

Setbacks and Right of Ways

Right of Way

When you fill out a building permit application it will be necessary for you to first know where your property lines are located. This is important because many proposed construction projects require you to provide a drawing that shows the public right of way (ROW) and the setback of your existing buildings and any proposed ones. The front yard setback is the distance from the public ROW to the front of your house. Most people will have a front yard that borders a public ROW. Contrary to common assumption, your front property line does not start with the curb on the street in front of your house. The public ROW for streets in Lawrence Park Township residential areas varies from 50-60 feet wide and certain roads such as Iroquois, East Lake Rd. and Main Street can vary between 50 and 120 feet. East Lake Rd. ROW is 120' from the West boundary with the City of Erie to the bridge over 4 mile creek. Then it becomes 100' and continues to the intersection with Cunningham Drive and is reduced to a 50' ROW continuing to the East boundary with Harborcreek at Nagle Road. Typically roads with a 50' ROW will have a paved section 24' wide and that part is known as the roadway. Then a 6" curb is located and a grassy area and then a sidewalk. All of this area is part of the public Right Of Way. The inside edge of the sidewalk is only the "rough" location of the end of the ROW and your front property line. The actual property line could be a foot or more from the edge of the sidewalk. By inside edge I mean the edge closest to your house and not the edge closest to the street.

Finding your front property line/edge of Public ROW (they are the same thing).

There are 3 ways to find your front property line. First you must know the width of the public ROW for the street you live on. The streets are listed alphabetically with the corresponding ROW width at the end of this article. Note that Nagle Road is a Township border road and is 25' from the center on the Lawrence Park side and 30' on the Harborcreek side.

- ❖ **Method 1** – locate the 2 metal rods (surveyor pins) driven into the ground at the corners of your property and run a string between them or contact a surveyor and have the property surveyed. This can be expensive but sometimes is necessary. If surveyor pins are located I suggest you paint them orange and keep the area around them weeded and visible.
- ❖ **Method 2** – Let's assume the ROW is 50' and the roadway is 24' wide between the curbs. If you subtract 24' from the total ROW width of 50 you will have a ROW remainder of 26'. Now divide the 26' of remaining ROW by 2 (because there are 2 sides of the street) you will end up with a 13' section left over. All you need to do is measure in from the curb toward your house 13' and you will have found your front property line. Use the same method for a street with a 60' row and you will be measuring in 18' from the curb to find your front property line.
- ❖ **Method 3** – Again, assume the ROW is 50'. Measure the width of the roadway and find the center of the street, put a piece of tape or mark it with a magic marker. Assuming the roadway was 24' and you found and marked the center at 12' you now have a place to stand and hold a tape measure while someone walks toward your house and measures off a distance of 25' and puts a stake in the ground if the ROW was 60' you would measure in 30'. Certain busy roads or certain times of day may make this method impractical or impossible, for your location. Method 1 or 2 is the preferred way, method 3 is accurate but also requires you to stand or walk in the street and is not recommended or endorsed by the LP TWP Zoning Administrator.

Setbacks

On any zoning or building permit application, you will be asked to provide setbacks for front, rear, and side yards. The term "setback" refers to the distance from a structure to a property line. In my earlier discussion of Public right of ways I provided information on how to find your front property line. The distance from your front property line to your house is called your front setback or your front yard. Every building will have a front, side, and rear setback minimum requirement. It is important to provide this information so a decision on your application can be made. The drawing you provide me requires you to know the setbacks of existing structures and any proposed structures. Be sure to label the structures on your drawing as existing or proposed and also note if any structure is going to be demolished as part of your construction project. Please be aware that Lawrence Park Township or the zoning administrator is not capable or qualified to find your property lines, nor do we intervene in neighbor's property line disputes. Those are civil matters that we do not become involved in. If you believe an adjacent property owner has infringed on your property with a

construction project it is best to talk with your neighbor and suggest sharing the cost of a surveyor, if you cannot locate the corner pins of your property. Sometimes a metal detector can be used to locate the pins as a reasonable alternative to the cost of a surveyor, check with an equipment rental facility. Fences are the only structures that are allowed on side and rear property lines. I suggest that any fencing project you intend to place on a property line, be first discussed with the affected neighboring property owners to see if the surveyor pins can be located and agreed upon. If an agreement cannot be made, then the project should include a survey by a professional surveyor. Front yard fencing is in a separate category and has separate setbacks and height requirements. Corner lots have additional front yard fencing ordinances that are too numerous to be included in this article, see ordinance §1286.05 fences and walls for more detailed information

Road Right of Way Widths

<u>Bell St.</u>	<u>50'</u>	<u>Lawrence Pkwy.</u>	<u>50'</u>
<u>Burkhart Avenue</u>	<u>50'</u>	<u>Main St.</u>	<u>80'</u>
<u>Cabot Ave.</u>	<u>60'</u>	<u>Morse St.</u>	<u>60'</u>
<u>Crotty Dr.</u>	<u>50'</u>	<u>Nagle Rd.</u>	<u>55'-25 Center is L.P.</u>
<u>Cunningham Dr.</u>	<u>50'</u>	<u>Napier Ave.</u>	<u>50'</u>
<u>Dobbins Rd.</u>	<u>50'</u>	<u>Newton Ave.</u>	<u>50'</u>
<u>East Lake Rd.</u>	<u>120', 100', and 50'</u>	<u>Niagara Pl.</u>	<u>60'</u>
<u>Emmet Dr.</u>	<u>50'</u>	<u>Priestley Ave.</u>	<u>60'</u>
<u>Four Mile Creek Rd.</u>	<u>40'</u>	<u>Putnam Dr.</u>	<u>50'</u>
<u>Frontenac Rd.</u>	<u>50'</u>	<u>Rankine Ave.</u>	<u>60'</u>
<u>Griffin Rd.</u>	<u>50'</u>	<u>Rumsey Ave.</u>	<u>50'</u>
<u>Halley Ave.</u>	<u>60'</u>	<u>Silliman Ave.</u>	<u>60'</u>
<u>Harvey Ave.</u>	<u>60'</u>	<u>Smithson Ave.</u>	<u>60'</u>
<u>Howe Ave.</u>	<u>50'</u>	<u>Tyndall Ave.</u>	<u>50'</u>
<u>Iroquois Ave.</u>	<u>100'</u>	<u>Vandalia Ave.</u>	<u>60'</u>
<u>Joliette Ave.</u>	<u>50'</u>	<u>Whitney Way</u>	<u>50'</u>
<u>Lake Cliff Dr.</u>	<u>60'</u>	<u>Wolverine Ave.</u>	<u>50'</u>
<u>Lakeside Dr.</u>	<u>60'</u>		
<u>LaSalle Ave.</u>	<u>50'</u>		

*****Most alleys are 16'*****