

Central Planning Authority

Minutes for a meeting of the Central Planning Authority held on February 20, 2007 at 10:30 a.m. in the Conference Room, 1st Floor, Regatta Office Park – Leeward One (formerly Safehaven).

5th Meeting of the Year

CPA/05/07

Mr. Dalkeith Bothwell (Chairman)

Mr. Attlee Bodden

Mr. Darrell Ebanks (except 2.23, 2.27)

Mr. Lyle R. Frederick (absent)

Mr. Ernley Hurlstone (absent)

Mr. Ray Hydes (apologies)

Mr. Trent McCoy (apologies)

Mr. Rex Miller

Mr. Arden Parsons (apologies)

Mr. Eldon Rankin

Mr. Owen Rankine (apologies)

Mr. Robert Watler (apologies)

Mr. Fred Whittaker (except 2.3, 2.4)

Mr. Kenneth Ebanks (Executive Secretary)

Mr. Ron Sanderson (Assistant Director of Planning (CP))

- 1. Confirmation of Minutes**
- 2. Applications**
- 3. Enforcements**
- 4. Development Plan Matters**
- 5. Planning Appeal Matters**
- 6. Matters from the Director of Planning**
- 7. CPA Members Information/Discussions**

1.0 CONFIRMATION OF MINUTES

1.1 Confirmation of Minutes of CPA/18/06 held on June 7, 2006.

Moved: Fred Whittaker

Seconded: Darrell Ebanks

Confirmed

1.2 Confirmation of Minutes of CPA/03/07 held on January 31, 2007.

Moved: Dalkeith Bothwell

Seconded: Eldon Rankin

Confirmed

1.3 Confirmation of Minutes of CPA/04/07 held on February 7, 2007.

Prior to the minutes of this meeting being confirmed, the Authority considered additional information provided by the Code Compliance Officer (CCO). The CCO visited the site in the afternoon of the meeting and took photographs depicting the activities on the site. Based on these photographs it was clear that the activities taking place were in breach of planning permission. Based on this information and taking into account the letter from the applicant's attorney considered on February 7, 2007, the Authority determined that the current enforcement and stop notices would not be revoked or modified.

Moved: Rex Miller

Seconded: Darrell Ebanks

Confirmed

2.0 APPLICATIONS

2.1 JANETTE WATLER Block 32C Parcel 55 (F06-0446) (P06-1247) (\$3,000) (DE)

Application for a two (2) lot subdivision.

An appearance was scheduled at 4:20pm, but neither the applicant nor the objector attended the meeting.

FACTS

Location

Off Shamrock Road, into Spotts Newlands, onto Midnight Road, Savannah

Zoning

LDR

<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	2.5500 acres
<i>Number of Lots</i>	2

BACKGROUND

November 15, 2006 (CPA/36/06; Item 2.11) - It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the lack of legal access to the site.

Decision: It was resolved to adjourn the application, **for the following reason:**

1. The applicant’s agent advised the Department that they are actively seeking to resolve the access issue and requested additional time to complete this task.

2. 2 DARLA NATASHA MCFARLANE Block 1C Parcel 23 (F05-0114) (P06-1311) (\$50,000) (DE)

Application for an after-the-fact house addition.

Appearance at 2:20

FACTS

<i>Location</i>	Duxies Lane, West Bay
<i>Zoning</i>	LDR
<i>Parcel Size</i>	.1000 acres
<i>Current Use</i>	Houses
<i>Proposed Use</i>	Addition
<i>Building Size</i>	336 sq. ft.
<i>Density</i>	40
<i>Allowable Density</i>	3
<i>Footprint</i>	336 sq. ft.
<i>Building Coverage</i>	50%
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

Decision: It was resolved to adjourn the application, **for the following reason:**

1. The Department will liaise with the Ministry D.A.P.A.&H. in an effort to arrange the Lands and Survey Department to undertake a fixed boundary survey. Upon obtaining the survey, the Authority will then be in a position to render an informed decision.

2. 3 FINIGAN HUFFINGTON Block 14D Parcel 352 (F97-0254) (P06-1556) (\$512,570) (DE)

Application for five (5) apartments.

Appearance at 11:30

Mr. Fred Whittaker declared a conflict and left the meeting room to return with the applicant as his agent. He was not present when the decision was rendered.

FACTS

<i>Location</i>	Templeton Street, Windsor Park, George Town
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	.2000 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	5 Apartments
<i>Building Size</i>	4,660 sq. ft.
<i>Density</i>	5
<i>Allowable Density</i>	5
<i>Building Coverage</i>	28%
<i>Proposed Handicapped Spaces</i>	1
<i>Proposed Parking</i>	6
<i>Required Parking</i>	7
<i>Number of Units</i>	5

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-3) listed below shall be met before building permit drawings can be submitted to the Building Control Unit.

- 1) The applicant shall submit a revised site plan indicating:
 - a) The site to be filled no more than 6 inches above the level of Templeton Street.
 - b) The finished floor level (of the ground floor) to be a minimum of 5' above mean sea level.
 - c) An elevated hump across the full width of the driveway to assist in preventing drainage onto the road and surrounding properties.

- d) The parking area curbed with drain wells. The number of required drainwells shall be determined in conjunction with the National Roads Authority.
- 2) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. At a minimum, the landscape plan should show the following:
 - a) A mixture of canopy trees and shrubs behind the sidewalk.
 - b) A variety of shrubs and flowering plants along the front and sides of the site.
 - c) Appropriate plantings to screen the trash container and treatment facility.
 - d) A mixture of shrubs, canopy trees, and/or flowering plants in the landscape medians between parking areas.
- 3) The applicant shall submit a construction operations plan to the satisfaction of the Director of Planning indicating in sufficient detail how the development will be constructed without interfering with or obstructing adjacent roads and properties. At a minimum, the plan shall indicate the location of material storage, workers parking, site offices, portable toilets, construction fencing and where applicable, the stockpiling of material excavated from the site and material brought to the site for fill purposes.
- 4) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 5) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans which you will receive when all of the above conditions are complied with.

Additionally, once construction has started, conditions (6-9) shall be complied with before a final Certificate of Occupancy can be issued.

- 6) The applicant shall provide a septic tank with a capacity of at least 1,500 US gallons. The septic tank shall be constructed in strict accordance with the Water Authority's standards.
- 7) All treated effluent shall be discharged into a disposal well by gravity-flow. The disposal well shall be constructed in strict accordance with the Water Authority's standards. The discharge pipe from the treatment system shall enter the disposal well at a height of at least two feet above the water table level in the well.
- 8) The applicant shall construct a six-foot wide concrete sidewalk along the front property line, and a 4 feet minimum in width landscape strip along the inside edge of the sidewalk. Construction of the sidewalk shall be to the satisfaction of the Director of Planning in consultation with the National Roads Authority Department.

9) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building.**

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage.**

The applicant is reminded that the proposed development is subject to compliance with the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

2. 4 DAVID CONTE Block 4E Parcel 223 (F05-0246) (P06-1650) (\$318,450) (DE)

Application for three (3) apartments.

Mr. Fred Whittaker declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Off Rev. Blackman Road and Powell Smith Road, West Bay
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	.3619 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Apartments
<i>Building Size</i>	2,895 sq. ft.
<i>Density</i>	4
<i>Allowable Density</i>	7
<i>Building Coverage</i>	20%
<i>Existing Parking</i>	1
<i>Proposed Handicapped Spaces</i>	1
<i>Proposed Parking</i>	7

<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	6

BACKGROUND

July 27, 2005, a house was administratively approved by the Director of Planning (and received a final C.O.)

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-2) listed below shall be met before building permit drawings can be submitted to the Building Control Unit.

- 1) The applicant shall submit, in accordance with the requirements of the National Roads Authority, a Stormwater Management plan designed to contain storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and/or surrounding roads, are not subject to stormwater runoff from the subject site. The plan shall include provisions for controlling roof runoff.
- 2) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. At a minimum, the landscape plan should show the following:
 - a) A mixture of canopy trees and shrubs behind the sidewalk.
 - b) A variety of shrubs and flowering plants along the front and side elevations of the apartment buildings.
 - c) Appropriate plantings to screen the trash container and treatment facility.
 - d) A mixture of shrubs, canopy trees, and/or flowering plants in the landscape medians between parking areas.
- 3) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 4) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans which you will receive when all of the above conditions are complied with.

Additionally, once construction has started, conditions (5-11) shall be complied with before a final Certificate of Occupancy can be issued.

- 5) The applicant shall provide a septic tank with a capacity of at least 1,250 US gallons. The septic tank shall be constructed in strict accordance with the Authority's standards.
- 6) All treated effluent shall be discharged into a disposal well by gravity-flow.

The disposal well shall be constructed in strict accordance with the Authority's standards. The discharge pipe from the treatment system shall enter the disposal well at a height of at least two feet above the water table level in the well.

- 7) The applicant shall construct a six-foot wide concrete sidewalk along the front property line, and a 4 feet minimum in width landscape strip along the inside edge of the sidewalk. Construction of the sidewalk shall be to the satisfaction of the Director of Planning in consultation with the National Roads Authority Department.
- 8) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.
- 9) The approved stormwater management system shall be installed on site.
- 10) Construct a gentle 'hump' at the entrance (along the entire width of the driveway) in order to prevent stormwater runoff from and onto the adjacent road.
- 11) Curbing is required for the driveway and parking areas to control stormwater runoff.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building.**

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage.**

The applicant is reminded that the proposed development is subject to compliance with the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

2. 5 ALEX GOULDEN Block 48C Parcel 213 (F06-0608) (P06-1667) (\$380,000) (KB)

Application to rebuild a damaged house.

Appearance at 2:50

FACTS

Location

Breakers, off Bodden Town Road

<i>Zoning</i>	BR/R
<i>Parcel Size</i>	19,166.4 sq. ft.
<i>Current Use</i>	Damaged House
<i>Proposed Use</i>	Rebuild
<i>Building Size</i>	2,638 sq. ft.
<i>Density</i>	2
<i>Allowable Density</i>	4
<i>Footprint</i>	1,455.33 sq. ft.
<i>Building Coverage</i>	13%
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1
<i>Number of Units</i>	1

BACKGROUND

The Department does not have any history recorded on this parcel.

Decision: It was resolved to adjourn the application in order for the applicant to submit revised plans that comply with all minimum setbacks.

2. 6 MARISA SARIEGO Block 12C Parcel 107 (F05-0478) (P06-1703) (\$700) (KB)

Application for a 6' wooden fence along Andrew Drive and on the eastern boundary.

Appearance at 1:50

FACTS

<i>Location</i>	West Bay Beach South on Stewart Lane at Andrew Drive
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	NA

BACKGROUND

December 7, 2005 (**CPA/32/05; Item 2.15**) - the Authority granted planning permission for a duplex.

December 13, 2006 (**CPA/39/06; Item 2.33**) - the Authority resolved to adjourn the application for this fence and invite the applicant in.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The maximum height of the fence along Andrew Drive shall be 5 feet and the fence must be setback a minimum of 6 feet from the property line.
- 2) The remaining portion of the fence may be a maximum of 6 feet.

2. 7 SAMUEL EBANKS Block 4C Parcel 301 Rem 1 (F00-0176) (P06-1746) (\$50,000) (EJ)

Application for a one (1) bedroom house.

FACTS

<i>Location</i>	Off Leona Lane in West Bay
<i>Zoning</i>	MDR
<i>Parcel Size</i>	70,131 sq. ft.
<i>Current Use</i>	Dilapidated House
<i>Proposed Use</i>	House (NRF)
<i>Building Size</i>	484 sq. ft.
<i>Density</i>	.63
<i>Allowable Density</i>	4
<i>Footprint</i>	484 sq. ft.
<i>Building Coverage</i>	.69%
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 2) Unless specifically authorized otherwise in writing by the Planning Department, the development shall be carried out strictly in accordance with the approved plans, which you will receive when the above condition is complied with.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building.**

The applicant is reminded that the finished floor level should be at least five feet (5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

2. 8 WINDMILL Block 61A Parcel 15 (F95-0262) (P07-0028) 9\$70,000) (KB)

Application for a private helipad.

FACTS

<i>Location</i>	North East Coast
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	42.0000 acres
<i>Current Use</i>	Vacant Residential L
<i>Proposed Use</i>	Helipad
<i>Building Size</i>	1,600 sq. ft.
<i>Proposed Handicapped Spaces</i>	1
<i>Proposed Parking</i>	2

BACKGROUND

The Department has records of planning permission granted for an amendment to the existing six bedroom house on the parcel, a garden shed, and a gazebo.

Decision: It was resolved to grant planning permission, **subject to the following condition:**

- 1) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

2. 9 HUFORD BENNETT Block 20B Parcel 50 (F07-0007) (P07-0032) (\$80,000) (DE)

Application for after-the-fact apartment unit and commercial cabinet workshop addition at the front of the property.

FACTS

<i>Location</i>	Off Owen Roberts Drive onto Breezy Way
<i>Zoning</i>	LI
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA

<i>Parcel Size</i>	.2300 acres
<i>Current Use</i>	Apartment and Cabinet Workshop
<i>Proposed Use</i>	Apartment and Cabinet Workshop
<i>Building Size</i>	1,273 sq. ft.
<i>Building Coverage</i>	36%
<i>Existing Parking</i>	1
<i>Proposed Parking</i>	6
<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	8

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding setbacks and the compatibility of uses.

2. 10 MINISTRY OF DAPAH Block 43D Parcel 2 (FA82-0381) (P07-0041) (\$750,000) (DE)

Application for re-building of the Bodden Town Civic Centre.

FACTS

<i>Location</i>	Off Bodden Town Road
<i>Zoning</i>	INST
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	5.3490 acres
<i>Proposed Use</i>	Civic Centre
<i>Building Size</i>	3,730 sq. ft.
<i>Building Coverage</i>	5%
<i>Existing Parking</i>	84
<i>Proposed Handicapped Spaces</i>	2
<i>Proposed Parking</i>	84
<i>Required Handicapped Spaces</i>	2
<i>Required Parking</i>	80

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-2) listed below shall be met before building permit drawings can be submitted to the Building Control Unit.

- 1) The applicant shall submit, in accordance with the requirements of the National Roads Authority, a Stormwater Management plan designed to contain storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and/or surrounding roads, are not subject to stormwater runoff from the subject site. The plan shall include provisions for controlling roof runoff.
- 2) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. At a minimum, the landscape plan should show the following:
 - a) A mixture of canopy trees and shrubs behind the sidewalk.
 - b) A variety of shrubs and flowering plants along the front and side elevations of the apartment buildings.
 - c) Appropriate plantings to screen the trash container and treatment facility.
 - d) A mixture of shrubs, canopy trees, and/or flowering plants in the landscape medians between parking areas.
- 3) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 4) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans which you will receive when all of the above conditions are complied with.

Additionally, once construction has started, conditions (5-9) shall be complied with before a final Certificate of Occupancy can be issued.

- 5) The applicant shall provide a sewage treatment facility in accordance with the requirements of the Water Authority (Cayman).
- 6) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.
- 7) The approved stormwater management system shall be installed on site.
- 8) Construct a gentle 'hump' at the entrance (along the entire width of the driveway) in order to prevent stormwater runoff from and onto the adjacent road.
- 9) Curbing is required for the driveway and parking areas to control stormwater runoff.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building.**

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage**.

The applicant is reminded that the proposed development is subject to compliance with the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

2. 11 TONY LALOR Block 25B Parcel 204 (F05-0285) (P07-0115) (\$320,000) (DE)

Application for an after-the-fact duplex addition (second floor of unit #1).

FACTS

<i>Location</i>	Party Lane off Marina Drive in Prospect
<i>Zoning</i>	LDR
<i>Parcel Size</i>	.2400 acres
<i>Current Use</i>	Duplex
<i>Proposed Use</i>	Duplex Addition
<i>Building Size</i>	2,870 sq. ft.
<i>Footprint</i>	2,870 sq. ft.
<i>Density</i>	4.16
<i>Allowable Density</i>	2
<i>Building Coverage</i>	27.45%
<i>Proposed Parking</i>	4
<i>Required Parking</i>	3

BACKGROUND

CPA/17/05; Item 2.16 - it was resolved to grant planning permission for a duplex.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding setbacks, site coverage and bedroom density.

2. 12 CHESTER WATLER Block 43D Parcel 164 (F01-0328) (P05-1455) (\$405,580) (BES)

Application for after-the-fact storage building, storage container, staff quarters and restaurant.

Appearance at 4:30

FACTS

<i>Location</i>	Pease Bay, Bodden Town
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	Objectors
<i>Advertisements</i>	Advertising Complete
<i>Parcel Size</i>	4.4730 acres
<i>Current Use</i>	Commercial/Industrial
<i>Proposed Use</i>	Same As Above
<i>Building Size</i>	5,794 sq. ft.
<i>Building Coverage</i>	4%
<i>Existing Parking</i>	8
<i>Proposed Handicapped Spaces</i>	2
<i>Proposed Parking</i>	8
<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	25

BACKGROUND

Oct. 5, 2005 - CPA authorised the issuance of an Enforcement Notice regarding after the fact commercial/industrial structures on the site.

March 8, 2006 (**CPA/07/06; Item 2.17**) - CPA adjourned the application to invite the applicant and objectors to appear.

May 17, 2006 - The applicant appeared before the Authority and the application was adjourned for a site visit.

May 24, 2006 - CPA undertook a site visit of the premises.

June 28, 2006 (**CPA/21/06; Item 2.27**) - CPA adjourned the application for all members to be present that participated on the site visit conducted on May 24, 06.

August 23, 2006 (**CPA/27/06; Item 2.29**), CPA adjourned the application to discuss several concerns regarding the application.

Decision #1: It was resolved to refuse the application for the structure referred to on the applicant's site plan as "covered porch with container below" **for the following reason:**

1. The structure is used for vehicle repair and storage and this is not appropriate in the Low Density Residential zone as it is not compatible with surrounding residential development in terms of visual appearance and in terms of creating a nuisance and annoyance to others which is contrary to section 9(5) of the Development and Planning Regulations (2006 Revision).

The Authority wishes to remind you of the right to appeal pursuant to section 48(1) of the Development and Planning Law (2005 Revision). Such appeal shall be made by Notice in writing, and referred to as "Notice of Appeal". It shall be signed by yourself or your attorney-at-law and filed along with the prescribed CI\$50.00 filing fee, in the offices of the Permanent Secretary of District Administration, Planning, Agricultural and Housing within the fourteen (14) day period as stipulated in Section 48(1).

Immediately thereafter the appellant shall serve a copy of the Notice of Appeal on the Director of Planning and on all parties who may have filed objections or been heard at the hearing of the application to which the appeal relates. A copy of the Appeal Rules for the Development and Planning Law may be obtained from the Clerk of the Legislative Assembly.

Decision #2: It was resolved to adjourn the application for the "food stall (take out)" building, **for the following reason:**

1. Within 6 months of the date of this decision, the applicant shall submit:
 - a) A report prepared by a civil engineering detailing whether the structure complies with the Building Code and if it does not, then the steps required to be taken to ensure compliance.
 - b) Confirmation from the Department of Environmental Health that their requirements have been satisfied and if they have not been, then the steps required to be taken to ensure compliance.

Decision #3: It was resolved to adjourn the applications for the two "staff quarters" buildings, **for the following reason:**

1. Within 6 months of the date of this decision, the applicant shall submit:
 - a) A report prepared by a civil engineering detailing whether the structures comply with the Building Code (including Electrical, Plumbing and Fire provisions) and if they do not, then the steps required to be taken to ensure compliance.
 - b) Confirmation from the Department of Environmental Health that their requirements have been satisfied and if they have not been, then the steps required to be taken to ensure compliance.
 - c) A revised site plan showing the staff quarter building identified on the applicant's site plan as being 1512 square feet modified such that there is a

minimum 10' side setback from the westerly property line.

Decision #4: It was resolved to adjourn the application for the “metal dome storage” building, **for the following reason:**

1. Within 6 months of the date of this decision, the applicant shall submit:
 - a) A report prepared by a civil engineering detailing whether the structure complies with the Building Code (including Electrical, Plumbing and Fire provisions) and if it does not, then the steps required to be taken to ensure compliance.
 - b) An elevation drawing showing improvements to the visual appearance (e.g. foam bands, paint, replacing wood with metal, etc.).

Decision #5: It was resolved to adjourn all that part of the application referenced in decisions #2, #3 and #4 for the applicant to submit a revised site plan showing a total of 19 parking spaces.

Decision #6: It was resolved to authorise the issuance of an Enforcement Notice in accordance with Section 18 of the Development and Planning Law (2005 Revisions) for the illegal development on the site. Enforcement Notice to take effect, subject to the provisions of Section 18(5) and (6) of the law, at the end of the period of 28 days from the date of service and compliance with the Enforcement Notice to be completed within the period of 60 days from the date when the Notice takes effect.

2. 13 ADENA WEBSTER Block 27E Parcel 100 (F96-0223) (P06-0294) (\$84,366) (EJ)

Application for a house addition.

FACTS

<i>Location</i>	Corner of Moonbeam Drive and Tridelphia Way
<i>Zoning</i>	LDR
<i>Parcel Size</i>	12,771 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	Addition
<i>Building Size</i>	937 sq. ft.
<i>Density</i>	3.41
<i>Allowable Density</i>	3
<i>Footprint</i>	937 sq. ft.
<i>Building Coverage</i>	14.76%
<i>Proposed Parking</i>	1

BACKGROUND

House appears to have been granted permission in 1996 however, original file was not received by planner at the time of write-up.

August 30, 2006 (CPA/28/06; Item 2.2) - the Authority adjourned the application in order for the applicant to submit a revised site plan showing the location of the existing shed and for an application for same.

Decision: It was resolved to grant planning permission, subject to the following conditions:

- 1) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 2) Unless specifically authorized otherwise in writing by the Planning Department, the development shall be carried out strictly in accordance with the approved plans, which you will receive when the above condition is complied with.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building.**

The applicant is reminded that the finished floor level should be at least five feet (5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

2. 14 CDP LTD Block 12E Parcel 37 (F99-0022) (P06-1757) (\$240,000) (DE)

Application for a single storey car garage to an existing house.

Appearance at 11:45

FACTS

<i>Location</i>	Off West Bay Road onto Lizard Run Lane, West Bay
<i>Zoning</i>	H/T
<i>Parcel Size</i>	.34 acre
<i>Current Use</i>	House
<i>Proposed Use</i>	Garage
<i>Building Size</i>	37.17 sq. ft.
<i>Density</i>	2.9
<i>Allowable Density</i>	3
<i>Footprint</i>	1,937 sq. ft.

<i>Building Coverage</i>	13%
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

Decision: It was resolved to refuse the application, **for the following reason:**

1. The proposed garage does not comply with the side and rear setback requirements per Regulation 10(1)(f) & (g) of the Development and Planning Regulations (2006 Revision). Additionally, the Authority was of the opinion that the applicant had not presented sufficient reason why lesser setbacks could be allowed per Regulation 8(13)(b).

The Authority wishes to remind you of the right to appeal pursuant to section 48(1) of the Development and Planning Law (2005 Revision). Such appeal shall be made by Notice in writing, and referred to as "Notice of Appeal". It shall be signed by yourself or your attorney-at-law and filed along with the prescribed CI\$50.00 filing fee, in the offices of the Permanent Secretary of District Administration, Planning, Agricultural and Housing within the fourteen (14) day period as stipulated in Section 48(1).

Immediately thereafter the appellant shall serve a copy of the Notice of Appeal on the Director of Planning and on all parties who may have filed objections or been heard at the hearing of the application to which the appeal relates. A copy of the Appeal Rules for the Development and Planning Law may be obtained from the Clerk of the Legislative Assembly.

2. 15 BAYSHORE PROPERTIES Block 14BH Parcel 165 (F02-0176) (P07-0059) (P07-0060) (P07-0061) (KB)

Application for three (3) new signs on the building; one (1) free standing sign; change the location of two (2) previously approved signs; and to change the lettering for three (3) previously approved signs.

FACTS

<i>Location</i>	On South Church Street, opposite to the South Terminal
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	No Objectors
<i>Height</i>	12"
<i>Sign</i>	14 sq. ft.

BACKGROUND

August 2, 2002 (**CPA/18/02; Item 5.01(D)**) - the Authority granted planning permission for a total of 103 signs, 2 minor kiosks, 1 wall, 1 fence, and 2 satellite dishes.

Decision: It was resolved to grant planning permission, **subject to the following condition:**

- 1) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

2. 16 RAY WELDS SUNGLASSES Block OPY Parcel 56 (FA92-0305) (P06-1450) (KB)

Application for an after-the-fact kiosk (20.5 square feet).

An appearance was schedule at 3:50pm, but the applicant did not appear.

FACTS

<i>Location</i>	Harbour Drive
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.1600 acres
<i>Current Use</i>	After-the-Fact Kiosk
<i>Proposed Use</i>	Kiosk for Sunglasses
<i>Building Size</i>	21 sq. ft.
<i>Building Coverage</i>	20.5%
<i>Total Site Coverage</i>	20.5%
<i>Existing Parking</i>	8

BACKGROUND

August 24, 2006 - an enforcement notice was sent out in regard to the illegal construction of a sales kiosk and associated sign for Sun Rays Sunglasses.

November 29, 2006 (**CPA/37/06; Item 2.14**) – the application was adjourned to invite the applicant to appear before the Authority.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the appropriateness of the kiosks and signage.

2. 17 RAY WELDS SUNGLASS Block OPY Parcel 56 (FA92-0305) (P06-1451) (KB)

Application for two (2) after-the-fact signs to accommodate the after-the-fact kiosk.

An appearance was schedule at 3:50pm, but the applicant did not appear.

FACTS

<i>Location</i>	Harbour Drive
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	Objectors
<i>Height</i>	7'
<i>Sign Size</i>	16 sq. ft.

BACKGROUND

August 24, 2006 - an enforcement notice was sent out in regard to the illegal construction of a sales kiosk and associated sign for Sun Rays Sunglasses.

November 29, 2006 (**CPA/37/06; Item 2.15**) – the application was adjourned to invite the applicant to appear before the Authority.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the appropriateness of the kiosks and signage.

2. 18 CAYMAN HELICOPTERS Block OPY Parcel 56 (FA92-0305) (P06-1452) (KB)

Application for an after-the-fact kiosk (15 square feet).

An appearance was schedule at 3:50pm, but the applicant did not appear.

FACTS

<i>Location</i>	Harbour Drive
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.1600 acres
<i>Current Use</i>	After-the-Fact Kiosk
<i>Proposed Use</i>	Kiosk for Helicopter
<i>Building Size</i>	15 sq. ft.

<i>Building Coverage</i>	15%
<i>Total Site Coverage</i>	15%
<i>Existing Parking</i>	8

BACKGROUND

August 24, 2006 - an enforcement notice was sent out in regard to the illegal construction of a sales kiosk and associated sign for Cayman Helicopter.

November 29, 2006 (**CPA/37/06; Item 2.16**) – the application was adjourned to invite the applicant to appear before the Authority.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the appropriateness of the kiosks and signage.

2. 19 CAYMAN HELICOPTERS Block OPY Parcel 56 (FA92-0305) (P06-1453) (KB)

Application for four (4) after-the-fact signs to accommodate the after-the-fact kiosk.

An appearance was schedule at 3:50pm, but the applicant did not appear.

FACTS

<i>Location</i>	Harbour Drive
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	Objectors
<i>Height</i>	6'-6"
<i>Sign Size</i>	25 sq. ft.

BACKGROUND

August 24, 2006 - an enforcement notice was sent out in regard to the illegal construction of a sales kiosk and associated sign for Cayman Helicopter.

November 29, 2006 (**CPA/37/06; Item 2.17**) – the application was adjourned to invite the applicant to appear before the Authority.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the appropriateness of the kiosks and signage.

2. 20 SCOOTERS & WHEELS Block OPY Parcel 56 (FA92-0305) (P06-1517) (KB)

Application for an after-the-fact kiosk (80 square feet).

An appearance was schedule at 3:50pm, but the applicant did not appear.

FACTS

<i>Location</i>	Harbour Drive
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.1600 acres
<i>Current Use</i>	After-the-Fact Kiosk
<i>Proposed Use</i>	Kiosk for Scooter Rentals
<i>Building Size</i>	80 sq. ft.
<i>Building Coverage</i>	80%
<i>Total Site Coverage</i>	80%
<i>Existing Parking</i>	8

BACKGROUND

August 24, 2006 - an enforcement notice was sent out in regard to the illegal construction of a sales kiosk and associated sign for Scooters and Wheels rentals.

November 29, 2006 (**CPA/37/06; Item 2.21**) – the application was adjourned to invite the applicant to appear before the Authority.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the appropriateness of the kiosks and signage.

2. 21 SCOOTERS & WHEELS Block OPY Parcel 56 (FA92-0305) (P06-1518) (\$100) (KB)

Application for an after-the-fact sign to accommodate the after-the-fact kiosk (24 square feet).

An appearance was schedule at 3:50pm, but the applicant did not appear.

FACTS

<i>Location</i>	Harbour Drive
<i>Zoning</i>	G COM

BACKGROUND

August 24, 2006 - an enforcement notice was sent out in regard to the illegal construction of a sales kiosk and associated sign for Scooters and Wheels rentals.

November 29, 2006 (**CPA/37/06; Item 2.22**) – the application was adjourned to invite the applicant to appear before the Authority.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the appropriateness of the kiosks and signage.

2. 22 CAYMAN AIRWAYS LTD Block 20B Parcel 70 & 78 (FA92-0131) (P06-1613) (\$1,500,000) (BES)

Application for change-of-use from hotel to a commercial office building.

FACTS

<i>Location</i>	Owen Roberts Drive, George Town
<i>Zoning</i>	Airport Lands
<i>Notice Requirements</i>	Objectors
<i>Existing Use</i>	Hotel
<i>Proposed Use</i>	Same as above
<i>Parcel Size</i>	0.91 acre
<i>Building Size</i>	20,237 sq. ft.
<i>Site Coverage</i>	Building – 27%
<i>Parking Proposed</i>	105
<i>Parking Required</i>	67 including 4 handicap

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-3) listed below shall be met before building permit drawings can be submitted to the Building Control Unit.

- 1) The applicant shall submit a revised site plan showing the garbage facility situated in accordance with the requirements of the Chief Environmental Health Officer.
- 2) The applicant shall submit, in accordance with the requirements of the National Roads Authority, a Stormwater Management plan designed to contain storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and/or surrounding roads, are not subject to stormwater runoff from the

subject site. The plan shall include provisions for controlling roof runoff.

- 3) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. At a minimum, the landscape plan shall show the following:
 - a) A mixture of canopy trees and shrubs behind the sidewalk.
 - b) A variety of shrubs and flowering plants along the front and side elevations of the apartment buildings.
 - c) Appropriate plantings to screen the trash container and treatment facility.
 - d) A mixture of shrubs, canopy trees, and/or flowering plants in the landscape medians between parking areas.
- 4) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 5) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans which you will receive when all of the above conditions are complied with.

Additionally, once construction has started, conditions (6-11) shall be complied with before a final Certificate of Occupancy can be issued.

- 6) The applicant shall provide a sewage treatment facility in accordance with the requirements of the Water Authority (Cayman).
- 7) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.
- 8) The approved stormwater management system shall be installed on site.
- 9) Construct a gentle 'hump' at the entrance (along the entire width of the driveway) in order to prevent stormwater runoff from and onto the adjacent road.
- 10) Curbing is required for the driveway and parking areas to control stormwater runoff.
- 11) Conditions 7) through 10) also apply to the parking area on Block 20B Parcel 78.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building.**

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage.**

The applicant is reminded that the proposed development is subject to compliance with the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

2. 23 C.I. NATIONAL ARCHIVE Block 14C Parcel 252 (FA90-0368) (P06-1621) (\$9,000,000) (BES)

Application for an archive building.

Mr. Darrell Ebanks declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Thomas Russell Avenue, George Town
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	No Objectors
<i>Proposed Use</i>	Same as above
<i>Parcel Size</i>	33,976.8 sq. ft.
<i>Site Coverage</i>	Building (37.3%), Parking Lot (39%) Total = 76.3% (1.3% excess)
<i>Building Size</i>	40,709 sq. ft.
<i>Parking Proposed</i>	42
<i>Parking Required</i>	61
<i>Deficit</i>	19

Decision: It was resolved to adjourn the application in order to obtain the comments from the Cayman Islands Airport Authority with respect to the height of the building.

2. 24 CIAA Block 20C Parcel 78 (F06-0407) (P07-0177) (\$120,000) (CS)

Application for an 8' chain link security fence.

FACTS

<i>Location</i>	The Cricket Pitch and Former Farmer's Market Facility is located on the subject
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parcel. The property is bound by Crewe Road, Smith Road and Huldah Avenue

Zoning A/R
Height 8'

Decision: It was resolved to adjourn the application and require the applicant to submit a revised site plan showing the following:

- a) The fence setback a minimum of 10 feet from the property line with landscaping provided on the outside of the fence within the setback area.
- b) The gates setback 20 feet from the property line and provided with truncations to allow vehicles to more easily pass through the gates.

2. 25 CARIBBEAN PROPERTY CORPORATION Block 14E Parcel 4 (FA82-0009) (P07-0185) (CS)

Application to modify planning permission to reduce the number of apartment units from twenty three (23) to eighteen (18).

FACTS

Location Near South Church Street and Melmac Avenue, George Town South
Zoning BR/R
Notice Requirements NA
Advertisements NA
Parcel Size 1.5000 acres
Current Use Vacant
Proposed Use Apartments
Building Size 49,737 sq. ft.
Density 12
Building Coverage 19.3%
Proposed Handicapped Spaces 2
Proposed Parking 37
Required Parking 27

BACKGROUND

February 6, 2006 (CPA/03/06; Item 2.34) - CPA approved an application for twenty three (23) apartments, pool, two (2) cabanas and seawall.

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the Development and Planning Law (2005 Revision) hereby orders that planning permission CPA/03/06; item 2.34 be modified to allow the number of apartments to be reduced from 23 to 18.

All other conditions of CPA/03/06; item 2.34 remain applicable.

2. 26 E-MAC INVESTMENTS Block 3D Parcel 121 (FA84-0143) (P07-0204) (CS)

Application for modification to the approved site design of six (6) apartments and a pool.

FACTS

<i>Location</i>	Conch Point Road, in front of Caribbean Lane, West Bay
<i>Zoning</i>	BR/R
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Parcel Size</i>	18,295.2 sq. ft.
<i>Current Use</i>	Apartments
<i>Proposed Use</i>	Apartments
<i>Density</i>	14.3
<i>Building Coverage</i>	30%
<i>Parking Coverage</i>	13%
<i>Total Site Coverage</i>	43%
<i>Proposed Handicapped Spaces</i>	1
<i>Proposed Parking</i>	9
<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	9

BACKGROUND

May 29, 2006 (CPS/15/06; Item 2.14) The Authority granted planning permission for six (6) apartments and a pool.

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the Development and Planning Law (2005 Revision) hereby orders that planning

permission CPA/15/06; item 2.14 be modified to allow the as built location of the apartments.

All other conditions of CPA/15/06; item 2.14 remain applicable.

2. 27 SAFEGUARD SECURITY Block 20B Parcel 347 (F04-0253) (P07-0214) (CS)

Application for a change-of-use to allow light industrial uses for all warehouses in development.

Mr. Darrell Ebanks declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Located On Kingbird Drive.
<i>Zoning</i>	LI
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Parcel Size</i>	5.5200 acres
<i>Current Use</i>	Storage Warehouse
<i>Proposed Use</i>	Light Industrial
<i>Building Size</i>	73,250 sq. ft.
<i>Building Coverage</i>	31%
<i>Parking Coverage</i>	49%
<i>Total Site Coverage</i>	80%
<i>Proposed Parking</i>	127
<i>Required Parking</i>	74

BACKGROUND

June 1, 2005 (**CPA/13/05; Item 2.10**) - CPA granted planning permission for fifty four (54) warehouse units.

December 13, 2006 (**CPA/39/06; Item 2.17**) - CPA granted planning modification for change-of-use for five (5) warehouse units to allow a laundry business and a water production facility.

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the Development and Planning Law (2005 Revision) hereby orders that planning permission CPA/13/05; item 2.10 be modified to allow the following light industrial uses to be located within the building:

- a) The assembly of products from previously prepared materials, including but not limited to fabrics, glass, leather, paper, metal, or plastics.
- b) Cabinet making (excluding outside storage of raw and finished materials).
- c) Warehouse storage.
- d) Industrial laundry.
- e) Wholesale trade & Distribution.
- f) Contracting services (Electrical, Plumbing, etc.).
- g) Janitorial services.
- h) Office use (Ancillary, in association with a primary Light Industrial Use - less than 10% square footage).
- i) Retail use (Ancillary, in association with a primary Light Industrial use - less than 10% square footage).

All other conditions of CPA/15/06; item 2.14 remain applicable.

2. 28 WAID WATLER Block 49A Parcel 2 (FA82-0119) (P06-1370) (\$1,000,000) (KB)

Application for Phase 1 (19 lots) out of a 110 lot subdivision.

Appearance at 4:00

FACTS

<i>Location</i>	North Side off Hutland Road.
<i>Zoning</i>	MDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	37.0000 acres
<i>Number of Lots</i>	19

BACKGROUND

The application has been heard 3 times. The applicant has been invited in twice, but has not appeared. Apparently there is a new agent who is appearing at 4:00.

Decision: It was resolved to grant planning permission, **subject to the following condition:**

- 1) Prior to the subdivision plan being finalized, the following conditions shall be satisfied:
 - a) The access road (s) abutting the proposed strata lots shall have a minimum of a 30' demarcated road parcel and shall be constructed with asphalt and approved by the Director of Planning prior to the lots being registered. The applicant shall liaise with the Managing Director, National Roads

Authority (NRA), at predetermined stages of road construction to ensure compliance with the requisite standards. Failure to do so may render the project unacceptable. Please be advised that the road base shall be constructed to National Roads Authority (NRA) minimum design and construction specifications for subdivision roads. The NRA shall inspect and certify road base construction prior to road surfacing activities.

- b) The applicant shall provide water infrastructure for the entire sub-division. The applicant shall submit plans for the water supply system for approval by the Water Authority. The water supply system shall be installed to the Water Authority's specifications, under the Water Authority's supervision. Copies of these specifications are available at the Water Authority's office on Red Gate Road.
- c) The applicant shall request to have the sub-division connected to the Water Authority's public water system. This request will be acted upon after the pipelines on the sub-division have been installed in accordance with the WAC specifications and have passed all specified tests.
- d) Install road signs and submit names for proposed roads.
- e) The surveyor's final drawing shall be submitted to the Planning Department for approval prior to the survey being registered. The applicant shall notify the Chief Surveyor in writing once survey Kaps have been placed in the ground in order for the survey to complete its authentication process and to thereby initiate lifting of the Parcel Survey Restrictions by the Registrar of Lands.

2. 29 CAYMAN ISLANDS FOOTBALL ASSOCIATION Block 25B Parcel 496 (F94-0229) (P06-1776) (\$168,000) (BES)

Application for office building.

FACTS

<i>Location</i>	Poindexter Road
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Office Building
<i>Building Size</i>	1,525 sq. ft.
<i>Parking Proposed</i>	16
<i>Parking Required</i>	5

Decision: It was resolved to adjourn the application for the following reasons:

1. The Authority is of the opinion that considering the application for the office building would be premature until such time as an application for planning permission is submitted for the master plan of the site.

2. 30 MORITZ BRUECKNER Block 21B Parcel 8 (F04-0143) (P07-0107) (\$8,820) (RS)

Application for after-the-fact removal of 420 cubic yards of sand.

FACTS

Location South Sound Road, West of Belair Drive

BACKGROUND

CPA/13/06 - approval granted for 21 lot subdivision (Ph 1)

CPA/29/06 - approval granted for 24 lot subdivision (Ph 2)

Decision: It was resolved to grant after-the-fact planning permission for the removal of sand, subject to the following condition:

- 1) No additional sand shall be removed from the site.

2. 31 STANLEY E. CLARKE Block 28B Parcel 277 (F99-0172) (P06-0917) (CS)

Application for an after-the-fact apartment unit.

Appearance at 3:20

FACTS

Location Off Democracy Drive in Savannah

Zoning **LDR**

Notice Requirements No Objectors

Parcel Size 12,867 sq. ft.

Current Use Existing Dwelling

Proposed Use Dwelling

Building Size 520 sq. ft.

Density 10.16

Allowable Density 15

Building Coverage 28.5%

Existing Parking 1

Proposed Parking 2

Required Parking 5

BACKGROUND

May 5, 2004 (**CPA/09/04; Item 2.8**) - CPA granted planning permission for a duplex.

April 7, 2006 (**CE06-0029**) - An Enforcement and Stop Notice was issued for an additional dwelling unit under construction, without planning permission.

November 22, 2006 (**CPA/36/06; Item 2.2**) - CPA adjourned the application to invite the application to appear before the Authority to discuss concerns regarding lot size, site coverage and parking.

Decision: It was resolved to grant planning permission, subject to the following conditions:

Conditions (1-2) listed below shall be met before building permit drawings can be submitted to the Building Control Unit.

- 1) The applicant shall submit, in accordance with the requirements of the National Roads Authority, a Stormwater Management plan designed to contain storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and/or surrounding roads, are not subject to stormwater runoff from the subject site. The plan shall include provisions for controlling roof runoff.
- 2) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. At a minimum, the landscape plan shall show the following:
 - a) A mixture of canopy trees and shrubs behind the sidewalk.
 - b) A variety of shrubs and flowering plants along the front and side elevations of the apartment buildings.
 - c) Appropriate plantings to screen the trash container and treatment facility.
 - d) A mixture of shrubs, canopy trees, and/or flowering plants in the landscape medians between parking areas.
- 3) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 4) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans which you will receive when all of the above conditions are complied with.

Additionally, once construction has started, conditions (5-11) shall be complied with before a final Certificate of Occupancy can be issued.

- 5) The plans indicate that the existing septic tank has a volume of 1,000 gallons. That tank cannot accommodate the flows from the additional unit; therefore, the applicant shall provide a septic tank with a capacity of at least 750 US gallons to serve the proposed unit. If the applicant opts to utilize a single septic tank, the existing tank shall be replaced with a septic tank with a minimum capacity of 1,500 US gallons. The septic tank shall be constructed in strict accordance with the Water Authority's standards.
- 6) All treated effluent shall be discharged into a disposal well by gravity-flow. The disposal well shall be constructed in strict accordance with the Water Authority's standards. The discharge pipe from the treatment system shall enter the disposal well at a height of at least two feet above the water table level in the well.
- 7) The applicant shall construct a six-foot wide concrete sidewalk along the front property line, and a 4 feet minimum in width landscape strip along the inside edge of the sidewalk. Construction of the sidewalk shall be to the satisfaction of the Director of Planning in consultation with the National Roads Authority Department.
- 8) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.
- 9) The approved stormwater management system shall be installed on site.
- 10) Construct a gentle 'hump' at the entrance (along the entire width of the driveway) in order to prevent stormwater runoff from and onto the adjacent road.
- 11) Curbing is required for the driveway and parking areas to control stormwater runoff.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building.**

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage.**

The applicant is reminded that the proposed development is subject to compliance with the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

3.0 ENFORCEMENTS

4.0 DEVELOPMENT PLAN MATTERS

5.0 PLANNING APPEAL MATTERS

5.1 PLANNING APPEALS

The Assistant Director of Planning provided an update on the status of appeal hearings and the number of appeals received to date in 2007.

6.0 MATTERS FROM THE DIRECTOR OF PLANNING

6.3 ANDY PARSONS

The Authority was advised of a situation where the applicant had cleared land beyond the first phase of the subdivision that was recently approved. This clearing could have negative affects on Malportas Pond.

Decision: It was resolved to authorise the issuance of an Enforcement Notice and Stop Notice in accordance with Sections 18 and 23 of the Development and Planning Law (2005 Revisions). Enforcement Notice to take effect, subject to the provisions of Section 18(5) and (6) of the law, at the end of the period of 28 days from the date of service and compliance with the Enforcement Notice to be completed within the period of 1 day from the date when the Notice takes effect. The Stop Notice to take effect at the expiration of 3 days after the date of signature, subject to provisions of Section 23(1) (a) and (b).

6.4 SAND TRADE

The Director advised that a letter had been received regarding a request for the Authority to consider allowing the trade of sand between Castaway Coves and the Ritz-Carlton golf course.

Decision: It was resolved not to approve the trade of sand between Castaway Coves and the Ritz-Carlton golf course.

7.0 CPA MEMBERS INFORMATION/DISCUSSIONS