

**PLANNING AND ZONING BOARD
OCTOBER 25, 2006**

1. ROLL CALL

The meeting was called to order at 7:02 p.m. Board members present were Chair Mike Bender, Vice-Chair Scott McLaughlin, Philip Busey, John Stevens and Mimi Turin (arrived 7:16 p.m.). Also present were Town Attorney Monroe Kiar, Attorney Martin Hynes, Planning and Zoning Manager Bruce Dell, Planners David Abramson and Phillip Bachers, and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: October 11, 2006

Mr. Stevens made a motion, seconded by Vice-Chair McLaughlin, to approve the minutes of October 11, 2006. In a voice vote, all voted in favor. **(Motion carried 4-0)**

3. PUBLIC HEARING

Variances

3.1 V 7-2-06, Davis, 6070 Griffin Road (Griffin Corridor District, Eastern Gateway Zone)

Lawrence Davis, the petitioner, was present. Mr. Abramson summarized the planning report.

Mr. Davis provided historical information and advised of the intent of the variance request. A discussion ensued regarding the "other" use category in the Eastern Gateway Zone. Mr. Davis indicated how he hoped to develop the site; however, due to new Code restrictions and the parcel size, that had not been determined. The variance request would allow more use options as opposed to one option presently. Mr. Davis indicated that this was the first step in figuring out what was compatible for the area and what would work both physically and economically on the site.

Chair Bender asked if anyone wished to speak for or against this item.

Karen Stenzel-Nowicki, 5480 SW 55 Avenue, indicated that she was neither for nor against this item. She asked that the Board just consider whether or not this project was suitable for what had been envisioned for the Griffin Road Corridor.

As there were no other speakers, Chair Bender closed the public hearing.

Mr. Davis restated his reasoning and indicated that it was in the best interest of the Town as well to have this request moved forward and the site developed.

Boardmembers expressed their opinions and were somewhat uncomfortable about setting a precedence of no restrictions on the uses. Mr. Davis contended that within the ordinance itself, as well as the safeguards of the platting, site plan and planning and zoning processes, the Town had the authority to distinguish and decide on future requests individually.

Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair McLaughlin – yes; Mr. Busey – yes; Mr. Stevens – yes; Ms. Turin – yes. **(Motion carried 5-0)**

3.2 V 7-3-06, Murck, 4910 SW 61 Avenue (A-1)

Hoyt Holden and Edward Murck, representing the petitioner, were present. Mr. Bachers summarized the planning report.

Mr. Holden explained the constraints of the property being surrounded on three sides with access roads. Mr. Murck provided a subject site map and site plan rendering of the proposed addition to better explain the scope of the project. He offered five letters of approval from the neighbors who would be impacted by the addition and the variance request.

Chair Bender asked if anyone wished to speak for or against this item. As there were no speakers, the public hearing was closed.

Vice-Chair McLaughlin clarified that a 30-foot setback from the east property line would be workable. Mr. Bachers responded that as long as the petitioner maintained a "line-of-sight triangle," it would be okay.

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Vice-Chair McLaughlin made a motion, seconded by Ms. Turin, to approve a 25-foot setback in the rear (to the north); a 30-foot setback to the east; and a 30-foot setback to the south, all being to the edge of the ingress, egress easements. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair McLaughlin – yes; Mr. Busey – yes; Mr. Stevens – yes; Ms. Turin – yes. **(Motion carried 5-0)**

4. OLD BUSINESS

Chair Bender advised that he had spoken with Mr. Kiar regarding the necessity for a super-majority vote from this Board for a Land Use Plan Amendment. Mr. Kiar explained that only the Town Council was bound by a super-majority vote in such cases and since this Board served in an advisory capacity, it did not apply.

Chair Bender advised that at the November 8th meeting, special accommodations were being made in order to manage a huge turnout for public participation. Mr. Dell stated that the meeting would be televised and the Community Room would be utilized as well.

5. NEW BUSINESS

Mr. Dell advised that his division had been working to implement electronic visual aides for more efficient presentations. A brief discussion ensued regarding the possibilities of conveying the information electronically prior to the meetings.

6. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 8:15 p.m.

Date Approved: _____

Chair/Board Member