

**P&Z BOARD **12-14-99

DRAFT

Mr. Rothenberg asked how staff would address a vacant lot and an owner that wished to construct the accessory structure prior to the principle structure; how would the Town determine the 25% floor area on a vacant lot. Mr. Black stated the Town Code currently required the construction of the principle building prior to construction of accessory items, with the exception of a boat dock.

MOTION CARRIED ON ROLL CALL VOTE: DIAMANT, AYE; DROHLICH, AYE; KARSH, AYE; KRUK, AYE; LEE, AYE; LEVIN, NO; RICKARD, AYE; ROTHENBERG, AYE; WHATMOUGH, AYE.

AGENDA ITEM #4
ORDINANCE 99-35, STREETS AND SIDEWALKS, ALLEY VACATIONS

AND

AGENDA ITEM #5
ORDINANCE 99-36, SUBDIVISION REGULATIONS, ALLEY ACCESS

Mr. Black stated that Ordinance 99-35 had been amended as a result of the P&Z Board's workshop discussion to provide for review of a vacation request by the P&Z Board prior to the Town Commission's consideration of the application. He referred to Section 97.11(A), which provided for the P&Z Board's review during a public hearing of a vacation request and the forwarding of a recommendation to the Town Commission. He said subsection (B) was modified to provide for the requirement that all vacation requests be required to comply with the criteria outlined in the Code.

Mr. Black stated that Ordinance 99-36 addressed the limitation on access from the alleys in the Village area. He said the language was modified for clarification. He commented that the clause being added was, "Street access shall not be considered met from any alley or alley segment for those lots identified in the Village Overlay Map."

Mr. Rothenberg stated he was opposed to the Town "giving up" any land they owned unless there was a good reason. He referred to Ordinance 99-35 and stated the ordinance allowed for a petition to be filed which maintained the status quo of an alley that was not totally passable. Mr. Black replied correct. Mr. Rothenberg stated the ordinance required "competent, substantial evidence" that the street was of no benefit to the Town or public and it was in the best interest of the public to keep the alley closed. He voiced concern that the Town was "grandfathering" something that had happened over the years, but was not