
City of Erie

Zoning Hearing Board

Erie, Pennsylvania

AGENDA

The regular meeting of the Zoning Hearing Board will be held **Tuesday, July 9, 2024** at 1:00 PM in City Council Chambers, 626 State Street, Erie PA. The meeting is also accessible via Zoom Webinar [instructions below]. Residents can watch the live stream and/or recordings of the ZHB meetings on the City of Erie's YouTube Page (<https://www.youtube.com/@CityofErie>).

1. MEETING CALL TO ORDER
2. ROLL CALL AND DECLARATION OF QUORUM

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

3. APPROVAL OF June 11, 2024 MEETING MINUTES
4. OLD BUSINESS

Tabled from December 12, 2023 and June 11, 2024 Appeal No. 12,298 by Ina Kovalevich concerning property located at 4034 Warsaw Avenue [18-5363-133] in an R-1 Low Density Residential zoning district. The appellant is requesting approval of a 'Short Term Rental' Special Exception use.

Tabled from June 11, 2024 Appeal No. 13,305 Darlene Galiszewski concerning property located at 154 Andrews Park Boulevard [14-1113-204] in an R-1 Low Density Residential zoning district. The appellant is requesting approval of a 'Short Term Rental' Special Exception use. Per Section 508[10] of the ordinance, all Special Exception use requests shall be heard by the City of Erie Zoning Hearing Board.

Tabled from June 11, 2024 Appeal No. 13,306 by Gary Eiben, Esq. on behalf of Perseus House (proposed buyers) concerning a property located at East 42nd Street and Dexter Avenue [18-5244-300] in an R-3 High Density Residential zoning district. The appellant is requesting approval of a 'Group Care Facility'. Per Section 204.13 of the ordinance, 'Group Care Facility' is not a Permitted Use.

5. APPEALS TO BE HEARD

Appeal No. 13,308 by Demarco Landingham and Devin Harden (tenant) on behalf Roderick Jones (owner), concerning a property located at 1956 Buffalo Road [15-2123-114] in an RLB Residential Limited Business zoning district. The appellant is requesting approval for a 'Commercial Recreation' Use. Per section 204.14 of the ordinance, 'Commercial Recreation' is not a Permitted Use.

Appeal No. 13,309 by Oujacqwan Jones and Curtis Carson, concerning a property located at 802 E. 11th Street [15-2039-217] in an R-2 Medium Density Residential District. The appellant is requesting approval for a 'Convenience Store with Skills Lounge' Use. Per section 204.12 of the ordinance, 'Convenience Store and Commercial Recreation' are not a Permitted Uses.

6. ADJOURNMENT

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/Aj35bfqYLdFuck54Lwugpc7S2r3ngKoC9yXelloLELbBkFQe6hP9~AggLXsr32QYFq8BIYLZ5I06Dg>

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 13,308

1956 Buffalo Rd.

RLB Use Variance- 'Commercial Recreation'

[1956 Buffalo Rd Public Assessment Record](#)

[1956 Buffalo Rd Google Street View](#)





pd cc

CITY OF ERIE
ZONING HEARING BOARD APPLICATION

Appeal #: _____ Index #: _____ Hearing Date/Time: 7-9-24 1:00

Property Information

Property Address: 1956 Buffalo Rd
Zoning District: PLB Current Land Use: Daycare
Has a previous application of appeal been filed? Yes / No Appeal No(s) _____

Owner / Applicant Information

Name of Owner: Rodrick Jones
Owner Address: 2811 Wayne St
City: Erie State: Pa Zip Code: 16504
Telephone: 814-746-9039 Email: _____
Name of Applicant (if different from owner): Demarco Landingham / Devin Harden
Relationship to Owner: Landlord-Tenants
Telephone: 814-323-8907 Email: rayshunlan@gmail

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: Commercial Recreation

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/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.

Devin Harden
Owner or Applicant Name [please print]

Devin Harden
Owner or Applicant Signature

6-12-24
Date

APPLICATION MATERIALS CHECKLIST

- Completed Owner / Applicant Information
- Completed Proposal / Improvement Description
- Completed Reasons / Justification Narrative
- Project Site Plan and/or Renderings (as applicable)
- Owner / Applicant signature on the application form
- \$300.00 application fee (check/money order made payable to "City of Erie")

The application and supplemental information listed above may be emailed to zoning@erie.pa.us (preferred). Applications may also be mailed to the address below, or dropped off at City Hall via a mail slot located at the State Street entrance labeled "Permits". Please label the submission "ATTN: Zoning – Room 407".

The next Zoning Hearing Board Meeting will be July 9th at 1:00

The application deadline for the next meeting is June 18th

ZONING HEARING BOARD QUICK TIPS

1. The Zoning Hearing Board meets on the second Tuesday of each month at 1:00PM. All application materials must be submitted to the Zoning Office at least three [3] weeks prior to the hearing.
2. The applicant must be in attendance at the hearing, and be prepared to present the appeal and answer questions from the board.
3. The most important section of the application required to be completed is the response to the statement that reads: "I/We believe that the Board should approve this request because..." This is typically attached separately with the application as a narrative stating the proposed appeal / request which describes the reasons and justification for the Board to consider its approval. The narrative must demonstrate the presence of a hardship that prohibits the property from being used in accordance with the City Zoning Ordinance regulations. Include reasons and justification that refer to the zoning law and the specific hardships the law has imposed on developing the property.
4. The attached brochure, *Zoning Hearing Board Procedures*, is to be used as a guide to complete the narrative. Most importantly, it lists the variance / hardship criteria which the Board uses as guidance when deciding whether to grant a variance. Please provide answers to **each** of the criteria areas in the narrative.

Additional information on the Zoning Hearing Board can be found on the City's website at: <https://cityof.erie.pa.us/zoning-hearing-board/>

City of Erie | Bureau of Code Enforcement
626 State Street | Room 407
Erie, PA 16501-1128

WE BELIEVE THE BOARD SHOULD APPROVE THIS REQUEST BECAUSE WE ARE PROVIDING A PLACE IN THE COMMUNITY OF CONVENIENCE, RECREATION AND TRANQUILITY FOR ADULTS WHO ENJOY PLAYING SKILL GAMES. UNLIKE OTHER FACILITIES WITHIN BLOCKS OF OUR LOCATION THAT HOUSE SKILL GAMES IN A CONVENIENCE STORE ENVIRONMENT, WE ARE PROVIDING A SPACE WITH JUST STRICTLY SKILL GAMES. THIS ELEMENT GIVES OUR PATRONS A CHANCE TO SIT DOWN AND ENJOY OUR MACHINES AND TELEVISIONS WITHOUT DISTRACTIONS FROM OTHERS WHO ARE NOT INTERESTED IN PLAYING SKILL GAMES. THIS IS A CLEAN AND SECURE FACILITY EQUIPPED WITH STATE OF THE ART SURVEILLANCE AND STAFF TO ENSURE OUR PATRONS SAFETY, AND OUR MAINTENANCE CREW IS AROUND THE CLOCK TO MAKE ANY NECESSARY REPAIRS TO ANY MACHINES IF NEED BE. WE HAVE ZERO TOLERANCE FOR ANYONE ATTEMPTING TO UTILIZE OUR FACILITY FOR ANYTHING OTHER PLAYING AND ENJOYING SKILL GAMES AND WE ARE ONE HUNDRED PERCENT IN COMPLIANCE WITH THE ERIE POLICE.

APPLICATION FOR BUILDING PERMIT and/or ZONING CERTIFICATE
City of Erie, Pennsylvania

Fee \$ 300.00

Paid

Property Index No. 15-2123-114

Appeal No. 13308

Building Change I, the undersigned, hereby make application to construct a _____ on
my property located at _____

Use Change I, the undersigned, hereby make application to use my property located at 1956 Buffalo Rd
for Commercial Recreation

ZONING DISTRICT: RLB No. of Buildings intended: _____ No. of Stories: _____

Extreme Height as planned above curb: NA Permitted: _____

Front Yard Available: NA Required: _____

Front Yard Available (Corner lot): NA Required: _____

Side Yard Available (Combined): NA Required: _____

Side Yard Available (Least): NA Required: _____

Rear Yard Available: NA Required: _____

Lot Area per Family Available: NA Required: _____

Lot Coverage: NA Maximum: _____

Off Street Parking Spaces Available: OK Required: _____

Size of Detached Access. Structure: NA Maximum: _____

Conforming Non-Conforming

Special Conditions: _____

The general shape of my lot and location of all existing and proposed buildings are accurately set forth in the plan on the back of this sheet.

Approved

Owner: _____

Denied

Address: _____ Zip _____

Telephone _____ Date _____ 20 _____

Applicant Signature: _____ Relation to Owner: _____

Reasons for refusal: _____

PER SECTION 204.14, COMMERCIAL RECREATION IS NOT A PERMITTED USE IN AN RLB DISTRICT

APPEAL FOR HEARING TO THE ZONING HEARING BOARD:

I, the undersigned owner, hereby make application for a hearing in regard to the building as per the plan and data herein shown, which does not comply with Zoning Ordinance No. 80-2005 and amendments hereto.

Owner's Signature _____

Appeal heard July 9 2024

Signed _____

Approved _____ 20 _____

Denied _____ 20 _____

-SEE ATTACHED DECISION-

Date: 5/2/2014

FILE

**CITY OF ERIE
CERTIFICATE OF OCCUPANCY**

Address: 1956 BUFFALO RD

Building Permit No: 13070034

Index No: 15021023011400

Owner: APOSTOLIC CHURCH OF JESUS CHRIST INC.

Address: 1956 BUFFALO RD ERIE, PA 16510

Portion of Structure C/O Issued for: A C O J C DAYCARE

Permitted Occupancy: GROUP DAYCARE

Edition of Code: 2009 International building code

Type of Construction: 5B

Design Occupant Load: 12

30

Sprinkler System Required: no

Storzt Connection Location: N/A

Standpipe Required: no

Zoning Class and Description: RLB

The Described portion of the structure has been inspected for compliance with the requirements of the 2009 International Building Code or other laws that are enforced by the department of building safety, no building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided therein.

**POST BY
MAIN EXIT**

Approved: Scott Verfante
Code Official



ZONING CERTIFICATE

CITY of ERIE

Location 1956 Buffalo Road.....

Zoning District T-1..... Index No 2123-114

Permitted Occupancy Eating and Drinking Place.....

.....
Permitted non-conforming use -
former Wanda's Cafe

Owner Glover Dixon.....

Address 1956 Buffalo Rd.....

Lessee

Address

April 30 1996..... APPROVED: [Signature].....

Zoning Officer



R-1

62.25'

T-1

T-1

T-1

130'

Ex. Church

Vacant lot

Ex. eating & drinking place

9'

5'

22'

4'

20'

30'

30'

0'

Prop. enclosed staircase

1956

Buffalo Road

APPEAL 13,309

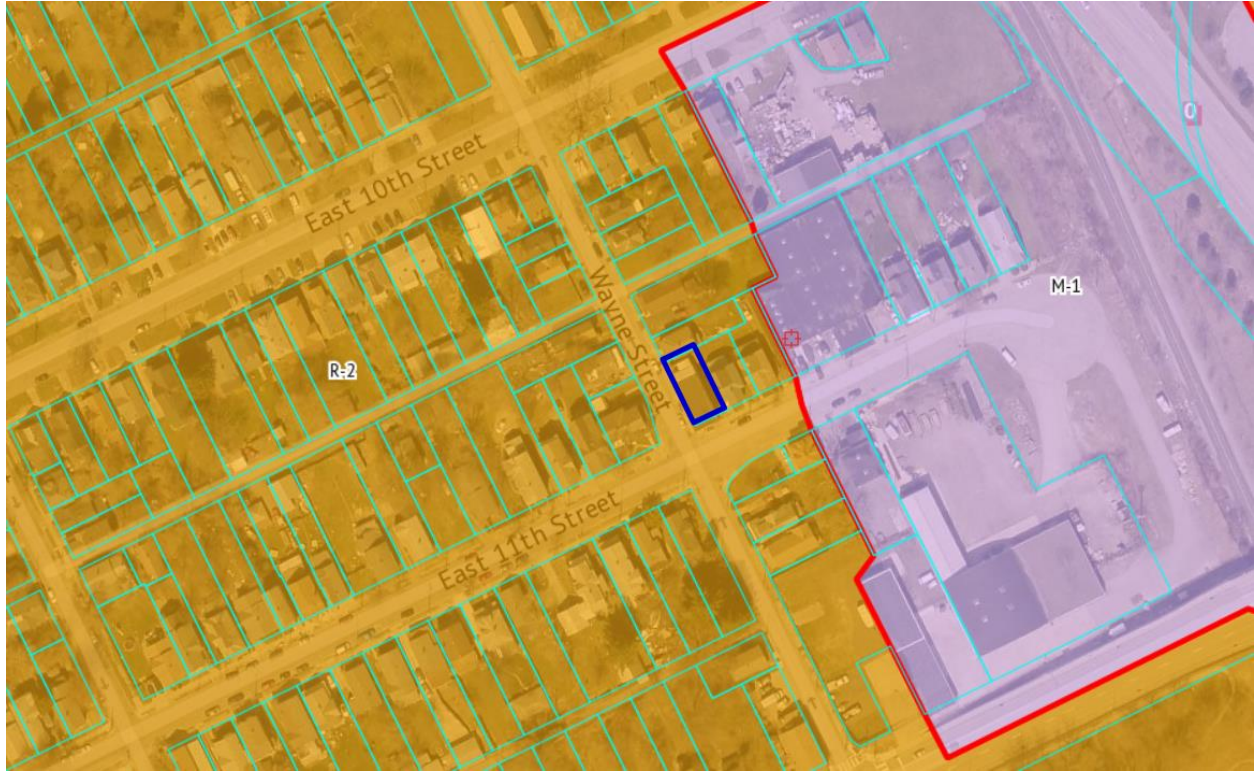
802 E. 11th St.

R-2 Use Variance- 'Convenience Store and Skilled Games Lounge'

[Google Street View 802 E 11th St.](#)

[802 E 11th Public Assessment Record](#)





pd. Cash

CITY OF ERIE
ZONING HEARING BOARD APPLICATION

Appeal #: 13209 Index #: _____ Hearing Date/Time: 7/9/24 100

Property Information

Property Address: 802 E 11 St

Zoning District: R2 Current Land Use: Former tavern

Has a previous application of appeal been filed? Yes / No Appeal No(s) _____

Owner / Applicant Information

Name of Owner: Oujacquan Jones / Curtis Carson

Owner Address: 921 East / 2673 Chestnut St

City: Erie State: PA Zip Code: 16503 / 16508

Telephone: 814 328-8236 / 792-0034 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: Convenience Store / skills lounge

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/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.

Oujacquan Jones / Curtis Carson
Owner or Applicant Name [please print]

Curtis Carson
Owner or Applicant Signature

6-19-24
Date

APPLICATION MATERIALS CHECKLIST

- Completed Owner / Applicant Information
- Completed Proposal / Improvement Description
- Completed Reasons / Justification Narrative
- Project Site Plan and/or Renderings (as applicable)
- Owner / Applicant signature on the application form
- \$300.00 application fee (check/money order made payable to "City of Erie")

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The next Zoning Hearing Board Meeting will be _____

The application deadline for the next meeting is _____

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1. The Zoning Hearing Board meets on the second Tuesday of each month at 1:00PM. All application materials must be submitted to the Zoning Office at least three [3] weeks prior to the hearing.
2. The applicant must be in attendance at the hearing, and be prepared to present the appeal and answer questions from the board.
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Additional information on the Zoning Hearing Board can be found on the City's website at: <https://cityof.erie.pa.us/zoning-hearing-board/>

We want to give the neighborhood it's own convenience store / skills lounge in which it would cater to the neighborhood by providing a convenient way to get those essentials without having to go far and we would also have P.A. skills games inside we want to be a staple in the neighborhood and help the neighborhood be great again. Being born and raised in Erie and we wanna be able to help and give back to making our community and city better and safer by providing a safe and convenient place to go grab those few items you need without having to go far from home.

Sincerely,

Oyaacquan Jones

Curtis Carson

6-19-24

APPLICATION FOR BUILDING PERMIT and/or ZONING CERTIFICATE
City of Erie, Pennsylvania

Fee \$ 300.00

Paid

Property Index No. 15-2039-217

Appeal No. 13309

Building Change I, the undersigned, hereby make application to construct a _____ on
my property located at _____

Use Change I, the undersigned, hereby make application to use my property located at 802 E 11th St
for 'Convenience Store and Skilled Games Lounge'

ZONING DISTRICT: R-2 No. of Buildings intended: _____ No. of Stories: _____

Extreme Height as planned above curb: NA Permitted: _____

Front Yard Available: NA Required: _____

Front Yard Available (Corner lot): NA Required: _____

Side Yard Available (Combined): NA Required: _____

Side Yard Available (Least): NA Required: _____

Rear Yard Available: NA Required: _____

Lot Area per Family Available: NA Required: _____

Lot Coverage: NA Maximum: _____

Off Street Parking Spaces Available: NA Required: _____

Size of Detached Access. Structure: NA Maximum: _____

Conforming Non-Conforming _____

Special Conditions: _____

The general shape of my lot and location of all existing and proposed buildings are accurately set forth in the plan on the back of this sheet.

Approved _____

Owner: _____

Denied _____

Address: _____ Zip _____

Telephone _____ Date _____ 20____

Applicant Signature: _____ Relation to Owner: _____

Reasons for refusal: _____

**PER SECTION 204.12, CONVENIENCE STORE & COMMERCIAL RECREATION ARE NOT
PERMITTED USES IN AN R-2 DISTRICT**

APPEAL FOR HEARING TO THE ZONING HEARING BOARD:

I, the undersigned owner, hereby make application for a hearing in regard to the building as per the plan and data herein shown, which does not comply with Zoning Ordinance No. 80-2005 and amendments hereto.

Owner's Signature _____

Appeal heard July 9 2024

Signed _____

Approved _____ 20____

Denied _____ 20____

-SEE ATTACHED DECISION-



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

April 9, 2018

Victor and Anna Arvello
3218 Brandes Street
Erie, PA 16504

RE: Zoning violation at 802 East 11th Street; Tax ID: 2039-217

Victor and Anna Arvello:

The Erie City Zoning Office has received numerous complaints regarding property you own in the City of Erie at 802 East 11th Street. The specific nature of the complaints is that the property is being used as an afterhours "bottle club" on Friday and Saturday. The property is located in the R-2 Medium Density Residential District and as such a "bottle club" is not a permitted use in that district. This is a violation of the Erie City Zoning Ordinance.

Article 6 of the Erie City Zoning Ordinance defines a bottle club as:

A place of assembly owned, maintained or leased, for pecuniary gain, in which no intoxicating liquors are sold, but where patrons are permitted to bring intoxicating liquors upon the premises for their own use and consumption. The floor plan for a place of assembly shall conform to the requirements of 68 Pa. C.S.A. 5501 et seq.

Per Section 204.12 of the Erie City Zoning Ordinance, bottle clubs are not a permitted use in the R-2 district.

From the evidence submitted to our office, there is a bottle club in operation at 802 East 11th Street. This is a violation of the Zoning Ordinance.

You are hereby ordered to **cease and desist** all unauthorized activity at this location. Failure to cease and desist all unauthorized activity at this location will result in a Notice of Violation being issued and possible fines. You may make an appeal of my determination to the Erie City Zoning Hearing Board. If you would like to discuss this matter further, please call me at 870-1265.

Sincerely,

Jenna Bisel
Erie City Zoning Officer

BUREAU OF CODE ENFORCEMENT

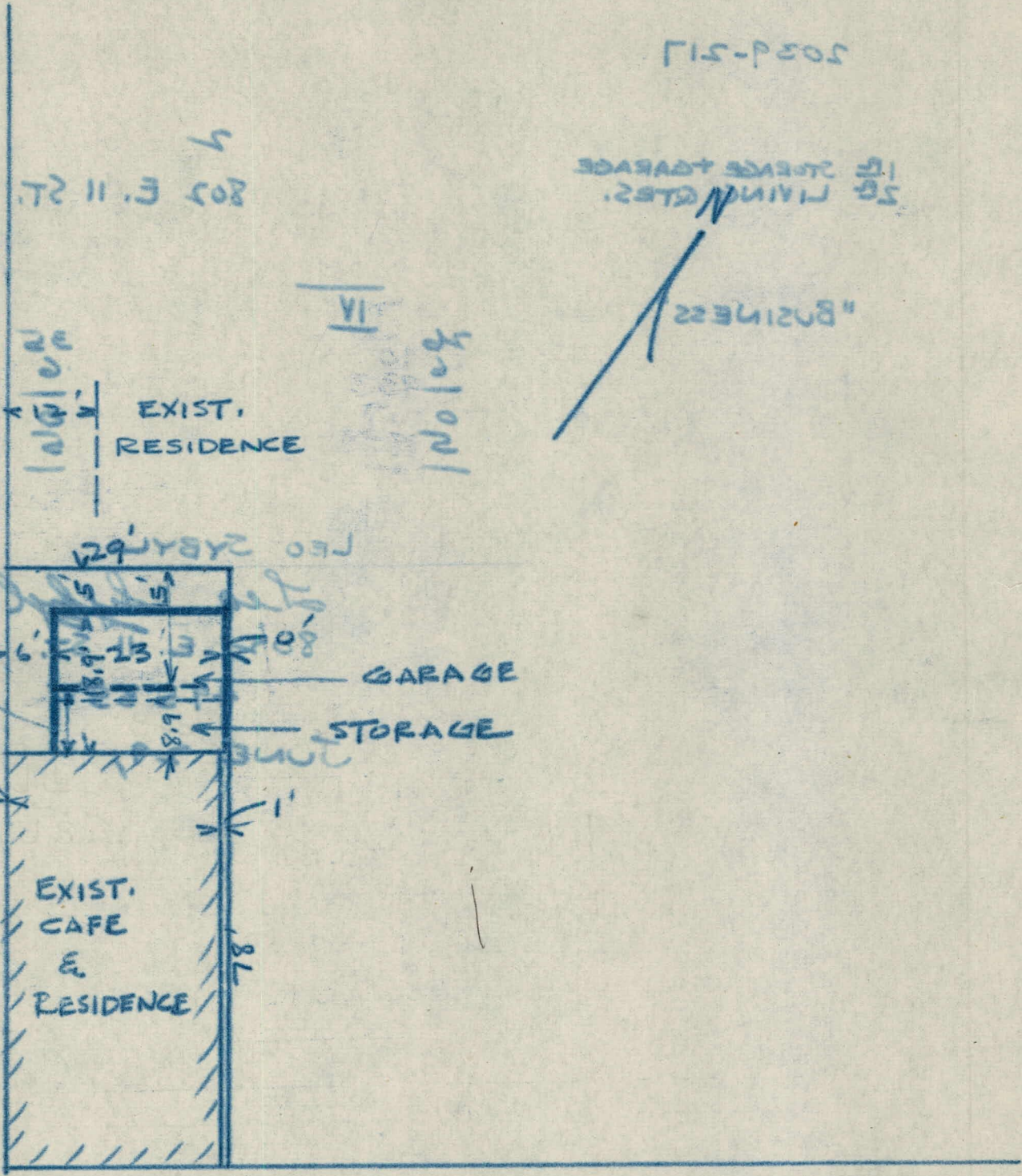
626 State St. Room 407 | Erie, PA 16501-1128 | codeenforcement@erie.pa.us

ph 814-870-1475

fx 814-870-1584

2 FLOOR LIVING ADDITION

WAYNE ST.



#802

E. 11th ST.