

August 8, 2017
City of Erie, Pennsylvania
ZONING HEARING BOARD
1:00 P.M.

The regular meeting of the Zoning Hearing Board was held Tuesday, August 8, 2017 at 1:00 P.M. in City Council Chambers, City of Erie Municipal Building, 626 State Street.

- MINUTES -

THE FOLLOWING APPEALS WERE HEARD:

Appeal No. 12,162 by Steve Owens (5305-214) concerning the property located at 4103 Liberty Street in an R-1 district. The appellant is seeking a dimensional variance for a 1024 square foot detached garage. Per Section 205.18 of the Erie City Zoning Ordinance, detached accessory buildings shall be no larger than 720 square feet in size; 1024 square feet is proposed.

The Board did not convene a quorum. The appellants agreed to have Board member Mike Hornyak serve as hearing officer.

Findings of Fact

1. The appellants, Mr. and Mrs. Steve Owens, appeared to represent themselves, and began by providing the hearing officer with photographs of the present structure, and a hand drawn site plan of the proposed new garage. The appellant's house is a duplex, and they indicated that the proposed garage and driveway would provide parking for both the appellants and their tenants. Off-street parking, they said, is a problem on their street, with the few spaces available being usually occupied.
2. The larger proposed garage will also serve as storage for the appellant's trailer, snow blower, mower, etc., storage space that his present garage does not provide. The proposed garage will be 32'x32', so that there will be adequate space for all of the appellant's vehicles and other personal items, most of which must be stored in doors.
3. Mr. Owens indicated that the appellants have spoken to their neighbors, and that none of the people expressed any opposition to the proposed enlarged garage. He added that the variance, if approved, will not alter the character of the neighborhood, and referring to the photographs again, indicated that the proposal will actually improve the property and surrounding area.

Conclusions

1. The appellants wish to replace their current garage, which is in poor condition, with a new, larger structure. The proposed new garage (and its driveway) will be used for

parking for the appellant's and their tenant's vehicles, as well as several items of personal property that the appellant must store in doors.

2. In order to accommodate the needs of the appellants, the new garage must be 32'x32', or 1024 square feet. According to Section 205.18 of the Erie City Zoning Ordinance, detached accessory buildings shall be no larger than 720 square feet in size.
3. The appellant's indicated that the proposal will improve the house, and will not affect the character of the neighborhood. None of the neighbors that the appellants spoke to objected to the proposed new structure.

Decision

The hearing officer Mike Hornyak approved the variance request. He said that he understands that the appellants have a need for storage, as well as other tenants that the appellant's would like to accommodate. Together with the parking and traffic problems on the appellant's street, the hearing officer decided to vote in favor of the variance request.

It is So Ordered.

Appeal No. 12,163 by Caroline Staab (5337-101) concerning property located at 3724 Beech Avenue in an R-1 district. The appellant is seeking a dimensional variance for an 814 square foot detached garage. Per Section 205.18 of the Erie City Zoning Ordinance, detached accessory buildings shall be no larger than 720 square feet in size; 814 square feet is proposed.

The Board did not convene a quorum. The appellants agreed to have Board member Mike Hornyak serve as hearing officer

Findings of Fact

1. The appellant Caroline Staab appeared together with her fiancé, Mr. Gregory Mazza (who lives in the same house as the appellant), appeared together to both address the hearing officer in support of the proposed dimensional variance. The appellant brought photographs of the property, as well as a signed statement from their neighbors who have no objection to the proposal.
2. The appellant is requesting a variance in order to build a garage on her property. The proposed structure would enable the appellant and Mr. Mazza to store their belongings on the same property as the house. Presently the couple is using an off-site storage garage, which is becoming increasingly difficult to use because of Mr. Mazza's health problem.
3. Mr. Mazza indicated that as a result of having a severe form of diabetes, he is partially blind. The appellant said that Mr. Mazza's condition is the hardship in this case. Mr.

Mazza cannot drive as a result of his blindness, and as stated, it is becoming increasingly difficult to get to the off-site storage facility when he needs to.

4. The owner and representative of the construction company that helped design the proposed garage, Mr. Lance Kinal, also addressed the hearing officer. Mr. Kinal indicated that the size and dimensions of the proposed new garage are specifically to accommodate Mr. Mazza's needs. Mr. Kinal added that these specifications represent the least square footage required to meet those needs.

Conclusion

1. The appellant lives in her home together with her fiancé, who is partially blind due to a severe type of diabetes. Until now the couple has been using an off-site storage facility to keep their personal property. The requested variance is to have a garage next to the house in order for the appellant's fiancé, who cannot drive, to have easy access to his property.
2. The proposed garage is 814 square feet, and was designed in order to meet the specific needs of the appellant's fiancé. According to Section 205.18 of the Erie City Zoning Ordinance, detached accessory buildings shall be no larger than 720 square feet.
3. The appellant's proposal will not alter the character of the neighborhood; and the appellant provided a signed statement from her neighbors who all support the new garage.

Decision

Hearing officer Mike Hornyak voted to approve the proposed variance. He said that the hardship was clear, and the proposed square footage coverage is minimal, and is not even visible from the street. For these reasons, the variance was approved.

It is So Ordered.