

August 14, 2012
City of Erie, Pennsylvania
ZONING HEARING BOARD
1:00 P.M.

The regular meeting of the Zoning Hearing Board was held on Tuesday, August 14, 2012 at 1:00 p.m., in the City Council Chambers, Municipal Building, 626 State Street.

- MINUTES -

THE FOLLOWING APPEAL WAS HEARD:

Appeal No. 12,019 by Awareness Ministries (2017-127) concerning property located at **301, 303 East 11th Street** in an R-2 Zoning District. The appellant is proposing a school at this address. This is a special exception as a School and must, therefore, be presented to the Zoning Hearing Board for approval.

Findings of Fact

1. The appellant, Awareness Ministries, was represented by Ms. Tiffany Schwenk, who provided a brief description to the Board of the organization and proposed school. Awareness Ministries presently owns the building where the proposed school is to be located, together with the adjoining properties on the corner of East 11th and German Streets. They plan to convert the vacant building, a warehouse, into a country day-school facility.
2. The architect of the project, Mr. John Evans, also testified about the proposal. He explained that the existing building (the warehouse) occupies almost the entire site; there is no additional space for parking as the Erie Zoning Ordinance requires. However, Awareness Ministries owns the two adjoining lots to the east; both lots are vacant, and would provide more than enough room to place the required parking spaces. Responding to questions from the Board, Mr. Evans stated that the owners could combine these sites to make one large lot that could not be sold individually.
3. In describing the building itself, Mr. Evans said that there will be two classrooms on the first floor. The second floor is vacant, but it is possible to renovate it at a later date to install another classroom. There are no plans at all to renovate the third floor. The only significant renovation expected is the installation of restrooms, and adjusting the present lighting structure in order to conform with the Code.
4. Mr. Evans answered specific questions from the Board with respect to the parking situation. He said that the school could install at least six (6) parking spaces on the adjoining vacant sites. Erie Zoning Office officials indicated

that the Code requires one space per classroom, with .25 spaces for each student over the age of 16.

5. The Board then heard more testimony from Ms. Schwenk about Awareness Ministries, and specifically about the proposed school itself. She said that the organization operates country day-schools, with a maximum of ten (10) children per classroom. This location would be exclusively 4th and 5th grades; mostly 10-11 year old students. Most of the children are transported to and from school by a van operated by Awareness Ministries. The school would be open from 8:00 a.m. until 3:00 p.m. daily. There is presently some outdoor play space across the street from the school, which they plan to expand in the near future.
6. Awareness Ministries' schools provide special psychiatric help to students that public schools do not (e.g. anger management classes). There are no entrance requirements for their students; any child is eligible to attend. There are no income requirements either. The tuition for most students is paid through a combination of state-funding and various scholarship awards. In some cases there is a minimal parental fee; usually no more than \$25.00 per month. The new day-school also expects to have some children from nearby Pfeiffer-Burleigh public school attending.
7. There was one neighborhood resident who appeared to testify. Ms. Mary Cooley said that she was more concerned rather than actually opposed to the proposal after receiving the neighbor notification letter. Ms. Cooley said that Pfeiffer-Burleigh is slated to get an additional two hundred students, making their total enrollment over eight hundred. Anticipating that nearby St. Mary's may bring even more classes in the future, Ms. Cooley questioned whether the traffic and parking situation in the neighborhood would become overwhelmed.
8. Ms. Schwenk made some rebuttal remarks relating to the concerns expressed. While stating that we must wait and see how the situation develops, Ms. Schwenk reiterated that the school would be transporting most of the students, which in itself will make the situation safer. Additionally, since the students will be of middle-school ages, they will not be driving themselves, negating the need for additional parking.
9. When questioned by the Board, Mr. Evans indicated that the owners can combine the lot on which the building sits with the adjoining vacant lots, where the required parking spaces will be placed. This is important because it will prevent selling one or more of the lots at a later time. Neither Mr. Evans nor Ms. Schwenk objected to making this a condition to the special exception.

Conclusions

1. Under section 305.20 of the Erie City Zoning Ordinance, "Schools" are a Special Exception in an R-2 Zoning District.
2. The appellant/petitioner owns the lot on which the school building sits, as well as the adjoining vacant lots. The vacant lots can be used to install the parking spaces as required by the City Code.

3. The students will be 4th and 5th graders, mostly 10-11 years old. They are not students who are old enough to be driving themselves to school, which would require additional parking.
4. The building can be renovated in order to conform with Code requirements for lighting.

Decision

Prior to voting, the Board proposed and unanimously approved a condition that would require the appellant/petitioner to join the lots where the school building sits with the adjoining vacant lots, which are also owned by the appellant. The lots to be combined are nos. 15-17-20-125 and 126.

By a unanimous vote, and with the condition attached, the Board voted to approve the special condition and allow the appellant/petitioner to operate a day-school at the requested location. Board member Ron Desser said that the conditions for the special exception had been met, and the architect testified that the lighting would be renovated in order to conform with the City Code. For the same reasons, Board members Mike Hornyak, Patty Szychowski and Lisa Austin also voted to approve the request; Ms. Austin adding that the proposal does not alter the character of the neighborhood.

It is So Ordered.