

August 14, 2018
City of Erie, Pennsylvania
ZONING HEARING BOARD
1:00 P.M.

The regular meeting of the Zoning Hearing Board was held Tuesday, August 14, 2018 at 1:00 P.M. in City Council Chambers, City of Erie Municipal Building, 626 State Street, Erie, PA.

-- MINUTES --

THE FOLLOWING APPEAL WAS HEARD:

Appeal No. 12,193 by American Tinning & Galvanizing (3029-225) concerning property located in an RLB district at the northeast corner of 11th and Cherry Streets. The appellant is seeking a use variance to place warehousing on a residential lot. Per Section 204.14 of the Erie City Zoning Ordinance, warehousing is not a permitted use in an RLB zoning district.

Findings of Fact

1. The appellant is Ms. Robin Scheppner, the president and C.E.O. of the American Tinning & Galvanizing Company, an industrial factory located between West 11th and West 12th, and Cherry Streets, in Erie's traditional manufacturing corridor. Ms. Scheppner appeared on her own behalf, and explained to the Board the reasons for the variance request.
2. Ms. Scheppner told the Board that the factory, American Tinning & Galvanizing Company (hereafter referred to as "A.T.& G.") has been experiencing tremendous growth for the past ten years. This business growth is expected to continue, providing jobs for the local economy. Unfortunately, the buildings that A.T.& G. is located in have reached their maximum capacity for the storage of warehouse supplies and equipment. Ms. Scheppner told the Board that the 72,000 square foot facility must either expand its physical space or risk losing the new business growth.
3. According to the Appellant, the most cost-effective and expeditious solution to the lack of factory floor space is to install two large containers in the vacant lot area on West 11th Street, directly across from the loading dock areas of A.T.& G.. These large movable containers would be similar to the standard size, metal shipping crates that are commonly used on cargo ships and semi-tractor trailers.
4. The proposed trailers are 40' long, and 10' x 10' high and wide, sitting directly on the ground, without wheels. The containers would be used to hold supplies, equipment and raw materials – typical items required for the Appellant's manufacturing and shipping

business. These items are presently occupying valuable warehouse floor space which could be used for important production functions. The proposed trailers may be used to hold zinc needed for the Appellant's production process, but according to Ms. Scheppner, they containers would not store any chemicals, hazardous or other toxic substances.

5. The property being proposed for the storage trailers is located on West 11th Street, in the large, vacant lots that have been used for employee parking since the 1950's. The lots (facing 11th Street across several city blocks) have space for 102 parking spaces. However, over the three shifts that A.T.& G. operates, only 84 employees actually use the parking areas. There is a separate parking area on 12th Street that is used by the company's customers and administration staff.
6. The Appellant has used all of its available space, and has no available space remaining to serve its warehouse needs. The storage containers are a minimally intrusive means of accomplishing the Appellant's storage needs, and the proposed containers would not negatively alter the character of the nearby vicinity.

Conclusions

1. The Appellants own and operate American Tinning & Galvanizing Company, located on both sides of Cherry Street, between West 11th and West 12th Streets. The factory has expanded rapidly in the past ten years, and has run out of warehouse space.
2. Rather than reduce its business growth in the existing facility, the Appellants propose to install two trailers - similar to the storage containers on cargo ships and tractor trailers – in the vacant parking lots that face the rear of the factory facility on West 11th Street, in an RLB district..
3. According to Section 204.14 of the Erie City Zoning Ordinance, warehousing is not a permitted use in an RLB zoning district.
4. If the variance were approved, the containers would not hold any chemicals, hazardous or toxic materials, and would not alter the character of the neighborhood.

Decision

By a three to one vote, the Board approved the use variance. Board member Mike Hornyak said that the appellants have presented a good proposal, given that the company is "land-locked," and needs the additional warehouse space to continue to expand. Board members Selena King and Jeffrey Johnson agreed, and all three voted to approve the variance.

Board member Jaqueline Spry voted to deny the variance.

It is So Ordered.
