

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
AUGUST 3, 2021 4:00 P.M.**

DOCKET 1337

9900 CONWAY ROAD, CONWAY ELEMENTARY SCHOOL

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, August 3, 2021.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Kristen Holton
Ms. Laura Long
Mr. Lee Rottmann
Mr. David Schlafly

Also present were Erin Seele, City Attorney; Andrea Sukanek, City Planner; Roger Stewart, Building Commissioner; Lori Wrobel, Administrative Assistant; and Mayor Nancy Spewak.

Chairman Forshaw called the meeting to order at 4:00 P.M.

Approval and Adoption of the Agenda and Minutes

Ms. Panke made a motion to adopt the Agenda. Mr. Rottmann seconded the motion. All those present were in favor.

Ms. Panke made a motion to adopt the Minutes of the July 6, 2021 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1337 Petition submitted by Brandon Harp, P.E. on behalf of Conway Elementary for the property located at 9900 Conway Road. The petitioner is requesting relief from the City Planner denying an addition due to reduction in green space from the required 55% down to 50%. This is in violation of Ordinance # 1175, Section V-G-1.

Chairman Forshaw asked the City Planner to explain the reasons for denial. Ms. Sukanek reported the applicant is requesting to build a new gymnasium at the Conway School in the "D" residential district. The minimum green space in this residential district is 55% and the proposed addition will result in 50% greenspace. An amended Special Use Permit is also required.

Chairman Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated June 21, 2021;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated July 20, 2021;

Exhibit F – Entire file relating to the application

Mr. Brandon Harp, project engineer, took the oath, was sworn in and addressed the Board. The proposed gymnasium will additionally serve as a storm shelter in compliance with the 2015 Building Code. This improvement was approved the voters in the April election. The old gymnasium will be converted for curricular activities. A bioretention basin is planned. The proposal was presented to the Zoning and Planning Commission and it recommended approval of an amended Special Use Permit by the City Council.

Board discussion ensued. It was noted that the application is for expansion of a public school building, the improvements were approved by the voters, and the Zoning and Planning Commission has recommended approval of the amended Special Use Permit. Chairman Forshaw expressed the opinion that there is no basis to deny the variance.

Ms. Long made the motion to overturn the decision of the City Planner and grant the variance. Mr. Rottmann seconded the motion. The vote was as follows:

Chairman Liza Forshaw	“approve”
Ms. Kristen Holton	“approve”
Ms. Laura Long	“approve”
Mr. Lee Rottmann	“approve”
Mr. David Schlafly	“approve”

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the City Planner was overturned, and the variance was granted.

Adjournment

At 5:16 p.m. Mr. Schlafly made a motion to Adjourn the meeting. Mr. Rottmann seconded the motion. A unanimous vote in favor was taken.

DOCKET 1337

DATE OF HEARING

August 3, 2021

NAME

Brandon Harp, P.E.

DESCRIPTION OF PROPERTY

9900 CONWAY ROAD, CONWAY ELEMENTARY

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying an addition due to reduction in green space from the required 55% down to 50%. This is in violation of Ordinance # 1175, Section V-G-1.

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds that practical difficulties exist. The decision of the City Planner is overturned, and the variance is granted.

A handwritten signature in black ink, appearing to read "Liza Forshaw", is written over a horizontal line.

Ms. Liza Forshaw, Chairman