

Central Planning Authority

Minutes for a meeting of the Central Planning Authority held on September 19, 2007 at 10:30 a.m. in the Conference Room, 1st Floor, Regatta Office Park – Leeward One (formerly Safehaven).

26th Meeting of the Year

CPA/26/07

Mr. Dalkeith Bothwell (Chairman) (apologies)

Mr. Attlee Bodden (Acting Chairman)

Mr. Darrell Ebanks (apologies)

Mr. Ernley Hurlstone (absent)

Mr. Ray Hydes (arrived 12:15pm)

Mr. Arek Joseph (except 2.13) (left at 4:50pm)

Mr. Trent McCoy (arrived at 11:20am)

Mr. Rex Miller (except 2.23)

Mr. Arden Parsons (apologies)

Mr. Eldon Rankin (except 2.1)

Mr. Owen Rankine

Mr. Robert Watler (except 2.3, 6.2)

Mr. Fred Whittaker

Mr. Kenneth Ebanks (Executive Secretary, except between 11:00am and 1:30pm and item 2.4)

Mr. Haroon Pandohie (Acting Executive Secretary between 11:00am and 1:30pm)

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/24/07 held on September 5, 2007.

Moved:

Seconded:

Adjourned

2.0 APPLICATIONS

APPEARANCES (Items 2. 1 TO 2. 10)

2. 1 FIRST STEP ACADEMY Block 20D Parcel 5 (F07-0320) (P07-0797) (P07-0798) (\$30,000) (BES)

Application for change-of-use from dwelling house to pre-school and 4' high chain link fence.

Appearance at 11:30

Mr. Eldon Rankin declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Crewe Road, George Town
<i>Zoning</i>	MDR
<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	65,340 sq. ft.
<i>Current Use</i>	Dwelling House
<i>Proposed Use</i>	Pre-School
<i>Building Size</i>	3,307 sq. ft.
<i>Proposed Parking</i>	11
<i>Required Parking</i>	11

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

1. The applicant shall submit a revised site plan showing an entrance driveway along the western side of the property leading to the parking area at the rear of the building with the exit driveway returning along the eastern boundary. The exit driveway must include a slipway for drop-offs. As a result of the changes to the site plan, the owners of Block 20D Parcels 3, 6, 240, 241 and 267 must be re-notified.

2. 2 ROBERT TOTTEN Block 5C Parcel 123 (F04-0165) (P07-1041) (CS)

Application to modify planning permission to remove condition 1 b) of CPA/32/05; Item 2.30.

Appearance at 11:40

FACTS

<i>Location</i>	On West Bay Road, immediately south of the West Bay Cemetery
<i>Zoning</i>	BR/R
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.9200 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Apartments

BACKGROUND

December 7, 2005 (**CPA/32/05; Item 2.30**) - The Authority granted planning permission for a 6-foot wall, subject to the following condition:

- 1) The applicant shall submit revised drawings showing:
 - a) The wall setback a minimum of 130' from the high water mark.
 - b) The wall situated no closer to the road than the closest point of the building.
 - c) In the area near the road, the wall shall be the same height as the existing cemetery wall.

May 2, 2007 (**CPA/12/07; Item 2.20**) - CPA granted planning permission for nine apartments and a pool.

May 16, 2007 (**CPA/13/07; Item 2.37**) - The Authority resolved to adhere to planning permission CPA/12/07; Item 2.20.

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/32/05; item 2.30 be modified to delete conditions 1) b) and c) and **replace them with the following:**

- “b) A 4’ wall starting 10’ from the West Bay Road property line for a distance of 30’, then a height of 5’ for a distance of 20’, then a height of 6’ for the remaining length of the wall.”

All other conditions of CPA/32/05; item 2.30 remain applicable.

2.3 JUDY BELLAFONTE Block 43D Parcel 37 (F07-0272) (P07-0674) (\$850,000) (BES)

Application for apartments, cabana and pool.

Appearance at 1:20

Mr. Robert Watler declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Kipling Drive, Bodden Town
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	21,780 sq. ft.
<i>Proposed Use</i>	Apartments and Pool
<i>Building Size</i>	7,394 sq. ft.
<i>Density</i>	10
<i>Allowable Density</i>	15
<i>Building Coverage</i>	17.8%
<i>Proposed Parking</i>	16
<i>Required Parking</i>	8

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

1. The applicant shall submit a revised site plan showing the following:
 - a) The direction of traffic flow through the site reversed.
 - b) A sidewalk along the inside of the property line. The sidewalk must have a 15' turning radius at the junction of Kipling Street and Bodden Town Road.
 - c) Retaining walls along the rear and side property lines. A wall along the front property line is optional.

2. 4 CHESLEY ALVEY PARSONS Block 5B Parcel 172 (FA81-0339) (P07-0976) (\$3,000) (KB)

Application for an after-the-fact dining/viewing deck.

Appearance at 2:20

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

FACTS

<i>Location</i>	Town Hall Road near intersection of Powell Smith Road, West Bay
<i>Zoning</i>	BR/R
<i>Notice Requirements</i>	Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	3,049 sq. ft.
<i>Current Use</i>	Restaurant
<i>Proposed Use</i>	Same
<i>Building Size</i>	777 sq. ft.
<i>Building Coverage</i>	28%
<i>Total Site Coverage</i>	28%
<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	11

BACKGROUND

April 14, 1981, the Authority granted planning permission to revise the existing sea wall and parking arrangement for the restaurant and boutique at West Bay.

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

- 1) The applicant shall submit a letter from the owner of Block 5B Parcel 171 stating that the applicant has permission to utilize the land for the purpose of customer parking.
- 2) The applicant shall submit a site plan for Block 5B Parcel 171 showing a minimum of 4 parking spaces with tire stops.
- 3) 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 you have complied with all of the above conditions.

**2. 5 LEIGHTON RANKINE Block 25B Parcel 379 (FA84-0096) (P07-1034)
(\$24,210) (DE)**

Application for an after-the-fact storage room.

An appearance was schedule at 2:50pm, but the applicant did not attend the meeting.

FACTS

<i>Location</i>	Marina Drive, Prospect, George Town
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Parcel Size</i>	10,890 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Storage Shed
<i>Building Size</i>	269 sq. ft.
<i>Density</i>	3
<i>Building Coverage</i>	20%
<i>Total Site Coverage</i>	20%
<i>Existing Parking</i>	2
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

BACKGROUND

July 26, 2006 (**CPA/24/06; Item 2.40**) - It was resolved to adjourn the application for the following reason:

1. The applicant is invited to appear before the Authority to discuss concerns regarding the use of a storage shed as living quarters.

October 4, 2006 (**CPA/31/06; Item 2.6**) - It was resolved to refuse planning permission, for the following reason:

1. The proposed structure is of substandard construction quality and visual appearance and would not comply with Regulation 9(1) of the Development and Planning Regulations (2006 Revision) in that the development is not consistent with the historic architectural traditions of the Islands.

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

2. 6 SHARON HURLSTON Block 27C Parcel 508 (F07-0176) (P07-0371) (\$60,500) (DE)

Application for after-the-fact house.

Appearance at 3:20

FACTS

<i>Location</i>	Off Water Street, North Sound Estates
<i>Zoning</i>	LDR
<i>Parcel Size</i>	.2224 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	House
<i>Building Size</i>	484 sq. ft.
<i>Density</i>	4
<i>Building Coverage</i>	5%
<i>Total Site Coverage</i>	5%
<i>Existing Parking</i>	1
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

BACKGROUND

An Enforcement warning letter was sent out on September 25, 2006 and November 24, 2006.

Decision: It was resolved to grant planning permission for a period of 12 months only, **subject to the following conditions:**

- 1) The applicant shall relocate the building such that it complies with all minimum required setbacks.
- 2) The applicant shall obtain the necessary approvals from the Chief Building Control Officer.
- 3) The building shall be removed from the site no later than 12 months from the date of this decision.

2.7 SANDRA CLARKE Block 15C Parcel 157 (FA88-0175) (P07-0391) (\$60,000) (BES)

Application for after-the-fact addition to house.

Appearance at 3:50

FACTS

<i>Location</i>	Fern Circle, George Town
<i>Zoning</i>	LDR
<i>Parcel Size</i>	12,632.4 sq. ft.
<i>Proposed Use</i>	After-the-Fact Addition to House
<i>Building Size</i>	536 sq. ft.
<i>Density</i>	6.9
<i>Allowable Density</i>	3
<i>Footprint</i>	2546.8 sq. ft.
<i>Building Coverage</i>	20.2%
<i>Number of Units</i>	2

BACKGROUND

On 4th April, 2005, an Enforcement Warning Letter was sent to the applicant regarding the construction of an ATF dwelling house on the subject property.

On 20th April, 2005, the CPA authorized the issuance of an Enforcement Notice and Stop Notice.

On 11th January, 2006, the Stop Notice and Enforcement Notice were submitted to the Summary Courts.

On 10th January, 2007, the CPA granted planning permission for an ATF house on the subject property.

July 11, 2007 (**CPA/21/07; Item 2.23**) - The CPA adjourned the application to invite in the applicant.

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

- 1) The applicant shall submit revised plans showing the following:
 - a) The building addition with a minimum side setback of 15 feet.
 - b) No exterior doors.
 - c) The deletion of the interior connection to the garage.
 - d) An open connection to the house where the existing double windows are

currently located.

- e) The removal of all plumbing infrastructure from the house addition.
- 2) 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.
- 3) 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 you have complied with all of the above conditions.

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 DAVID M. ROGERS Block 59A Parcel 211 (FA88-0305) (P06-1269) (\$393,750) (KB)

Application for a variance for a reduced setback from the high water mark on beach shoreline for a three bedroom house.

Appearance at 4:20

FACTS

<i>Location</i>	Seaview Road on Frank Sound
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	11,325.6 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Dwelling
<i>Building Size</i>	2,625 sq. ft.
<i>Density</i>	3.84
<i>Allowable Density</i>	3
<i>Footprint</i>	2,625 sq. ft.
<i>Building Coverage</i>	23.17%
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1
<i>Number of Units</i>	1

BACKGROUND

September 20, 2006 (CPA/30/06) - The Authority adjourned the application for the following reason:

1. The applicant shall submit a revised site plan showing the proposed dwelling in compliance with the required minimum setback of 75 feet from the high water mark.

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

1. The proposed house does not comply with the minimum required setback from the High Water Mark per Regulation 8(10)(b) of the Development and Planning Regulations (2006 Revision) and the Authority is of the opinion that the applicant did not demonstrate sufficient reasons or exceptional circumstances why the lesser setback should be allowed per Regulations 8(11) and 8(13)(b).

The Authority wishes to remind the applicant 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. 9 CLINE GLIDDEN Block 1D Parcel 651 (FA93-0023) (P07-1013) (P07-1014) (\$3,000) (EJ)

Application for an after-the-fact 8' in height chain link fence.

Appearance at 2:00

FACTS

<i>Location</i>	Glidden Lane in West Bay
<i>Zoning</i>	LDR
<i>Parcel Size</i>	1.0600 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	After-the-Fact Fence
<i>Density</i>	.94
<i>Allowable Density</i>	3

BACKGROUND

September 5, 2007 (CPA/24/07; Item 2.58) – The Authority adjourned the application to invite the applicant to appear before the Authority to discuss concerns regarding the height and design of the chain link fence and the visual impact on adjoining land owners.

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

- 1) The applicant shall reduce the height of the fencing to a maximum of 6 (six) feet.

2.0 APPLICATIONS
REGULAR AGENDA (Items 2. 11 TO 2. 24)

2. 10 SILVER OAKS Block 20D Parcel 408 (FA93-0161) (P07-0269) (P07-0268) (P07-1075) (KB)

Application to increase onsite parking (add 59 spaces) and reorganize parking, create a play area hard court with an eight-foot high chain link fence, and add a directional sign to the units in the complex.

FACTS

<i>Location</i>	Crewe Road at Linford Pearson Highway
<i>Zoning</i>	MDR
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	9.2500 acres
<i>Current Use</i>	Residential Apartments
<i>Proposed Use</i>	Expansion of Parking
<i>Density</i>	9.8
<i>Building Coverage</i>	17%
<i>Parking Coverage</i>	23.6%
<i>Total Site Coverage</i>	40.6%
<i>Existing Parking</i>	151
<i>Proposed Parking</i>	59
<i>Required Parking</i>	137

BACKGROUND

November 1, 2006 (**CPA/34/06; Item 2.25**) - The Authority granted planning permission to extend the fence height to six feet on the western, southwestern, and southern boundaries of the property, an addition of the same type of fencing at 6 feet in between strata properties for privacy, a cabana, two trellised pavilions, and an extension to the existing pool deck.

May 2, 2007 (**CPA/12/07; Item 2.9**) - The Authority adjourned the application to increase onsite parking and reorganize parking, create a play area hard court, and add a directional sign for the following reason:

1. The applicant shall submit a revised site plan that ameliorates the concerns of the objectors. Accompanying the revised site plan shall be a letter signed by all of the objectors stating that they consent to the revised plan.

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

Conditions (1) listed below shall be met before the parking areas can be constructed:

- 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) 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 you have complied with the above condition.

Additionally, once construction has started, conditions (3-6) shall be complied with before the parking areas can be utilized:

- 3) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.
- 4) Construction of the parking areas and driveways shall be to the satisfaction of the Director of Planning in consultation with the National Roads Authority
- 5) The approved stormwater management system shall be installed on site.
- 6) Curbing is required for the driveway and parking areas to control stormwater runoff.

2. 11 PUBLIC WORKS DEPARTMENT Block 13D Parcel 1 (FA90-0462) (P07-0535) (CS)

Application for four (4) modular industrial buildings and a recycling facility.

FACTS

<i>Location</i>	George Town Landfill
<i>Zoning</i>	HI
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	20.0000 acres
<i>Current Use</i>	Landfill
<i>Proposed Use</i>	Landfill
<i>Building Size</i>	9,520 sq. ft.
<i>Proposed Parking</i>	12
<i>Required Parking</i>	10

BACKGROUND

In 2003 the site was rezoned from High Density Residential to Heavy Industrial and Public Open Space (RZ03-0002).

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. The plan must be approved by the Central Planning Authority.
- 2) The applicant shall submit a Spill Prevention Plan that must be reviewed by the Department of Environmental Health, the Water Authority, the Department of Environment, the Chief Petroleum Inspector and then approved by the Central Planning Authority.
- 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 you have complied with all of the above conditions.

Additionally, once construction has started, conditions (5-8) shall be complied with before a final Certificate of Occupancy can be issued.

- 5) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent.
- 6) The approved stormwater management system shall be installed on site.
- 7) The requirements, if any, of the Spill Prevention Plan, must be installed on site.
- 8) Wastewater generated in the wash bay shall be plumbed to an oil/sand separator before discharging to a disposal well. If wash water is to be reused on site for dust control or other uses, it shall first pass through an oil/sand separator, then into a reservoir (tank) for reuse; the outlet of the reuse tank shall be plumbed to a disposal well to allow for drainage when the volume generated is greater than that which can be reused (e.g., during rainy season). Wastes removed from the oil/sand trap shall be managed in accordance with best management practices established at the landfill (e.g., oil recycling).

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

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.

2. 12 MARK WIEDERKEHR Block 5B Parcel 193 (FA83-0261) (P07-0586) (\$40,000) (DE)

Application for a residential boundary line fence.

FACTS

Location Off Northwest Point Road across from the Wesleyan Holiness Church

Zoning **BR/R**

Notice Requirements NA

BACKGROUND

May 30, 2007 (CPA/15/07; Item 2.17) - It was resolved to grant planning permission for a house addition and pool with conditions.

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. 13 SEVEN MILE SHOPS LTD. Block 13B Parcel 154 (FA82-0056) (P07-0693) (\$157,455) (BES)

Application for a commercial addition (retail space).

Mr. Arek Joseph declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Seven Mile Shops on West Bay Road
<i>Zoning</i>	H/T
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	2.4770 acres
<i>Current Use</i>	Commercial Building
<i>Proposed Use</i>	Retail Space
<i>Building Size</i>	1,050 sq. ft.

BACKGROUND

(CPA/21/05; Item 2.36) - The Authority granted planning permission for addition/renovation

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

1. The applicant shall submit a revised site plan showing an additional 5 parking spaces that function properly and do not block any eternal doors or obstruct the fire lane.

2. 14 CENTRE ISLAND PROPERTIES Block 3D Parcel 136 (F07-0319) (P07-0795) (FA87-0392) (\$209,760) (CS)

Application for a 2,208 sq. ft. addition including a two-bedroom apartment, a gym and two offices.

FACTS

<i>Location</i>	Northwest West Bay at the southwest corner of Conch Point Road and Twinflower Court
<i>Zoning</i>	LDR
<i>Parcel Size</i>	22,651 sq. ft.

<i>Current Use</i>	Apartments
<i>Proposed Use</i>	Apartments and Office
<i>Building Size</i>	2,208 sq. ft.
<i>Density</i>	13.5
<i>Allowable Density</i>	15
<i>Building Coverage</i>	19.3%
<i>Existing Parking</i>	12
<i>Required Parking</i>	15
<i>Number of Units</i>	7

BACKGROUND

December 1987 - The Authority approved a proposal for four apartments.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the need for the two offices in the apartment complex.

2. 15 ALTHEA POWELL Block 5B Parcel 158 (FA82-0270) (P07-0962) (\$5,000) (DE)

Application for a two (2) lot subdivision.

FACTS

<i>Location</i>	Boggy Sand Road, West Bay
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	.4000 acres
<i>Number of Lots</i>	2

BACKGROUND

September 5, 2007 (**CPA/24/07; Item 2.37**) – It was resolved to adjourn the application, for the following reason:

1. Department staff is directed to undertake a site visit to verify the resultant setbacks from the proposed subdivision line.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the application to create undersized lots.

2. 16 STRATA PLAN #91 Block 12C Parcel 375 (F05-0472) (P07-0972) (\$138,225) (CS)

Application for rebuilding of manager's unit and parking lot redesign.

FACTS

<i>Location</i>	Dockside Apartments on Palm Heights Drive in Seven Mile Beach
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	25,931 acres
<i>Current Use</i>	Apartments
<i>Proposed Use</i>	Apartments
<i>Building Size</i>	1,455 sq. ft.
<i>Density</i>	14.3
<i>Allowable Density</i>	15
<i>Building Coverage</i>	25%
<i>Existing Parking</i>	25
<i>Required Parking</i>	26
<i>Number of Units</i>	1

BACKGROUND

December 14, 2005 (**CPA/33/05; Item 2.8**) - The Authority resolved to refuse planning permission for the addition of two apartments, for the following reason:

1. The proposed development does not comply with the density provisions of Regulation 9(8)(c) of the Development and Planning Law (2003 Revision). Further, pursuant to Regulation 8(13)(b), the Authority was not convinced that an exceptional circumstance exists or that there was sufficient reason that permission should be granted.

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

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

- 1) The applicant shall provide a copy of the submission made to the Registrar of Lands to combine Block 12C parcels 327 and 375.

In addition to Building Permit requirements, condition (2) listed below shall be met before a Building Permit can be issued.

- 2) 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.
- 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 you have complied with all of the above conditions.

Additionally, once construction has started, conditions (5-6) 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 2,000 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. Disposal wells shall be located at least 100 feet from the mean high waterline of any water body (sea, lakes, canals, etc.), or as far as practical given lot dimensions; the location shall comply with the minimum setback requirements of the Planning Department.

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].

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 also 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. 17 NEW COCONUT HARBOUR Block 6D Parcel 60 (F05-0124) (P07-1012) (\$1,127,520) (CS)

Application to add twelve (12) resort units and modify parking layout.

FACTS

<i>Location</i>	George Town South, off North Church Street, just south of the Esso Fuel Tanks
<i>Zoning</i>	BR/R
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	1.9800 acres
<i>Current Use</i>	Resort/Restaurant
<i>Proposed Use</i>	Resort/Restaurant
<i>Building Size</i>	9,396 sq. ft.
<i>Density</i>	14.14
<i>Building Coverage</i>	13.8%
<i>Parking Coverage</i>	20.4%
<i>Total Site Coverage</i>	34.2%
<i>Existing Parking</i>	59
<i>Proposed Parking</i>	16
<i>Required Parking</i>	36

BACKGROUND

June 15, 2005 (**CPA/14/05; Item 2.20**) - CPA granted planning permission for a restaurant and bar.

May 2, 2007 (**CPA/12/07; Item 2.16**) - CPA resolved to modify planning permission to allow an increased building size for the restaurant and changes to the site plan.

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 site plan that shows a) the location and dimensions of the wastewater treatment system and b) the location of the disposal system to be installed in accordance with the Water Authority's standards and approved by the Water Authority. The treatment system must be labeled as either a septic tank or an aerobic wastewater treatment system, whichever is applicable.
- 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 Director of Planning. *It is suggested that the landscape plan be prepared following the recommendations of the Draft Cayman Islands Landscape Guidelines, found on the Planning Department's website (www.planning.gov.ky) under Policy Development, Policy Drafts.*

In addition to Building Permit requirements, conditions (4-5) listed below shall be met before a Building Permit can be issued.

- 4) Construction drawings for the proposed wastewater treatment system and disposal system shall be submitted to the Water Authority for review and approval. The Central Planning Authority must receive confirmation of the Water Authority's approval.
- 5) 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.
- 6) 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.
- 7) 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 you have complied with all of the above conditions.

Additionally, once construction has started, conditions (8-13) shall be complied with before a final Certificate of Occupancy can be issued.

- 8) The applicant shall install the approved wastewater treatment system and disposal system in accordance with the requirements of the Water Authority and the recommendations/instructions of the manufacturer of the wastewater treatment system.

- 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.
- 10) Construction of the sidewalk, drain and driveway shall be to the satisfaction of the Director of Planning in consultation with the National Roads Authority
- 11) The approved stormwater management system shall be installed on site.
- 12) 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.
- 13) 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.**

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].

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 also 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. 18 STERLING EBANKS Block 74A Parcel 86 Rem 2 (F03-0174) (P07-1024) (\$50,000) (CS)

Application for a seven (7) lot residential subdivision.

FACTS

<i>Location</i>	Colliers near Austin Conolly Drive
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	2.1200 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Subdivision

<i>Density</i>	2.3
<i>Allowable Density</i>	3
<i>Number of Lots</i>	7

BACKGROUND

June 25, 2003 (**CPA/18/03; Item 3.14**) - The Authority granted planning permission for a 9-lot subdivision.

May 17, 2006 (**CPA/15/06; Item 2.32**) - CPA resolved to adhere to planning permission CPA/18/03; Item 3.14 regarding condition 4), which required the access road abutting the proposed lots be constructed with a minimum of asphaltic concrete.

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

- 1) Prior to the commencement of any site works such as filling, grading and road construction, the applicant shall submit the following:
 - a) A stormwater management plan prepared in accordance with the requirements of the Managing Director, NRA, in consultation with MRCU, and approved by the Central Planning Authority. The plan shall be designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and should include, but not be limited to, the location of all drainage facilities and general grading details of the site (roads included). In general, the entire site shall be graded in such a manner that stormwater runoff is no more than that which occurred during predevelopment conditions along private boundaries with any excess runoff directed to one central drainage facility or a series of facilities.
- 2) Prior to the subdivision plan being finalized, the following conditions shall be satisfied:
 - a) The property shall be filled in such a manner as to ensure that the subdivision road and a reasonable building envelope for each lot are filled to 4 feet above mean sea level, with the remaining subdivision land being filled and/or graded to a level that will assist in the drainage of the subdivision per the stormwater management plan required in condition 1) a) above. After filling the site, the applicant shall submit a plan prepared by a registered land surveyor indicating spot heights at regular intervals, including the finished grade of constructed access road (s), if any.
 - b) The approved stormwater management system shall be installed on site.
 - c) The final subdivision plan shall indicate a vehicular right-of-way over the subdivision access road in favour of each lot. If the subdivision includes canals then the final plan shall also indicate a right-of-way by vessel over the canal for each canal front lot. The final plan must be accompanied

with the requisite grant of easement forms detailing the types of easements to be registered.

- d) The access road (s) abutting the proposed 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.
- e) 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.
- f) 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.
- g) 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. 19 MINISTRY OF SPORTS Block 4E Parcel 39 (F00-0211) (P07-1176) (CS)

Application to reduce the number of required parking spaces for the Cricket Pavilion by 12 parking spaces and to allow the parking surface to be chip & spray.

FACTS

<i>Location</i>	The Cricket Pavillion site near Heritage Park in West Bay
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Current Use</i>	Cricket Pavillion
<i>Proposed Use</i>	Cricket Pavillion

<i>Proposed Parking</i>	21
<i>Required Parking</i>	33

BACKGROUND

A Cricket Pavilion and toilet block have been approved for this site.

June 20, 2007 (**CPA/18/07; Item 2.3**) - The Authority granted planning permission for a high school.

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/18/07; item 2.3 be modified to allow 12 fewer parking spaces and a chip and spray surface for the parking area.

All other conditions of CPA/18/07; item 2.3 remain applicable.

2. 20 THOMAS JACKSON Block 28B Parcel 253 (F98-0131) (P07-1000) (\$5,000) (DE)

Application for a four (4) lot subdivision.

FACTS

<i>Location</i>	Off Spotts Newlands Road onto Meadowlark Road
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	6.4900 acres
<i>Number of Lots</i>	4

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

- 1) The surveyor's final drawing shall be submitted to the Planning Department for approval prior to the survey being registered.

2. 21 JOYCE BURCOMBE Block 5B Parcel 136 (F99-0037) (P07-1052) (\$6,000) (BES)

Application for after-the- fact storage shed.

FACTS

<i>Location</i>	Elizabeth Street, West Bay
<i>Zoning</i>	LDR
<i>Parcel Size</i>	13,068 sq. ft.
<i>Current Use</i>	Apartments
<i>Proposed Use</i>	After-the-Fact Storage Shed
<i>Building Size</i>	428 sq. ft.
<i>Building Coverage</i>	24.9%

BACKGROUND

March 24, 1999 (**CPA/07/99; Item 6.01**) - CPA granted planning permission for three apartments with conditions.

July 24, 2007 - an enforcement warning letter was sent to the applicant regarding the above application.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns with the intended use of the building.

2. 22 COLUMBUS INVESTMENTS LTD Block 13B Parcel 193 (FA80-0184) (P07-1061) (\$15,000,000) (BES)

Application to modify planning permission to increase the floor area.

FACTS

<i>Location</i>	Turtle Beach Apartments, beside the Marriott Hotel and in front of Comfort Suites Hotel off West Bay Road
<i>Zoning</i>	H/T
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	1.3500 acres
<i>Current Use</i>	Apartments under Construction
<i>Building Size</i>	8,392 sq. ft.
<i>Density</i>	22.2

<i>Allowable Density</i>	25
<i>Building Coverage</i>	23.8%
<i>Parking Coverage</i>	8.5%
<i>Total Site Coverage</i>	323%
<i>Proposed Parking</i>	41
<i>Required Parking</i>	45

BACKGROUND

June 28, 2006 (CPA/21/06; Item 2.46) - The Authority granted planning permission for 33 apartments.

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/21/06; item 2.46 be modified to reduce the number of units from 33 to 30 and to allow for fitness room and additional elevator in the basement as shown on the revised plans date stamped August 9, 2007.

All other conditions of CPA/21/06; item 2.46 remain applicable.

2. 23 MR & MRS IRVIN BANKS Block 20E Parcel 164 (FA81-0081) (P07-1123) (\$5,000) (EJ)

Application for an after the fact porch addition.

Mr. Rex Miller declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Rosemont Close
<i>Zoning</i>	MDR
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	11,761 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	After-the-Fact Porch Addition
<i>Building Size</i>	529 sq. ft.
<i>Density</i>	3.7
<i>Allowable Density</i>	4
<i>Building Coverage</i>	24%
<i>Total Site Coverage</i>	24%

<i>Existing Parking</i>	1
<i>Required Parking</i>	1
<i>Number of Units</i>	1

BACKGROUND

March 05, 1981 (CPA/05/81) - The Authority granted permission for a house.

March 30, 1983 - The CPA approved a four foot concrete block fence.

March 21, 2007 (CPA/09/07; Item 2.36) - The Authority granted permission for a swimming pool (setback variance).

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. 24 MRS. IVA HART Block 43A Parcel 280 (F07-0406) (P07-1079) (\$200,000) (KB)

Application for a three (3) bedroom house.

FACTS

<i>Location</i>	Lookout Road at Red Robin Drive, Bodden Town
<i>Zoning</i>	MDR
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Parcel Size</i>	12,571.4 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Single Family Home
<i>Building Size</i>	2,126 sq. ft.
<i>Density</i>	3.4
<i>Building Coverage</i>	17%
<i>Total Site Coverage</i>	17%
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

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

Condition (1) 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 access to the property only from Red Robin Drive.
- 2) 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.
- 3) 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 all of the above conditions are complied with.

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

2. 25 ROBERT LEE JACKSON Block 4E Parcel 659 (F06-0400) (P07-0957) (\$97,561) (EJ)

Application for modification to increase floor area to cover walkways.

FACTS

<i>Location</i>	Powell Smith Road, West Bay
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	58,375.4 sq. ft.
<i>Current Use</i>	Approved Pre-School
<i>Proposed Use</i>	Roof Covering
<i>Building Size</i>	1,301 sq. ft.
<i>Density</i>	2.24
<i>Allowable Density</i>	6
<i>Building Coverage</i>	9.73%
<i>Parking Coverage</i>	16%
<i>Total Site Coverage</i>	26%
<i>Existing Parking</i>	7
<i>Proposed Parking</i>	15
<i>Required Parking</i>	7

BACKGROUND

September 11, 2002 (CPA/22/02; Item 3.22) - it was resolved to grant planning permission for a pre-school, five (5) apartments, sign (28 sq. ft.) and fence for the subject parcel (see F02-0208).

September 20, 2006 (CPA/30/06; Item 2.09) - it was resolved to grant planning for two pre-school buildings, one house, sign (28 Sq. Ft.), and 6ft fence.

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/30/06; item 2.09 be modified as shown on the revised plans date stamped July 17, 2007.

All other conditions of CPA/30/06; item 2.09 remain applicable.

2. 26 JAMES KNAPP & JUDY VANLIERE Block 22E Parcel 291 (F07-0435) (P07-1155) (P07-1156) (\$306,644) (EJ)

Application for a three (3) bedroom house with attached double garage and swimming pool.

FACTS

<i>Location</i>	East of Grand Harbour.
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	15,263 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	House and Pool
<i>Building Size</i>	3,228 sq. ft.
<i>Density</i>	2.85
<i>Allowable Density</i>	3
<i>Building Coverage</i>	21.14%
<i>Total Site Coverage</i>	22%
<i>Proposed Parking</i>	2
<i>Required Parking</i>	1
<i>Number of Units</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 Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans which you will receive when you have complied with the above condition.

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].

3.0 ENFORCEMENTS

4.0 DEVELOPMENT PLAN MATTERS

5.0 PLANNING APPEAL MATTERS

6.0 MATTERS FROM THE DIRECTOR OF PLANNING

7.0 CPA MEMBERS INFORMATION/DISCUSSIONS