
City of Erie

Zoning Hearing Board

Erie, Pennsylvania

AGENDA

The regular meeting of the Zoning Hearing Board will be held **Tuesday, November 12, 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 October 8, 2024 MEETING MINUTES

4. OLD BUSINESS

Tabled from October 8, 2024- Appeal No. 13,313 by Aaron Green concerning a property located at 2801 Holland St. [Index Number 18-5082-226] located in an R-1A Traditional Single Family Residential zoning district. The appellant is requesting a use variance and a dimensional variance for a proposed ‘Two-Family Dwelling’. Per Section 204.2 of the City of Erie Zoning Ordinance, ‘Two-Family Dwellings’ are not a permitted use in an R-1A district. Per Section 205 of the ordinance, the minimum lot area per family is 6,000 square feet in an R-1A district. The property is currently non-conforming with a 3,400 square feet lot size; 1,700 square feet per family is proposed.

5. APPEALS TO BE HEARD

Appeal No. 13,314 by Roche Vermaak and Analba Krupicz concerning a property located at 515 Virginia Ave. [Index Number 17-4119-311] located in an R-1 Low Density Residential zoning district. The appellant is requesting a dimensional variance for a proposed addition. Per Section 205 of the ordinance the minimum depth of rear yard is 30’, 23.2’ is proposed.

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~AggLXsr32QYFiq8BIYLZ5I06Dg>

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>

515 Virginia Ave

515 Virginia Ave - Google Street view

Erie County Assessment Information



**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

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

Property Address: 515 Virginia Ave, Erie, PSA, 16505

Zoning District: R-1 Current Land Use: Low density residential

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

Owner / Applicant Information

Name of Owner: Roche Vermaak & Analba (Anna) Krupicz

Owner Address: 515 Virginia Ave

City: Erie State: PA Zip Code: 16505

Telephone: 949 533-6030 Email: anabandana@gmail.com

Name of Applicant (if different from owner): N/A

Telephone: N/A Email: N/A

Owner: N/A Tenant: N/A Contractor [Name]: Brian O'Sullivan

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: _____

Add one room at the back of our house. The added room will have a small kitchenette and bathroom so that, connected to the existing 1st floor bedroom, it becomes a small 2-room mother-in-law apartment.

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)

--- please see 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.



Owner or Agent Signature

10/17/24

Date

Proposed Use or Improvement

Add one room at the back of our house. The added room will have a small kitchenette and bathroom so that, connected to the existing 1st floor bedroom, it becomes a small 2-room mother-in-law apartment.

I/We believe that the Board should approve this request because...

We request a 6.3 foot variance to the R-1 requirement for a 30-foot minimum depth of the rear yard. All other R-1 zoning requirements are met or exceeded.

	Zoning Requirements	Our Property with Addition
• Minimum lot area per family:	6,000	7,526.7
• Maximum lot coverage by buildings:	35%	26.48% (1993.26/7526.7)
• Minimum Depth of Front Yard (feet):	30	34.5
• Minimum Depth of Rear Yard (feet):	30	23.7
• Minimum Total Width of Side Yards (feet):	15	27.5
• Minimum Width of Least Side Yard (feet):	5	11.2
• Maximum Height of Structure (feet):	35	no change to current height

Without an approved variance, the addition is not viable. We would be limited to less than 14 feet, which is too small to accommodate a bathroom and still have an open area sufficient to comfortably fit a standard-sized living area (with a couch, coffee table, etc.). Alternatively, we could build a very long, narrow room that aligns perfectly to the R-1 requirements but does not meet basic design/ usability criteria nor maintain the character of the home/ neighborhood as well.

We chose to live in this neighborhood because I (Anna) grew up here, and we were drawn to its beauty and proximity to my parents' house (where my mother lives, just a few minutes' walk away). We looked for a home with an existing in-law apartment, which would enable her to live with us when the time was right while retaining her independence. Despite the increasing need for this type of housing option, we found few homes existing in the area with this option, and none that met all our needs.

After touring many homes and speaking to many different contractors, we have spent the last several months working with Brian O'Sullivan to develop a plan and design for the addition that will provide reasonable living space, be nearly invisible from the street and neighbors (there are mature trees on the south- and east-facing property lines as shown in the attached pictures), and blend seamlessly with the existing structure to preserve the look and feel of our home.

Variance Criteria:

1: There is unnecessary hardship created by the unique physical conditions of the property. Physical conditions include irregularity, narrowness, shallowness of lot size or shape or exceptional topographical or other physical conditions that are not created by the provisions of the local zoning ordinance.

The size of the lot and the size of the existing structures leave us with much more space than needed to build an addition the size of what is proposed. However, the position of our home on the lot is such that the usable space (i.e. where we can add on within the specific R-1 dimensions) is not all in one

place, but instead is spread across the back, sides and front of our house, making it impossible to effectively utilize the space.

We could build an addition of approximately the same size to fit perfectly within the R-1 zoning guidelines, that would run north/south across the back of our home. However, this would:

1. Come very close to mature trees between our house & our neighbor to the south which provide privacy and beauty
2. Stick out several feet from the existing structure, becoming visible from the road and it would be obvious that it is an addition, looking out of sync with the existing home
3. Make the added room quite long and narrow, dramatically and negatively impacting the usability and design of the space

2: *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 the authorization of the variance is needed to enable the reasonable use of the property.*

As outlined above, it is not possible to build in strict conformity with the provisions of R-1 Zoning. To do so would considerably impact the design such that it would not be the right decision to proceed.

3: *Such unnecessary hardship has not been created by the applicant.*

Correct, the structures (house and garage) are today as they were when we purchased the property.

4: *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.*

The variance will have no impact on the essential character of the neighborhood nor the ability to use or develop adjacent property. Indeed, we believe that the variance we request improves the overall aesthetic *more* than is possible if we strictly follow the R-1 zoning requirement.

5: *The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue.*

The 20-foot addition (of which the variance would be 6.3 feet) accommodates 8 feet for the bathroom and 12 feet for living space, both of which are at the smaller end of standard size of spaces for those uses.

AE CHAPMAN SURVEYING

7950 PAGE RD
WATTSBURG, PA 16442

(814) 392-8694 achapmanpls@gmail.com

LEGEND

- EXISTING IRON STAKE
- UTILITY POLE
- ⊞ UTILITY GROUND BOX
- ⊕ WATER VALVE
- ⊞ LOT NUMBER OF BLOCK "H" ACCORDING TO KAHKWA PARK SUBDIVISION RECORDED AUGUST 16, 1919 MAP BOOK 2, PAGES 146 - 147

VIRGINIA AVENUE



SCALE: 1" = 15'

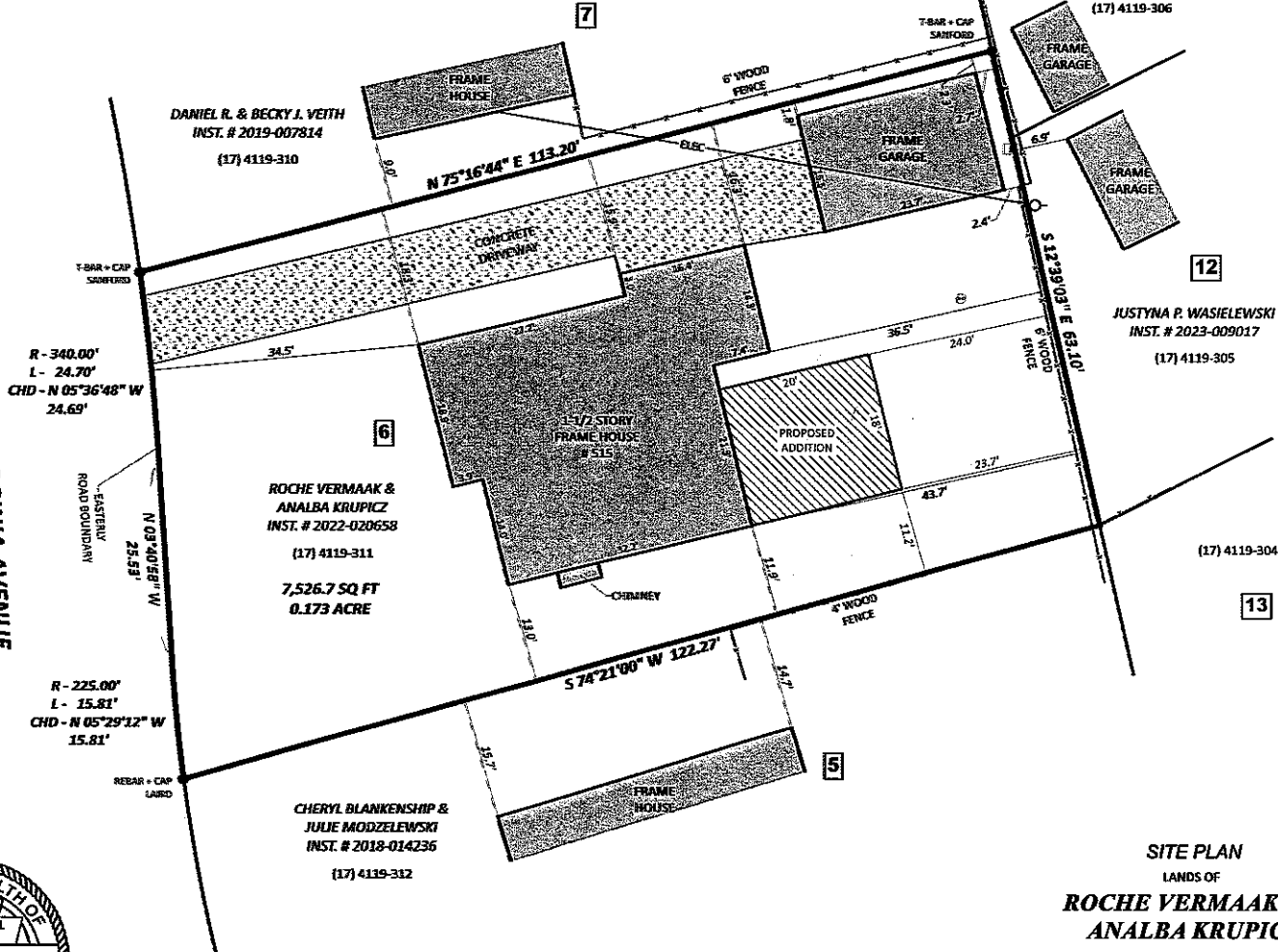
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ANDREW E. CHAPMAN - PA LICENSE # SU075614



RECORD NORTH
KAHKWA PARK
SUBDIVISION

10/12/2024
PROPOSED ADDITION
SHOWN IN RED

SITE PLAN
LANDS OF
ROCHE VERMAAK and
ANALBA KRUPICZ

515 VIRGINIA AVENUE
CITY OF ERIE
ERIE COUNTY, PENNSYLVANIA
TAX INDEX # (17) 4119-311

SURVEY 9/26/2024 | MAP 9/28/2024 | SCALE 1" = 15' | PROJECT 240904

Picture 1: Looking at the back yard and back of the house from the rear (east) property line.



Picture 2: Looking at the south-facing property line.



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

Fee \$ 300.00

paid

Property Index No. 4119-311

Appeal No. 13314

building Change I, the undersigned, hereby make application to construct a addition on
my property located at 515 Virginia 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>ok</u>	Required: _____
Side Yard Available (Combined): <u>ok</u>	Required: _____
Side Yard Available (Least): <u>ok</u>	Required: _____
Rear Yard Available: <u>23.2'</u>	Required: <u>30</u>
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: Per section 205- Minimum depth of rear yard is 30 ft

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 11/12/24 _____ 20____ Signed _____
 Approved _____ 20____
 Denied _____ 20____

-SEE ATTACHED DECISION-

CITY OF ERIE ZONING ORDINANCE

HOME OCCUPATION APPROVAL

PROPERTY ADDRESS: 515 Virginia Ave INDEX NO: 4119-311
OWNER NAME: Alan C & Lisa M. Helsley PHONE # 814 812-2897
ZONING DISTRICT: _____ PROPOSED USE: Business Office

HOME OCCUPATION REQUIREMENTS CHECKLIST:

- The use is administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling.
- The use involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use.
- The commercial activity shall be compatible with the residential use of the property and surrounding residential uses.
- The commercial use shall have no employees.
- There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- There shall be no outside appearance of a commercial use, including, but not limited to, parking, signs or lights.
- The commercial activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference.
- The commercial activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- The business may not involve any illegal activity.

I HEREBY CERTIFY THAT THE ABOVE CONDITIONS WILL BE MET AT ALL TIMES WHILE OPERATING A HOME OCCUPATION AT THIS LOCATION.

Alan C. Helsley
NAME

Alan C. Helsley
SIGNATURE

7-12-20
DATE

REC. BY: [Signature] 7-13-20