

**Zoning Hearing Board
Erie, Pennsylvania
May 8, 2018
-Minutes-**

A meeting of the Zoning Hearing Board and officials of the Erie Zoning Office was held on Tuesday May 8, 2018 at 1:00 P.M. in the Erie City Council Chambers, 626 State Street, Erie, PA.

-- MINUTES / REPORT--

1. Meeting call to order
2. Pledge of Allegiance
3. Roll Call

Member Name	Present	Absent
Selena King, Chair	X	
Ed Dawson	X	
Mike Hornyak	X	
Jeffery Johnson	X	
Jacqueline Spry		X

Four of five members present; quorum achieved

4. Approval of April 10th, 2018 meeting minutes
4. Voting and announcement of outstanding decisions- NONE
5. Continued Hearings-NONE
6. Appeals to be heard

Appeal No. 12,187 by John A. Lupo (2104-302) concerning property located at 1107 Payne Avenue. The appellant is seeking a use variance for Group Care Facility. Per Section 204.19 of the Erie City Zoning Ordinance, a Group Care Facility is not a permitted use in an M-1 district.

Findings of Fact

1. The appellant John Lupo appeared on his own behalf, and told the Board that he owns the vacant property at 1107 Payne Avenue, which he hopes to rent to Superior Health Inc. a group home facility. The lower eastside area is underserved, he said, for group homes for people with disabilities, and the proposed facility would provide the added economic benefit of providing jobs for the area.
2. Mr. Lupo said the while group homes are not a permitted use in the M-1 district, they are permitted in an RLB district; the facility would therefore be permitted if it were just around the corner from the Payne Avenue site. He added that the proposed group home would not alter the character of the neighborhood.

3. The property where the appellant proposes to put the group home was itself the former National Guard building, and later the Voices for Independence. The property is therefore already situated for people with special needs. Mr. Lupo explained to the Board that there has been a recent effort by the government, for economic reasons, to move people from nursing homes to group care facilities like the one proposed by the appellant, providing an additional benefit for the group home.
4. Also appearing before the Board was Ms. Tina Ball, a health care professional who will be assisting with the operation of the proposed facility. She reiterated to the Board that there is an economic benefit to having people move from nursing homes into group home centers, and added that people in long-term nursing facilities generally want to live lives that are more independent. Ms. Ball added that moving into a group home center provides a therapeutic benefit for the patients, as they get the opportunity to interact more with other patients.
5. Describing the proposed facility itself for the Board, Ms. Ball said that the building would allow 30-40 people residing in it at any time, and would have health care professionals – registered nurses, licensed practical nurses and physical and occupational therapists – on staff to provide medical services to the residents.
6. Ms. Ball went on to say that, the proposed assisted living facility would be operating in part with a Health and Human Services grant. The proposed facility is expected to service an adult population (with some people age 59 and less) who have disabilities or require special needs. They would be living in an apartment-styled facility, with some single and some double rooms. There would be a central kitchen and living area, providing independent features for the residents.

Conclusions

1. The appellants own a vacant building that he would like to turn into a group home facility for disabled people. There is a need for this type of group home facility in the lower eastside Erie area.
2. The proposed building is in an M-1 district. According to the Erie City Zoning Ordinance, group homes are not a permitted use in the M-1 district. However, the appellant's property is just adjacent to an RLB district, where group homes are permitted.
3. The facility would provide housing in an apartment-style building, in addition to medical services by health care professionals.

Decision

By a unanimous vote, with one abstention, the Board approved the use variance. Board member Edward Dawson said that the appellants are qualified to open the group home facility, which would benefit everyone, if it were not for the restricted use of the land. Board members Mike Hornyak and Selena King agreed, and all three voted to approve the variance.

Board member Jeffrey Johnson, citing his relationship with the appellant, abstained from the vote.

It is So Ordered.

7. Unfinished Business-NONE
8. New Business: None

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.