the principal building.
3. The reason for the placement of the garage in the front of the appellant's house is because of the unusual, non-linear shape of the property; there is not enough space behind or on either side of the house to build a garage and still remain on the appellant's lot.

Decision

By a unanimous decision, the Board approved the appellant's request for the dimensional variance. Board chairwoman Selena King said that given the circumstances of the appellant's proposal - the unusual shape of the property, the fact that the garage will match the color of the house and will not alter the character of the neighborhood – she supports the variance request. For the same reasons, Board members Edward Dawson and Jeffrey Johnson also supported the proposal, and all three members voted to approve the variance request.

It is So Ordered.
