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# City of Erie

## Zoning Hearing Board

### Erie, Pennsylvania

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### AGENDA

The regular meeting of the Zoning Hearing Board will be held Tuesday, December 12, 2023 at 1:00 PM in City Council Chambers, 626 State Street, Erie PA. The meeting is also accessible via Zoom Webinar [instructions below]. Recordings of the ZHB meetings are available on the City of Erie website at: <https://www.youtube.com/@CityofErie/videos>.

1. MEETING CALL TO ORDER

2. ROLL CALL AND DECLARATION OF QUORUM

Member Name	Present	Absent
Laura Guncheon, Chair		
Jeffrey Johnson, Vice Chair		
Edward Dawson		
Selena N. King		
Tom Sebald		

3. APPROVAL OF NOVEMBER 14, 2023 MEETING MINUTES

4. APPEALS TO BE HEARD

Appeal No. 12,298 by Ina Kovalevich concerning property located at 4034 Warsaw Avenue [18-5242-103] in an R-1 Low Density Residential zoning district. The appellant is requesting approval of a 'Short Term Rental' Special Exception use per Section 204.10 of the City of Erie Zoning Ordinance. Per Section 508[10] of the ordinance, all Special Exception use requests shall be heard by the City of Erie Zoning Hearing Board.

Appeal No. 12,299 by Noora Ahmed concerning property located at 354 E 23<sup>rd</sup> Street [18-5014-241] in an R-2 Medium Density Residential zoning district. The appellant is requesting approval of a dimensional variance for a proposed rear addition. Per Section 205 of the City of Erie Zoning Ordinance, the minimum rear yard setback in an R-2 district is twenty [20] feet, eight [8] feet is proposed.

5. OLD BUSINESS

Appeal No. 12,297 by Alison Love for Were Rabbit, LLC concerning property located at 250 E 35<sup>th</sup> Street [18-5363-133] in an R-1A Single Family Residential zoning district. The appellant is requesting approval of a 'Short Term Rental' Special Exception use per Section 204.11 of

the City of Erie Zoning Ordinance. Per Section 508[10] of the ordinance, all Special Exception use requests shall be heard by the City of Erie Zoning Hearing Board.

## 6. ADJOURNMENT

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To participate via Zoom, you must pre-register for the Zoom webinar and join from a PC, Mac, iPad, iPhone or Android device. Register for this webinar at –

<https://events.zoom.us/j/84458222222>

NOTE: Persons with a disability who wish to be heard and require accommodation please contact (814) 870-1111 at least 48 hours in advance so that arrangements can be made.

ZHB meeting agendas and exhibits are available on the City's website at:

[https://ecode360.com/ER3969/documents/Agendas?category=Zoning%20\(Hearing%20Board\)](https://ecode360.com/ER3969/documents/Agendas?category=Zoning%20(Hearing%20Board))

For more information about the Zoning Hearing Board, please visit the City of Erie website at:

<https://cityof.erie.pa.us/government/authorities-boards-and-commissions/#ZHB>

APPEAL 12298

**CITY OF ERIE**  
**ZONING HEARING BOARD APPLICATION**

Appeal #: 2298 Index #: 18 5242-103 Hearing Date/Time: DEC 12, 2023  
@ 1 PM

**Property Information**

Property Address: ~~2850~~ ~~2850~~ 4034 Warsaw Ave Erie, PA 16504  
Zoning District: R-1 Current Land Use: single family dwelling  
Has a previous application of appeal been filed? Yes  No  Appeal No(s) \_\_\_\_\_

**Owner / Applicant Information**

Name of Owner: Ina Kovalevich  
Owner Address: 2851 Poland Rd  
City: Erie State: PA Zip Code: 16510  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
Name of Applicant (if different from owner): \_\_\_\_\_  
Relationship to Owner: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Type of Application / Appeal**

Variance – Type: \_\_\_\_\_ Use: \_\_\_\_\_ Dimensional  
 Special Exception Use  
 Change of Non-Conforming Use  
 Appeal of Determination of Zoning Officer

Proposed Use or Improvement: Short term rental space and Airbnb

**I/We believe that the Board should approve this request because...** (Attach a Justification Narrative and/or Variance Criteria Worksheet (Exhibit A) – please refer to the quick tip guidance on the following page)

It allows me to grow as a small business and provide a place to stay for those visiting Erie. It's convenient and budget friendly for travelers.

I/We hereby certify that all the above statements and the statements contained in any attached plans submitted here within are true to the best of my/our knowledge and belief.

Ina Kovalevich  
Owner or Applicant Name

[Signature]  
Owner or Applicant Signature

11/15/23  
Date

**CITY OF ERIE**  
**SHORT TERM RENTAL APPLICATION**

Property Address: 4034 Warsaw Ave

City: Erie State: PA Zip Code: 16504

**Type of Structure:**

Single Family Dwelling       Flat/Duplex       Apartment Building

**Owner Information: NO P.O. BOXES SHALL BE ACCEPTED**

Name of Owner: Ina Kovalevich

Owner Address: 2851 Roland Rd

City: Erie State: PA Zip Code: 16510

Telephone: 814-566-5542 Email: Kovalevichina@gmail.com

**Responsible Agent Information:**

A Responsible Agent is defined as a person authorized by the owner to act in his/her behalf. All Responsible Agents must reside within Erie County, Pennsylvania.

- Owners of STR dwellings residing in Erie County may designate a Responsible Agent to be named on the Registration/License.
- Owners of STR dwellings residing out of Erie County must designate a Responsible Agent to be named on the Registration/License. NO P.O. BOXES SHALL BE ACCEPTED

Responsible Agent Name: Gregory Kovalevich

Agent Address: 2851 Roland Rd

City: Erie State: PA Zip Code: 16510

Telephone: 814-450-6534 Email: greg.kov@yahoo.com

ZONING DISTRICT: R-1

MAXIMUM OCCUPANCY: 6

NUMBER OF OFF-STREET PARKING SPACES PROVIDED: 2

I/We hereby certify that all the above statements and the statements contained in any attached plans submitted here within are true to the best of my/our knowledge and belief.

Ina Kovalevich  
Owner or Agent Name

[Signature]  
Owner or Agent Signature

11/15/23  
Date

# CITY OF ERIE

## SHORT TERM RENTAL REGULATIONS

All Short-Term Rentals must meet the following minimum regulations:

1. A short-term rental license shall be required prior to renting out a dwelling as short-term rental. Operating a short-term rental without a short-term rental license is a violation of the City of Erie Zoning Ordinance and shall subject the owner to the enforcement proceedings and penalties set forth herein.
2. The Short-Term rental license is not transferrable and does not run with the property. If the ownership of the property changes, either directly by sale or deed transfer, or indirectly by death, sheriff sale or court order, the new owner must apply for a license under the provisions of this Ordinance prior to continuing to use the property as a short-term rental.
3. STR accommodations shall not exceed the number of occupants allowed within the applicable zoning district.
4. Overnight occupancy of recreational vehicles, camper trailers and tents is prohibited.
5. Neither occupants nor guests are to engage in disorderly conduct or disturb the peace and quiet. Upon notification of such disturbances, the property owner is responsible for preventing a reoccurrence of such conduct.
6. A business contact person must be appointed, who can be the owner, property manager or agent of the owner who is available to respond to tenant and neighborhood questions, complaints, or concerns. The contact person shall have the actual authority to represent the owner of the property for emergency and non-emergency contact purposes. This person must provide a 24-hour contact number and must be able to respond to any contact from a tenant with one (1) hour following the notification. The City must be notified in writing within fourteen days (14) if there is a change in the identity of the contact person.
7. No unreasonable noise or sound that is plainly audible to an unaided human ear shall be permitted outside during the hours listed below: Sunday through Thursday 10:00 PM to 8:00 AM and Friday through Saturday 11:59 PM to 8:00 AM.
8. All operators must maintain a guest log book to include names of guests and dates of stay. The log must be available for inspection by city staff upon request.
9. All advertisements for an approved STR must clearly display the license number issued for that unit. Failure to do so is grounds for cancellation of license.
10. The owner of the Short Term Rental shall post a copy of their STR license, and a copy of the conditions set forth in a conspicuous space within the property.
11. Each short-term rental must have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:
  - a) Name of contact person and telephone number at which they may be reached on a 24-hour basis.
  - b) The maximum number of occupants permitted to stay in the short-term rental at one time.
  - c) The maximum number of vehicles allowed to be parked on the property and the requirement that all renter/guest parking must be on the property and not on a private, community, or public right-of-way.
  - d) Proper directions for the disposal of waste.
  - e) Notice that the occupant(s) may be cited and fined for creating a disturbance or violating any other provisions within this Ordinance.
  - f) Notice that the failure to follow the occupancy and parking requirements will result in citations of fines.

Short term rentals shall be allowed in the R-1 and R-1A Districts as Special Exceptions in accordance with these additional regulations:

1. Adequate off-street parking and access must be provided.
2. A screen planting strip shall be provided adjacent to properties in "R" Districts.
3. Any outdoor lighting shall be designed to prevent glare to surrounding properties.
4. No outdoor loudspeakers or sound systems shall be allowed.
5. The Board may attach any reasonable conditions necessary to address public health, safety, and welfare concerns.

**CITY OF ERIE**  
**STR ZONING COMPLIANCE CHECKLIST**

Property Address: 4034 Warsaw Ave Erie PA 16504

The proposed Short-Term Rental meets the following minimum regulations:

- STR accommodations shall not exceed the number of occupants allowed within the applicable zoning district. [MAXIMUM OCCUPANCY IS BASED ON THE NUMBER AND SIZE OF BEDROOMS, A FAMILY UNIT OR NO MORE THAN THREE UNRELATED OCCUPANTS]  
Number of Bedrooms: 3 Bedroom Size: #1 250 SF #2 200 SF #3 175 SF #4      SF #5      SF
- Adequate off-street parking [MINIMUM ONE PER DWELLING UNIT] and access must be provided. [10'x20' MINIMUM PARKING SPACE SIZE] – Number of Off-Street Parking Spaces Available: 2
- Each short-term rental must have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:
  - Name of contact person and telephone number at which they may be reached on a 24-hour basis.
  - The maximum number of occupants permitted to stay in the short-term rental at one time.
  - The maximum number of vehicles allowed to be parked on the property and the requirement that all renter/guest parking must be on the property and not on a private, community, or public right-of-way.
  - Proper directions for the disposal of waste.
  - Notice that the occupant(s) may be cited and fined for creating a disturbance or violating any other provisions within this Ordinance.
  - Notice that the failure to follow the occupancy and parking requirements will result in citations of fines.
- The owner of the Short Term Rental shall post a copy of their STR license, and a copy of the conditions set forth in a conspicuous space within the property.
- All operators must maintain a guest log book to include names of guests and dates of stay. The log must be available for inspection by city staff upon request.
- A business contact person must be appointed, who can be the owner, property manager or agent of the owner who is available to respond to tenant and neighborhood questions, complaints, or concerns. The contact person shall have the actual authority to represent the owner of the property for emergency and non-emergency contact purposes. This person must provide a 24-hour contact number and must be able to respond to any contact from a tenant with one (1) hour following the notification.

Short term rentals shall be allowed in the R-1 and R-1A Districts in accordance with these additional regulations:

- A screen planting strip shall be provided adjacent to properties in "R" Districts.
- Any outdoor lighting shall be designed to prevent glare to surrounding properties.
- No outdoor loudspeakers or sound systems shall be allowed.

Special Conditions [as applicable]: \_\_\_\_\_

I HEREBY CERTIFY THAT THE ABOVE CONDITIONS WILL BE MET AT ALL TIMES WHILE OPERATING A SHORT TERM RENTAL AT THIS LOCATION.

Ina Kovatchich  
NAME

[Signature]  
SIGNATURE

11/15/23  
DATE

# STR OCCUPANT NOTICE

Per City of Erie regulations, a short-term rental unit must have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

**Name and telephone number of property manager / contact person [may be reached on a 24-hour basis]:**

Responsible Agent Name: Ina Kovalevich

Telephone: 814-566-5542 Email: Kovalevichina@gmail.com

**The maximum number of occupants permitted:** 6

**The maximum number of vehicles allowed to be parked on the property:** 3

Note: All renter/guest parking must be on the property and not on a public right-of-way.

**Overnight occupancy of recreational vehicles, camper trailers and tents is prohibited.**

Notice: Failure to follow occupancy and parking requirements will result in citations of fines.

**Neither occupants nor guests are to engage in disorderly conduct or disturb the peace and quiet. No unreasonable noise or sound that is plainly audible to an unaided human ear shall be permitted outside during the following hours: Sunday through Thursday 10:00 PM to 8:00 AM and Friday through Saturday 11:59 PM to 8:00 AM.**

Notice: Occupant(s) may be cited and fined for creating a disturbance or violating any other provisions of the City of Erie Zoning Ordinance.

**Proper directions for the disposal of waste:** Trash can be throw in  
receptacle located right outside of patio. Trash collection  
day is Friday.

THANK YOU FOR YOUR COOPERATION.  
ENJOY YOUR STAY!





RE

Warsaw Avenue

APPEAL 12299

CITY OF ERIE  
ZONING HEARING BOARD APPLICATION

Appeal #: 12299 Index #: 185014-241 Hearing Date/Time: DEC 12, 2023 @ 1PM

**Property Information**

Property Address: 354 E 23<sup>rd</sup> St Erie PA 16503  
Zoning District: R-2 Current Land Use: SINGLE FAMILY DWL  
Has a previous application of appeal been filed? Yes  No  Appeal No(s) \_\_\_\_\_

**Owner / Applicant Information**

Name of Owner: Noora Ahmed  
Owner Address: 1312 Ash St  
City: Erie State: PA Zip Code: 16503  
Telephone: \_\_\_\_\_ Email: A  
Name of Applicant (if different from owner): Jeran Ghulam  
Relationship to Owner: Parent (Mother)  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Type of Application / Appeal**

- Variance – Type:  Use  Dimensional
- Special Exception Use
- Change of Non-Conforming Use
- Appeal of Determination of Zoning Officer

Proposed Use or Improvement: Home Modification

I/We believe that the Board should approve this request because... (Attach a separate narrative as needed – please refer to the quick tip guidance on the following page)

I'm an elderly and sick person receiving waiver services for my daily living. Adding bathroom would help me for mobility, fall risk reduction, improve accessibility and independence.

I/We hereby certify that all the above statements and the statements contained in any attached plans submitted here within are true to the best of my/our knowledge and belief.

Jeran Ghulam  
Owner or Applicant Name [please print]

\_\_\_\_\_  
Owner or Applicant Signature

11/21/2023  
Date

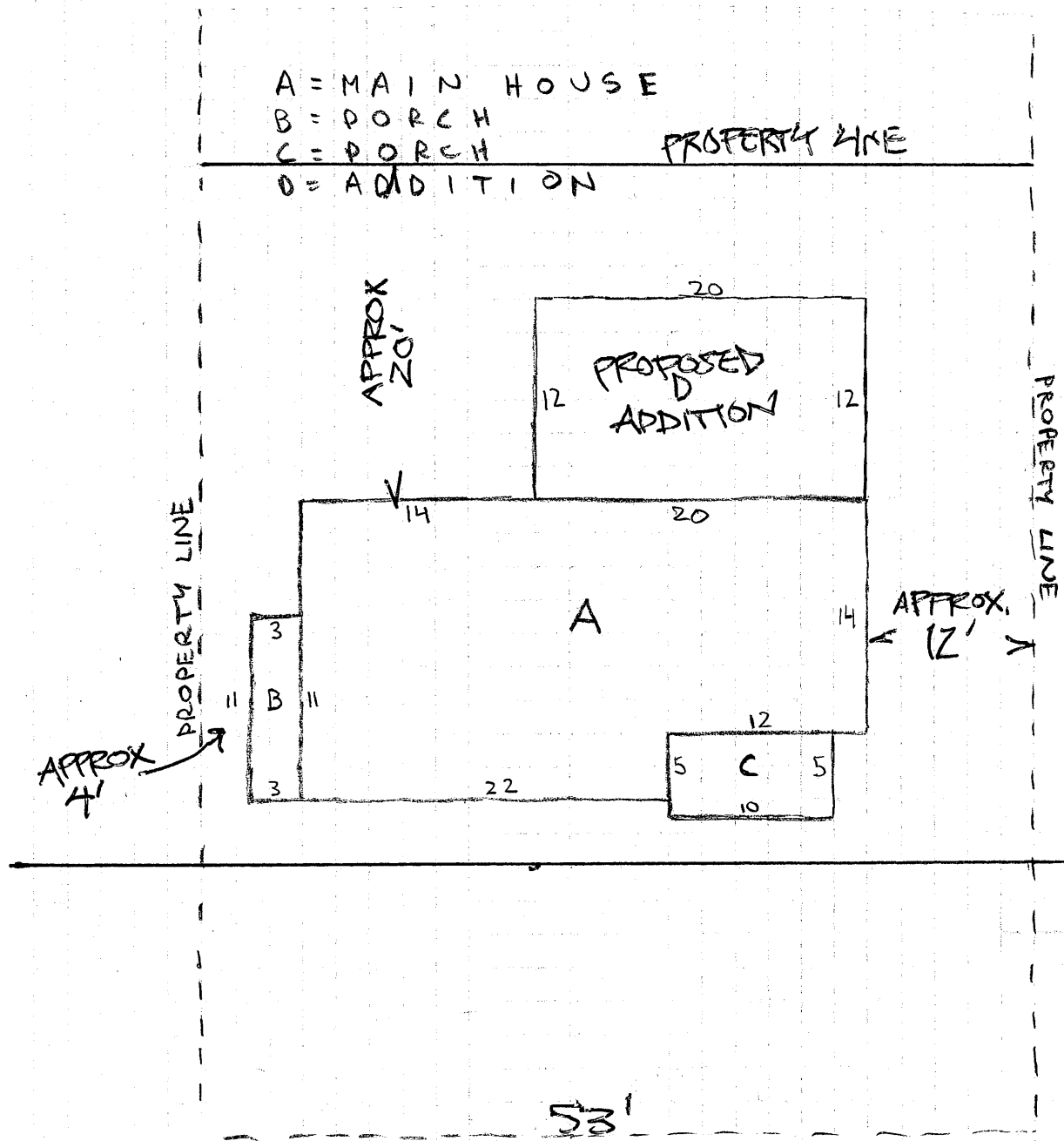
354 E 23RD ST.

SITE PLAN

1 SQ = 2 FT

- A = MAIN HOUSE
- B = PORCH
- C = PORCH
- D = ADDITION

PROPERTY LINE



EAST 23RD ST.



R-2

C-4



R-2

C-4

East 23rd Street

APPEAL 12297

# Zoning Hearing Board

## City of Erie, Pennsylvania

### November 14, 2023

### -Agenda-

The regular meeting of the Zoning Hearing Board will be held Tuesday, November 14, 2023 at 1:00 PM in City Council Chambers, 626 State Street, Erie PA. The meeting is also accessible via Zoom Webinar [instructions below]. For more information about the Zoning Hearing Board, please visit the City of Erie website at: <https://cityof.erie.pa.us/government/authorities-boards-and-commissions/#ZHB>

**1. MEETING CALL TO ORDER**

**2. ROLL CALL AND DECLARATION OF QUORUM**

Member Name	Present	Absent
Laura Guncheon, Chair		
Jeffrey Johnson, Vice Chair		
Edward Dawson		
Selena N. King		
Tom Sebald		

**3. APPROVAL OF September 12, 2023 MEETING MINUTES [no October mtg]**

**4. APPEALS TO BE HEARD**

Appeal No. 12,297 by Alison Love for Were Rabbit, LLC concerning property located at 250 E 35<sup>th</sup> Street [18-5363-133] in an R-1A Single Family Residential zoning district. The appellant is requesting approval of a Special Exception Use for a 'Short Term Rental' per Section 204.11 of the [City of Erie Zoning Ordinance](#). Per Section 508[10] of the ordinance, all Special Exception requests shall be heard by the City of Erie Zoning Hearing Board.

**5. ADJOURNMENT**

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To participate via Zoom, you must pre-register for the Zoom webinar and join from a PC, Mac, iPad, iPhone or Android device. Register for this webinar at – <https://events.zoom.us/ev/Aj35bfqYLdFuck54Lwugpc7S2r3ngKoC9yXelloLELbBkFQe6hP9~AggLXsr32QYFjq8BIYLZ5I06Dg>

NOTE: Persons with a disability who wish to be heard and require accommodation please contact (814) 870-1111 at least 48 hours in advance so that arrangements can be made.

**CITY OF ERIE**  
**ZONING HEARING BOARD APPLICATION**

Appeal #: 12297 Index #: 5363-133 Hearing Date/Time: Nov 14, 2023  
1 PM

**Property Information**

Property Address: 250 E 35th St, Erie PA 16504  
Zoning District: R-1A Current Land Use: Long-Term Rental  
Has a previous application of appeal been filed? Yes  No  Appeal No(s) none

**Owner / Applicant Information**

Name of Owner: Were Rabbit LLC  
Owner Address: 3225 McLeod Dr, Suite 100  
City: Las Vegas State: NV Zip Code: 89121  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
Name of Applicant (if different from owner): Alison Love  
Relationship to Owner: Owner/Manager of Were Rabbit, LLC  
Telephone: same Email: same

**Type of Application / Appeal**

Variance – Type: \_\_\_\_\_ Use \_\_\_\_\_ Dimensional  
 Special Exception Use  
 Change of Non-Conforming Use  
 Appeal of Determination of Zoning Officer

Proposed Use or Improvement: We would like to use this property as a short-term rental.

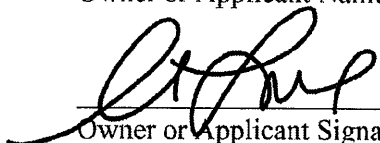
I/We believe that the Board should approve this request because... (Attach a Justification Narrative and/or Variance Criteria Worksheet (Exhibit A) – please refer to the quick tip guidance on the following page)

Justification Narrative Attached: \_\_\_\_\_

I/We hereby certify that all the above statements and the statements contained in any attached plans submitted here within are true to the best of my/our knowledge and belief.

Alison Love for Were Rabbit, LLC

Owner or Applicant Name

  
Owner or Applicant Signature

Sept 14, 2023

Date

Sept 14, 2023

Dear Zoning Board Members,

In 2021 I bought my first investment property in Erie, PA. I actually bought it sight unseen but came up after closing to engage local help to make some improvements on it so it could be rented out. My husband and I had decided to try out real estate investment as a retirement income opportunity. Well, that first visit I brought my then 15-year-old son with me since he was on Spring Break. We met with our realtor and saw the house and spent a week in Erie. **We fell IN LOVE with the community!** There is something about Erie, it's like the hometown everyone wants to have. So many people I have talked to in the course of business over the past two years tell me stories about how they moved away, but then found themselves moving back. At that point, I told my husband that Erie was where we were going to invest, not just because of revenue potential, but because I wanted to be a responsible landlord and provide safe, clean, maintained homes for people that need to rent. There's a LOT of slumlords – I didn't want to be that. My son decided that when he graduated from high school – he wanted to move to Erie!

So, for the past year we have been looking for two properties:

1: a duplex or multi-family where our son could live while he gets settled into Erie life and his first time living independently. He is NOT going to college at this time – just wants to live in Erie.

2: a house that would be suitable for a us to use as 'home base' when we come visit our son (he's the baby of the family) or come up for work. When we weren't using it we wanted to offer it as a short-term rental.

I saw the house at 250 E 35<sup>th</sup> and fell in love with it. The previous long-term tenants under the previous owner (we just purchased in May of 2023) were 'problems' according to neighbors AND property managers. Despite the fact that it smelled like mold and the urine of a million cats, it was in a great part of town. Safe, a quiet neighborhood, and it was near to multiple colleges, schools, the VA, not too far from the zoo and Presque Isle. If you want I could really dig into our whole *vision* of what a short-term rental in Erie provides – and why we feel it's a draw not just for us but to all sorts of groups that come to and through Erie.

Now, why this particular property is a good option:

1. It is fully-fenced. We recently removed a totally overgrown tree that was molesting both houses and the garage. But the yard is nicely screened on 3 sides by mature trees and the garage.
2. The garage plus driveway provide 4 car's worth of off-street parking. Not that we will be allowing parties – but there shouldn't be any reason why renters/visitors would have to be all up and down the street.
3. It looks like a cute cape cod on the outside, but inside that place is deceptively large. It gives enough room for 4 nicely sized bedrooms, a living room, plus what we are designating as an office. We are furnishing for 8 people to sleep max. I think of when I have traveled with my

family (2 parents, 4 kids) or had a girls night away and it's just enough room for people to have some space yet gather together.

4. We don't have (and will not allow) any annoying goings-on with this rental such as loudspeakers or lights or hot-tubs, etc.

We want to preserve and promote the quiet-neighborhood nature of this house. Our son has agreed to be our local emergency contact, as we also have established relationships with a handyman/contractor, locksmith, property manager, etc – should a problem arise.

I am happy to answer any questions, discuss any concerns you might have. Currently there is a multi-generational family living on one side, and on the other side is college students. We aim at being good neighbors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alison Love', with a long, sweeping horizontal line extending to the left.

Alison Love  
Manager -- Were Rabbit, LLC

**CITY OF ERIE**  
**STR ZONING COMPLIANCE CHECKLIST**

**Property Address:** 250 E 35th St, Erie PA 34219

The proposed Short-Term Rental meets the following minimum regulations:

- STR accommodations shall not exceed the number of occupants allowed within the applicable zoning district. [MAXIMUM OCCUPANCY IS BASED ON THE NUMBER AND SIZE OF BEDROOMS, A FAMILY UNIT OR NO MORE THAN THREE UNRELATED OCCUPANTS]  
Number of Bedrooms: 5 Bedroom Size: #1 \_\_\_\_\_ SF #2 \_\_\_\_\_ SF #3 \_\_\_\_\_ SF #4 \_\_\_\_\_ SF #5 \_\_\_\_\_ SF
- Adequate off-street parking [MINIMUM ONE PER DWELLING UNIT] and access must be provided. [10'x20' MINIMUM PARKING SPACE SIZE] – Number of Off-Street Parking Spaces Available: 3
- Each short-term rental must have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:
  - Name of contact person and telephone number at which they may be reached on a 24-hour basis.
  - The maximum number of occupants permitted to stay in the short-term rental at one time.
  - The maximum number of vehicles allowed to be parked on the property and the requirement that all renter/guest parking must be on the property and not on a private, community, or public right-of-way.
  - Proper directions for the disposal of waste.
  - Notice that the occupant(s) may be cited and fined for creating a disturbance or violating any other provisions within this Ordinance.
  - Notice that the failure to follow the occupancy and parking requirements will result in citations of fines.
- The owner of the Short Term Rental shall post a copy of their STR license, and a copy of the conditions set forth in a conspicuous space within the property.
- All operators must maintain a guest log book to include names of guests and dates of stay. The log must be available for inspection by city staff upon request.
- A business contact person must be appointed, who can be the owner, property manager or agent of the owner who is available to respond to tenant and neighborhood questions, complaints, or concerns. The contact person shall have the actual authority to represent the owner of the property for emergency and non-emergency contact purposes. This person must provide a 24-hour contact number and must be able to respond to any contact from a tenant with one (1) hour following the notification.

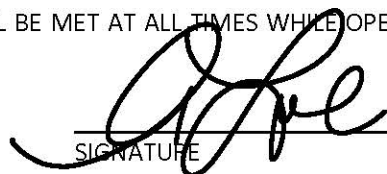
Short term rentals shall be allowed in the R-1 and R-1A Districts in accordance with these additional regulations:

- A screen planting strip shall be provided adjacent to properties in "R" Districts.
- Any outdoor lighting shall be designed to prevent glare to surrounding properties.
- No outdoor loudspeakers or sound systems shall be allowed.

Special Conditions [as applicable]: \_\_\_\_\_

I HEREBY CERTIFY THAT THE ABOVE CONDITIONS WILL BE MET AT ALL TIMES WHILE OPERATING A SHORT TERM RENTAL AT THIS LOCATION.

Alison Love  
NAME

  
SIGNATURE

October 24, 2023  
DATE



East 35th Street



R-1A



East 35th Street