
City of Erie

Zoning Hearing Board

Erie, Pennsylvania

AGENDA

The regular meeting of the Zoning Hearing Board will be held **Tuesday, August 13** 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 July 9, 2024 MEETING MINUTES
4. APPROVAL OF June 11, 2024 MEETING MINUTES [As amended]
5. 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.

6. APPEALS TO BE HEARD

Appeal No. 13,310 by Darlene Kujawa concerning a property located at 4515 Lake Pleasant Road [18-5206-208] in an R-1 Low Density Residential zoning district. The appellant is

requesting a dimensional variance for a proposed front addition. Per Section 205 of the ordinance, the minimum front yard setback on Lake Pleasant Road is 29 feet, 25 feet is proposed.

Appeal No. 13,311 by Sarah Mead concerning a property located at 410 Superior Avenue in an R-1 Low Density Residential zoning district. The appellant is requesting a dimensional variance for a proposed attached garage. Per Section 205 of the ordinance, the minimum total side yard setback is 15 feet, 11.75 feet is proposed.

Appeal No. 13,312 by Karen Genovese and Bill Morton, Esq. on behalf of Stephen Crow, Owner of Crow LLC concerning a property located at 1015 State Street [15-2002-207] in a C-3 Central Commercial zoning district. The appellant is appealing the determination of the zoning officer of operating an unauthorized dance club/bottle club. Per Section 204.17 of the ordinance, 'Dance Club' and 'Bottle Club' are Special Exception uses. All Special Exception requests shall be heard by the City of Erie Zoning Hearing Board for approval.

7. 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 13,310

4515 LAKE PLEASANT ROAD

R-1 Dimensional Variance

[4515 Lake Pleasant Road Google Street View](#)

[4515 Lake Pleasant Rd Assessment Record](#)



**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

Appeal #:	Index #:	Hearing Date/Time:
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Property Information

Property Address: 4515 Lake Pleasant Road

Zoning District: _____ Current Land Use: Single Family Residence

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

Owner / Applicant Information

Name of Owner: Darlene Kujawa

Owner Address: 4515 Lake Pleasant Road

City: Erie State: Pa Zip Code: 16504

Telephone: 814-969-9003 Email: Darlene.Kujawa@erieinsurance.com

Name of Applicant (if different from owner): _____

Relationship to Owner: _____

Telephone: _____ Email: _____

Type of Application / Appeal

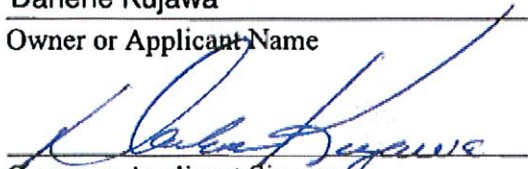
- Variance – Type: re Use Dimensional
- _____ Special Exception Use
- _____ Change of Non-Conforming Use
- _____ Appeal of Determination of Zoning Officer

Proposed Use or Improvement: 10 x 12 mud room addition to front of house

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)
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.

Darlene Kujawa
Owner or Applicant Name


Owner or Applicant Signature

7/24/24
Date

APPLICATION CHECKLIST

- Completed Owner / Applicant Information
- Completed Proposal / Improvement Description
- Completed Justification Narrative / Variance Criteria Worksheet (Exhibit A)
- 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 the State Street entrance. Please label the submission "ATTN: Zoning – Room 407".

The next Zoning Hearing Board Meeting will be Tuesday,

The application deadline for the next meeting is COB Tuesday,

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 Exhibit, *Variance Criteria Worksheet*, is to be completed and used as a guide to complete the Justification Narrative. Please provide answers to each of the criteria areas.

Additional information on the Zoning Hearing Board can be found on the City's website at: [Zoning Hearing Board](#)

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

EXHIBIT A

VARIANCES:

The board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. In granting any variance, the board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance. The board may grant a variance, provided that all of the following findings are made where relevant in a given case:

- (1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
- (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (3) That such unnecessary hardship has not been created by the appellant.
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Use Variance

A use variance requests permission to use property in a manner prohibited by the zoning ordinance (e.g., a commercial garage in a single family residential zone).

An applicant for grant of a use variance must satisfy the criteria for the grant of a variance stated above. In addition, the courts have determined that an applicant for use variance must establish that an unnecessary hardship attends the property that is the subject of the variance by providing evidence that:

1. The physical conditions of the property are such that it cannot be used for a permitted purpose; or
2. The property can be conformed for a permitted use only at a prohibitive expense; or
3. The property is valueless for any purpose permitted by the zoning ordinance.

July 24, 2024

To: City of Erie Bureau of Code Enforcement

RE: 4515 Lake Pleasant Road

Request to grant Dimensional Variance

I respectfully request up to a 4-foot dimensional variance to permit the addition of a 10' by 12' mudroom to the front of the house.

This is a reasonable request as the property is on a deep and narrow corner lot and the front yard is on the small size. The property is on the corner of East Grandview and Lake Pleasant Road (the dividing line between Millcreek Township and the City of Erie). Because of the narrowness of the property there is no way this addition could be added without this variance.

Several years ago (I believe in 2022) I requested and received a permit to replace the 60" by 60" picture window in the front with a 5-foot left hand in swing patio door. I thought at the time as I was discussing with the permit officer that I told him about the future plan for that patio door was the entrance to this new addition.

After I approved the attached plans prepared by the contractor and the permit to build was requested was I made aware that I did not meet the setbacks on the property to go out 10 feet. I spoke with Jake Welsh, and I understand there currently is available approximately 6 feet so to afford relief and the solution that represents the least modification to the current regulations would be to grant the requested variance.

I am not sure what the magic number is as far as the setback distance requirement between the structure and the front boundary. I can assure you that if this variance is approved the setback area remaining will remain open and free from any future obstructions.

This has created a hardship for me and going forward with this mud room addition project from a functional use and visually appealing aspect at no fault of my doing. I am filing for this variance as I am improving the property. I have lived at this property for the past 20 years. The variance if approved will add to the aesthetic of the neighborhood and would not impair or cause my neighbor's property any damage nor diminish their property values. I believe you will find my neighbors will fully support this for the property.

Thank you for your consideration.

Darlene Kujawa

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

Fee \$ 300

Paid

Property Index No. 18-5206-208

Appeal No. 13,311

Building Change I, the undersigned, hereby make application to construct a front addition on
my property located at 4515 Lake Pleasant Rd

Use Change I, the undersigned, hereby make application to use my property located at _____
for _____

ZONING DISTRICT: R-1 No. of Buildings intended: 1 No. of Stories: 1

Extreme Height as planned above curb: OK Permitted: 35'

Front Yard Available: NA Required: _____

Front Yard Available (Corner lot): 25' proposed Required: 34' avg; 29' min

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: OK Maximum: 35%

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 JW Address: _____ Zip _____

Telephone _____ Date _____ 20____

Applicant Signature: _____ Relation to Owner: _____

Reasons for refusal: _____

Per section 205 of the zoning ordinance, the minimum front yard setback is 29 feet, 25 feet is proposed.

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 _____ 20____ Signed _____

Approved _____ 20____ _____

Denied _____ 20____ _____

-SEE ATTACHED DECISION-

LAKE PLEASANT ROAD

4515
58'

GRANDVIEW

Proposed addition

Attached garage
515212
20'

38'

Proposed Residence
30'

162.23'

20'

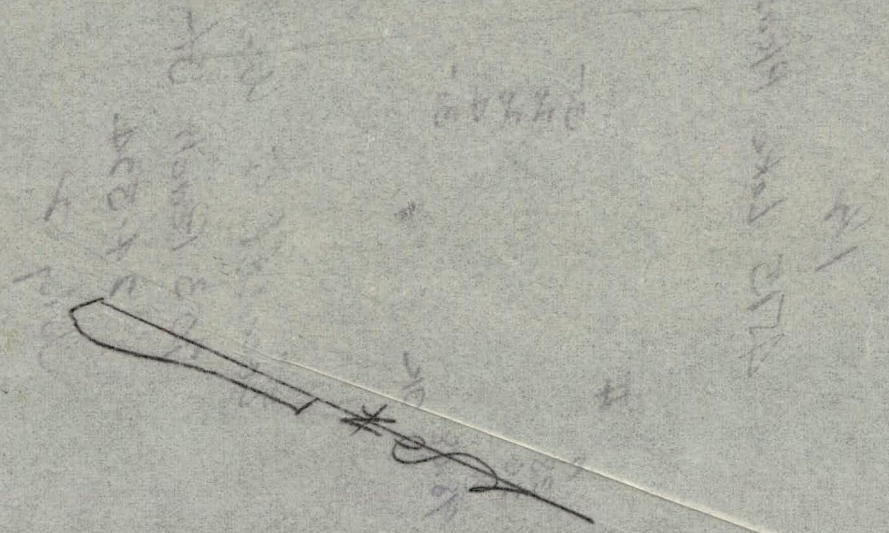
BLVD.

35'

Garage
22' x 12'

Lot No 210
Belle View Sub.

0.00'



1206-208

20

DUPLICATE
BUREAU OF BUILDING INSPECTION
CITY OF ERIE, PENNA.
PRELIMINARY APPLICATION FOR BUILDING PERMIT

Property Index No. 5209-208

Application No. 2126

Zoning Administrator:

I, the undersigned, hereby make application for a permit to erect a ONE ^{ADDITION} story building to be used for CAR PORT on my property located at 4515 LAKE PLEASANT ROAD

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

ZONE DISTRICT <u>"A" RES.</u>	HEIGHT & AREA <u>II</u>	No. Buildings intended <u>1</u>
Extreme Height as planned above curb	<u>20</u>	Permitted <u>35</u>
Front Yard Available	<u>33</u>	Required <u>20</u>
Side Yard Available	<u>5</u>	Required <u>20</u>
Side Yard Available	<u>8</u>	Required <u>4</u>
Rear Yard Available	<u>9112</u>	Required <u>35</u>
Lot Area Available		Required
Special Conditions		

ALEX DURKAT

Approved _____ 19____ Permit No. _____
 Refused _____ 19____

Reasons for Refusal Lacking front yard requirement, as set forth in zoning Ord. #7933, Art. 15, Sec. 1501-B.

Applicant X Alex Durkat

Address 4515 LAKE PLEASANT ROAD

Telephone No. UN-42796

Signed _____
 Zoning Administrator

Date MAY 8, 1961

APPEAL FOR HEARING

To the Zoning Board of Appeals:

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 7933 and amendments thereto.

Owners Signature X Alex Durkat

REPORT OF BOARD OF APPEALS

To the Zoning Administrator:

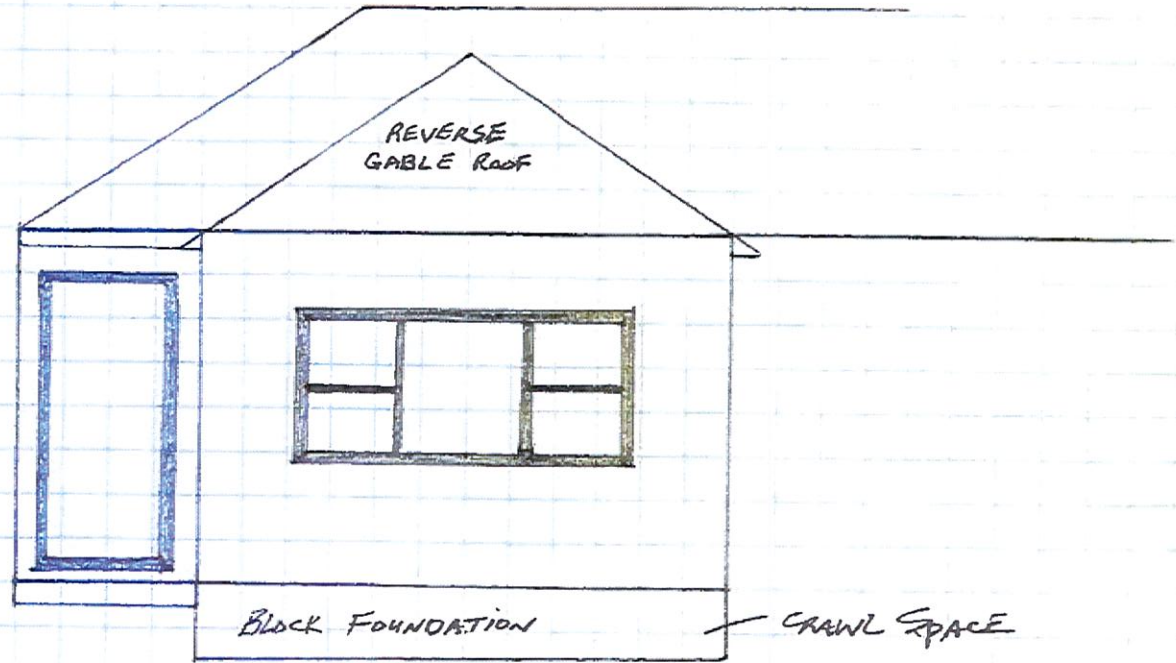
We the undersigned, members of the Board of Appeals having heard the case of the applicant relative to the building as stated, and our findings and decision are as follows:

Because there is a serious lack of required front yard on the E. Grandview side and the reduction of setback would impair the sight distance for vehicular traffic at this intersection - necessitates denial of appellant's request.

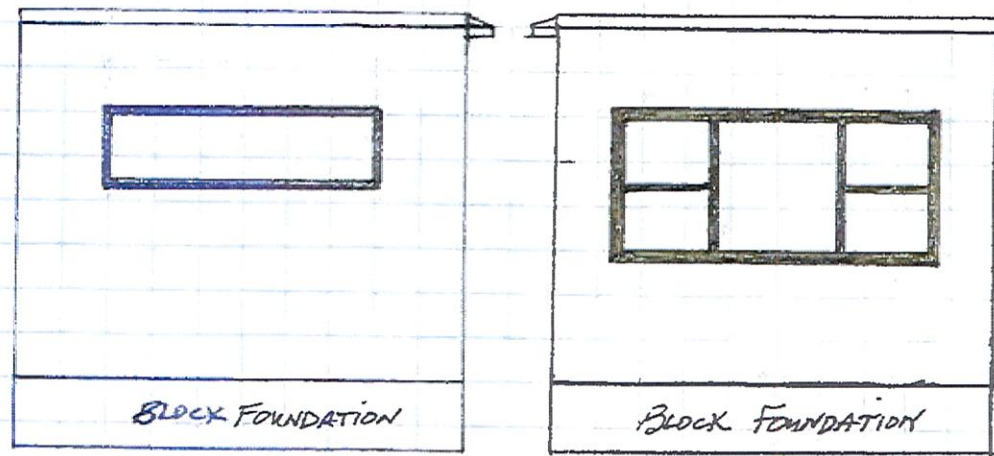
Case heard June 13, 19 61
 Permit Authorized _____ 19____
 Permit Refused June 13, 19 61

Signed Victor C. Weschler
Robert Glowacki
Terence Reagan, Jr.

Board of Appeals.

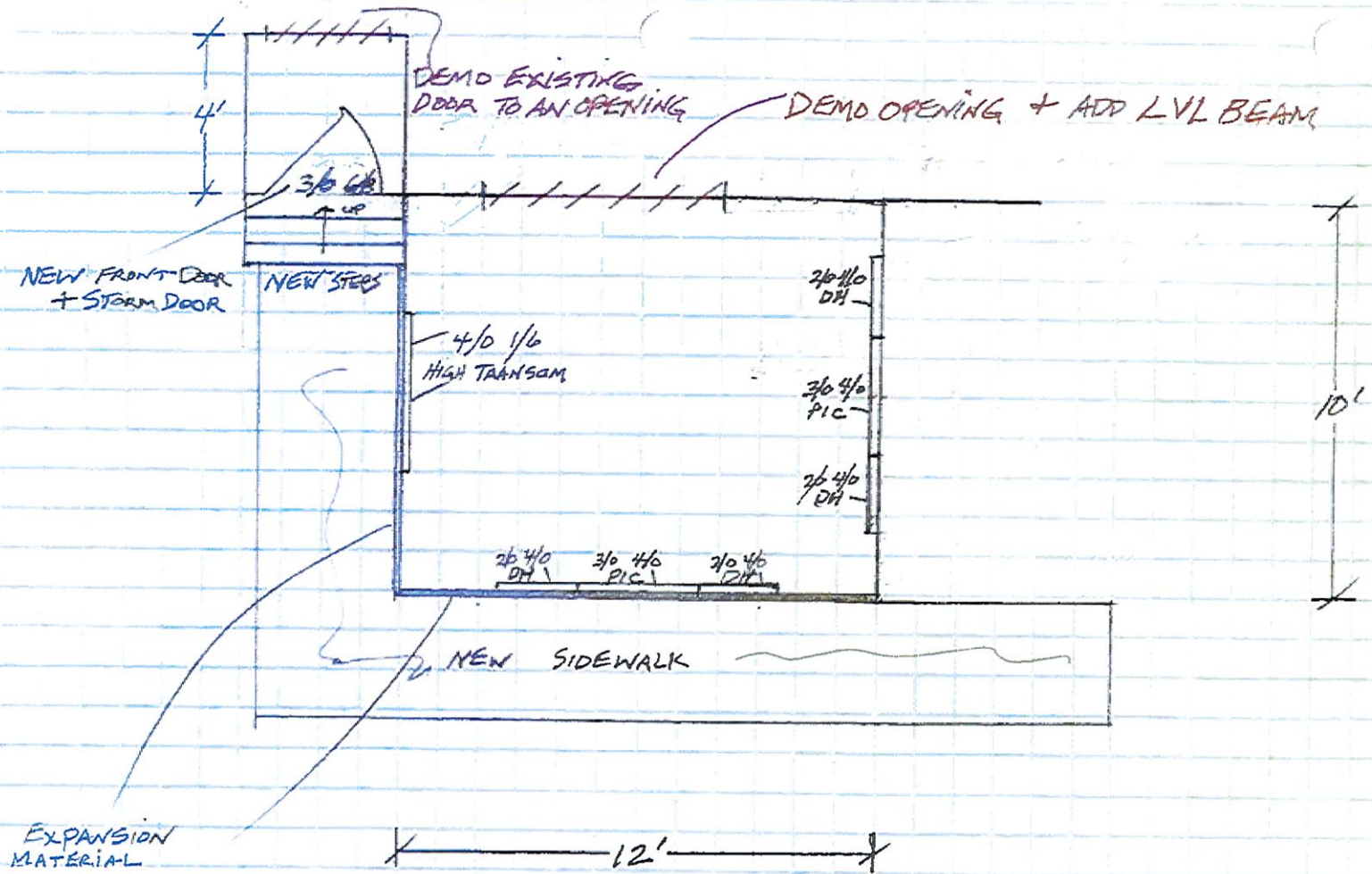


WEST
12'



10' 10'

D. KUJAWA
4515 LAKE PLEASANT RD
ERIE, PA.
(814) 969-9003



D. KUJAWA
 4515 LAKE PLEASANT RD.
 ERIE, PA
 (814) 969-9003

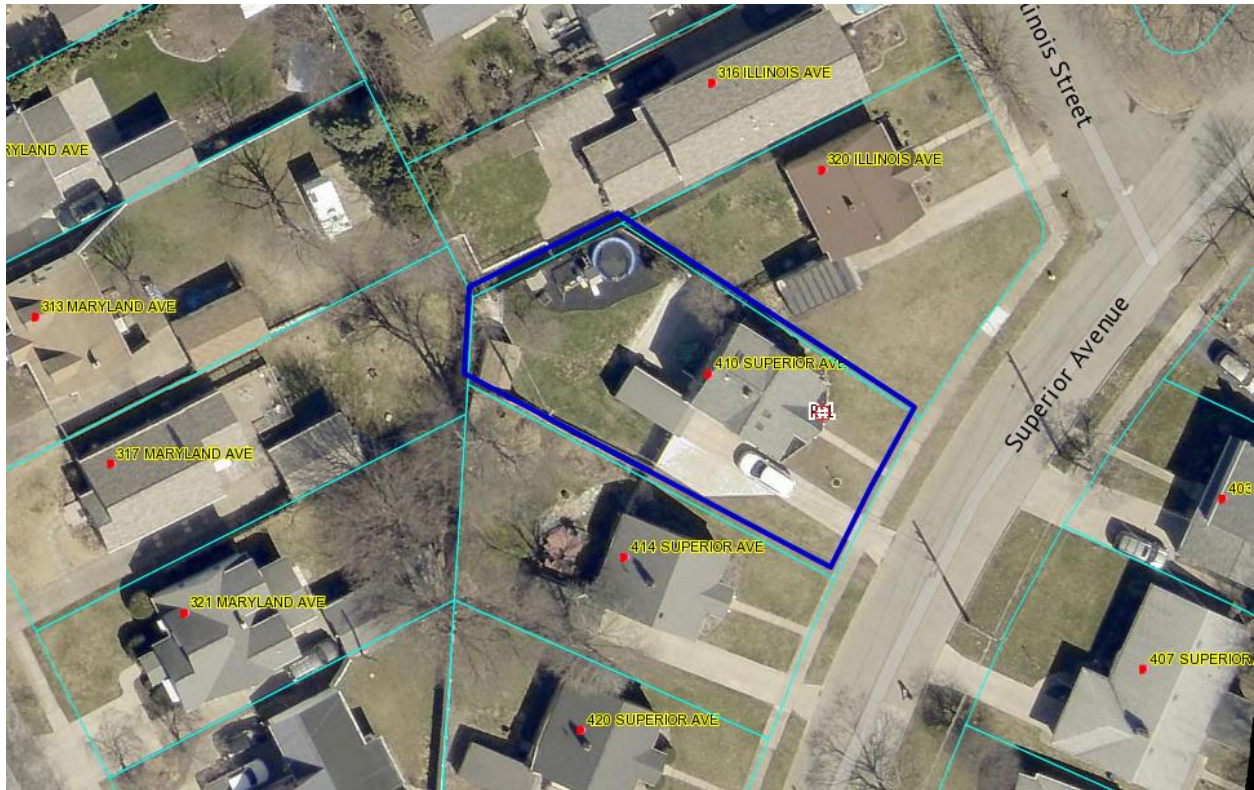
APPEAL 13,311

410 SUPERIOR AVE

R-1 DIMENSIONAL VARIANCE

[410 Superior Ave Google Street View](#)

[410 Superior Ave Assessment Record](#)



CITY OF ERIE
ZONING HEARING BOARD APPLICATION

Appeal #: 13311 Index #: _____ Hearing Date/Time: _____

Property Information

Property Address: 410 Superior Ave Erie Pa

Zoning District: _____ Current Land Use: _____

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

Owner / Applicant Information

Name of Owner: Sara Mead

Owner Address: 229 Beverly Dr. r

City: Erie State: Pa Zip Code: 16505

Telephone: 814-392-3551 Email: Sgm99@yahoo.com

Name of Applicant (if different from owner): sgm3-99@yahoo.com

Relationship to Owner: Mother

Telephone: 814-392-5999 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: single car garage
3-Bedrooms.

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.

Donald Moshe contractor
Owner or Applicant Name [please print]

[Signature]
Owner or Applicant Signature

7/26/24
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 _____

The application deadline for the next meeting is _____

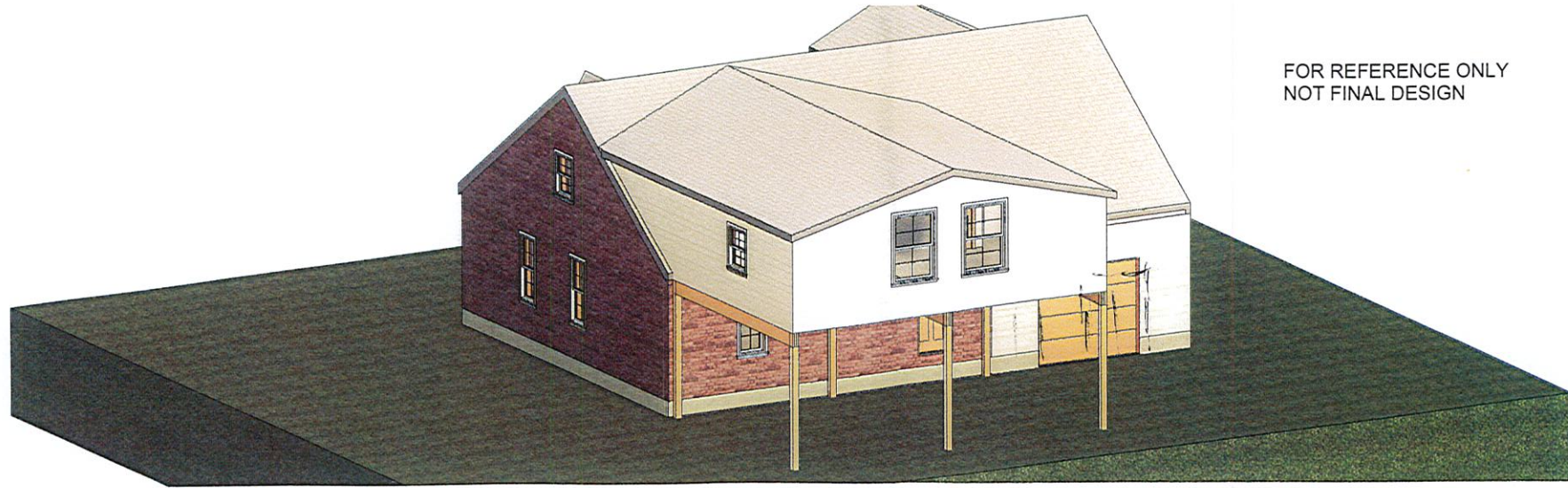
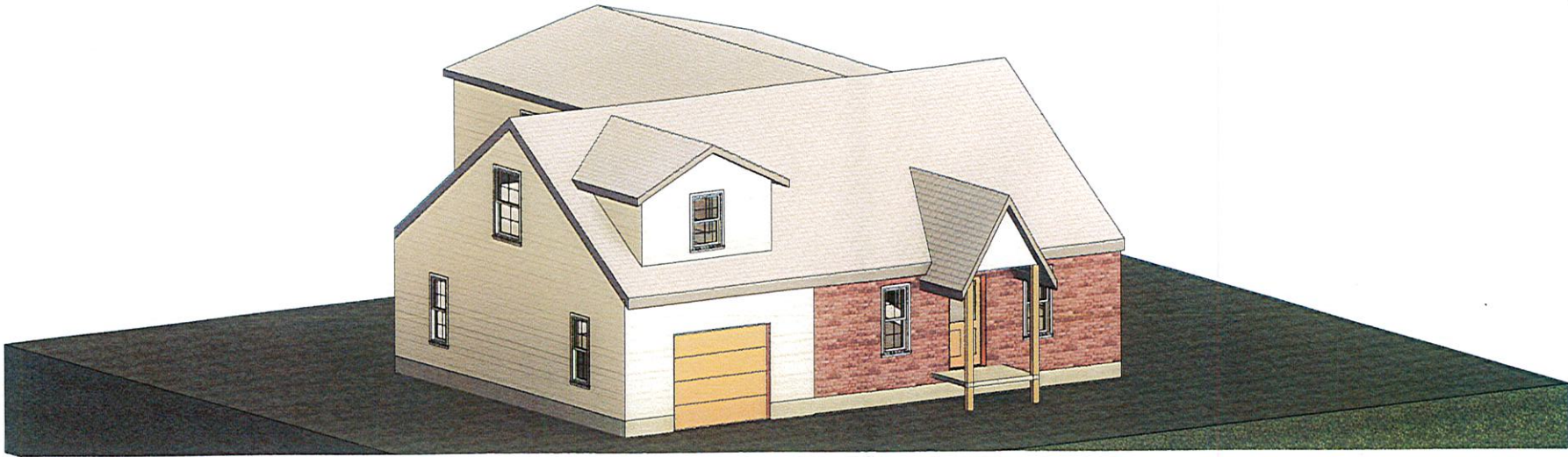
ZONING HEARING BOARD QUICK TIPS

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/>

LM DESIGNS

814-462-5867



FOR REFERENCE ONLY
NOT FINAL DESIGN

Revision Schedule

NO.	Description	D

THESE PLANS ARE CONCEPT DRAW
ONLY AND SHOULD BE REVIEWED
ARCHITECT AND/OR ENGINEER

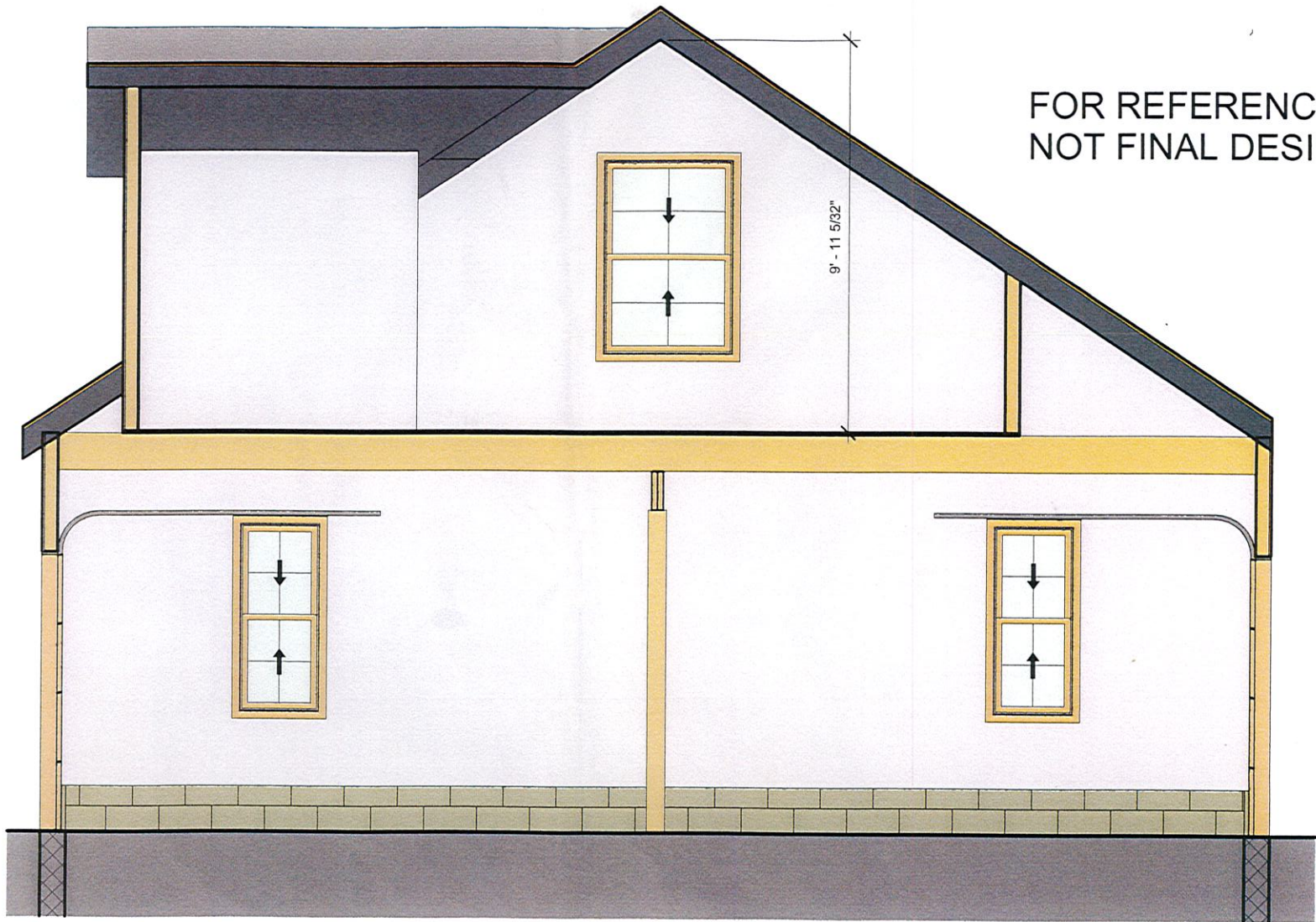
Rupert Addition

410 Superior Ave. Erie, PA

3D Views

Project number	10
Date	5
Drawn by	
Checked by	

A5



FOR REFERENCE ONLY
NOT FINAL DESIGN

9' - 11 5/32"

**LM
DESIGNS**

THESE PLANS ARE CONCEPT DRAWINGS
ONLY AND SHOULD BE REVIEWED BY
ARCHITECT AND/OR ENGINEER

Rupert Addition

410 Superior Ave. Erie, PA

No.	Description	Date

Garage Addition Section

Project number	104-24A
Date	5/27/24

A9

FOR REFERENCE
ONLY
NOT FINAL DESIGN



LM
DESIGNS

THESE PLANS ARE CONCEPT DRAWINGS
ONLY AND SHOULD BE REVIEWED BY
ARCHITECT AND/OR ENGINEER.

Rupert Addition

410 Superior Ave. Erie, PA

No.	Description	Date

Rear Addition Section

Project number 104-24A
Date 5/27/24
Drawn by EJM
Checked by -

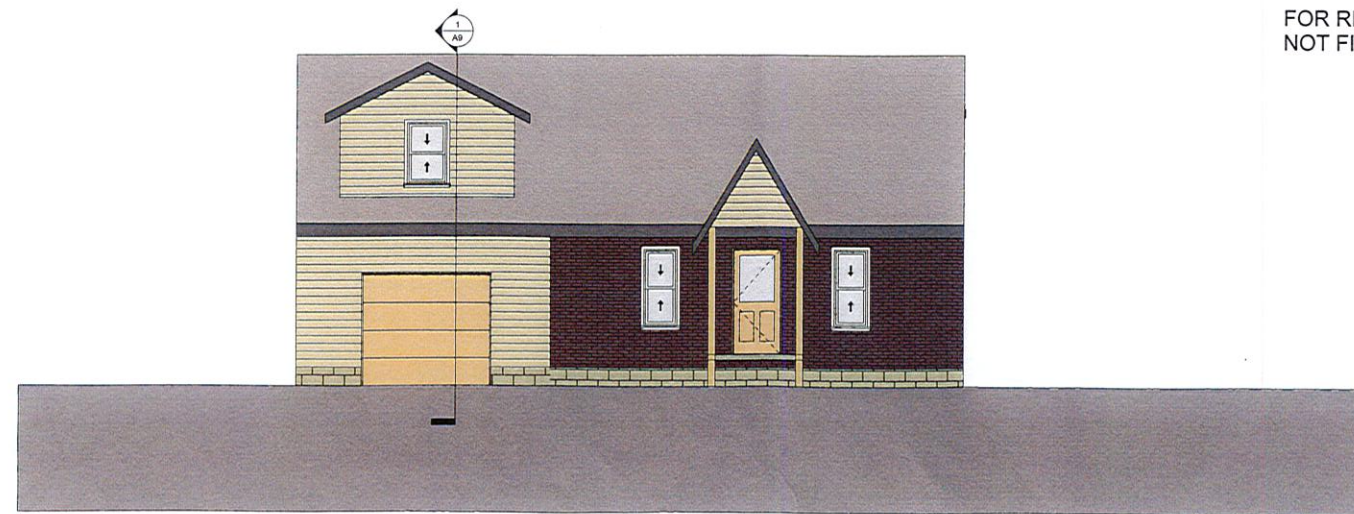
A8

Scale 3/8" = 1'-0"

6/29/2024 10:40:57 AM

LM
DESIGNS

814-462-5867



FOR REFERENCE ONLY
NOT FINAL DESIGN

Revision Schedule

NO.	Description	Date

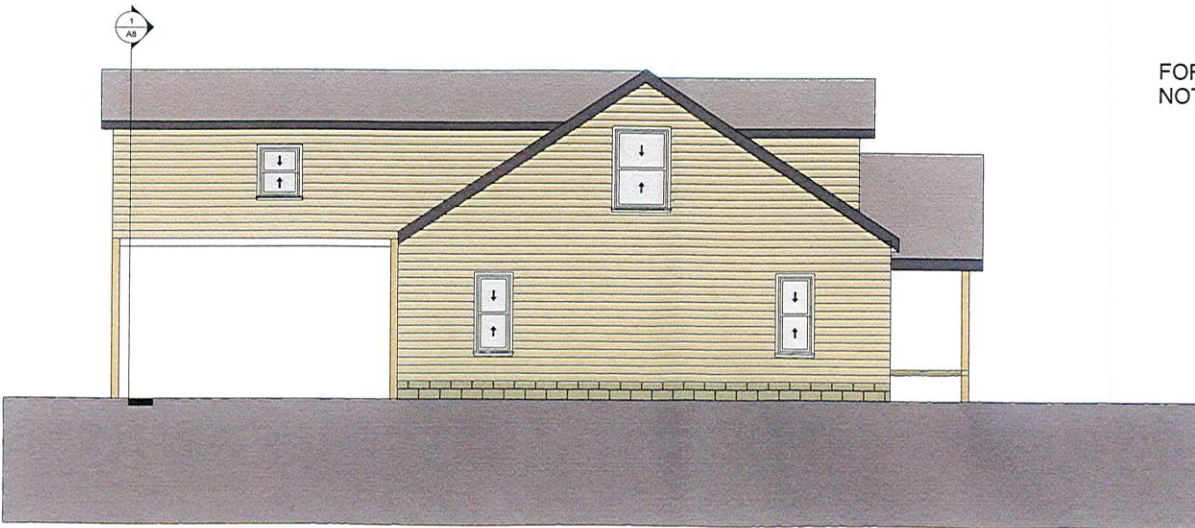
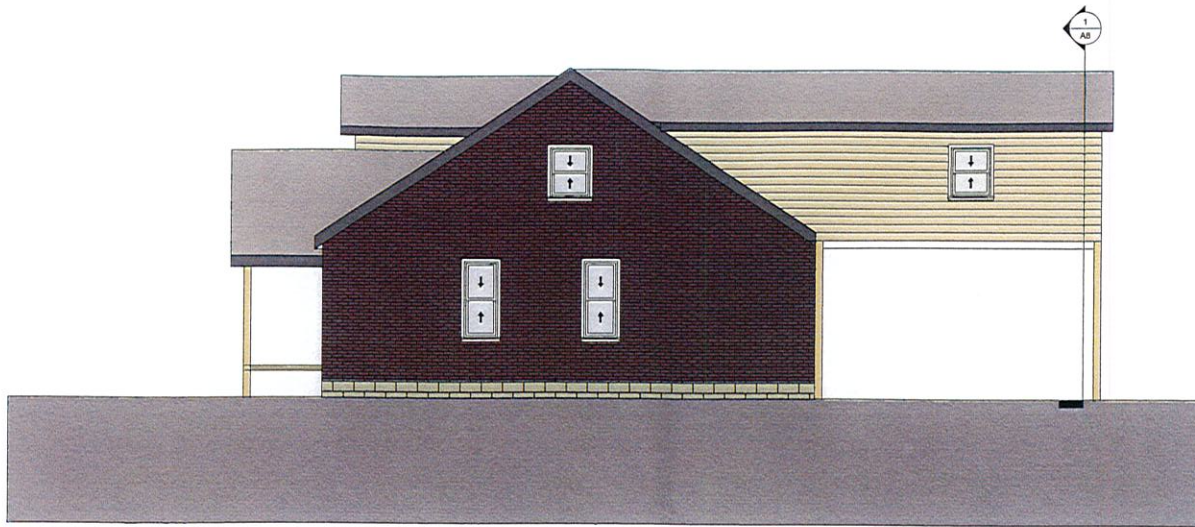
THESE PLANS ARE CONCEPT DRAWINGS
ONLY AND SHOULD BE REVIEWED BY
ARCHITECT AND/OR ENGINEER

Rupert Addition

410 Superior Ave. Erie, PA

Elevations

Project number	104-24A
Date	5/27/24



FOR REFERENCE ONLY
NOT FINAL DESIGN

LM
DESIGNS

814-462-5887

Revision Schedule

NO.	Description	Date

THESE PLANS ARE CONCEPT DRAWINGS
ONLY AND SHOULD BE REVIEWED BY
ARCHITECT AND/OR ENGINEER

Rupert Addition

410 Superior Ave. Erie, PA

Elevations

Project number 104-24A
Date 5/27/24
Drawn by EJM
Checked by

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

Fee \$ 300.00

Paid

Property Index No. 4126-313

Appeal No. 13311

Building Change I, the undersigned, hereby make application to construct a addition on
my property located at 410 Superior Ave

Use Change I, the undersigned, hereby make application to use my property located at _____
for _____

ZONING DISTRICT: R1 No. of Buildings intended: 1 No. of Stories: 1

Extreme Height as planned above curb: _____	Permitted: _____
Front Yard Available: <u>ok</u>	Required: _____
Front Yard Available (Corner lot): <u>na</u>	Required: _____
Side Yard Available (Combined): <u>11.75'</u>	Required: <u>15'</u>
Side Yard Available (Least): <u>6</u>	Required: <u>10</u>
Rear Yard Available: <u>ok</u>	Required: _____
Lot Area per Family Available: <u>ok</u>	Required: _____
Lot Coverage: <u>ok</u>	Maximum: _____
Off Street Parking Spaces Available: <u>na</u>	Required: _____
Size of Detached Access Structure: <u>na</u>	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: _____

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.

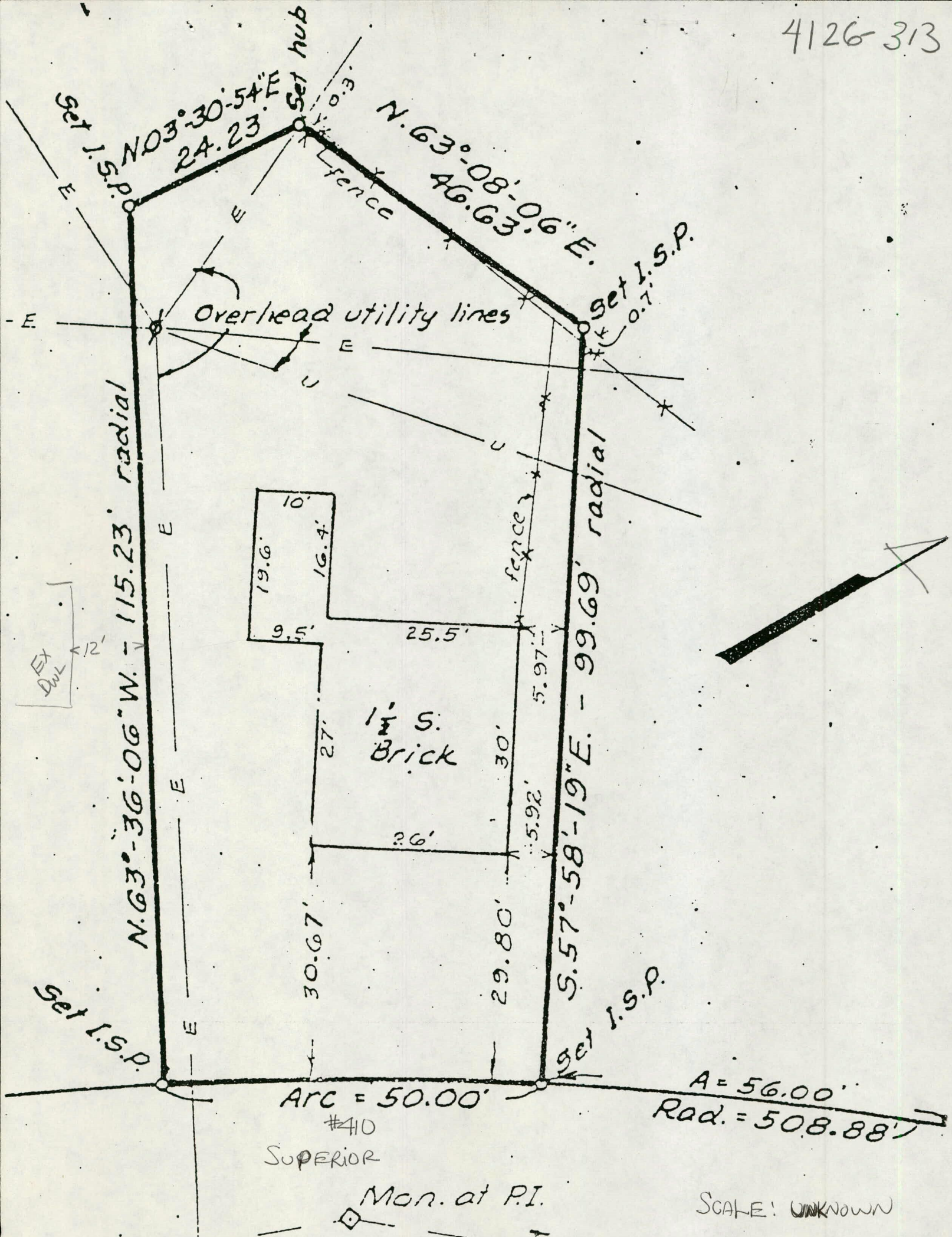
Owner's Signature _____

Appeal heard 8/13/24 _____ 20____ Signed _____

Approved _____ 20____

Denied _____ 20____

-SEE ATTACHED DECISION-



SCALE: UNKNOWN



ZONING CERTIFICATE

CITY of ERIE

Location *410 Superior Ave*
Zoning District *R-1* Index No *4126-313*
Permitted Occupancy *Single Family Dwg*
.
.
.

Owner *Brian Bruckner*
Address *410 Superior Ave*
Lessee
Address

Apr 21 19*93* APPROVED: *[Signature]*

Zoning Officer

200
(ORIGINAL)

PRELIMINARY APPLICATION FOR BUILDING PERMIT and/or ZONING CERTIFICATE
BUREAU OF CODE ENFORCEMENT
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
CITY OF ERIE, PENNSYLVANIA

Property Index No. 4126-313

Appeal No. 8737

Zoning Officer:

I, the undersigned, hereby make application for a permit to erect/to use . . . TWO . . . ~~ONE~~ . . . story building to be used for GARAGE/ADDITION/DORMER on my property located at 410 SUPERIOR AVENUE

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

ZONING DISTRICT	R-1	No. of Buildings intended	ONE THREE
Extreme Height as planned above curb	26	Permitted	35
Front Yard Available	30	Required	30
Side Yard Available	10.62	Required	15
Side Yard Available	AVG. 5.62	Required	5
Rear Yard Available	AVG. 36'	Required	30
Lot Area Available		Required	
Lot Coverage		Permitted	
Off Street Parking Spaces Available		Required	
<input type="checkbox"/> Conforming	<input type="checkbox"/> Non-Conforming		
Special Conditions			

Approved . . . 19.
Denied . . . AVG 2.3 . . . 19. 93

Applicant Brian Brucker
BRIAN BRUCKER
Address . 410 SUPERIOR Zip 16505
Telephone 456 8511 x2553 Date . . . AVG 2.3 . . . 19. 93

Planning/Zoning Office
Zoning Officer

Reasons for refusal: DOES NOT MEET MINIMUM TOTAL WIDTH OF SIDE YARD AS REQUIRED BY ZON. ORD 40-1968 SEC 205

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. 40-1968 and amendments thereto.
Owners Signature Brian Brucker

REPORT OF ZONING HEARING BOARD

To the Zoning Officer:
We the undersigned, members of the Zoning Hearing Board having heard the case of the applicant relative to the appeal as stated, and our findings and decision are as follows:

Whereas, the proposed addition will be made up of a 14.6' wide garage, a workshop and a dining room addition; and Whereas, the board recognizes the appellant's need for all of the above; and Whereas, the variance is considered minimal and will not alter the essential character of the neighborhood; Now Therefore, it is the decision of this board that the appellant's request for a variance be and is hereby approved.

Appeal heard . . . 9/14 . . . 19 93 . . . Signed Thodore C. Reed
Approved . . . 9/14 . . . 19 93
Denied 19 . . .
Zoning Hearing Board

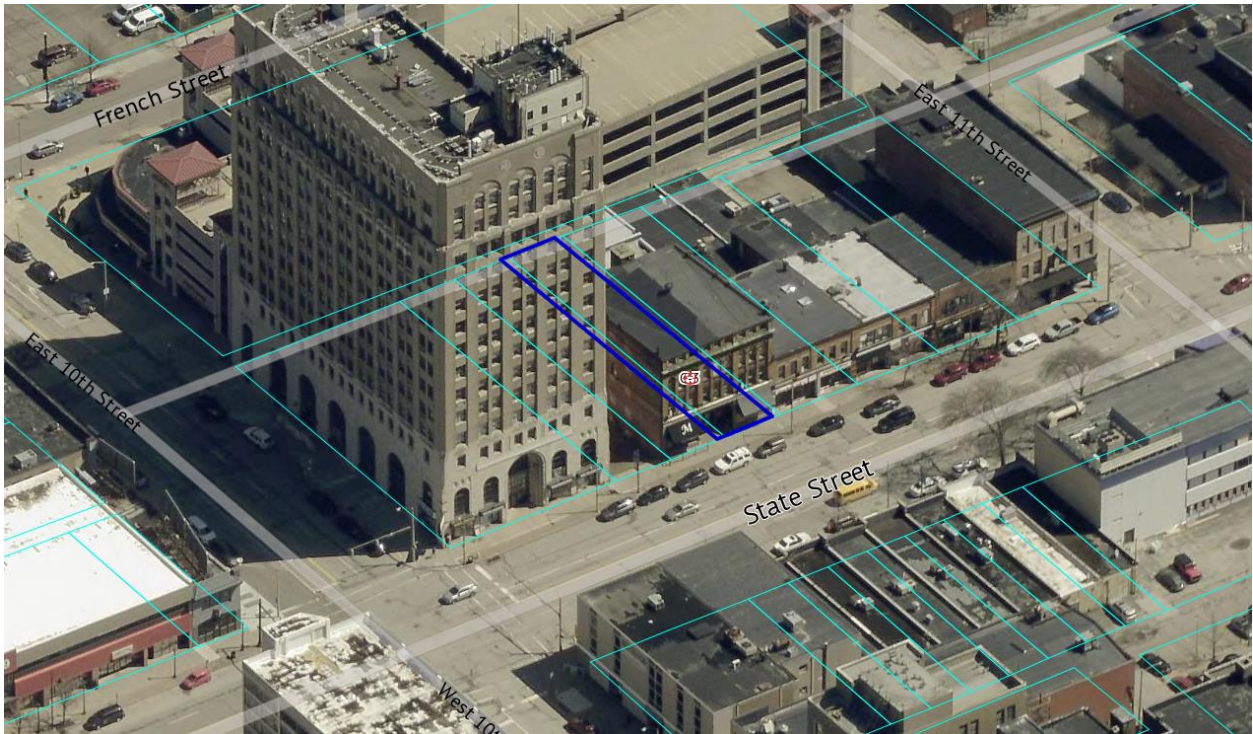
APPEAL 13,312

1015 STATE STREET

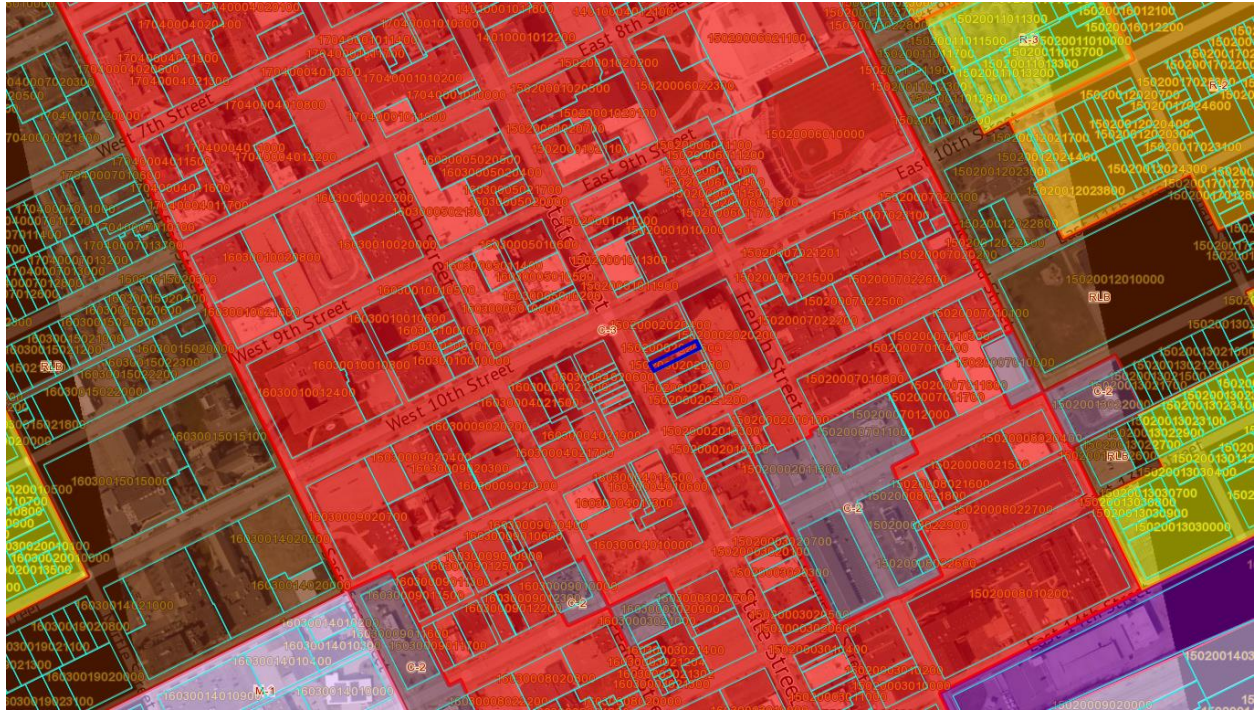
C-3 APPEAL OF ZONING OFFICER DETERMINATION- 'DANCE CLUB/BOTTLE CLUB'

[1015 State St. Google Street View](#)

[1015 State St Assessment Record](#)



ZONING C-3



**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

Appeal #:	Index #:	Hearing Date/Time:
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Property Information

Property Address: 1015 State Street
Zoning District: C3 Current Land Use: Food & Drink Establishment
Has a previous application of appeal been filed? Yes No Appeal No(s) _____

Owner / Applicant Information

Name of Owner: Stephen Crow
Owner Address: 9117 Shelter Cove Ct.
City: Las Vegas State: NV Zip Code: 89117
Telephone: 319-330-6556 Email: Birdoneinc@gmail.com
Name of Applicant (if different from owner): _____
Telephone: _____ Email: _____
Owner: _____ Tenant: _____ Contractor [Name]: _____

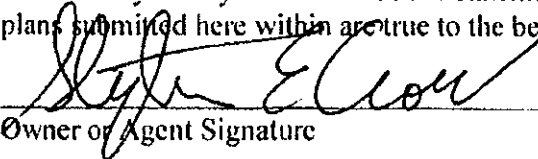
Type of Application / Appeal

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

Proposed Use or Improvement: This is an appeal for the notice of Unlawful Use/Uninhabitable Use.
No notice of violation was informed to tenant or owner prior to place signage of Keep Out
on building.

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)
Attached you will find the current Health Certificate, Zoning Permit, and Sales Tax
License.

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.

 _____
Owner or Agent Signature

6-07-24

Date



CITY OF ERIE

ZONING PERMIT



LOCATION: 1015 STATE STREET

ZONING DISTRICT: C-3 CENTRAL COMMERCIAL INDEX NO: 15020002020700

PERMITTED LAND USE: EATING AND DRINKING ESTABLISHMENT *

* NO LIQUOR LICENSE, FOOD LICENSE ONLY - ECDH

BUSINESS NAME - REFLECTIONS

OWNER: CROW LLC

ADDRESS: P.O. BOX 362 BROOKLIN, IA 52211

LESSEE: Sherrall Maloney

ADDRESS: 1015 STATE ST ERIE, PA 16501

JULY 3, 2023

DATE

APPROVED BY:


ZONING OFFICER

DEFINITION:

**Commonwealth of Pennsylvania
Department of Revenue**

SALES TAX LICENSE

**REFLECTIONS ENT LLC
1015 STATE ST ERIE PA 16501-1803**

Sales License ID: 67803967



License Type:

Retail

Expiration Date:

08/31/2028

pennsylvania
DEPARTMENT OF REVENUE

This license authorizes the holder to collect state and/or local sales, use and hotel occupancy tax. Licenses are issued for tax collection purposes and shall remain in force as specified herein unless sooner surrendered, suspended or revoked.

**THIS LICENSE MUST BE PROMINENTLY DISPLAYED.
This license is not assignable or transferable.**

ZONING CERTIFICATE

CITY OF ERIE, PA.

Location... 1015 STATE ST
Zoning District... C-3 Index No. 2002-207
Permitted Occupancy... EATING & DRINKING PLACE

.....
THIS IS A TEMPORARY CERTIFICATE WHICH WILL
EXPIRE FEB 1, 1977 AS PER ATTACHED MINUTES
DUE TO UNUSAL CIRCUMSTANCES THIS CERTIFICATE EXTENDED
TO AUG. 1, 1977 PAV

Owner... VALERIE SMITH
Address... BUFFALO N.Y.
Lessee... ROBERT G. BUZZANCO (WINTER INN)
Address... 636 W 17 ST

..... 8-2 1976 APPROVED: Paul Alenb

Zoning Officer

ZONING CERTIFICATE

CITY OF ERIE, PA.

Location... 1015 STATE ST

Zoning District... C-3 Index No. 2002-207

Permitted Occupancy... RESTAURANT

Owner... VALERIE SMITH

Address... BUFFALO N.Y.

Lessee... WINTER INN INC.

Address... 1015 STATE ST

7-1-19 26

APPROVED: Paul West

Zoning Officer



CITY OF ERIE

ZONING CERTIFICATE



Location 1015 State Street

Zoning District C-3 Index No 2002-207

Permitted Occupancy Eating and Drinking Places

Owner Bob Nelson

Address _____

Lessee _____

Address _____

July 9 1998 Date APPROVED: G. Antalek Zoning Officer



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

March 27, 2023

Crow LLC
C/o Karen Geovise, Property Manager for Crow LLC and
Yaphet Ettison, Lessee

RE: Zoning clarification for 1015 State St, Erie PA
Parcel ID – 15020002020700

To Whom It May Concern,

This correspondence serves as zoning explanation for the above mentioned parcels located at 1015 State St, Erie, PA. The property is located in a C-3 zoning district. The current use of the property is for 'EATING AND DRINKING ESTABLISHMENT'. This is considered a permitted use per the City of Erie Zoning Ordinance because a **Retail Food License** was issued to Yaphet Ettison (operator/owner of Super Chicken) by the Erie County Department of Health. The current use does not require any additional variances, special exceptions, conditional use permits or zoning relief as of right now. Please note, if the Food License is removed from the establishment, this will change the Zoning/Building Use of the property since there is no Liquor License issued for this location. This change would result in a change of use under zoning/building code to a 'Dance Club'. Dance Club requires Special Exception from the Zoning Hearing Board and must comply with all UCC Building Code requirements.

Additional zoning-related information may be found on the City of Erie website at –
<https://cityof.erie.pa.us/business/applications/zoning/>.

Please contact our office at 814.870.1265 or 1273, or zoning@erie.pa.us with any questions.

Regards,

Amy Francis | Zoning Officer | City of Erie



CITY OF ERIE

ZONING CERTIFICATE



LOCATION: 1015 State St. Erie, PA

ZONING DISTRICT: C-3

INDEX NO: 15020002020700

PERMITTED OCCUPANCY: EATING AND DRINKING ESTABLISHMENT

BUSINESS NAME: 'SUPER CHICKEN'- **NO LIQUOR LICENSE, HAS FOOD LICENSE WITH
ERIE COUNTY HEALTH DEPARTMENT

OWNER: CROW LLC

ADDRESS: PO BOX 362 BROOKLYN, IA 52211

LESSEE: YAPHET ETTISON

ADDRESS: 1015 State St. Erie, PA

2/24/2023

DATE

APPROVED BY: 

ZONING OFFICER

DEFINITION:

2002-207

ERIE COUNTY DEPARTMENT OF HEALTH

ERIE, PENNSYLVANIA

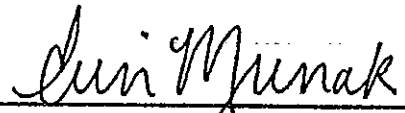
LICENSE

TO OPERATE A RETAIL FOOD FACILITY

SUPERCHICKEN

THIS FACILITY HAS BEEN INSPECTED AND APPROVED

SUPERCHICKEN
YAPHET ETTISON
1015 STATE STREET
ERIE, PA 16501



DIRECTOR

This is the property of the Erie County
Department of Health, *is not transferable*
and must be surrendered on demand.

Number: 5504
Class: 13A3 Fee: \$235
Expiration Date: 2/23/2024

KEEP POSTED AT ALL TIMES IN A CONSPICUOUS PLACE



Public Health
Prevent. Promote. Protect.

Erie County Department of Health
606 West Second Street
Erie, PA 16507

ETTISON ECONOMIC, LLC
1015 STATE STREET
ERIE, PA 16501

Eating & Drinking
1015 State!
Auf 1. TW 12/23.

SEE OTHER SIDE FOR
OPENING INSTRUCTIONS

OPENING INSTRUCTIONS



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

May 4, 2023

Mr. Stephen Crow
Crow LLC
PO BOX 362
BROOKLYN, IA 52211

RE: Zoning Violations at 1015 State St. Erie, PA – Parcel ID 15020002020700

Mr. Crow:

The City of Erie Zoning Office has been made aware of zoning violations at your property located at 1015 State Street in the City of Erie, which is located in a 'C-3 Central Commercial' zoning district. Based upon further investigation, it has been determined that the following activities are being conducted on the property that are in violation of the City of Erie Zoning Ordinance: "Bottle Club" & "Dance Club" – No zoning approval has been granted for these activities to operate at this location.

Article 6 of the City of Erie Zoning Ordinance defines "Bottle Club" as:

"An establishment operated for profit or pecuniary gain in which alcoholic liquors, alcohol or malt or brewed beverages are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the Liquor Code. The permissibility of a use of land involving to any extent a bottle club shall be determined according to the principal intended use."

Article 6 of the City of Erie Zoning Ordinance defines "DANCE CLUB" as:

"Any premises open to public dancing on a regular or continuing basis or to which the public is admitted upon payment of an admission fee or charge of any kind, which may or may not serve food and beverages, and which is not licensed for the sale of alcoholic beverages. This includes but is not limited to dance halls."

Per Section 204.17 of the City of Erie Zoning Ordinance, 'Bottle Club' and 'Dance Club' are 'Special Exception' uses in a C-3 district, which require Zoning Hearing Board approval prior to operation.

No approval for either of these uses has been requested or granted. Please be advised that this activity is in violation of the City Zoning Ordinance and must be discontinued until all zoning and building code requirements are met.

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

Page Two

May 4, 2023

RE: Zoning Violations at 1015 State St. Erie, PA - Parcel ID 15020002020700

Please note that it is the property owner's responsibility to ensure compliance with the City's Zoning Ordinance. This matter must be addressed immediately and all non-compliant business activity at this property is hereby ordered to cease and desist. Failure to do so will result in enforcement proceedings and possible fines. Per Section 403 of the zoning ordinance:

"ENFORCEMENT REMEDIES: Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the City, pay a judgment of not more than five hundred (\$500) dollars per day plus all court costs, including reasonable attorney fees incurred by the City as a result thereof... Each day that a violation continues shall constitute a separate violation..."

Please contact the zoning office at (814) 870-1265 or zoning@erie.pa.us at your earliest convenience to confirm the receipt of this notification and your intention to comply with the Zoning Ordinance.

Thank you in advance for your cooperation.

Sincerely,



Amy Francis
Zoning Officer



CITY OF ERIE

ZONING PERMIT



LOCATION: 1015 STATE STREET

ZONING DISTRICT: C-3 CENTRAL COMMERCIAL INDEX NO: 15020002020700

PERMITTED LAND USE: EATING AND DRINKING ESTABLISHMENT *

* NO LIQUOR LICENSE, FOOD LICENSE ONLY - ECDH

BUSINESS NAME - REFLECTIONS

OWNER: CROW LLC

ADDRESS: P.O. BOX 362 BROOKLIN, IA 52211

LESSEE: Sherrall Maloney

ADDRESS: 1015 STATE ST ERIE, PA 16501

JULY 3, 2023

DATE

APPROVED BY: 

ZONING OFFICER

DEFINITION:



Erie County Department of Health
606 W. 2nd Street
Erie, PA 16507
Phone [\(814\) 451-6700](tel:8144516700)

Food Service Establishment License

Date of Issuance: June 23, 2023

License Number: RFF-342

Facility Name:

REFLECTIONS
1015 STATE ST
ERIE CITY, PA 16501

Phone Number:

[8149838900](tel:8149838900)

Type of Service(s):

Eating & Drinking

License Class Code: I3A3

Responsible Person:

Sherrall Maloney

This license expires one year from .

Total Paid: \$365.00

THIS LICENSE IS NOT TRANSFERABLE

CITY OF ERIE ZONING HEARING BOARD APPLICATION

Appeal #: _____ Index #: _____ Hearing Date/Time: _____

Property Information

Property Address: 1015 State Street
Zoning District: _____ Current Land Use: Eating and Drinking
Has a previous application of appeal been filed? Yes (No) Appeal No(s) _____

Owner / Applicant Information

Name of Owner: Crow LLC
Owner Address: 9117 Shelter Cove Court
City: Las Vegas State: NV Zip Code: 89117
Telephone: 319-330-6556 Email: Birdon@Birdon.com
Name of Applicant (if different from owner): _____
Relationship to Owner: Tenant
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: Unlawful Structure

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)

The buildings Primary Use is Eating and Drinking Establishment as Permitted

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.

Shenell Meloney
Owner or Applicant Name

Shenell Meloney
Owner or Applicant Signature

6-5-24
Date

**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

Appeal #:	Index #:	Hearing Date/Time:
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Property Information

Property Address: 1015 State Street
Zoning District: _____ Current Land Use: Eating and Drinking
Has a previous application of appeal been filed? Yes No Appeal No(s) _____

Owner / Applicant Information

Name of Owner: Crow LLC
Owner Address: 9117 Shelter Cove Court
City: Las Vegas State: NV Zip Code: 89117
Telephone: 319-330-6556 Email: ~~Birdon~~ Birdon198@gmail.com
Name of Applicant (if different from owner): _____
Relationship to Owner: Tenant
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: unlawful structure

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)

The buildings Primary Use is Eating and Drinking Establishment as Permitted

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.

Sherrill Maloney
Owner or Applicant Name

Sherrill Maloney
Owner or Applicant Signature

6-5-24
Date



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

JUNE 6, 2024

OWNER AND/OR OCCUPANT

**RE: Zoning Violations at 1015 STATE ST. Erie, PA
Parcel ID 15020002020700**

To Whom It May Concern:

The City of Erie Zoning Office has been made aware of zoning violations on the property located at 1015 STATE ST. in the City of Erie, which is located in a 'C-3 Central Commercial' zoning district. Based upon further investigation, it has been determined that the following activity is being conducted on the property without City approval that is in violation of the City of Erie Zoning Ordinance:

Article 6 of the [City of Erie Zoning Ordinance](#) defines 'Bottle Club' as: "An establishment operated for profit or pecuniary gain in which alcoholic liquors, alcohol or malt or brewed beverages are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption." Further, Article 6 of the Ordinance defines 'Dance Club' as: "Any premises which is open to public gathering on a regular or continuing basis or to which the public is admitted upon payment of an admission fee or charge of any kind, which may or may not serve food and beverages, and which is not licensed for the sale of alcoholic beverages."

A 'Bottle Club' and/or 'Dance Club' must obtain Zoning Hearing Board approval to operate in a C-3 zoning district. Be advised that this activity has not received zoning approval and is in violation of the City of Erie Zoning Ordinance. This matter must be addressed immediately and all non-compliant activity at this property must be discontinued.

Failure to comply will result in enforcement proceedings and possible fines. Per Section 403 of the zoning ordinance: "ENFORCEMENT REMEDIES: Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the City, pay a judgment of not more than five hundred (\$500) dollars per day plus all court costs, including reasonable attorney fees incurred by the City as a result thereof... Each day that a violation continues shall constitute a separate violation..."

Please contact the zoning office at (814) 870-1265 or (814) 870-1273, or zoning@erie.pa.us at your earliest convenience to confirm the receipt of this notification and your intent to comply with the Zoning Ordinance. You have the right to appeal this determination to the City of Erie Zoning Hearing Board. You must file an appeal within 30 days of this letter.

Thank you in advance for your cooperation.

CITY OF ERIE ZONING OFFICE



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

JUNE 6, 2024

OWNER AND/OR OCCUPANT

RE: BUILDING CODE VIOLATIONS AT 1015 STATE ST. ERIE, PA
Parcel ID 15020002020700

To Whom It May Concern:

YOU ARE HEREBY NOTIFIED THAT THE DIVISION OF BUILDING CODE FOR THE CITY OF ERIE HAS ON 06/05/2024 INSPECTED THE PROPERTY LOCATED AT 1015 STATE ST ERIE, PA. SAID PROPERTY IS IN VIOLATION OF THE UNIFORM CONSTRUCTION CODE (UCC) 1503.55.

VIOLATION(S):

UCC 1503.55- **Unsafe building, structure or equipment.**- A building code official may determine that a building, structure or equipment is unsafe because of inadequate means of egress, inadequate light and ventilation, fire hazard, other dangers to human life or the public welfare, illegal or **improper occupancy** or inadequate maintenance. A vacant building or structure that is not secured against entry is unsafe under this section.

When a building code official determines the existence of an unsafe condition, the building code official shall order the vacating of the building or structure.

UCC 1503.31- **PERMIT REQUIREMENTS AND EXEMPTIONS.**-a.) An owner or authorized agent who intends to construct, enlarge alter, repair, move, demolish or change occupancy of a commercial building, structure and facility or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system regulated by the UCC shall first apply to the building code official and obtain the required permit under 1503.32 (see permit application)

BUILDING, PLUMBING AND ELECTRICAL VIOLATION(S):

IBC 904.12- COMMERCIAL COOKING SYSTEMS: **UPDATED ANSUL TEST REQUIRED AND CLASS K EXTINGUISHER REQUIRED**

IBC 906- PORTABLE FIRE EXTINGUISHERS: **1 PER 75 FT REQUIRED**

IBC 906.4- PORTABLE FIRE EXTINGUISHERS: **CLASS K RATED EXTINGUISHER REQUIRED**

IPC 403.1- MINIMUM NUMBER OF PLUMBING FIXTURES: **TABLE 403.1- SERVICE SINK REQUIRED**

IPC 1002.3- PROHIBITED TRAPS: **"S" TRAP REQUIRED**

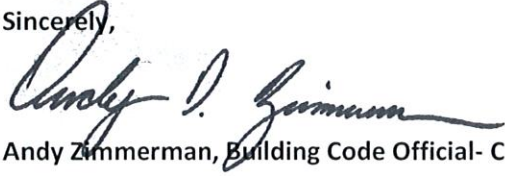
IPC 1003.3- GREASE INTERCEPTORS: **NONE ON SITE**

IPC 1003.3.1: GREASE INTERCEPTORS AND AUTOMATIC GREASE REMOVAL DEVICES REQUIRED: **GREASE INTERCEPTORS AND AUTOMATIC GREASE REMOVAL DEVICES SHALL RECEIVE WASTE ONLY FROM FIXTURES AND EQUIPMENT THAT ALLOW FATS, OILS OR GREASE TO BE DISCHARGED.**

UCC: **PERMITS REQUIRED FOR ALL BUILDING, OCCUPANCY, CHANGES OF USE, PLUMBING, ELECTRICAL**

PLEASE CONTACT THIS OFFICE IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE.

Sincerely,

A handwritten signature in black ink that reads "Andy D. Zimmerman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andy Zimmerman, Building Code Official- City of Erie

CITY OF ERIE - PROPERTY MAINTENANCE - ROOM 407
ORDER TO CORRECT CODE VIOLATIONS

CROW LLC
PO BOX 362
BROOKLYN, IA 52211



COUNTY OF ERIE
DEPARTMENT OF HEALTH



Public Health
Prevent. Promote. Protect.

Brenton Davis
County Executive

Erin Mrenak
Director

June 6, 2024

Sherrall Maloney
1015 State Street
Erie, PA 16501

RE: Suspension of Operations Until Inspection
Reflections
1015 State Street
Erie, PA 16501

Dear Sherrall Maloney,

In the interest of public health and safety, we hereby require that your restaurant remain closed until a formal inspection by the Erie County Department of Health has been scheduled and conducted. This is to prevent any potential risks to your customers and to maintain the integrity of food safety standards in our community.

We request that you contact our office to schedule an inspection after your opening is approved by Building Code Enforcement. Our team is committed to working with you to ensure a smooth and efficient process, and we are available to address any questions or concerns you may have.

Once the food safety inspection has been completed and any necessary remedial actions have been taken, we will be more than happy to assist you in reopening your restaurant for business.

Thank you for your cooperation and understanding in this matter. Your commitment to maintaining a safe and healthy environment for your patrons is greatly appreciated.

Should you have any questions or require further assistance, please do not hesitate to contact Joe DiSanto at 814/451-7871.

Sincerely,

Breanna Adams, Director
Environmental Health Services