
City of Erie

Zoning Hearing Board

Erie, Pennsylvania

AGENDA

The regular meeting of the Zoning Hearing Board will be held Tuesday, July 8, 2025 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
Jeffrey Johnson, Chair		
Edward Dawson, Vice Chair		
Laura Guncheon		
Selena N. King		
Tom Sebald		

3. APPROVAL OF May 13, 2025 MEETING MINUTES
4. OLD BUSINESS
5. APPEALS TO BE HEARD –

Appeal No. 13,319 by Steve Spearman concerning a property located 524 W. 17th St. [16-3026-237] located in an R-2 Residential zoning district. The appellant is requesting a Dimensional variance for a an 'Addition'. Per Section 205.5 of the ordinance, the minimum rear yard setback is 20', 4' is proposed.

Appeal No. 13,320 by Greg Gatti concerning a property located at 2105 S. Manor Dr. [16-3137-109] located in an R-1 Residential zoning district. The appellant is requesting a Dimensional variance for a proposed 'Detached Garage'. Per Section 205 the maximum size for a detached accessory structure is 720 sqft and 15' high, 1440 sqft and 16' high is proposed.

Appeal No. 13,321 by Frank Gresh concerning a property located at 2226 June St. [18-5131-400] located in an R-1A Traditional Residential zoning district. The appellant is requesting a Dimensional variance for a proposed 'Detached Garage'. Per Section 205 the maximum size for a detached accessory structure is 720 sqft, 1200 sqft is proposed. Per 205.9 the maximum height is 15', 16' high is proposed.

Appeal No. 13,322 by Hussain Al-thabhwai concerning a property located at 1240 Buffalo Rd [15-2106-125] located in an RLB Residential Limited Business and R-2 Medium Density Residential zoning district. The appellant is requesting a Use variance for a proposed 'Auto Repair' business. Per Section 204.5, 'Auto Repair' is not a permitted use.

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://erie-pa-us.zoom.us/j/82333504031?pwd=IFiFCqapOFNatbZMGyT2NarYIZRZPM.1>

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 13319

547 W 17th St.





[524 W 17th ST Google street view](#)

[Erie County Assessment Information](#)

**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

Appeal #: _____ Index #: 3026-251 Hearing Date/Time: _____

Property Information

Property Address: 524 W 17TH ST
Zoning District: R-2 Current Land Use: ETM/APTS
Has a previous application of appeal been filed? Yes No Appeal No(s) 9342

Owner / Applicant Information

Name of Owner: STEVEN SPEARMAN
Owner Address: 524 W. 17th ST # C
City: ERIE State: PA Zip Code: 16502
Telephone: 814-403-0054 Email: SSPEARMAN3@Yahoo.COM
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: Improvement of facility

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.

STEVEN SPEARMAN
Owner or Applicant Name [please print]

Steven Spearman
Owner or Applicant Signature

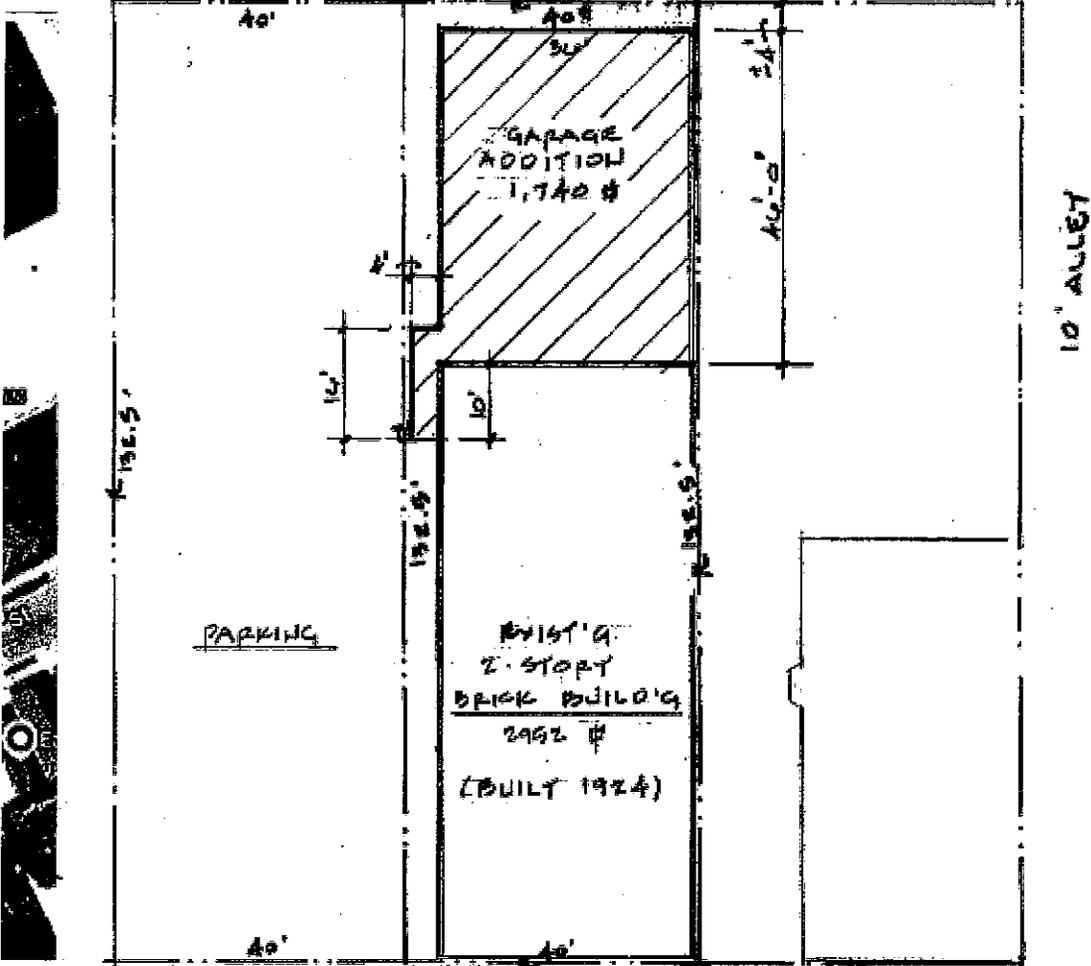
4-16-25
Date

We believe the Board should approve this request because of the hardship of tearing down the building to move it. Also, because the business is overpopulated with youth. It would enhance the productivity of our inner-city youth to give them better experience of learning about health and wellness.

1 1/2" heavy wood studs 16" o.c. 1 1/2" x 4" o.c.
 1" (25.4 mm) o.c. for all framing members,
 cladding or finish system.

guard* in door panels or 5/8" (15.9 mm)
 ed vertically (U337, U305) or horizontally
 1 nails 7" (178 mm) o.c. stagger joints

ALL

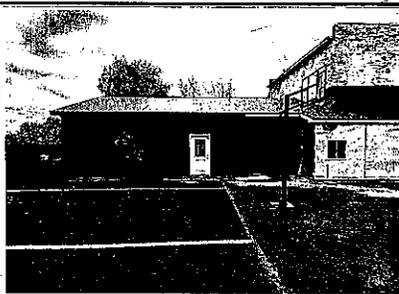


WEST ST

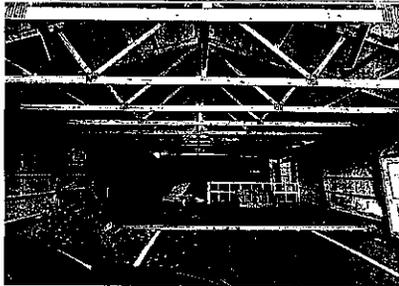
PLOT PLAN

SCALE: 1" = 20'

IE



WEST ELEVATION



INTERIOR SOUTH VIEW

Personal Results Fitness
Pole Structure - 38' x 48' x 19' Height

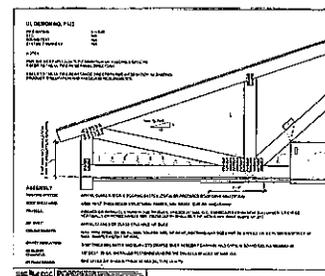
2019 IBC Code Design Criteria
Type 5 Unprotected Wood Frame
Roof 46 lb snow load
Wind 90 mph, Exposure B
Seismic Zone B
Front Load 49' minimum
15000 Stat Seismic Capacity (minimum)
Climate Zone 6 (5,500 - 7,000 HDD)

Notes:

- Insulation:**
 - Not required - unenclosed garage building
- Doors:**
 - Man Doors:
 - (2) - 3'-0" Plyco 20 Series, solid painted metal, steel door and frame
 - ADA Compliant ADA Threshold 1/2" x 5" Vinyl 4.5" B.B. NRP Ringer, satin chrome.
 - Aluminum Glass
 - Lever Handles
 - Overhead Doors with Operator:
 - (1) 10'-0" x 8'-0" Insulated R = 13.6 Over Head Doors, Model
 - Premium double - steel clad metal
 - Finish - Exterior and interior steel slabs prefinished.
 - Hardware - All hinges and brackets to be manufactured of hot-dipped galvanized steel, 14 gauge minimum.
 - Tracks - Vertical tracks to be maximum 16 gauge galvanized steel tapered, 15" radius inside.
 - Wind loading - Door shall comply with ANSI / DASMA 108 or to meet specific application requirements.
- Structural:**
 - Pole frame construction
 - 6" x 8" treated posts @ 8'-0" o.c. typical
 - 6" x 8" treated corner posts
 - 2 x 4 shear wall bracing, #2 SYP typical
 - 2 x 4 horizontal bracing typical @ 24" o.c. - walls and roof
 - 2 x 4 pressure treated grade board
 - 12" pole height above finish floor
 - Truss Girders (2) 2 x 12 @ 1' Grade Syp
- Bracing:**
 - 2 x 10 treated base girt; 2' x 4' horizontal purlin spacing @ 24" o.c.
 - LVL headers @ overhead doors - 1 1/2" x 8 1/2" (3). Bolt with 3/8" Ledger Locks (1) per post connection.
 - Lateral truss ties & hurricane bracing with 2 x 6 blocking @ each truss - 1 per each truss and
 - 38' pre-fabricated roof trusses @ 48" o.c. with 2 x 6 wood blocks and upst connection. 2 x 4 purlin at 24" on center
 - 4-12 phi, 2' x 8' fascia board and 12" overhang, 1/2" sheathing with clips
 - 10" minimum depth concrete footer at each treated post.
- Permanent bracing required for Top Chord, Bottom Chord and Web Member Plates per the Building Component Safety Information Guide (BCSI-1B3)**
 - Top Chord
 - Bottom Chord - Continuous lateral restraint with 2 x 4 diagonal bracing
 - Web Members - Diagonal 2 x 4 bracing with continuous lateral restraint. Same spacing & grade.
 - Minimum connection - 16d Gun nails @ 6" o.c.
 - Diagonal end wall permanent diagonal bracing to roof diaphragm blocking.
 - Truss design drawings are to be provided to the building official by Owner. Defeered submittal.
- Roofing:**
 - Metal roofing - Everlast 28 gauge (40 yr. warranty)
 - Pre-engineered roof trusses @ 48" o.c.
 - Aluminum fascia & vented soffit. Ridge vent
 - Snow Fall
 - Vapor barrier
 - Snow retention
- Grade:**
 - Away from walls - min 6" within first 10 foot
- Gutters:**
 - Seamless gutters and downspouts
- Sliding:**
 - Premium metal sliding - Everlast 28 ga
 - 40 year warranty
- Footers:**
 - 10" x 30" diameter, 48" minimum depth
 - 3,000 psi concrete minimum.
- Concrete Slabs: (Not Required)**
 - 4" concrete on 6" crushed stone base (compacted fill limited to 24" with 8 x 8 10'10" W.W.F. & 6 mil. 6 - mil polyfilm vapor retarder topped 6" min. 3,500 psi concrete, minimum.
 - Steel base/face
- Drainage / Waterproofing: (Not Required)**
 - Damp proofing - 8 mil polyfilm vapor barrier under slab; top seams 6" minimum.
- Attic Access:**
 - 20" x 30" minimum opening
- Roof Ventilation:**
 - Continuous ridge vent
 - 1/2" perforated soffit vent
- Lighting:**
 - Wall mounted LED fixtures existing brick wall (2 story building)
- Fire Rating/Part:**
 - 2-4 Rating



FRONT VIEW (SOUTH)



P522

1-HOUR RATED CEILING

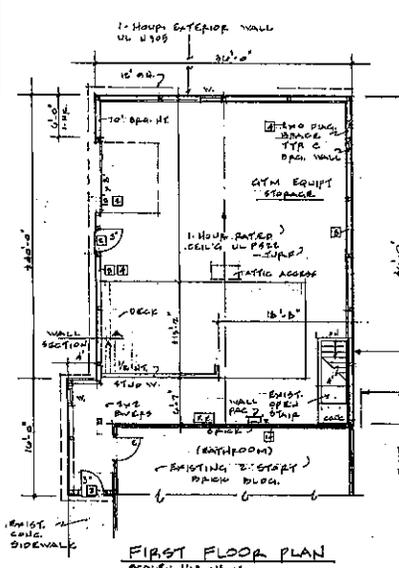
PROJECT INFORMATION

PROJECT: Personal Results Fitness Pole Structure - Garage Building
LOCATION: 524 West 17th Street Erie, PA 16502
APPLICABLE CODES:
Building - ICC International Building Code 2018
Fire Protection - National Fire Protection Code 2018
HVACS - ICC International Mechanical Code 2018
Plumbing - ICC International Plumbing Code 2018
Electric - NFPA 70 - National Electric Code 2017
Accessibility ANSI A 117.1 - 2009 and IBC 2018 Chapter 11

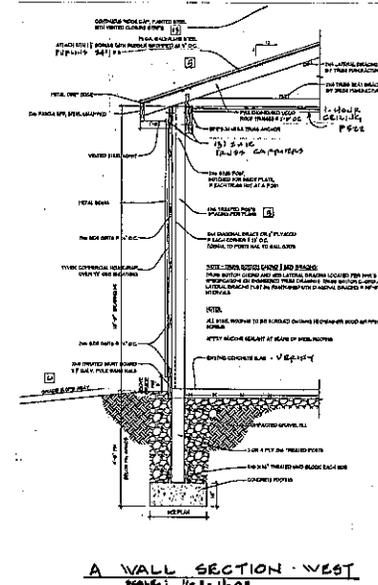
USE GROUP CLASSIFICATION: S-2 Storage - Low Hazard
CONSTRUCTION TYPE: Type V-B Unprotected Pole Barn
HEIGHT LIMITATION: 1-Story
AREA LIMITATION: 13,500 Sq. Ft. Maximum per Floor
New Floor Area = 1,740 Sq. Ft.
30' X 48' Pole Barn Construction
OCCUPANT LOAD: 500 Gross For Square Foot = 14 Occupants

BUILDING CHARACTERISTICS:
S-2 Building - Garage
Non-Span/Kinrad
Shed-On Gable
Wood Frame - Exterior Walls & Roof
Moderate Hazard - Storage
STRUCTURAL DESIGN CRITERIA:
• Ground Snow Load = 48 Psf
• Basic Wind Speed = 90 MPH (Wind Exposure Category 'C')
• 3-6 Second Gust = 115 MPH
• Surface Roughness 'B' Exposure Category = 'B'
• Seismic Design Category 'D' - Site Class 'D'
• Flood Design Date - Not Required
• Occupancy Category II
• Soil Bearing Capacity 1,500 Psf (Maximum)
• Frost Protection 48" For Heated And Unheated Buildings
• Minimum Loads:
- Top Chord Live Load 20 Psf
- Top Chord Dead Load 5 Psf
- Bottom Chord Live Load 5 Psf
- Bottom Chord Dead Load 5 Psf
- No Special Loads Applicable to the Design of the Building

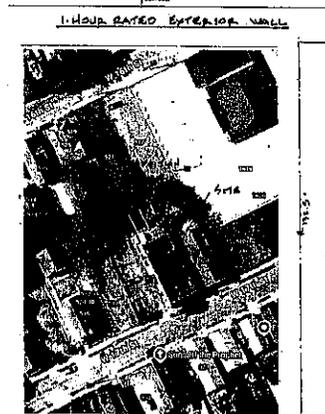
SCOPE OF WORK:
• New 10' High Pole Structure with a Wood Truss Roof System
• Garage Building - Commercial Property



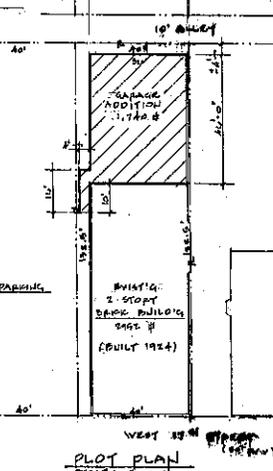
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



A WALL SECTION - WEST
SCALE: 1/8" = 1'-0"



SATELLITE IMAGE



PLOT PLAN
SCALE: 1/8" = 1'-0"

MICHAEL GRAB ARCHITECT
1624 W. 9TH ST.
ERIE, PENNSYLVANIA 16508
814/857-3464
MGR@MICHAELGRAB.COM

DRAWN:	M.J.C.
DATE:	11.14.2024
PROJECT:	P522-117
REVISIONS:	6 - 04.2025

GARAGE ADDITION
PERSONAL RESULTS FITNESS
524 WEST 17TH STREET
ERIE, PENNSYLVANIA 16502



MICHAEL GRAB, AIA • architect

POLE BUILDING GARAGE - PLANS & SPECS

A.1

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

Fee \$ 300.00

Paid

Property Index No. 13318

N 16-3026-237

Building Change I, the undersigned, hereby make application to construct a Building Addition Appeal No. _____ on my property located at 524 W 17th

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

ZONING DISTRICT: R-2 No. of Buildings intended: 1 No. of Stories: 1

Extreme Height as planned above curb: _____	Permitted: _____
Front Yard Available: _____	Required: _____
Front Yard Available (Corner lot): _____	Required: _____
Side Yard Available (Combined): _____	Required: _____
Side Yard Available (Least): _____	Required: _____
Rear Yard Available: <u>4'</u>	Required: <u>20'</u>
Lot Area per Family Available: _____	Required: _____
Lot Coverage: _____	Maximum: _____
Off Street Parking Spaces Available: _____	Required: _____
Size of Detached Access Structure: _____	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: Building was constructed without Permit.- Stop Work Order by Building Inspector

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 051325 _____ 20____ Signed _____
 Approved _____ 20____
 Denied _____ 20____

-SEE ATTACHED DECISION-



THE CITY OF

JOSEPH V. SCHEMBEF

September 23, 2024

SPEARMAN STEVEN L
715 LIBERTY ST
ERIE PA 16502

RE: Building Code Violations at 524 W 17 ST, Erie PA

To Whom It May Concern:

The City of Erie Code Enforcement office is notifying you of Building Code violations a referenced property located in the City of Erie. Our office has become aware that a structure without proper approvals and permits. A large addition is being constructed on the rear of building.

Please be advised that this is a violation of the City of Erie Building Code. A building per obtained from our office and zoning and building code compliance confirmed or the struct removed.

Please note that it is the property owner's responsibility to ensure compliance with the Ci Code and all other applicable City ordinances.

Please contact our office at your earliest convenience at (814) 870-1471 or permits@ confirm receipt of this notification and your intention to comply with City Ordinances.

Thank you in advance for your cooperation.

Andy Zimmerman
Building Code Official
City of Erie Code Enforcement



CITY OF ERIE

ZONING CERTIFICATE



Location 524 W 17TH ST
Zoning District R-3 Index No 3026-237, 236

Permitted Occupancy _____
KARATE SCHOOL

NON CONFORMING USE SEE APPEN 9342

Owner OSCAR MORAGA

Address _____

Lessee _____

Address _____

11-27-2000 Date APPROVED: [Signature] Zoning Officer



CITY OF ERIE
 BUILDING INSPECTION
 626 STATE ST - RM 407
 ERIE, PA 16501-1128

1202 - -

APPLICATION FOR ELECTRICAL PERMIT / INSPECTION

Application is hereby made for a permit to install or alter electrical service and systems and/or heating systems on the premises described herewith. The information which follows, together with the electrical plan and/or heating plan, is made part of this application by the undersigned. It is understood and agreed by this applicant that any error, misstatement or misrepresentation of material fact, either with or without intention on the part of this applicant, such as might or would operate to cause a refusal of this application, or any change made subsequent to the issuance of the permit, without approval of the Inspection Division-Electrical Section shall constitute sufficient ground for the revocation of this permit, and/or prosecution, or both.

NOTIFY ELECTRICAL INSPECTION DIVISION IMMEDIATELY UPON COMPLETION OF WORK

Permit #: <u>01050369</u>	GPU #	Date Issued: <u>5-29-01</u>	Index #: <u>3026-232</u>
---------------------------	-------	-----------------------------	--------------------------

ENTIRE APPLICATION MUST BE COMPLETED - PLEASE PRINT OR TYPE INFORMATION

2:30
1:30

Inspection Location 524 W 17th

Deed Owner Oscar Moraga Phone Number 935-4161

Deed Owner's Address 568 Auditorium Dr City Erie State PA ZIP Code 16505

Present Use of Structure Rental Number of Families 2

Proposed Use of Structure _____ Number of Families 2

Structure: New Existing Work: New Existing

Applicant's Name (Print) R. Simonian License Number M-328

Applicant's Signature [Signature] Phone Number 484-2468

Contractor Simonian Elec

Contractor's Address: 8560 Hamot Rd City Erie State PA ZIP Code 16509

General Description of Work: Rewire

LIST ALL EQUIPMENT AND WIRING																									
NUMBER OF ROUGH WIRING OUTLETS		NUMBER OF FIXTURES		ELEC. HEAT-AIR CONDITIONERS - BURNERS - DRYERS - HEATERS - RANGES, ETC																					
				NUMBER	TYPE OF DEVICE				H.P. OR K.W.				NUMBER	TYPE OF DEVICE				H.P. OR K.W.							
Switches		Medium Base																							
Lighting		Mogul Base																							
Receptacles		Fluorescent																							
Elec. Heat																									
Motors: H.P. Mark # of each size		1/20	1/12	1/10	1/8	1/6	1/4	1/3	1/2	3/4	1	1 1/2	2	3	5	7 1/2	10	15	20	25	30	40	50	75	100
Other equipment																									
Type of wiring	<input type="checkbox"/> Open <input type="checkbox"/> Concealed		<input type="checkbox"/> Other		Size of Main				Sub-main				Branches				No. of Circuits								

PROPOSED FEE \$ _____

----- Do Not Write Below This -----

5-23 RW 1st Fl

9-24 mcl

12-20 mcl

1-9-02 Jermal 1st Fl
front 2 apt, 2nd Fl mcl

C524 w-17/unit 1 - 1st Fl - rear

B524 w17/unit 2 - 1st Fl - front wcd

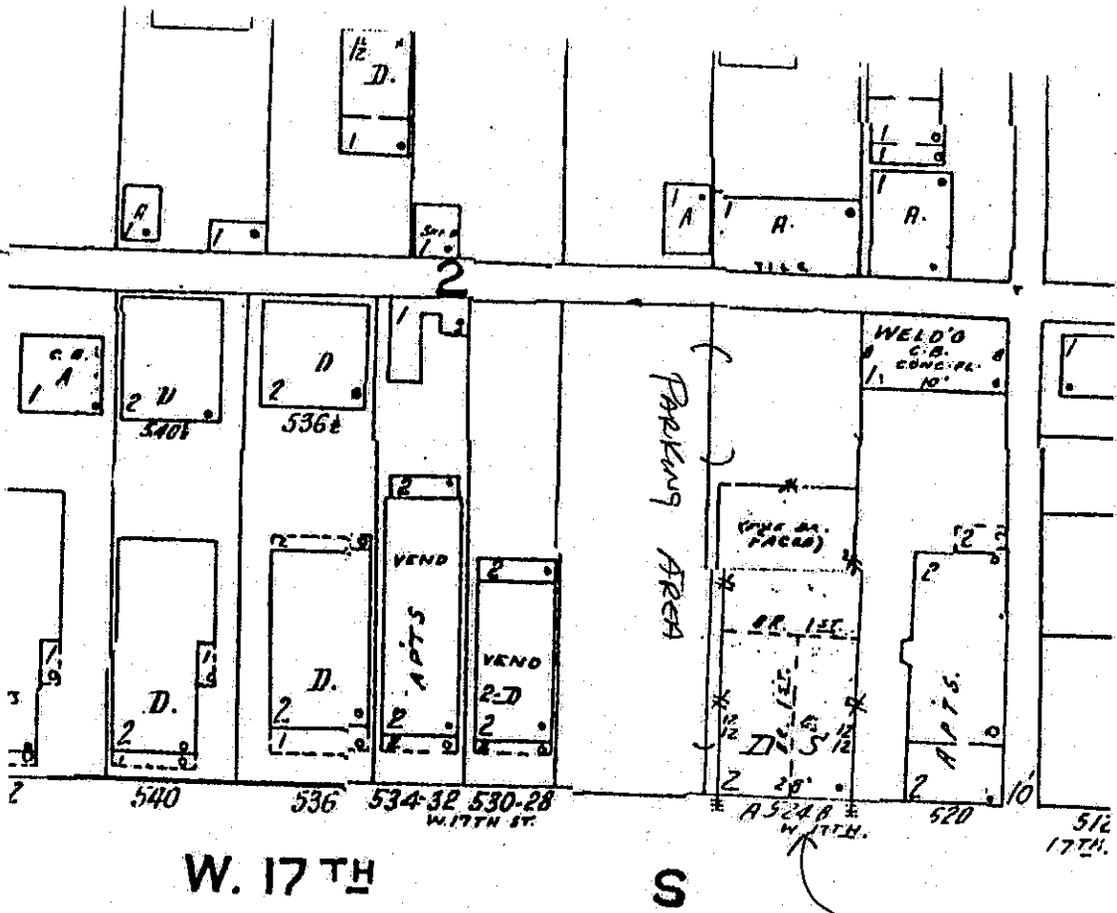
A524 w17/unit-8 - 1st Fl east

3026-232

536 E13

718-15 Liberty

524 w 17



9342
NHS
JHG

W. 17TH

258

CONVERT FORMER CLUB
TO KARATE SCHOOL

5026-237
P-3

ZONING CERTIFICATE

CITY OF ERIE, PA.

Location..... 524 West 17 St.

Zoning District..... R - 3 Index No..... 3026 - ~~131~~ ²³⁷ ~~132~~

Permitted Occupancy..... Private Club and Janitor Supply

..... Permitted Non-Conforming use

Owner..... Erie Lodge #327 Knights of Pythi as

Address..... L. R. Haskins 649 East 7 St.

Lessee.....

Address.....

July 29 19 69

APPROVED 

Zoning Officer

City of Erie

Joyce A. Savocchio, Mayor

Jeffrey E. Spaulding
Director of Economic & Community Development

November 16, 2000

Oscar Moraga
568 Aduitori Drive
Erie, PA 16505

Dear Mr. Moraga:

This is to advise you that the following decision has been adopted on Appeal No. 9342 heard by the Zoning Hearing Board on Tuesday, November 14, 2000 regarding property at **524 West 17th Street**. The following resolution has been adopted.

Whereas, the existing property is a legal non-conforming use established prior to 1968, and **whereas** a variance, if granted, will not alter the essential character of the neighborhood, and **whereas** the proposed use as a fitness center will be a less negative impact on the neighborhood than a private club, **now therefore** it is the decision of this board that the appellant's request for a Zoning Certificate be and is hereby approved.

The necessary permit may be obtained at the Planning and Zoning Office, Room 407, Municipal Building, 626 State Street.

In case a permit is not requested within six (6) months from the date of the hearing, this authorization becomes null and void.

You are further advised that you have the legal right to appeal this decision to the Court of Common Pleas of Erie County, Pennsylvania; said appeal to be filed no later than thirty (30) days after notice of this decision.

Respectfully,

ZONING HEARING BOARD

Garrett M. Antalek
Secretary

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

Fee \$ 300.00

Paid

Property Index No. 13318

N 16-3026-237

Building Change I, the undersigned, hereby make application to construct a Building Addition on
my property located at 524 W 17th

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

ZONING DISTRICT: R-2 No. of Buildings intended: 1 No. of Stories: 1

Extreme Height as planned above curb: _____ Permitted: _____

Front Yard Available: _____ Required: _____

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

Side Yard Available (Combined): _____ Required: _____

Side Yard Available (Least): _____ Required: _____

Rear Yard Available: 4' Required: 20'

Lot Area per Family Available: _____ Required: _____

Lot Coverage: _____ Maximum: _____

Off Street Parking Spaces Available: _____ Required: _____

Size of Detached Access. Structure: _____ 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: Building was constructed without Permit.- Stop Work Order by Building Inspector

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 070825 _____ 20__ Signed _____

Approved _____ 20__ _____

Denied _____ 20__ _____

-SEE ATTACHED DECISION-

APPEAL 13320

2105 S. Manor Dr.



2105 S Manor County Information- [Erie County, Pennsylvania](#)

[2105 S Manor Dr Streetview](#)

**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

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

Property Information

Property Address: 2105 South Manor Dr Erie PA 16505
Zoning District: _____ Current Land Use: ~~Residential~~ Residential
Has a previous application of appeal been filed? Yes No Appeal No(s) _____

Owner / Applicant Information

Name of Owner: Greg Gatti
Owner Address: 2105 South Manor Dr
City: ERIE State: PA Zip Code: 16505
Telephone: 814 923 8870 Email: TheGATTIFAMILY@gmail.com
Name of Applicant (if different from owner): _____
Relationship to Owner: _____
Telephone: _____ Email: _____

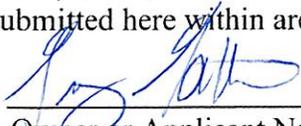
Type of Application / Appeal

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

Proposed Use or Improvement: Car Storage

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)
We believe its a adequate use of the property

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 Applicant Name [please print]

Owner or Applicant Signature

4-29-25
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

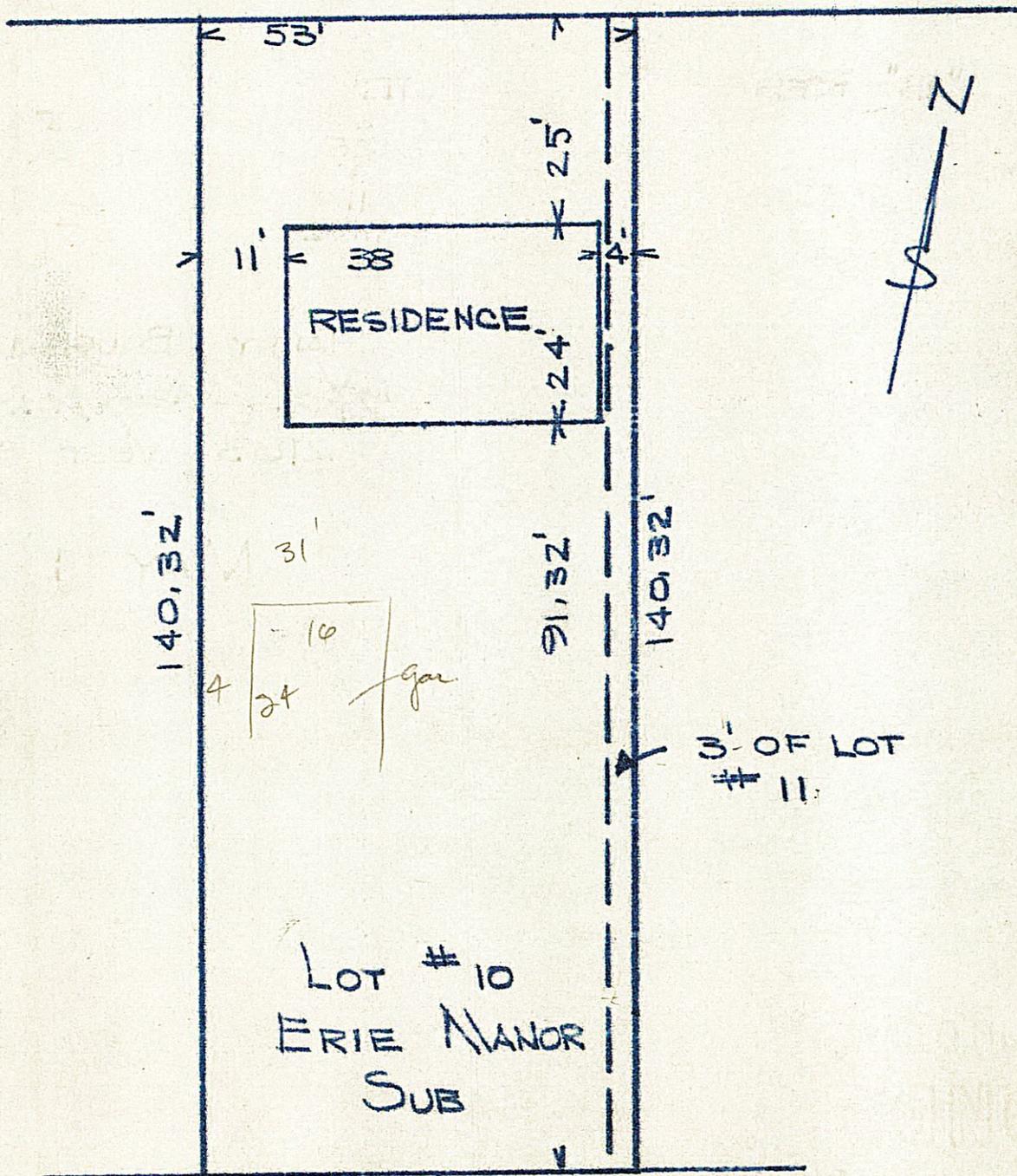
1. The Zoning Hearing Board meets on the second Tuesday of each month at 1:00PM. All application materials must be submitted to the Zoning Office at least three [3] weeks prior to the hearing.
2. The applicant must be in attendance at the hearing, and be prepared to present the appeal and answer questions 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/>

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

SOUTH MANOR DRIVE

2105



140.32'

11' x 38'
RESIDENCE

31' x 24'
gar

LOT # 10
ERIE MANOR
SUB

91.32'

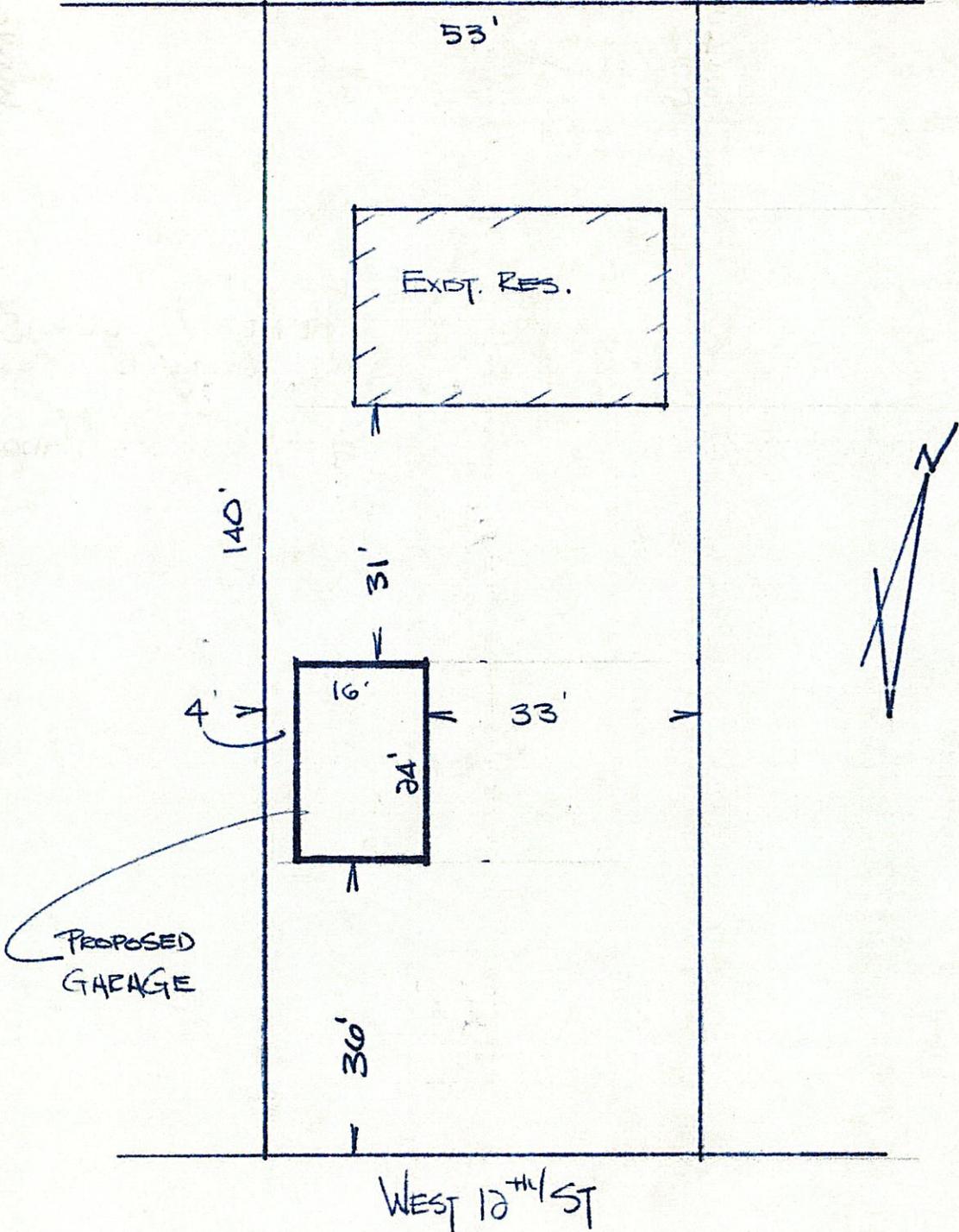
140.32'

5' OF LOT
11

12th STREET

COVATTO

SOUTH MAJOR DRIVE
No. 2105



TED
20

ZONING CERTIFICATE

CITY OF ERIE, PA.

Location..... 2105 S. MANOR DR.

Zoning District..... R-1..... Index No. 3137-109

Permitted Occupancy..... ONE FAMILY DWLG

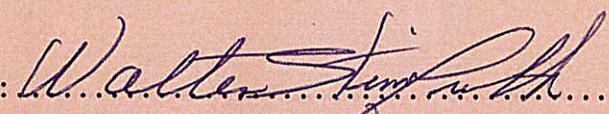
Owner..... HENRY HEWIS

Address..... SAME

Lessee.....

Address.....

10-12-1976
fee \$5.00

APPROVED: 

Zoning Officer

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

Fee \$ 300.00

Paid

Property Index No. 16-3137-109

N 13320

Building Change I, the undersigned, hereby make application to construct a DETACHED GARAGE on

my property located at 2105 S MANOR DR

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: 16' Permitted: 15'

Front Yard Available: _____ Required: _____

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

Side Yard Available (Combined): _____ Required: _____

Side Yard Available (Least): _____ Required: _____

Rear Yard Available: _____ Required: _____

Lot Area per Family Available: _____ Required: _____

Lot Coverage: _____ Maximum: _____

Off Street Parking Spaces Available: _____ Required: _____

Size of Detached Access. Structure: 1440 SQFT Maximum: 720 SQFT

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: Section 205 the maximum size for a detached accessory structure is 720 sqft and 15' high.

APPEAL FOR HEARING TO THE ZONING HEARING BOARD:

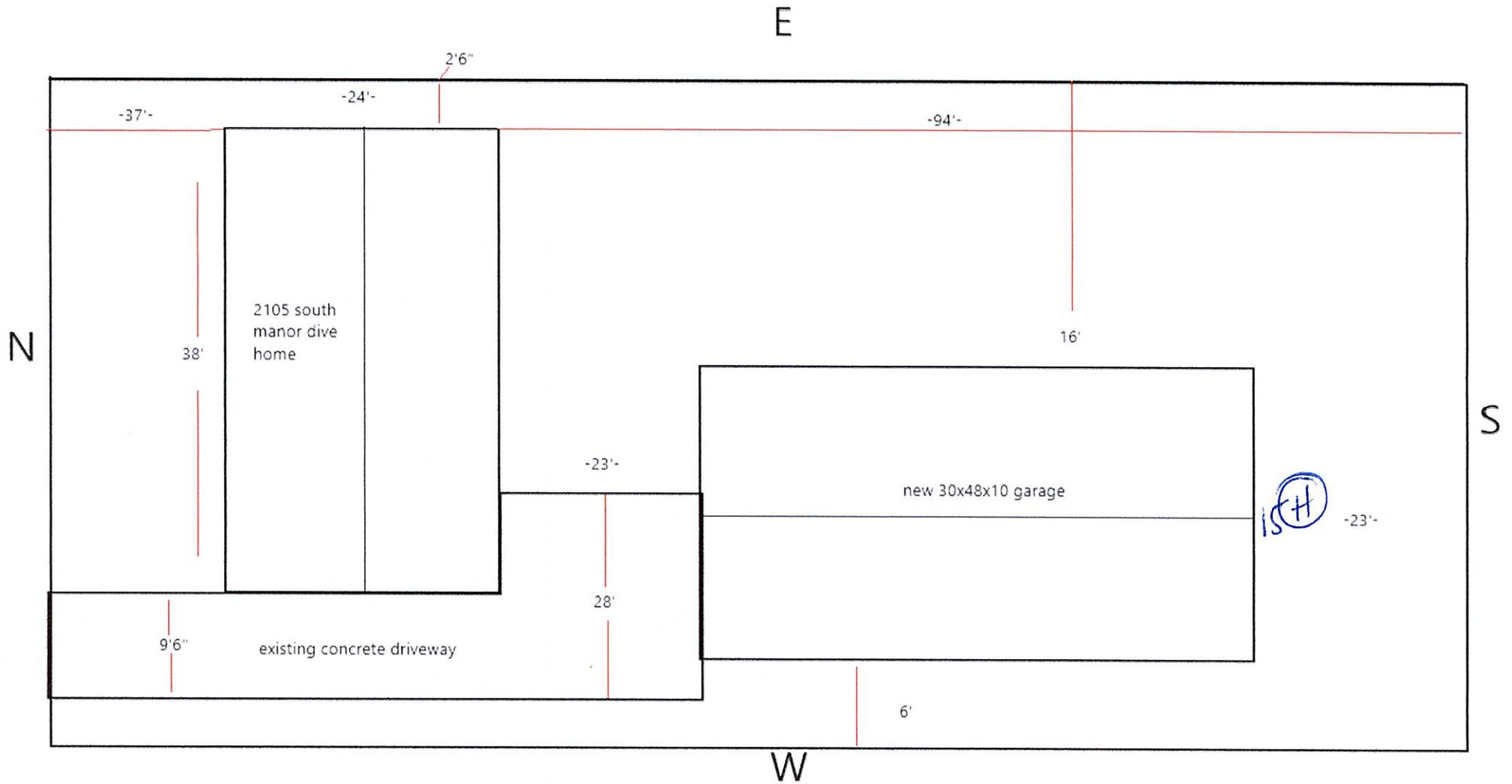
I, the undersigned owner, hereby make application for a hearing in regard to the building as per the plan and data herein shown, which does not comply with Zoning Ordinance No. 80-2005 and amendments hereto.

Appeal heard 070825 _____ 20__ Owner's Signature _____
Signed _____

Approved _____ 20__ _____

Denied _____ 20__ _____

-SEE ATTACHED DECISION-



**CITY OF ERIE
APPLICATION FOR RESIDENTIAL BUILDING PERMIT**

Permit #:	Date Issued:	Index #:
-----------	--------------	----------

Property Information

Property Type: Single Family Dwelling Two Family Dwelling
 Property Address: 2105 South Manor Drive
 Zoning District: _____ Current Land Use: Residential
 Use Change? Y N Proposed Land Use: _____

Owner / Applicant Information

Name of Applicant (if different from owner): Tony Wethli
 Telephone: 814-823-1514 Email: Lakeshoreenterprises22@gmail.com
 Owner: Tenant: Contractor: Lakeshore Enterprises LLC
 Name of Owner: Gregory Gatti
 Owner Address: 2105 South Manor Drive
 City: Erie State: PA Zip Code: 16505
 Telephone: 814-923-8870 Email: the gatti family@gmail.com

Job Description [See required supplemental information on Page Two]

Type of Work: [Check all that apply]

New Structure Addition Accessory Structure Interior Renovation
 Other [Describe] 30x48x10 Garage

Scope of Work Description: demolish existing garage, Rebuild new 30x48 post frame building on same footprint

Project CostTotal Cost of all Labor and Materials: \$ 50,000.00Does the property owner wish to file a LERTA application? YES NO

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 Name_____
Owner or Agent Signature_____
Date

CITY OF ERIE APPLICATION FOR RESIDENTIAL BUILDING PERMIT REQUIRED SUPPLEMENTAL INFORMATION

The following information must be submitted with the application:

1. ARCHITECTURAL / DESIGN DRAWINGS
2. A SITE PLAN ILLUSTRATING THE DIMENSIONS OF THE PROPERTY, BUILDING DIMENSIONS AND SETBACKS/LOCATION OF BUILDINGS.

Please list information for all Contractors that pertain to this project:

[Each Contractor / Subcontractor is required to file for applicable permits.]

General Contractor Lakeshore Enterprises LLC PAHIC#172646

Telephone: 814-823-1514 Email: Lakeshoreenterprises22@gmail.com

Electrician _____
Telephone: _____ Email: _____

Plumber _____
Telephone: _____ Email: _____

HVAC _____
Telephone: _____ Email: _____

Sprinkler Installer _____
Telephone: _____ Email: _____

Data/Alarm/Cabling _____
Telephone: _____ Email: _____

Has PA One Call been notified if applicable? YES NO

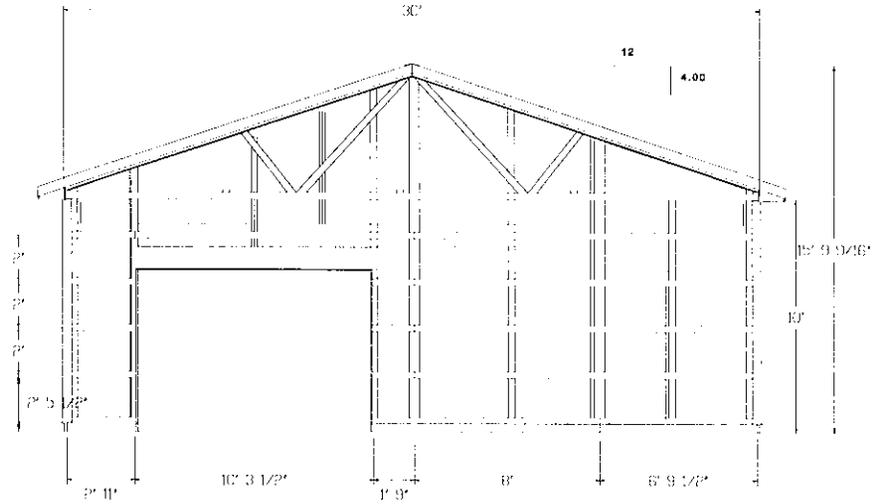
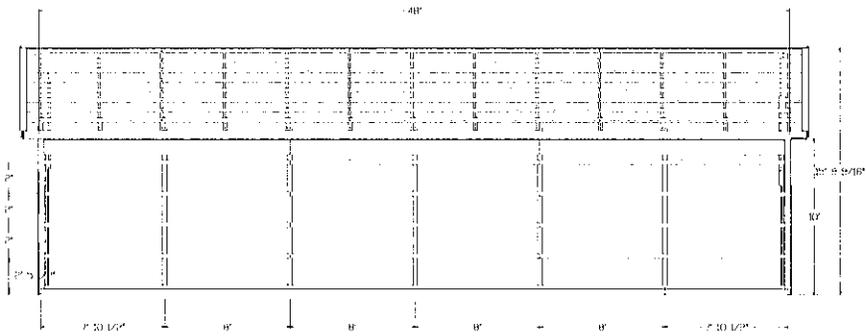
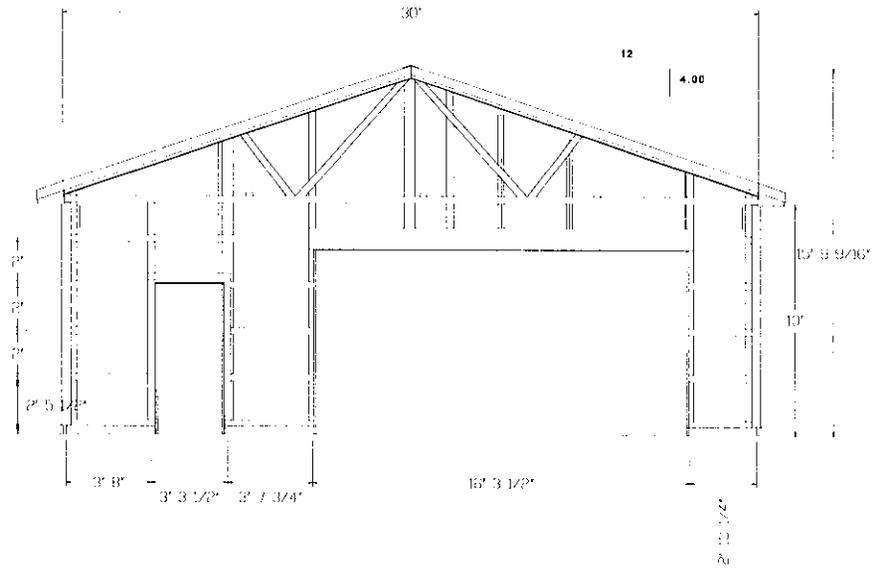
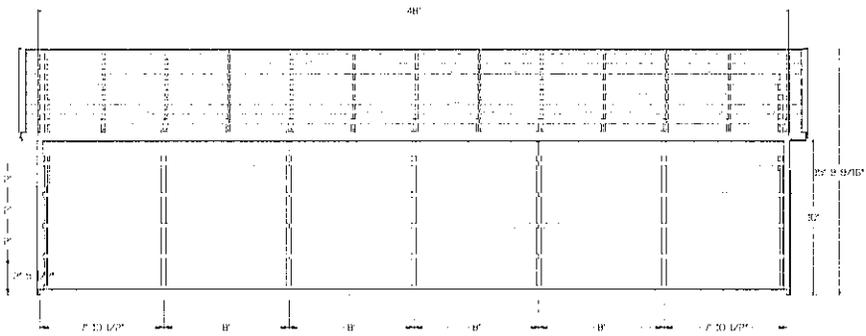
PLEASE NOTE: You must contact the City Engineer's office prior to starting work if there will be project-related obstructions in the public right-of-way including closure of the sidewalk.

The application and required supplemental information listed above may be emailed to permits@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: Permits - Room 407".

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





4 Elevations

SCALE: 1/4" : 1"

DATE: Thursday, April 10, 2025

BY:

PROJECT: Post25099

CUSTOMER -- wethli/GREGG

Carter Lumber

PROJECT NUMBER:

SHEET NUMBER:

Lakeshore Enterprises LLC

Tony Wethli
(814)-823-1514
lakeshoreenterprises22@gmail.com
June 2nd 2025

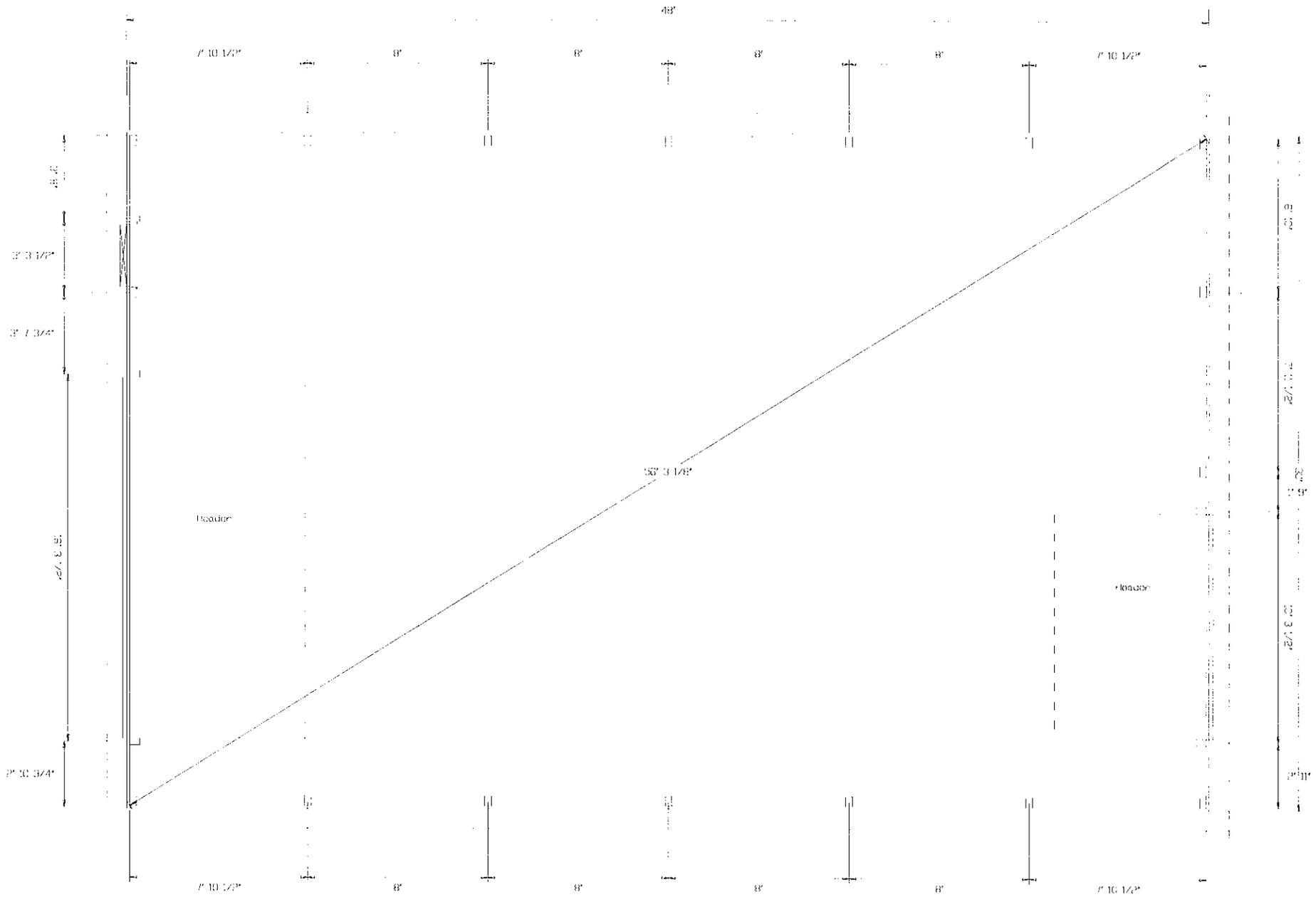
Greg Gatti

2105 south manor drive

Erie pa 16505

30x48x10 post frame building

- Foundation post holes- 24" diameter 48" deep with concrete footer
- 4x6 treated posts
 - 8' centers on eaves
 - 10' centers on gables
- 2x6 wall girts 2' OC
- 2x12 headers (poles notched on interior)
- Engineered truss 4' OC with 1' overhang
- 2x4 roof purlins 2' OC
- 28 gauge steel roofing and siding



Plan View
 SCALE: NTS
 DATE: Thursday, April 10, 2025
 BY:

PROJECT: Post25099
 CUSTOMER -- wethII/GREGG

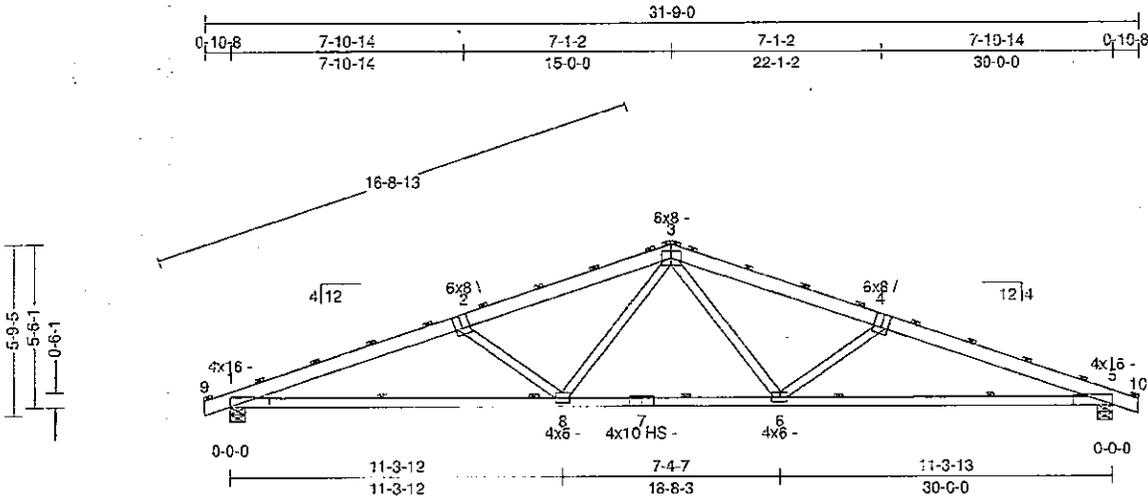
Carter Lumber

PROJECT NUMBER:
 SHEET NUMBER:

CUSSEWAGO TRUSS, LLC
Cambridge Springs, PA
Specializing In Custom Built Trusses

Truss: 30 ft
Job: CLE Stock 4ft 2020
Date: 04/27/20 11:56:34
Page: 1 of 1

SPAN 30-0-0	PITCH 4/12	QTY 30	OHL 0-10-8	OHR 0-10-8	CANT L 0-0-0	CANT R 0-0-0	PLYS 1	SPACING 48 in	WGT/PLY 134 lbs
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All plates shown to be Eagle 20 unless otherwise noted.

Loading (psf)	General	CSI	Deflection	L/	(loc)	Allowed
TCLL: 40	Bldg Code: IBC 2015/	TC: 0.67 (4-5)	Vert TL: 0.73 in	L/474	(5-6)	L/240
TCDL: 5	IM 1-2014	BC: 0.96 (5-6)	Vert LL: 0.46 in	L/757	(5-6)	L/360
BCLL: 0	Rep Mbr: No	Web: 0.69 (4-6)	Horz TL: 0.23 in		5	
BCDL: 5	Lumber D.O.L.: 115 %					

Reaction

JT	Brg Combo	Brg Width	Rqd Brg Width	Max React	Max Grav Uplift	Max MWFRS Uplift	Max C&C Uplift	Max Uplift	Max Horiz
1	1	6 in	4.01 in	3,157 lbs		-882 lbs	-1,157 lbs	-1,157 lbs	-67 lbs
5	1	6 in	4.01 in	3,157 lbs		-882 lbs	-1,157 lbs	-1,157 lbs	

Material

TC: SP2400/2.0 2 x 6
BC: SPF2100/1.8 2 x 4
Web: SPF#2 2 x 4

Bracing

TC: Purlins at 24" OC, Purlin design by Others.
BC: Sheathed or Purlins at 5-2-0, Purlin design by Others.

04/27/2020



Loads

- 1) This truss has been designed for the effects of balanced (40 psf) and unbalanced roof snow loads, in accordance with ASCE7 - 10 with the following user defined input: 40 psf Roof (GSL = 57 psf), Terrain C, Exposure (C_e = 1.0), Risk Category II (I = 1.00), Thermal (C_t = 1.00), DOL = 1.15.
- 2) This truss has been designed to account for the effects of ice dams forming at the eaves.
- 3) This truss has been designed for the effects of wind loads in accordance with ASCE7 - 10 with the following user defined input: 115 mph (Factored), Exposure C, Enclosed, Gable/Hip, Risk Category II, h = B = L = 15 ft, End Zone Truss, Both end webs considered, DOL = 1.60
- 4) This truss has been designed for the effects of TC LL = 20 psf.
- 5) Minimum storage attic loading has been applied in accordance with IBC 1607.1

Member Forces

Table indexes: Member ID, max CSI, max axial force. (max compr. force if different from max axial force). Only forces greater than 300lbs are shown in this table.

TC	1-2	0.671	-7,079 lbs	3-4	0.584	-5,828 lbs
	2-3	0.584	-5,829 lbs	4-5	0.671	-7,079 lbs
BC	5-6	0.962	6,537 lbs	5-8	0.856	4,339 lbs
			(-2,125 lbs)			(-1,295 lbs)
Web	2-8	0.686	-1,936 lbs	3-8	0.414	1,689 lbs
						(-450 lbs)
				3-6	0.414	1,689 lbs
						(-450 lbs)
				4-6	0.687	-1,937 lbs

Notes

- 1) Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
- 2) Building Designer shall verify self weight of the truss and other dead load materials do not exceed TC DL 5 psf.
- 3) Building Designer shall verify self weight of the truss and other dead load materials do not exceed BC DL 5 psf.
- 4) Design assumes minimum #2 (flat orientation, visually graded) purlins attached to the top of the TC at purlin spacing shown, with at least 2-10d nails.
- 5) Brace bottom chord with approved sheathing or purlins per Bracing Summary.
- 6) A creep factor of 1.00 has been applied for this truss analysis.
- 7) Listed wind uplift reactions based on MWFRS & C&C loading.

ALL PERSONS FABRICATING, HANDLING, ERECTING OR INSTALLING ANY TRUSS BASED UPON THIS TRUSS DESIGN DRAWING ARE INSTRUCTED TO REFER TO ALL OF THE INSTRUCTIONS, LIMITATIONS AND QUALIFICATIONS SET FORTH IN THE FACTOR METAL PRODUCTS DESIGN NOTES ISSUED WITH THIS DESIGN AND AVAILABLE FROM EAGLE UPON REQUEST. DESIGN VALID ONLY WHEN EAGLE METAL CONNECTORS ARE USED.

TrussBuild@Truss Software V5.6.355
Eagle Metal Products

APPEAL 13321

2226 June St



[2226 June St- County Information](#)

Streetview for 2226 June St-

https://www.google.com/maps/@42.1312511,-80.0282438,3a,75y,256.23h,90t/data=!3m7!1e1!3m5!1szyRNsh3ueIJNUUa1ByMRA!2e0!6shttps:%2F%2Fstreetviewpixels-pa.googleapis.com%2Fv1%2Fthumbnail%3Fcb_client%3Dmaps_sv.tactile%26w%3D900%26h%3D600%26pitch%3D0%26panoid%3DzyRNsh3ueIJNUUa1ByMRA%26yaw%3D256.22568!7i16384!8i8192?entry=ttu&g_ep=EgoyMDI1MDYyMy4yIKXMDSOASAFQAw%3D%3D

**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

Appeal #: 18-5131 Index #: 18-5131-400 Hearing Date/Time: 7/8/25 1:00

Property Information

Property Address: 2226 June St Erie 16510

Zoning District: 5th Current Land Use: Residential

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

Owner / Applicant Information

Name of Owner: Frank Gresh

Owner Address: 2226 June St

City: Erie State: PA Zip Code: 16510

Telephone: 814-449-8187 Email: frankgresh@gmail.com

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: Garage for vehicles 30' x 40'

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)

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.

Owner or Applicant Name

Frank Gresh
Owner or Applicant Signature

6-12-25
Date

2226 June Street Justification Variance

The existing garage on the property floods during rain from the elevation of Linwood Avenue after being repaved four years ago. The size of the garage is not adequate for the three vehicles we own which include a full-size Chevy Silverado, a full-size Chevy Tahoe, and a Hyundai Sonata. The only items we can fit in the existing garage are lawn equipment, lawn chairs, and items that are not damaged by water.

The existing garage cannot be made larger due to the layout of the driveway and the property lines.

These conditions were present when the property was purchased by me three years ago, but I had no knowledge that the garage had a water problem after the repaving of Linwood Avenue which made the street higher than the garage. Storm sewers are approximately 75 feet away; therefore, the water flows to my garage after every rain rather than the storm sewer. Pictures will be presented to verify this issue.

The neighborhood is a residential neighborhood with deep backyards of Fairmount Parkway homes. When I purchased the property, I had two separate lots, the one with the house and one that was vacant. I have since joined them into one deed surveyed by Laird Surveying in February 2025 as required by the City of Erie Zoning to place a garage.

In order to accommodate a garage that suits our needs (including three full-size vehicles), we need a variance to allow a larger structure. It is impossible to fit our vehicles in the existing garage or a garage that is 24' x 30', the city's standard garage size. We obviously need three overhead doors to accommodate our three vehicles; therefore, we are requesting a 30' x 40' garage to meet our needs. The height of the garage would be 20 feet.

I purchased the property which was on two separate deeds but was willing to lose a buildable lot for a house because of the need for a garage for my own use.

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

Fee \$ 300.00

Paid

Property Index 1805103104000

N 13321

Building Change I, the undersigned, hereby make application to construct a garage Appeal o. _____ on

my property located at 2226 June St

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

ZONING DISTRICT: R1A No. of Buildings intended: 1 No. of Stories: 1

Extreme Height as planned above curb: 16' Permitted: 15'

Front Yard Available: ok Required: _____

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

Side Yard Available (Combined): ok Required: _____

Side Yard Available (Least): ok Required: _____

Rear Yard Available: ok Required: _____

Lot Area per Family Available: ok Required: _____

Lot Coverage: ok Maximum: _____

Off Street Parking Spaces Available: ok Required: _____

Size of Detached Access. Structure: 1200 sqft Maximum: 720 sqft

Conforming Non-Conforming Per Section 205 the maximum size for a detached

Special Conditions: accessory structure is 720 sqft, Per 205.9 the maximum height is 15'.

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.

Appeal heard 070825 _____ 20____ Owner's Signature _____
Signed _____

Approved _____ 20____

Denied _____ 20____

-SEE ATTACHED DECISION-

SPECIAL WARRANTY DEED

THIS INDENTURE, made this
7th day of March, Two Thousand Twenty-five (2025).

between

FRANK GRESH, of the County of Erie and Commonwealth of Pennsylvania,
hereinafter called the Grantor.

and

FRANK GRESH, of the County of Erie and Commonwealth of Pennsylvania,
hereinafter called the Grantee.

witnesseth

THAT the said Grantors for and in consideration of the sum of

~~~~ ONE DOLLAR AND 00/100/THS ~~~~  
~~~~ (\$1.00) DOLLARS ~~~~

lawful money of the United States of America unto it well and truly paid by the said Grantees, at or before the sealing and delivery thereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantees, their successors and assigns forever, bounded and described as follows:

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEING Lot 10 and the Southerly One--half of Lot 9 in Block E according to Map No. 3 of Fairville, as recorded in Erie County Map Book No. 1, pages 154 and 155.

ALSO, ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being Lot number eight (8) and the Northerly One-half of Lot Number Nine (9) in Block "E", according to map number 3 of Fairville, as shown on a plot of said subdivision recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Map Book No. 1, at pages 154 and 155, to which plot reference is hereby made for a further description of said property.

8*

SAID premises commonly known as 2226 June Street, Erie, Pennsylvania and bearing Erie County Tax Index Nos. 18-5131-400 and 18-5131-402.

BEING the same premises conveyed to Grantors by deed recorded in the Erie County Recorder of Deeds on April 2, 2018 as instrument No. 2018-005684.

NOW MORE COMMONLY DESCRIBED By a Legal Composite Description prepared by David Laird and Associates as described below:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situated in the Fifth Ward, in the City of Erie, Erie County, and the Commonwealth of Pennsylvania, and being more particularly bounded and described as follows, to-wit:

BEGINNING at the southeasterly corner of the piece at a point, said point being located along the northerly line of Linwood Avenue (50 Foot Right-of-Way) at its intersection with the westerly line of June Street (60 Foot Right-of-Way), said point also being the southeasterly corner of Lot 10 of the Fairville Subdivision, as recorded in Erie County Map Book 1, Page 155;

THENCE South 65 Degrees, 41 Minutes, 39 Seconds West, along the northerly line of said Linwood Avenue, and along the southerly line of said Lot 10; a distance of 120.00 feet to a rebar survey point, said point being the southeasterly corner of Lot 7 of the said Fairville Subdivision, said point also being the southeasterly corner of the lands now or formerly of Leianne J. Morgan & Johnny R. Gay Jr., as recorded in Erie County Record Book 1304, Page 872;

THENCE North 24 Degrees, 49 Minutes, 52 Seconds West, along the easterly line of said Lot 7 and easterly line of the lands of said Morgan & Gay, passing over a rebar survey point at a distance of 115.00 feet, a total distance of 125.00 feet to a point, said point being the southwesterly corner of Lot 3 of the said Fairville Subdivision, said point also being the southwesterly corner of the lands now or formerly of Mitchell O. & Leona J. Jordan, as recorded in Erie County Deed Book 1337, Page 161;

THENCE North 65 Degrees, 41 Minutes, 39 Seconds East, along the southerly line of Lot 3, Lot 2, and Lot 1 of the said Fairville Subdivision, and along the southerly line of the lands of said Jordan, and along the southerly line of the lands now or formerly of Mark A. Schnars, as recorded in Erie County Instrument Number 2018-026084, and the lands now or formerly of James W. & Gail J. Pogue, as recorded in Erie County Record Book 1458, Page 2198, passing over an iron survey point at a distance of 40.00 feet and a rebar survey point at a distance of 80.00 feet, a total distance of 120.00 feet to a rebar survey point, said point being located along the westerly line of said June Street, said point also being the northeasterly corner of Lot 8 of the said Fairville Subdivision;

THENCE South 24 Degrees, 49 Minutes, 52 Seconds East, along the westerly line of said June Street, and along the easterly line of Lot 8, Lot 9, and Lot 10 of the said Fairville Subdivision, a distance of 125.00 feet to a rebar survey point and the place of beginning.

Containing 0.34 Acres or 15,000 Square Feet of land, therein, net measure, and being the same parcel of land as shown on a plan entitled "Certificate of Survey for Frank Gresh" prepared by David Laird Associates, Inc., dated February 17, 2025.

SAID premises now being more commonly known as 2226 June Street, Erie, Pennsylvania and bearing Erie County Tax Index Nos. 18-5131-400.00.

There are no taxes due on this transaction as it is to combine to parcels.

GRANTOR has no actual knowledge of any hazardous waste, as defined in Act No. 1980-97 of the Commonwealth of Pennsylvania, having been or presently being disposed of, on or about the property described in this deed.

TOGETHER WITH all rights and privileges and **UNDER AND SUBJECT** to the covenants, easements, restrictions, reservations and conditions of record or visible and discoverable upon an inspection of the premises.

TOGETHER WITH all and singular the improvements, ways, streets, alleys, driveways, passages, waters, watercourses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever and hereby granted premises belonging, or in any way appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest property, claim and demand whatsoever of the said grantor, as well at law as in equity, of, in and to the same.

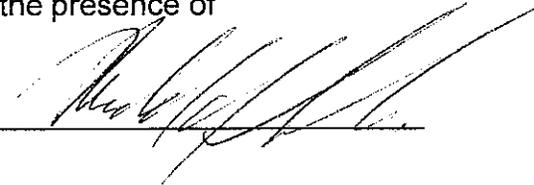
TO HAVE AND TO HOLD the said lot or piece of ground described herein with the buildings and improvements thereon erected, the hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behalf of the said Grantees, their heirs and assigns forever.

AND the said Grantor, his successors, or assigns do covenant, promise and agree, to and with the said Grantees, their heirs and assigns by these presents, that the Grantors, their successors and assigns, all and singular the hereditaments and premises hereby granted or mentioned and intended to be, with the appurtenances, unto the said Grantees, their heirs and assigns, against the said Grantor, his successors and assigns against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under them, or any of them, shall and will **WARRANT SPECIALLY** and forever **DEFEND** by these presents.

THIS SPACE IS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the said Grantor has hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED and DELIVERED
in the presence of



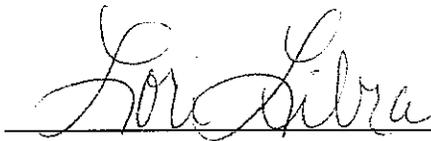
 (SEAL)
Frank Gresh

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ERIE

On this, the 7th day of March, 2025, before me a Notary Public, the undersigned officer, personally appeared **Frank Gresh**, known to me (or satisfactorily proven) to be the persons whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



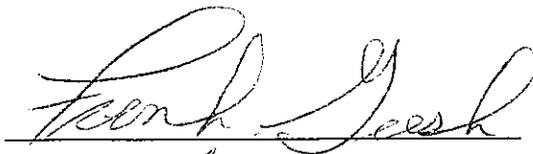
Commonwealth of Pennsylvania - Notary Seal
Lori Libra, Notary Public
Erie County
My commission expires September 5, 2028
Commission number 1244592

Signature of Notarial Officer Member, Pennsylvania Association of Notaries

I, Frank Gresh, hereby certify the following to be the

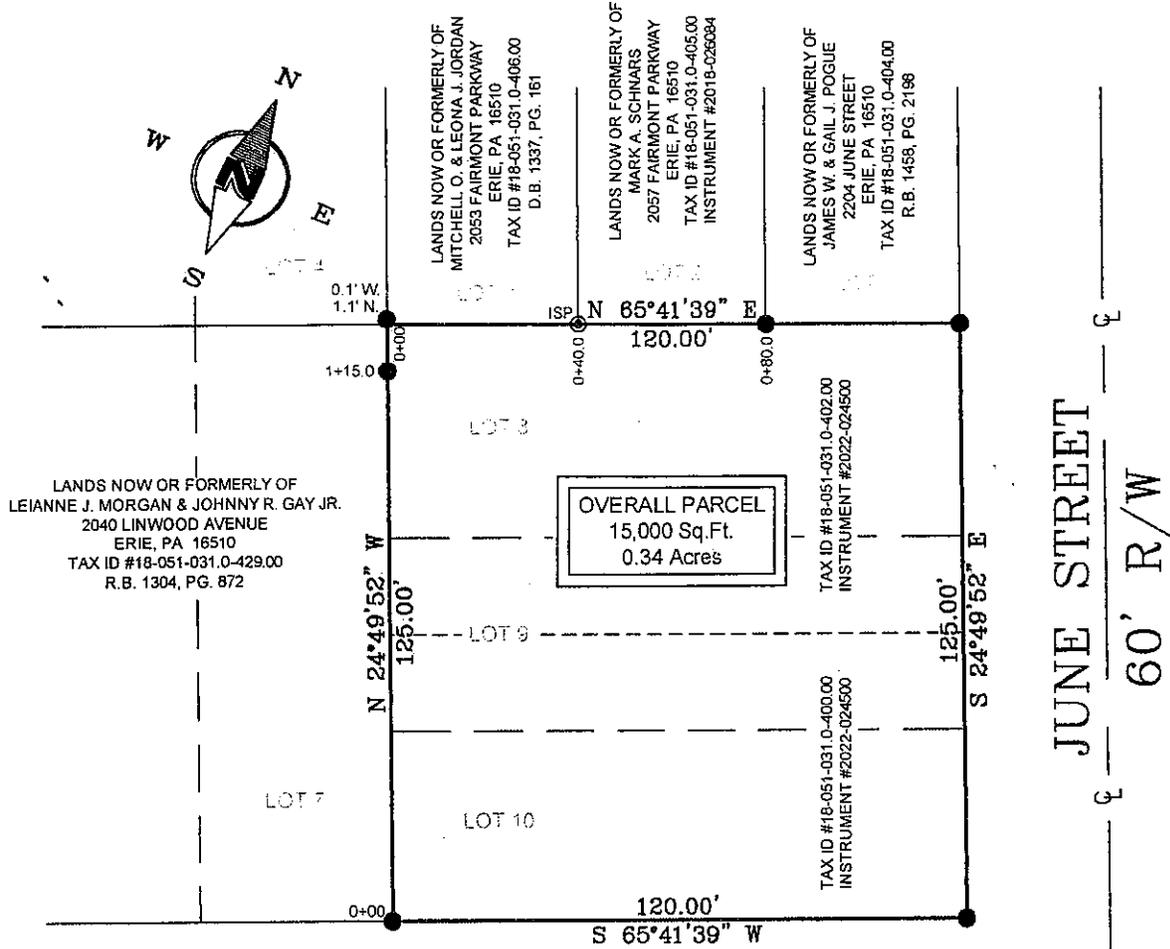
address of the Grantee:

2226 June Street Erie PA 16510



Commonwealth of Pennsylvania - Notary Seal
Lori Libra, Notary Public
Erie County
My commission expires September 5, 2028
Commission number 1244592
Member, Pennsylvania Association of Notaries

CERTIFICATE OF SURVEY



LANDS NOW OR FORMERLY OF
LEIANNE J. MORGAN & JOHNNY R. GAY JR.
2040 LINWOOD AVENUE
ERIE, PA 16510
TAX ID #18-051-031.0-429.00
R.B. 1304, PG. 872

LANDS NOW OR FORMERLY OF
MITCHELL O. & LEONA J. JORDAN
2053 FAIRMONT PARKWAY
ERIE, PA 16510
TAX ID #18-051-031.0-406.00
D.B. 1337, PG. 161

LANDS NOW OR FORMERLY OF
MARK A. SCHNARS
2057 FAIRMONT PARKWAY
ERIE, PA 16510
TAX ID #18-051-031.0-405.00
INSTRUMENT #2019-026094

LANDS NOW OR FORMERLY OF
JAMES W. & GAIL J. POGUE
2204 JUNE STREET
ERIE, PA 16510
TAX ID #18-051-031.0-404.00
R.B. 1458, PG. 2198

TAX ID #18-051-031.0-402.00
INSTRUMENT #2022-024500

TAX ID #18-051-031.0-400.00
INSTRUMENT #2022-024500

OVERALL PARCEL
15,000 Sq. Ft.
0.34 Acres

LINWOOD AVENUE
50' R/W

JUNE STREET
60' R/W

LEGEND

- = REBAR SURVEY POINT
- ISP ⊙ = IRON SURVEY POINT

SURVEY REFERENCES

FAIRVILLE SUBDIVISION
M.B. 1, PG. 155

GRAPHIC SCALE



1 inch = 40 ft.

NOTES

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

BEARINGS AS SHOWN HEREON ARE GRID NORTH FOR THE PENNSYLVANIA STATE COORDINATE SYSTEM (NAD 1983) - PA NORTH.

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DAVID LAIRD ASSOCIATES, Inc.

complete surveying &
land development services

1557 WEST 26TH STREET ERIE, PA 16508
PHONE: (814) 458-0330 EMAIL: INFO@LAIRDSURVEY.NET

SURVEY FOR:

FRANK GRESH

LOCATION:

2226 JUNE STREET
FIFTH WARD - CITY OF ERIE
ERIE COUNTY, PENNSYLVANIA

| | | | | | | |
|---------------|---------------|------|---------|----------|--------------------|--|
| DATE: 2-17-25 | SCALE: 1"=40' | F.B. | PG. DWG | DRN. KJF | S. E. NO. 25-32699 | DRAWING NO. 18-051-031.0-400.00 & 402.00 |
|---------------|---------------|------|---------|----------|--------------------|--|

© COPYRIGHT 2025

18-051-031.0-400.00 & 402.00

2025-003635



ERIE COUNTY CLERK OF RECORDS
RECORDER OF DEEDS DIVISION

Aubrea Hagerly-Haynes,
Clerk of Records

Erie County Courthouse | 140 W. Sixth St., Suite 121, Erie, PA 16501 | Phone: 814-451-6246
Fax: 814-451-6213 | www.eriecountypa.gov | recorder@eriecountypa.gov

Certification Page
DO NOT DETACH
This page is now part of this legal document.

Instrument Number: 2025-003635

RECEIPT FOR PAYMENT

Record Date: 3/10/2025

Instrument Type: DEED

Record Time: 10:10:59

Receipt No.: 1385806

Receipt Distribution

| Fee/Tax Description | Payment Amount |
|---------------------|----------------|
|---------------------|----------------|

| | |
|---------------------|---------|
| DEED | 15.00 |
| DEED - WRIT | .50 |
| DEED - RTT STATE | .00 |
| ERIE S.D. | .00 |
| CITY OF ERIE | .00 |
| LOW INCOME HOUSING | 13.00 |
| BLIGHTED PROP/DEMO | 14.25 |
| J.C.S. / A.T.J | 40.25 |
| CO REC MGT ACCT | 2.00 |
| ROD REC MGT ACCT | 3.00 |
| ----- | |
| Check# 3444 | \$88.00 |
| Total Received..... | \$88.00 |

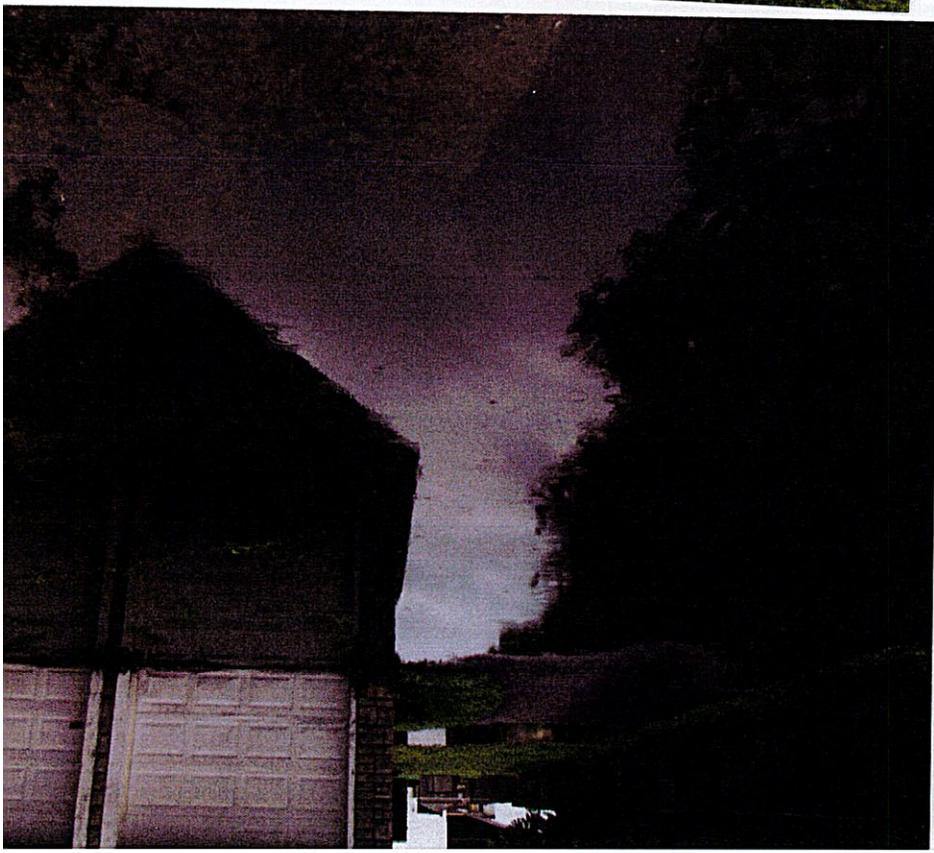
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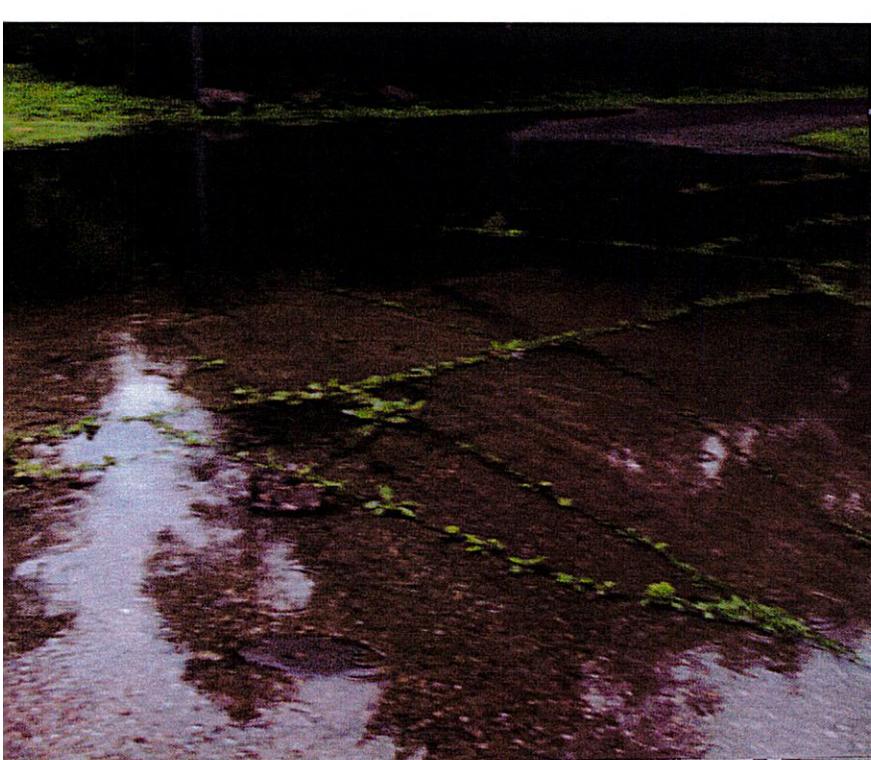
Paid By Remarks: SUSMARSKI/GRESH/JT

I HEREBY CERTIFY THAT THIS DOCUMENT
IS RECORDED IN THE RECORDER OF DEEDS
OFFICE OF ERIE COUNTY, PENNSYLVANIA

AUBREA HAGERTY-HAYNES
ERIE COUNTY CLERK OF RECORDS

NOTE: Some information subject to change during the verification process and may not be reflected on this page.





40' x 30' Pole structure

The CHESTNUT - ~~36~~ x ~~28~~ Garage
 Model # CH3628G10 - 10/12 Pitch

WALL HEIGHT : 10' - 0"



(AS DESIGNED)



" OPTIONS ARE ENDLESS "

WEBSITE - www.getmygarage.com



facebook.com/GetMyGaragedotcom

DISCLOSURE : Get My Garage is a Drafting Service Intended to increase communication between Homeowners, Suppliers, Contractors, and Lending Institutions. Please consult with Local and State Building Codes prior to construction to assure compliance.



| REVISION TABLE | | | |
|----------------|---------|-------------|---------------|
| NUMBER | DATE | REVISION BY | DESCRIPTION |
| 1 | 3/2020 | SM | Initial Setup |
| 2 | 3/2020 | SM | Launch Review |
| 3 | 10/2023 | SM | Updates |



The CHESTNUT
 36 x 28 Garage : 10/12
 Gable Facing Doors

DRAWINGS PROVIDED BY:
 Get My Garage
 Design@GetMyGarage.com
 Custom Drawings Available

DATE:
 4/1/2024

SCALE:

SHEET:

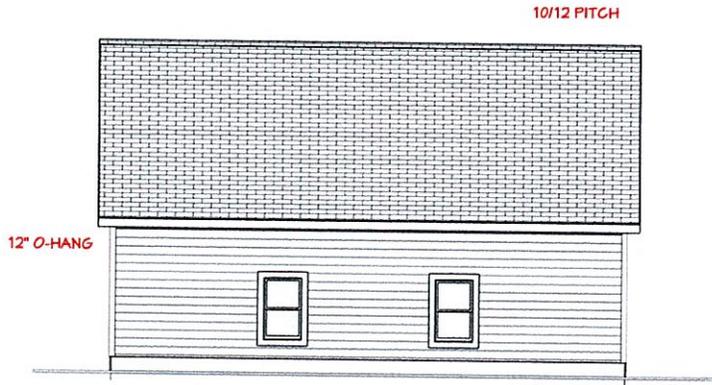
A - 1

40' x 30'

The CHESTNUT - 36 x 28 Garage

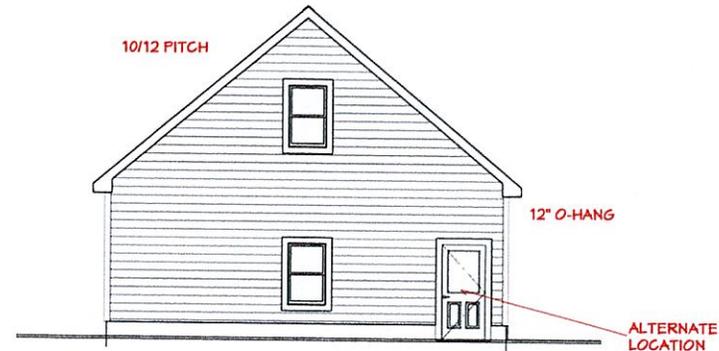
Model # CH3628G10 - 10/12 Pitch

WALL HEIGHT : 10' - 0"



REAR ELEVATION

1/4" - 1'-0" Scale
Printed at ARCH D



LEFT ELEVATION

1/4" - 1'-0" Scale
Printed at ARCH D

WALL HEIGHT = 10'-0"
WALL FRAME = 2x6 KD
HEADERS = 2x10 and LVL
SHEATHING = 1/2" Min

ROOF = Truss System
ROOF PITCH = 10/12
O-HANG SIZE = 12"
SHEATHING = 5/8" Min

SIDING = Vinyl Siding
ROOFING = Architectural Shingles
SOFFETS = Vinyl
TRIMS = Aluminum Coil Wrapped

WINDOWS = Vinyl
DOORS = Insulated
GARAGE DOORS = Insulated

STORAGE = Above
Stair Access



" OPTIONS ARE ENDLESS "

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| REVISION TABLE | DATE | REVISION BY | DESCRIPTION |
|----------------|----------|-------------|---------------|
| 1 | 3/20/20 | SH | Launch Review |
| 2 | 10/23/23 | SH | Upgrade |



The CHESTNUT
36 x 28 Garage : 10/12
Gable Facing Doors

DRAWINGS PROVIDED BY:
Get My Garage
Design@GetMyGarage.com
Custom Drawings Available

DATE:
4/1/2024

SCALE:

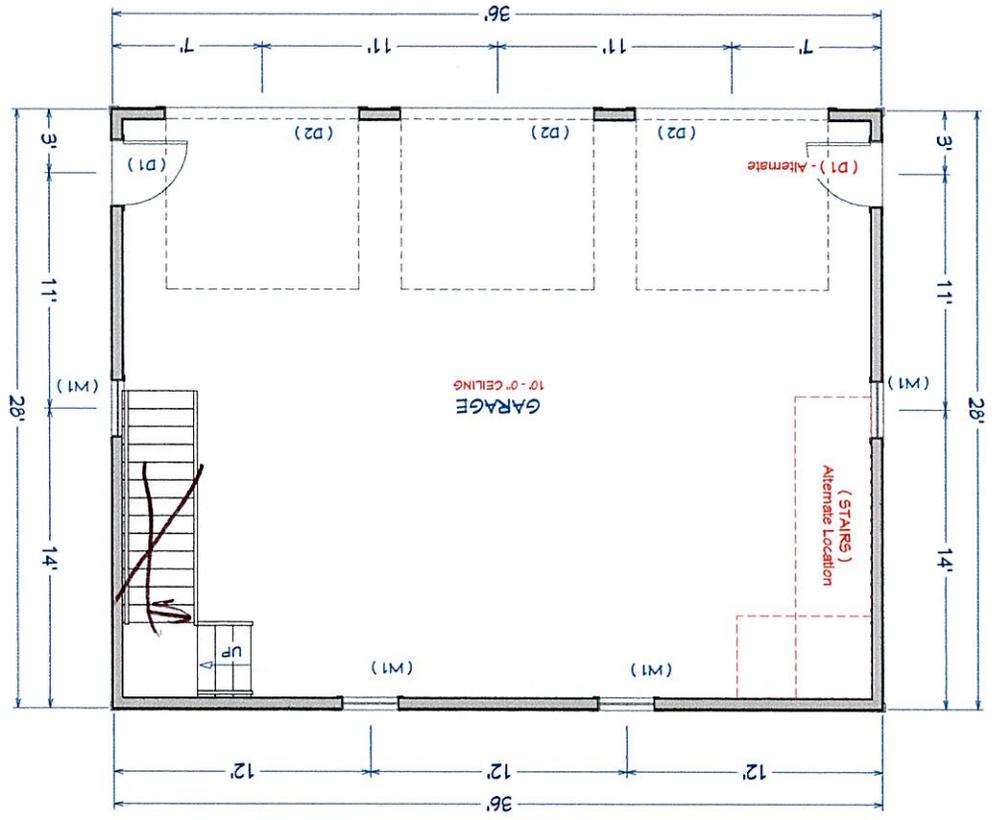
SHEET:

A - 8

40' x 30'

The CHESTNUT - 36 x 28 Garage
 Model # CH3628G10 - 10/12 Pitch

WALL HEIGHT : 10' - 0"



GMG
 "OPTIONS ARE ENDLESS"

FLOOR LAYOUT
 Lower Level
 3/8" - 1'-0" Scale
 Printed at ARCH D

DATE: 4/1/2024
 SCALE: SHEET: A-5

DRAWINGS PROVIDED BY:
 Get My Garage
 Design@GetMyGarage.com
 Custom Drawings Available

The CHESTNUT
 36 x 28 Garage : 10/12
 Gable Facing Doors



| NUMBER | DATE | REVISION / DESCRIPTION |
|--------|----------|------------------------|
| 1 | 3/23/24 | Initial Design |
| 2 | 10/22/23 | Revised |
| 3 | 5/1 | Upgraded |



40'x30'

The CHESTNUT - 36 x 28 Garage

Model # CH3628G10 - 10/12 Pitch

WALL HEIGHT : 10' - 0"

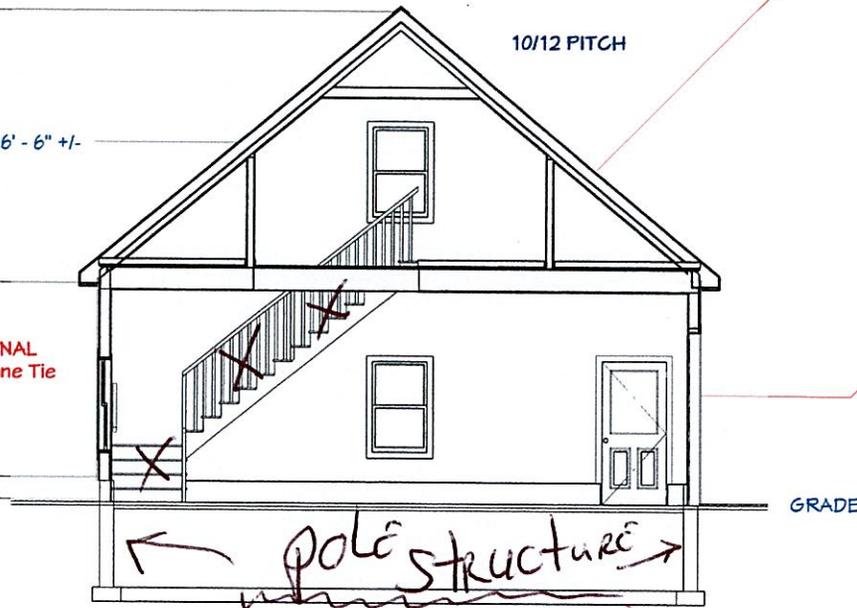
SR : 23' - 0" +/-

MID : 16' - 6" +/-

TOW : 10' - 0"

(CHECK HERE) OPTIONAL Hurricane Tie

STEM : 1' - 0"
SLAB : 0.0



BUILDING SECTION
As Drawn

ARCHITECTURAL SHINGLES
15# FELT PAPER
ICE AND WATER SHIELD
DRIP EDGE
5/8" SHEATHING
ROOF TRUSS SYSTEM
LATERAL AND DIAGONAL BRACING
CEILING - UNFINISHED

VINYL SIDING
VINYL TRIM
HOUSE WRAP
1/2" SHEATHING
2x6 KD FRAME
2x10/ LVL HEADERS
INTERIOR - UNFINISHED

FOUNDATION INFORMATION
See Page A-4
and Page A-11



" OPTIONS ARE ENDLESS "

WEBSITE - www.getmygarage.com



facebook.com/GetMyGaragedotcom

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| REVISION | DATE | DESCRIPTION |
|----------|----------|---------------|
| 1 | 9/20/20 | Initial Set |
| 2 | 9/20/20 | Launch Review |
| 3 | 10/20/23 | SH |
| 4 | | SH |
| 5 | | SH |
| 6 | | SH |
| 7 | | SH |
| 8 | | SH |
| 9 | | SH |
| 10 | | SH |
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| 47 | | SH |
| 48 | | SH |
| 49 | | SH |
| 50 | | SH |



The CHESTNUT
36 x 28 Garage : 10/12
Gable Facing Doors

DRAWINGS PROVIDED BY:
Get My Garage
Design@GetMyGarage.com
Custom Drawings Available

DATE:

4/1/2024

SCALE:

SHEET:

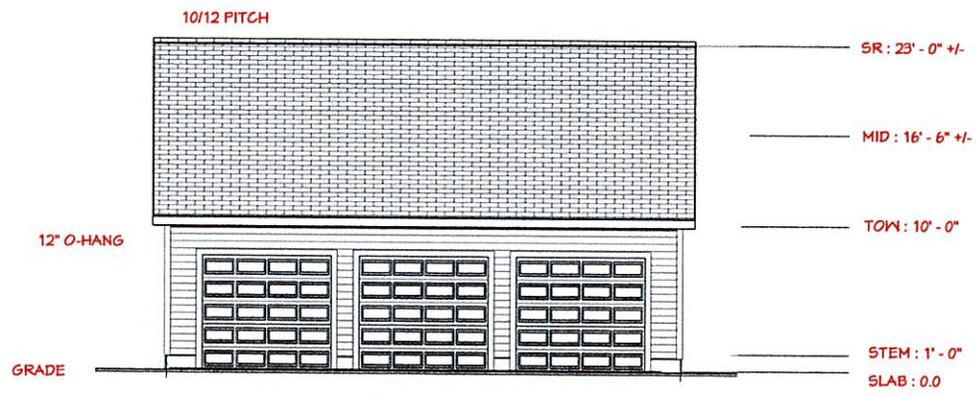
A - 9

40' x 30'

The CHESTNUT - ~~36~~ x ~~28~~ Garage

Model # CH3628G10 - 10/12 Pitch

WALL HEIGHT : 10' - 0"



FRONT ELEVATION
1/4" - 1'-0" Scale
Printed at ARCH D

WALL HEIGHT = 10'-0"
WALL FRAME = 2x6 KD
HEADERS = 2x10 and LVL
SHEATHING = 1/2" Min

ROOF = Truss System
ROOF PITCH = 10/12
O-HANG SIZE = 12"
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SIDING = Vinyl Siding
ROOFING = Architectural Shingles
SOFFETS = Vinyl
TRIMS = Aluminum Coil Wrapped

WINDOWS = Vinyl
DOORS = Insulated
GARAGE DOORS = Insulated

STORAGE = Above
Stair Access



RIGHT ELEVATION
1/4" - 1'-0" Scale
Printed at ARCH D



" OPTIONS ARE ENDLESS "



| REVISION NUMBER | DATE | REVISION BY | DESCRIPTION |
|-----------------|---------|-------------|-------------|
| 1 | 10/2023 | GMG | Initial Rev |
| 2 | 10/2023 | GMG | Upgrade |



The CHESTNUT
36 x 28 Garage : 10/12
Gable Facing Doors

DRAWINGS PROVIDED BY:
Get My Garage
Design@GetMyGarage.com
Custom Drawings Available

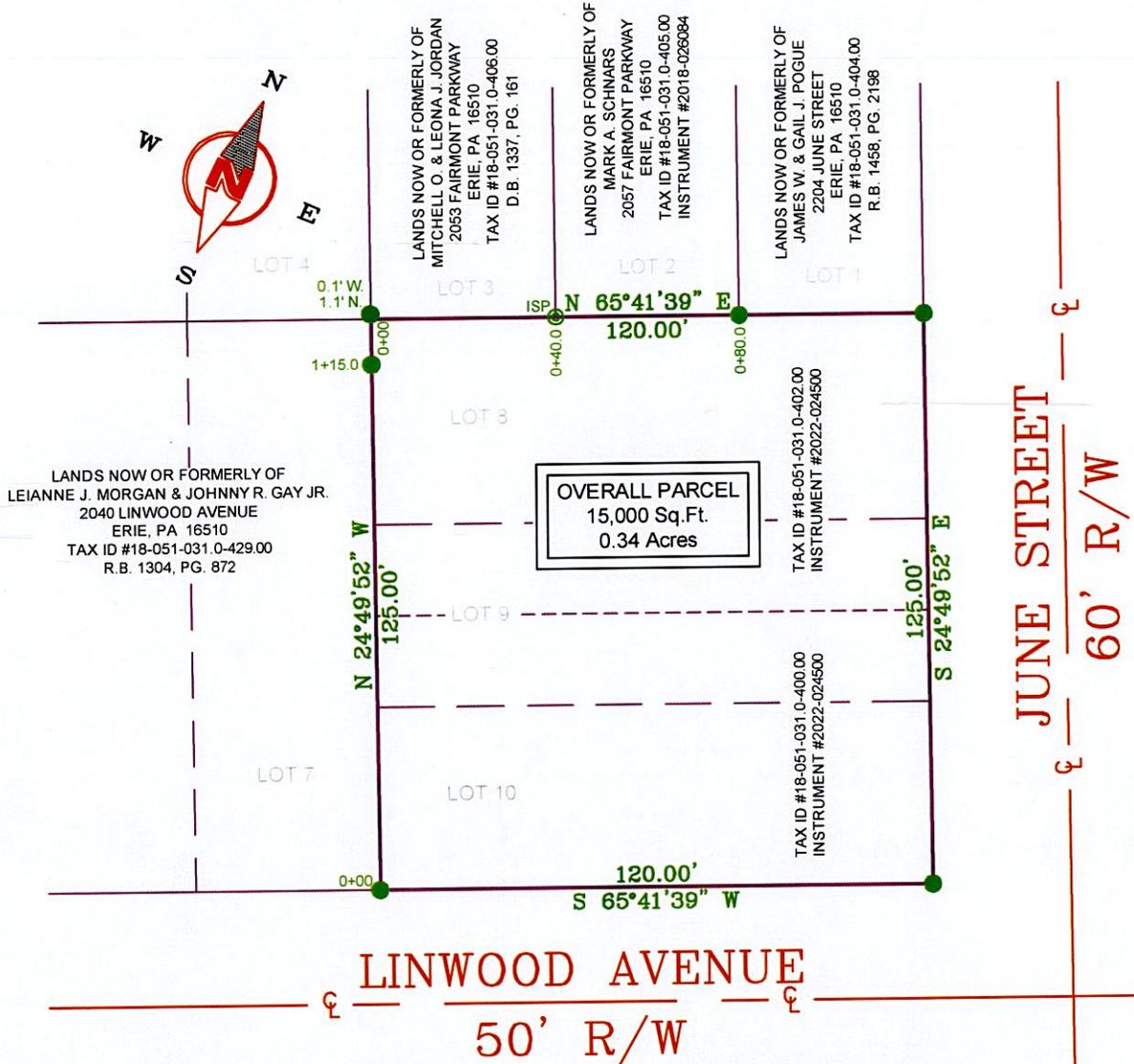
DATE:
4/1/2024
SCALE:
SHEET:
A - 7

WEBSITE - www.getmygarage.com

facebook.com/GetMyGaragedotcom

DISCLOSURE : Get My Garage is a Drafting Service Intended to Increase communication between Homeowners, Suppliers, Contractors, and Lending Institutions. Please consult with Local and State Building Codes prior to construction to assure compliance.

CERTIFICATE OF SURVEY



LEGEND

- = REBAR SURVEY POINT
- ISP ⊙ = IRON SURVEY POINT

SURVEY REFERENCES

FAIRVILLE SUBDIVISION
M.B. 1, PG. 155

GRAPHIC SCALE



1 inch = 40 ft.

NOTES

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DAVID LAIRD ASSOCIATES, Inc.

complete surveying &
land development services

1557 WEST 26TH STREET ERIE, PA 16508
PHONE: (814) 458-0330 EMAIL: INFO@LAIRDSURVEY.NET

SURVEY FOR:

FRANK GRESH

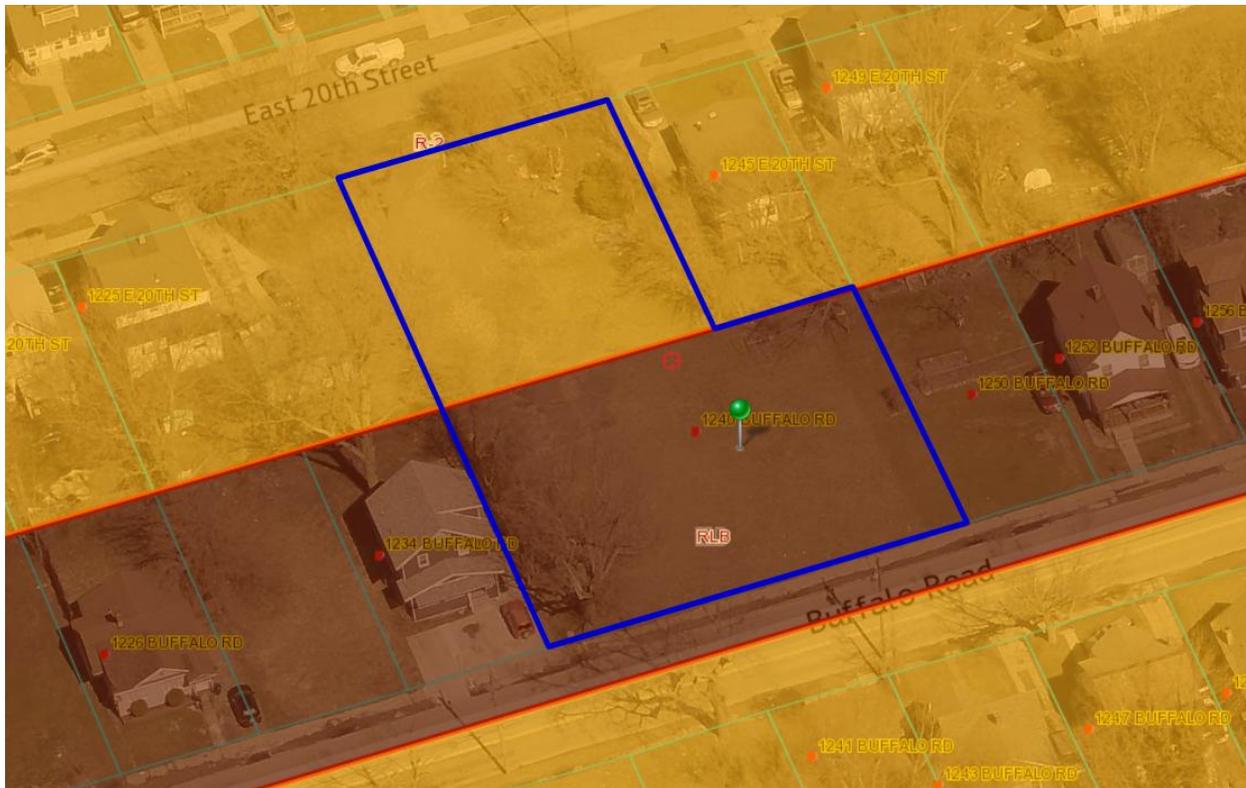
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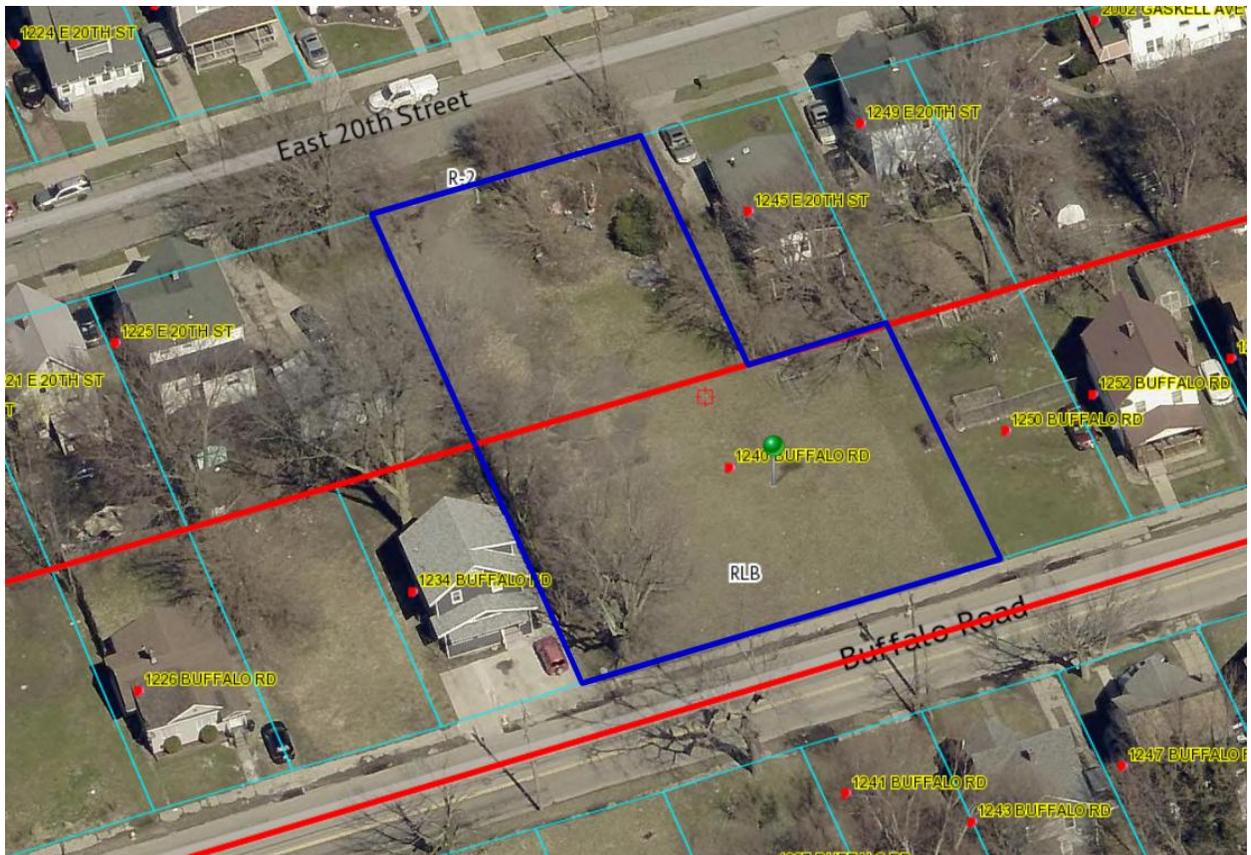
2226 JUNE STREET
FIFTH WARD - CITY OF ERIE
ERIE COUNTY, PENNSYLVANIA

| | | | | | | |
|---------------|---------------|------|---------|----------|--------------------|--|
| DATE: 2-17-25 | SCALE: 1"=40' | F.B. | PG. DWG | DRN. KJF | S. E. NO. 25-32699 | DRAWING NO. 18-051-031.0-400.00 & 402.00 |
|---------------|---------------|------|---------|----------|--------------------|--|

APPEAL 13322

1240 Buffalo Rd





[1240 Buffalo Rd- Assessment Information](#)

[Streetview for 2226 June St](#)

buy 6/19/25
\$300 -

CITY OF ERIE
ZONING HEARING BOARD APPLICATION

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

Property Information

Property Address: 1240 Buffalo Rd, Erie PA, 16503

Zoning District: RLB/R-2 Current Land Use: Vacant Lot

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

Owner / Applicant Information

Name of Owner: Hussain Al-thabhwai

Owner Address: 2002 Camphausen Avenue

City: Erie State: PA Zip Code: 16510

Telephone: (814)-340-3315 Email: hussain.zwen@yahoo.com

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: Establishment of an auto repair facility including a garage building, customer parking, and a fenced rear storage area.

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 believe the Board should approve this request for the reasons outlined in the attached narrative.

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.

Hussain Al-thabhwai

Owner or Applicant Name [please print]

Hussain Al-thabhwai
Owner or Applicant Signature

6.17.25
Date

Hussain Al-thabhwai

2002 Camphausen Avenue Erie PA 16510

Narrative for Variance use

Property Address: 1240 Buffalo Rd, Erie, PA 16503

June 17, 2025

I'm requesting a use variance to allow the development of an auto repair garage at 1240 Buffalo Road. The property is currently split-zoned RLB and R-2, which doesn't permit this type of use. I'm asking the board to allow a C-2 General Commercial use so I can build and operate a repair shop that fits the location and meets local demand.

I've been running my own auto repair shop in Erie since 2011 and have worked in the trade since 2006. My current location doesn't have enough secure space for customer vehicles, and I often have to rely on street parking, which isn't ideal. The new location would give me the space I need to operate more safely and efficiently.

The zoning creates a hardship by limiting how the land can reasonably be used, even though there are commercial properties directly across Buffalo Road. I'm not asking for a major change—just the ability to use the property in a way that aligns with the existing development along the corridor.

I've done my best to plan the layout to meet the city's zoning rules, and I'm including a site plan that shows how the business would fit on the property. I believe this is a good use of the land that will benefit both my business and the neighborhood.

I thank you for considering this request.

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

Fee \$ 300.00

Paid

Property Index No. 15021006012500

N 13322

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

Use Change I, the undersigned, hereby make application to use my property located at 1240 Buffalo Rd
for: Auto Repair

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

Extreme Height as planned above curb: _____ Permitted: _____

Front Yard Available: ok Required: _____

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

Side Yard Available (Combined): ok Required: _____

Side Yard Available (Least): ok Required: _____

Rear Yard Available: ok Required: _____

Lot Area per Family Available: na Required: _____

Lot Coverage: 4368/25200= 17% Maximum: 50%

Off Street Parking Spaces Available: 12 Required: NA

Size of Detached Access. Structure: _____ 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 204.5, 'Auto Repair' is not a permitted use.

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.

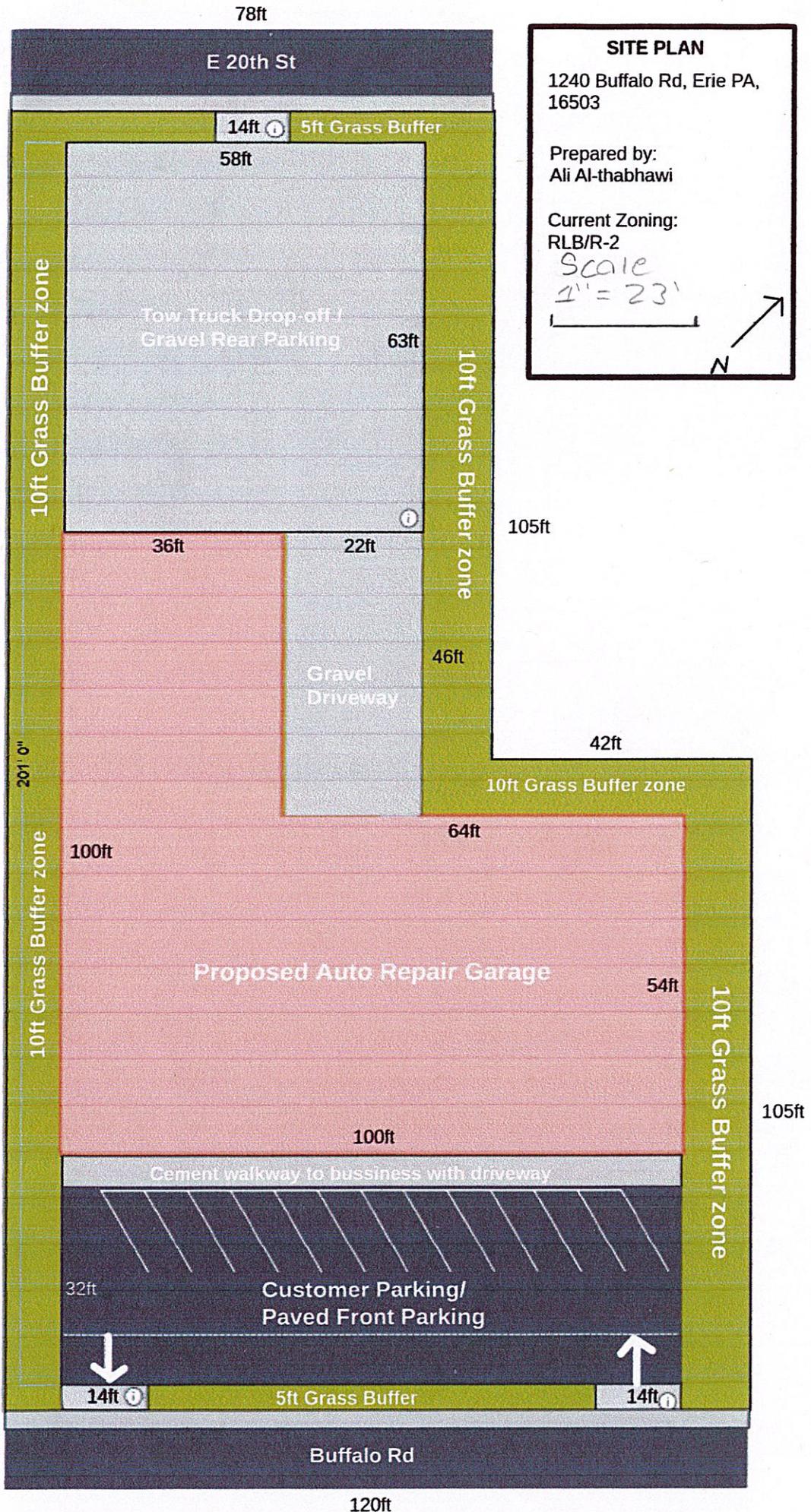
Owner's Signature _____

Appeal heard 07/08/2025 20____ Signed _____

Approved _____ 20____

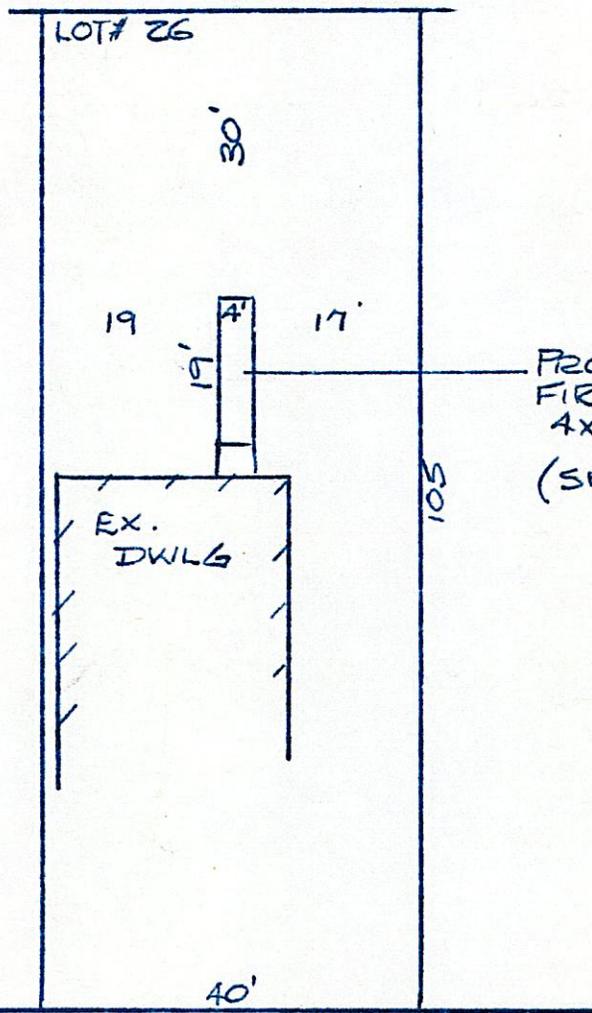
Denied _____ 20____

-SEE ATTACHED DECISION-

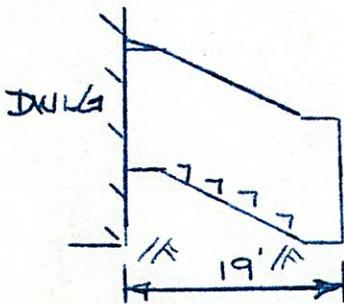


2106-128

GASKELL ADDN SUB-DIV
TRACT 47



ENCH.
PROP
FIRE-ESCAPE
4x19
(SEE SKETCH)



SKETCH
NOT
TO
SCALE

1250
BUFFALO ROAD,

2106-128

ENCLOSED
FIRE ESCAPE

ONE

1250 BUFFALO ROAD

T-1
20'±
—
17
19
30

1
35'
—
5
10
30

MUST OBTAIN STATE APPROVAL (PENDING)

DEC 14 83

HARLIN DAY CARE CENTRE (AGENT)

J. L. Erich

1250 BUFFALO ROAD.

D. Steward

833-6792

DEC 14

83

2106-125

USE TWO

DAY CARE CENTRE

1240-50 BUFFALO RD

TF1

1

REQUESTING ZONING CERTIFICATE, ABOVE IS A
PERMITTED USE, AS PER ZONING ORDINANCE
204-13/1968.

DEC 19 83

MARY JANE ROY

Mary Jane Roy

D Steward

1240-50 BUFFALO RD.

454-3068

DEC 19 83



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

June 25, 2018

OCCUPANCY CERTIFICATE ZONING CERTIFICATE



CITY of ERIE

Location... 1240-50 BUFFALO RD......

Zoning District... T-1..... Index No. 2106-125.....

Permitted Occupancy... DAY CARE CENTER.....

Owner... MARY JANE ROY - HARLIN DAY CARE.....

Address... 1240-50 BUFFALO RD......

Lessee.....

Address.....

..... 12/19.....1983

APPROVED: [Signature]
Zoning Officer



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

June 25, 2018

Monica Ray
2961 Peach Street
Erie, PA 16508

Monica Ray:

Appeal No. 12,191 filed with the Zoning Hearing Board regarding property located at 1240 Buffalo Road will be heard on Tuesday, July 10th, 2018 at 1:00 P.M. in Council Chambers, City of Erie Municipal Building, 626 State Street; Erie, PA 16501.

You are hereby requested to be present either in person or represented by an agent or attorney to present the appeal. If you or your representative fails to appear, the appeal request will be denied.

Please contact me at (814) 870-1265 or jbisel@erie.pa.us with any questions.

Sincerely,

Jenna Bisel, Secretary
ZONING HEARING BOARD

Note: The regular meetings of the Zoning Hearing Board are located in Council Chambers, City of Erie Municipal Building, 626 State Street, Erie PA. Persons with a disability who wish to attend and require an auxiliary aid service or other accommodation to testify at the hearing should contact the City of Erie ADA Coordinator at (814) 870-1469 at least 48 hours in advance so that arrangements can be made.



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

July 31st, 2018

Hussain Al-Thabhwai
2002 Camphausen Road
Erie, PA 16510

Hussain Al-Thabhwai:

This is to advise you that the following decision was adopted by the Zoning Hearing Board on Tuesday, July 10th, 2018 regarding property located at 1240 Buffalo Road.

Appeal No. 12,191 by Hussain Al-Thabhwai (Index No.: 2106-125)

Findings of Fact

1. Representing the Appellant at the hearing was Ms. Monica Ray from Coldwell Banker real estate agency. Ms. Ray had included a proposed site plan with the variance application, and an old zoning certificate from 1983 that allowed the site to be used as a day care center. She told the Board that the former day care facility caught fire several years ago, and the property has been vacant since.
2. The Appellant has run an auto repair shop/state inspection garage since 2006. However, he only rents the current location of his business, and is looking to purchase some land in order to build a new garage himself. There is no parking at the present location (on Brown Ave.), and there is a need for the Appellant's service in the proposed new location. The Appellant added that he does not know if he can find another suitable site for the type of garage he wishes to run.
3. Ms. Ray also told the Board that there is a need for the Appellant's auto repair and inspection shop in the area. She said that there are other similar businesses in the mixed use area, businesses that are near residential structures; but, there is no facility like the Appellant's business to service the local residents.



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

Conclusion

1. The Appellant presently operates an auto repair/state inspection garage. He rents the location where his business is located; he now wants to purchase the subject property in order to build a new shop, with the hope of also having a small sales lot on the site.
2. According to Section 204.14 of the Erie City Zoning Ordinance, auto repair shops are not a permitted use in an RLB district; and as per Section 204.12 of the Code, auto repair shop are also not a permitted use in an R-2 district.
3. The Appellant indicated that there is a need for the service he offers in the area; and that there are other businesses that are near residential areas near the site.

Decision

By a two to two vote, with one abstention, the Board denied the Appellant's variance request. Board members Selena King and Jeffrey Johnson both voted to approve the request, citing the need for the business in the area, together with the fact that the Appellant's proposal will still need to pass all building codes. Members Jaqueline Spry and Mike Hornyak both cited that although there may be a need for the business in the area, the Appellant did not demonstrate any hardship that would enable them to approve the variance.

It is So Ordered.

PLEASE NOTE: Section 103 of the City of Erie Zoning Ordinance requires that a Building Permit and/or Zoning Certificate be obtained prior to initiating the approved variance. You MUST first secure a permit at the Municipal Building, 626 State Street, Room 407, between the hours of 8:00 a.m. and 4:00 p.m. If work is started without first obtaining permits, the fee shall be doubled. In addition, Section 402.30 of the Ordinance states that, "All permits and certificates which are granted by the Zoning Officer, or those granted as Special Exceptions, on appeal to the Board or as Conditional Uses shall be exercised promptly. If the use and/or the work so authorized is not initiated within one (1) year from the date of permit or certificate, then such certificate or permit shall be null and void."

Sincerely,

Jenna Bisel, Secretary

ZONING HEARING BOARD

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



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

July 31st, 2018

Monica Ray
2961 Peach Street
Erie, PA 16508

Monica Ray:

This is to advise you that the following decision was adopted by the Zoning Hearing Board on Tuesday, July 10th, 2018 regarding property located at 1240 Buffalo Road.

Appeal No. 12,191 by Hussain Al-Thabhwawi (Index No.: 2106-125)

Findings of Fact

- 1 Representing the Appellant at the hearing was Ms. Monica Ray from Coldwell Banker real estate agency. Ms. Ray had included a proposed site plan with the variance application, and an old zoning certificate from 1983 that allowed the site to be used as a day care center. She told the Board that the former day care facility caught fire several years ago, and the property has been vacant since.
- 2 The Appellant has run an auto repair shop/state inspection garage since 2006. However, he only rents the current location of his business, and is looking to purchase some land in order to build a new garage himself. There is no parking at the present location (on Brown Ave.), and there is a need for the Appellant's service in the proposed new location. The Appellant added that he does not know if he can find another suitable site for the type of garage he wishes to run.
- 3 Ms. Ray also told the Board that there is a need for the Appellant's auto repair and inspection shop in the area. She said that there are other similar businesses in the mixed use area, businesses that are near residential structures; but, there is no facility like the Appellant's business to service the local residents.



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Conclusion

1. The Appellant presently operates an auto repair/state inspection garage. He rents the location where his business is located; he now wants to purchase the subject property in order to build a new shop, with the hope of also having a small sales lot on the site.
2. According to Section 204.14 of the Erie City Zoning Ordinance, auto repair shops are not a permitted use in an RLB district; and as per Section 204.12 of the Code, auto repair shop are also not a permitted use in an R-2 district.
3. The Appellant indicated that there is a need for the service he offers in the area; and that there are other businesses that are near residential areas near the site.

Decision

By a two to two vote, with one abstention, the Board denied the Appellant's variance request. Board members Selena King and Jeffrey Johnson both voted to approve the request, citing the need for the business in the area, together with the fact that the Appellant's proposal will still need to pass all building codes. Members Jaqueline Spry and Mike Hornyak both cited that although there may be a need for the business in the area, the Appellant did not demonstrate any hardship that would enable them to approve the variance.

It is So Ordered.

PLEASE NOTE: Section 103 of the City of Erie Zoning Ordinance requires that a Building Permit and/or Zoning Certificate be obtained prior to initiating the approved variance. You MUST first secure a permit at the Municipal Building, 626 State Street, Room 407, between the hours of 8:00 a.m. and 4:00 p.m. If work is started without first obtaining permits, the fee shall be doubled. In addition, Section 402.30 of the Ordinance states that, "All permits and certificates which are granted by the Zoning Officer, or those granted as Special Exceptions, on appeal to the Board or as Conditional Uses shall be exercised promptly. If the use and/or the work so authorized is not initiated within one (1) year from the date of permit or certificate, then such certificate or permit shall be null and void."

Sincerely,

Jenna Bisel, Secretary
ZONING HEARING BOARD

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