

Planning Commission  
January 11, 2006  
6:30 PM

Present: Hal Currey, Alice O'Dell, Aussie Geer, Pat Votava, Bobby Thompson and Elaine Fowler

Also Present: Kent Prause, Zoning Administrator and Randy Robinson, Chief Building Inspector and Codes Enforcement Officer

A motion was made by Pat Votava, seconded by Bobby Thompson, to approve the December 14, 2005 minutes. Motion carried unanimously.

Vice Chairman, Hal Currey, opened the public hearing portion of the meeting to discuss the proposed amendment to section 21-75 to add section C. The following dock components are permitted: 1) Pier Head, 2) Floating Dock and 3) Boat Lift.

Kent Prause gave a summary of why this change has been proposed. He has had a request from a resident for a permit to add a jet dock to his dock. Counsel for this resident has stated that our ordinance may not state any regulations for a jet dock, but does not prohibit one either. OCRM does allow permits for jet docks in addition to a floating docks and boat lifts. Kent Prause interprets that our ordinance does not allow jet docks because they are not mentioned in Section 21-175 B. 1-15. He feels language should be added to the ordinance to allow only certain components. This would make it more clear as to what was allowed.

Discussion was held amongst the commission regarding the wording of the proposed amendment and some felt that the wording should be changed because there are more components to docks than above. For example, water lines, benches, lighting, railings, etc.

The public hearing was closed and discussion was held amongst the Commission members regarding the proposed amendment to 21-75 B.

A motion was made by Bobby Thompson, seconded by Pat Votava to add number sixteen (16) to Section 21-75 B. to read: only such dock components specifically enumerated above shall be allowed. Motion carried unanimously.

A motion was made by Elaine Fowler, seconded by Bobby Thompson to add to section 21-75 B (3) (a) ....., and may include a bench not exceeding more than 30 linear feet and 24 inches in width. Motion carried unanimously.

A motion was made by Elaine Fowler, seconded by Bobby Thompson, to add to section 21-75 B. (3) (c) ..... or one floating boat storage device with the capacity not exceeding that of the permitted boat lift. Motion carried unanimously.

The Planning Commission began discussion of item IV of the agenda regarding specific questions from Town Council through an email from Andy Benke (see attached document).

Regarding question number one, are there any other uses the commission may consider on the residential portion of the split zoned lots in the commercial district only. Aussie Geer suggested that maybe the residential portion could be used as office/professional with small businesses, low impact and low volume, opened only during the day and that the DRB may be the deciding factor in what structure may be allowed in that neighborhood to accommodate neighborhood compatibility. Elaine Fowler mentioned that parking may be an allowed use only if buffers were put into place and parking on the residential street behind the commercial district was residential parking only. Pat Votava stated that she could not imagine a buffer that would block the noise from the parking.

Lorcan Lucey, 2201 Myrtle Avenue, the original buffer zone was the residential side of the lot. He is not sure why this is coming up now. The buffer zone was set up for houses to go on the residential portion of the lot, that is the buffer zone, not fences and trees. He does not want to see a parking lot allowed on the residential portion of the commercial lots. He also spoke with four of his neighbors who could not attend the meeting, they all support that the town must hold firm and keep the zoning of residential.

Rusty Bennett, 3124 Marshall Boulevard, believes no one will build a home on the residential portion of the lot because you can not do it economically. Recommends the consideration of attached dwellings, condos or townhouses.

Vice Chairman, Hal Currey, took the commission through a series of questions to see where the board stands on each option.

- 1) Leaving the zoning as residential-there were no objections to this being one of the options
- 2) Office/Professional (low volume)-Alice O'Dell, feels it is a good option, Bobby Thompson, objects to this option, Pat Votava, objects to this option, Elaine Fowler, in favor of very low volume type of business and would create a better buffer, Aussie Geer, would be a good option If it was well controlled and the DRB was involved with neighborhood compatibility, Hal Currey feels that if there was a vote it would be 3 to 3, very close.
- 3) Townhouse/Duplex- a concern amongst the commission is that this would create more density and volume for the Island, 5 to 1 against the proposal to have townhouses/duplex.
- 4) Parking-Elaine Fowler, thinks it would be worth looking at because there is a major parking problem, if you could control, properly buffer and remove parking from the residential neighborhoods, vote was 5 to 1 against allowing parking on the residential portion of the lot.

Vicki Fox, 2208 Jasper Boulevard, lives directly behind Poe's Restaurant. Would like to see the commission put themselves in her situation. Feels that the commission is voting on something they do not have to deal with. Does not want to look at a concrete wall buffer and does not feel there is a buffer that could be placed on the lots that would block the noise. Please do not allow parking on the residential portion of the lot.

Hal Currey posed the questions to the Commission, would the commission support allowing subdivision of the commercial/residential lots except in the block where restaurants are allowed (west of Station 22).

Pat Votava: if you can not subdivide a lot that is zoned completely residential why would we allow these lots to subdivide?

Elaine Fowler: likes having small businesses on the Island, but is not sure if it is going to remain economically feasible for them if we do not allow subdivision of those lots and the sale to a different residential owner, and would be in favor of allowing such subdivision.

Hal Currey: not convinced it would be necessarily a bad thing to allow the subdivision of the lots.

Alice O'Dell: not in favor of allowing for subdivision of these lots.

3 members would be willing to discuss subdivision and 3 members who would not.

Rick Graham, family owns a split zoned lot at Station 22 and Middle Street, believes this all came about because there is a restriction in the ordinance that each owner must own the same percentage of the lot. If you were allowed to sell the second half of the lot you may see more houses built on the residential portion.

Bobby Thompson made the following statement to go to Town Council: In view of the ninety percent (90%) response to the Connie Cooper questionnaire expressing satisfaction with the current size of the CC District and in view of more recent expansion of business in the CC-District, it is difficult to imagine where circumstances and conditions under which uses other than single-family residential might be acceptable to the public.

Meeting was adjourned.

Respectfully submitted,

Sara Lybrand  
Assistant to the Administrator