

# Central Planning Authority

**Minutes** for a meeting of the Central Planning Authority held on October 31, 2007 at 10:30 a.m. in the Conference Room, 1<sup>st</sup> Floor, Regatta Office Park – Leeward One (formerly Safehaven).

**31<sup>st</sup> Meeting of the Year**

**CPA/31/07**

**Mr. Dalkeith Bothwell (Chairman) (except 2.19)**

**Mr. Attlee Bodden (Acting Chairman 2.19) (except 2.15, 2.35, 3.2)**

**Mr. Darrell Ebanks (apologies)**

**Mr. Ernley Hurlstone (absent)**

**Mr. Ray Hydes (except 2.3)**

**Mr. Arek Joseph**

**Mr. Trent McCoy**

**Mr. Rex Miller (arrived 12:00)**

**Mr. Arden Parsons**

**Mr. Eldon Rankin**

**Mr. Owen Rankine (apologies)**

**Mr. Robert Watler (left 2:25) (except 2.15)**

**Mr. Fred Whittaker (except 2.5, 3.4)**

**Mr. Kenneth Ebanks (Executive Secretary) (apologies)**

**Mr. Haroon Pandohie (Acting 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/27/07 held on September 26, 2007.**

Moved: Arek Joseph  
Seconded: Arden Parsons  
**Confirmed**

### **1.2 Confirmation of Minutes of CPA/27/07 held on October 17, 2007.**

Moved: Eldon Rankin  
Seconded: Trent McCoy  
**Confirmed**

## **2.0 APPLICATIONS**

### **CONSENT AGENDA (Item 2. 1)**

#### **2.1 JOSEPH THOMPSON KELLY Block 24E Parcel 397 (FA92-0185) (P07-1273) (\$25,000) (KB)**

Application for a basketball court.

#### **FACTS**

<i>Location</i>	Rosemary Street, Prospect
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	.5246 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Basketball Court
<i>Building Size</i>	4,200 sq. ft.
<i>Total Site Coverage</i>	18%
<i>Existing Parking</i>	32

#### **BACKGROUND**

The original physical file could not be located prior to this report.

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

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

**2. 2 BENJAMIN WRIGHT Block 13E Parcel 42 Rem 2 (FA90-0069) (P06-0665) (\$3,500) (DE)**

Application for a two (2) lot subdivision.

**Appearance at 11:30**

**FACTS**

<i>Location</i>	Helen Drive, off West Bay Road, White Hall Bay
<i>Zoning</i>	<b>HDR</b>
<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	5.0800 acres
<i>Number of Lots</i>	2

**BACKGROUND**

October 4, 2006 (CPA/31/06: Item 2.2) - It was resolved to adjourn the application, for the following reason:

1. The applicant is required to submit a plan showing the location of the existing buildings with respect to the proposed subdivision line and the width of the access from Watlers Road and West Bay Road.

**Decision:** It was resolved to adjourn the application to invite the applicant and objectors to appear before the Authority.

**2. 3 WESTEL LTD Block 44B Parcel 70 (F07-0418) (P07-1109) (\$60,000) (DE)**

Application for a communication tower and 6' chain link fence around the proposals.

**Appearance at 1:20**

**Mr. Ray Hydes declared a conflict and left the meeting room.**

**FACTS**

<i>Location</i>	Off Bodden Town Road
<i>Zoning</i>	<b>MDR</b>
<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	.7000 acres

<i>Current Use</i>	House
<i>Proposed Use</i>	Communication Tower and Fence
<i>Required Parking</i>	2

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

1. Department staff are directed to facilitate a meeting with the applicant and the objectors with a goal of resolving an appropriate road setback for the proposed tower. Subsequent to the meeting, the application can be brought back to the Authority for further consideration.

**2.4 LANA MAE SMITH Block 2C Parcel 81 (F07-0455) (P07-1224) (\$183,321) (DE)**

Application for an after-the-fact addition to create a duplex.

**Appearance at 1:50**

**FACTS**

<i>Location</i>	Northwest Point Road
<i>Zoning</i>	<b>BR/R</b>
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.1000 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Duplex
<i>Building Size</i>	3,145 sq. ft.
<i>Density</i>	1
<i>Building Coverage</i>	30%
<i>Existing Parking</i>	1
<i>Proposed Parking</i>	1
<i>Required Parking</i>	3

**BACKGROUND**

An enforcement warning letter issued on August 10, 2006 and an Enforcement Notice and Stop Notice issued on October 26, 2006.

**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.
- 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].

**2. 5 MCDONALD BAR & RESTAURANT Block OPY Parcel 98 (FA85-0106) (P07-1062) (\$104,500) (BES)**

Application for an addition to existing bar.

**Appearance at 2:20**

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

**FACTS**

<i>Location</i>	McDonald Bar and Restaurant on Shedden Road, George Town
<i>Zoning</i>	<b>G COM</b>
<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	26,571.6 sq. ft.
<i>Current Use</i>	Bar/Restaurant
<i>Proposed Use</i>	Covered Patio
<i>Building Size</i>	1,100 sq. ft.
<i>Building Coverage</i>	17.5%
<i>Proposed Parking</i>	26
<i>Required Parking</i>	24

**BACKGROUND**

April 2, 2003 (**CPA/09/03; Item 3.03**) - CPA granted planning permission for a patio.

**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.**

**2. 6 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.

**Appearance at 3:50**

**FACTS**

<i>Location</i>	Northwest West Bay at the southwest corner of Conch Point Road and Twinflower Court
<i>Zoning</i>	<b>LDR</b>
<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**

September 19, 2007 (**CPA/26/07; Item 2.14**) - CPA resolved to adjourn the application to invite the applicant to appear before the Authority to discuss concerns regarding the need for the two offices in the apartment complex.

**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) The offices are to be used for management services for the apartments on the subject property only.
- 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 the above condition.

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

**2.7 ALTHEA POWELL Block 5B Parcel 158 (FA82-0270) (P07-0962) (\$5,000) (DE)**

Application for a two (2) lot subdivision.

**Appearance at 4:20**

**FACTS**

<i>Location</i>	Boggy Sand Road, West Bay
<i>Zoning</i>	<b>LDR</b>
<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.

September 19, 2007 (**CPA/26/07; Item 2.15**) - 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.

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

- 1) The applicant shall submit a revised plan showing the proposed lot line between the two existing houses with a minimum 10' side setback from the house on lot B.
- 2) The surveyor's final drawing shall be submitted to the Planning Department for approval prior to the survey being registered.

**2. 8 PORT AUTHORITY Block OPY Parcel 133 (FA83-0194) (P07-0926) (\$270,000) (KB)**

Application for equipment/office building.

**Appearance at 5:00**

**FACTS**

<i>Location</i>	Port Authority, Harbour Drive, George Town
<i>Zoning</i>	<b>M COM</b>
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	3.6020 acres
<i>Current Use</i>	Parking
<i>Proposed Use</i>	Office/Storage
<i>Building Size</i>	1,503 sq. ft.
<i>Total Site Coverage</i>	95%
<i>Required Handicapped Spaces</i>	1

**BACKGROUND**

In 2000, an application to develop a Port Authority cruise ship passenger facility was granted planning permission. That decision was appealed and the application was subsequently withdrawn by the applicant.

In 2002, another application to develop a cruise ship passenger facility was submitted. Several objections were received and the applicant eventually withdrew that application.

**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 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. The treatment system must be labelled 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 and approved by the Central Planning 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.

In addition to Building Permit requirements, condition (3) listed below shall be met before a Building Permit can be issued.

- 3) 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.
- 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 you have complied with all of the above conditions.

Additionally, once construction has started, conditions (6-7) shall be complied with before a final Certificate of Occupancy can be issued.

- 6) 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.
- 7) The approved stormwater management system shall be installed on site.

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 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.**

## **2.0 APPLICATIONS**

### **REGULAR AGENDA (Items 2. 9 TO 2. 38)**

#### **2. 9 KIRK FREEPORT PLAZA LTD Block OPY Parcel 96 (FA80-0118) (P07-1285) (KB)**

Application for a sign.

#### **FACTS**

<i>Location</i>	Cardinal Avenue at Albert Panton Street
<i>Zoning</i>	<b>G COM</b>
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.3000 acres
<i>Current Use</i>	Commercial
<i>Proposed Use</i>	Same
<i>Sign Size</i>	49 sq. ft.

**Decision:** It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the proposed sign being located above the roof line of the building.

#### **2. 10 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>	<b>LDR</b>
<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.

Sept. 19, 2007 (CPA/26/07; Item 2.21) - CPA adjourned the application to invite the applicant to appear before the Authority to discuss the intended use of the building.

**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.
- 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.
- 3) The building shall only be used for storage and laundry purposes.

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

**2. 11 ORAL MASTERS Block 13D Parcel 152 (FA89-0221) (P06-1364) (\$46,666) (DE)**

Application for an after-the-fact three (3) boarding room addition onto an existing house.

**FACTS**

<i>Location</i>	Off Washington Road and Brinkley Drive, George Town
<i>Zoning</i>	<b>HDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	.1800 acres
<i>Current Use</i>	Boarding House
<i>Proposed Use</i>	Apartments
<i>Building Size</i>	491 sq. ft.
<i>Density</i>	22
<i>Allowable Density</i>	4
<i>Building Coverage</i>	19%
<i>Existing Parking</i>	1
<i>Proposed Parking</i>	6
<i>Required Parking</i>	6
<i>Number of Units</i>	4

**BACKGROUND**

**March 14, 2006** - It was observed an addition had been constructed at the side of the building without planning approval.

**April 28, 2006** - An Enforcement Warning letter was sent to the applicant.

**August 2, 2006** - An Enforcement Notice and Stop Notice was sent to the applicant.

**September 19, 2006** - The applicant submitted an application for planning permission for a house addition.

**March 19, 2007** - The Department sent a letter to the applicant/applicant agent requesting more information.

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

1. The applicant is invited to appear before the Authority to discuss concerns regarding the application.
2. The applicant is required to submit a floor plan that clearly depicts the use of all structures on the property.

## **2. 12 KENRICK WEBSTER Block 20C Parcel 70 (F04-0310) (P07-0415) (DE)**

Application for an after-the-fact above ground fuel storage tank.

### **FACTS**

<i>Location</i>	Off Owen Robert Drive onto Breezeway next to Andro Electric, George Town
<i>Zoning</i>	<b>LI</b>
<i>Parcel Size</i>	.3696 acres
<i>Current Use</i>	Commercial Building
<i>Proposed Use</i>	After-the-Fact Fuel Tank

### **BACKGROUND**

May 2, 2007 (**CPA/12/07**) - It was resolved to adjourn the application and invite the applicant to appear before the Authority regarding concerns related to the safety and suitability of the fuel storage tank; the lack of written consent from the adjacent land owner(s); and the loss of two parking spaces.

July 25, 2007 (**CPA/23/07; Item 2.8**) - It was resolved to adjourn the application, for the following reasons:

1. The applicant must submit written consent from the owner of Block 20C Parcel 9 for the requested setback variance.
2. The applicant must comply with the requirements of the Chief Petroleum Inspector.

**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 ETECH Block OPY Parcel 42 (FA86-0094) (P07-0670) (\$50,000) (DE)**

Application for an after-the-fact antenna to a commercial building.

**FACTS**

<i>Location</i>	Fort Street, George Town
<i>Zoning</i>	<b>G COM</b>
<i>Parcel Size</i>	.1300 acres
<i>Current Use</i>	Commercial
<i>Proposed Use</i>	Antenna

**BACKGROUND**

Subsequent to a complaint an inspection was carried out August 11, 2006 and it was noticed that an antenna had been attached to a commercial building without planning approval. A warning letter was sent out via registered mail August 21, 2006.

**SEE ENFORCEMENT FILE**

June 13, 2007 (**CPA/17/07; Item 2.21**) - It was resolved to adjourn the application, for the following reason:

1. The application shall be reviewed by ICTA and the Building Control Unit prior to CPA considering the application.

September 5, 2007 (**CPA/24/07; Item 2.18**) - It was resolved to adjourn the application, for the following reason:

1. The applicant shall obtain written approval from ICTA within 30 days of the date of this decision. Subsequent to receiving the approval, the application will be brought back to the Central Planning Authority for final consideration.

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

1. Comments from the ICTA are required within 30 days. Should those comments not support approval of the antenna then the applicant will be invited to appear before the Authority.

**2. 14 JOE OTU Block 9A Parcel 428 (F97-0020) (P07-1033) (\$5,000) (CS)**

Application for after-the-fact land clearing/filling and placement of two (2) storage containers.

**FACTS**

<i>Location</i>	At the end of Uncle Bob Road in West Bay North East
<i>Zoning</i>	<b>LDR</b>
<i>Parcel Size</i>	4.0100 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Containers
<i>Building Size</i>	200 sq. ft.
<i>Building Coverage</i>	.1%

**BACKGROUND**

July 31, 2007 (CE07-0072) - A warning letter was mailed to the applicant regarding the storage of a container unit and the filling of land without planning permission.

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

**2. 15 OCEAN FRONTIERS Block 72C Parcel 179 (F03-0482) (P07-1138) (\$8,000,000) (CS)**

Application for a dive lodge, fourteen (14) apartments, twelve (12) hotel rooms, restaurant and pool.

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

**FACTS**

<i>Location</i>	East End on Sea View Road
<i>Zoning</i>	<b>BR/R</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	33,105 sq. ft.
<i>Current Use</i>	Vacant Dive Shop
<i>Proposed Use</i>	Hotel, Condos, Dive Lodge and Pool
<i>Building Size</i>	35,358 sq. ft.

<i>Density</i>	34
<i>Allowable Density</i>	30
<i>Building Coverage</i>	25.25%
<i>Proposed Parking</i>	19
<i>Required Parking</i>	27
<i>Number of Units</i>	26

**BACKGROUND**

December 15, 2004 (CPA/29/04) - The Authority agreed to accept the redevelopment of the site with the proposed seaside setbacks and with the proposed mix of hotel and apartments.

May 17, 2006 (CPA/15/06; Item 2.30) - The Authority granted planning permission for the re-build of the Cayman Dive Lodge and ten (10) apartments.

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

1. The applicant shall submit revised plans that show a maximum of 10 apartments and a minimum of 23 functional parking spaces. The applicant is advised that the additional parking spaces shown on the site plan submitted the day prior to the meeting are not considered functional.

**2. 16 ANDREW SCOTT Block 19A Parcel 48 (F07-0440) (P07-1177) (\$1,200,000) (BES)**

Application for warehouses.

**FACTS**

<i>Location</i>	Sleepy Hollow Drive
<i>Zoning</i>	<b>HI and LI</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	20,076.8 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Warehouses
<i>Building Size</i>	9,085 sq. ft.
<i>Building Coverage</i>	37.9%
<i>Parking Coverage</i>	31.7%
<i>Total Site Coverage</i>	696%
<i>Proposed Parking</i>	11
<i>Required Handicapped Spaces</i>	1

**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 revised elevation drawings showing the road side elevation of building A the same as building B.
- 2) The applicant shall submit, in accordance with the requirements of the National Roads Authority and approved by the Central Planning 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. *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](http://www.planning.gov.ky)) under Policy Development, Policy Drafts.*

In addition to Building Permit requirements, condition (4) 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 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.
- 6) 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 (7-13) shall be complied with before a final Certificate of Occupancy can be issued.

- 7) 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.
- 8) A six-foot wide concrete sidewalk along the road side property lines, and a 4 feet minimum in width landscape strip along the inside edge of the sidewalk.

- 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. 17 GEORGE'S PLACE Block 20B Parcel 403 (FA80-0213) (P07-1198) (\$1,300,000) (CS)**

Application for a 8,482 sq. ft. mixed commercial/industrial building with eight (8) studio apartments.

**FACTS**

<i>Location</i>	George Town East at the north east corner of Durnham Drive and Industrial Way
<i>Zoning</i>	<b>LI</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	27,603 sq. ft.

<i>Current Use</i>	Warehouse
<i>Proposed Use</i>	Warehouse, Office and Apartments
<i>Building Size</i>	13,739 sq. ft.
<i>Density</i>	12.6
<i>Building Coverage</i>	28.9%
<i>Parking Coverage</i>	24%
<i>Total Site Coverage</i>	55%
<i>Proposed Handicapped Spaces</i>	2
<i>Proposed Parking</i>	32
<i>Required Parking</i>	37
<i>Number of Units</i>	8

### **BACKGROUND**

March 2, 2005 (CPA/06/05; Item 2.12) - The Authority granted planning permission for a mixed use commercial and residential building.

**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. 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 and approved by the Central Planning 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. *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](http://www.planning.gov.ky)) under Policy Development, Policy Drafts.*

In addition to Building Permit requirements, condition (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 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.
- 6) 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 (7-13) shall be complied with before a final Certificate of Occupancy can be issued.

- 7) 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.
- 8) A six-foot wide concrete sidewalk along the road side property lines, and a 4 feet minimum in width landscape strip along the inside edge of the sidewalk.
- 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 SUSAN JERILL EBANKS Block 3D Parcel 62 (F95-0100) (P07-1204) (\$600) (KB)**

Application for change-of-use.

**FACTS**

<i>Location</i>	Starlet Crescent, Northwest West Bay
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	.2477 acres
<i>Current Use</i>	Residence
<i>Proposed Use</i>	Institutional
<i>Building Size</i>	270 sq. ft.
<i>Building Coverage</i>	12.6%
<i>Total Site Coverage</i>	12.6%
<i>Existing Parking</i>	1
<i>Proposed Parking</i>	1
<i>Required Parking</i>	2
<i>Number of Units</i>	1

**BACKGROUND**

April 19, 1995 (**CPA/11/95; Item 2.6**) - The Authority granted planning permission for a three bedroom house.

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

In addition to Building Permit requirements, condition (1) listed below shall be met before a Building Permit can be issued.

- 1) The applicant shall submit a revised floor plan that includes a washroom facility within the after-school program area.

- 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.

Additionally, once construction has started, condition (4) shall be complied with before a final Certificate of Occupancy can be issued.

- 4) The applicant shall provide a septic tank with a capacity of at least 1,000 gallons for the proposed Institutional change of use. The septic tank shall be constructed in strict accordance with the Authority's standards.

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

**2. 19 DANIEL SIMMONS Block 20E Parcel 87 (F05-0528) (P07-1231) (KB)**

Application for a four (4) lot subdivision.

**Mr. Dalkeith Bothwell declared a conflict and left the meeting room. Mr. Attlee Bodden sat as Acting Chairman.**

**FACTS**

<i>Location</i>	South of Linford Pierson Highway near the roundabout at Bobby Thompson Way
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	22.0000 acres
<i>Current Use</i>	Telecommunication/In
<i>Building Size</i>	958,320 sq. ft.

**BACKGROUND**

February 22, 2006 (CPA/05/06; Item 2.56) - The Authority granted planning permission for a 120' Antenna, 8' chain link fence and generator building.

**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 final subdivision plan shall indicate a vehicular easement over the subdivision access road in favour of each lot. The final plan must be accompanied with the requisite grant of easement forms detailing the easements to be registered.
- b) 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 Central Planning Authority 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.
- c) 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.
- d) 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.
- 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. 20 KERRY TATUM Block 28C Parcel 480 (F06-0099) (P07-1261) (\$500) (DE)**

Application for an after-the-fact storage shed.

**FACTS**

<i>Location</i>	Off Greenall Street, Savannah Meadows Subdivision
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	.2897 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Storage Shed

<i>Building Size</i>	320 sq. ft.
<i>Density</i>	3
<i>Allowable Density</i>	3
<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**

**February 24, 2006** – A house was administratively approved.

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

- 1) The structure must be removed from the site within 12 months of this decision and must be used only for the purpose of storage.

**2. 21 CINDY SMITH & SHIRLEY DACOSTA Block 13E Parcel 53 (F07-0488) (P07-1345) (\$69,625) (DE)**

Application for an after-the-fact duplex addition and temporary houses.

**FACTS**

<i>Location</i>	Off Watlers Road, George Town
<i>Zoning</i>	<b>HDR</b>
<i>Parcel Size</i>	.1500 acres
<i>Building Size</i>	557 sq. ft.
<i>Density</i>	1
<i>Allowable Density</i>	4
<i>Number of Units</i>	4

**BACKGROUND**

July 12, 2007, a site inspection was conducted at Block 13E Parcel 53 and it was observed that the proprietor had constructed multiple wooden structures on the subject property. As a result, records at the Planning Department were checked and it was discovered that there had been no application nor permission granted by the Central Planning Authority for the said activities on this said property for this purpose.

July 19, 2007, an Enforcement Warning Letter was sent to all proprietors on the Land Register for Block 13E Parcel 53.

Subsequently, the applicant made contact with the Department on subject matters. However, works has continued on the said property.

**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.
- 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.

Additionally, condition (3) shall be complied with before a final Certificate of Occupancy can be issued.

- 3) The structures to the side and rear of the duplex shall be removed from the property.

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

**2. 22 MR & MRS HOWARD PINEDO Block 52C Parcel 49 (F05-0031) (P07-1125) (\$125,000) (KB)**

Application to convert a house into a duplex (after-the-fact) and an addition.

**FACTS**

<i>Location</i>	Breakers
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Parcel Size</i>	12,632.4 sq. ft.
<i>Current Use</i>	Duplex
<i>Proposed Use</i>	Duplex (After-the-Fact)
<i>Building Size</i>	3,343 sq. ft.
<i>Density</i>	3.4
<i>Building Coverage</i>	26.5%
<i>Proposed Parking</i>	2
<i>Required Parking</i>	2

**BACKGROUND**

No history to this parcel could be located prior to this report.

**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 documentation submitted to the Registrar of Lands to obtain a minimum 22' wide vehicular easement over Block 52C Parcel 48 in favour of the subject parcel.
- 2) The applicant is required to obtain a Building Permit from the Chief Building Control Officer.
- 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.

Additionally, condition (4) shall be complied with before a final Certificate of Occupancy can be issued.

- 4) The vehicular easement noted in condition 1) above shall be registered.

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

**2. 23 JOEL & SORAYA TAYLOR Block 37E Parcel 167 (F07-0466) (P07-1263) (\$339,240) (EJ)**

Application for a five (5) bedroom house.

**FACTS**

<i>Location</i>	Hudson Drive in Northward
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	12,567 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	House
<i>Building Size</i>	3,084 sq. ft.
<i>Density</i>	3.47
<i>Allowable Density</i>	3
<i>Building Coverage</i>	24.54%
<i>Total Site Coverage</i>	24.54%
<i>Proposed Parking</i>	1

<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].

**The applicant is also reminded that the application has been approved as a single family house only; any conversion to a multi-family use will require a separate application for planning permission.**

**2. 24 WILLIAM WOOD Block 38C Parcel 22 (F06-0626) (P07-1299) (CS)**

Application for after-the-fact planning permission to clear land to allow for a future plantation.

**FACTS**

<i>Location</i>	In Lower Valley near the northeast corner of Condor Road and Shamrock Road, behind the Bodden Town Primary School
<i>Zoning</i>	<b>MDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	6.5000 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Plantation

**BACKGROUND**

**November 2006** - Planning received a complaint of excavation and land clearing.

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

- 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) The land clearing has been approved for the purposes of horticulture and fruit growing only.

**2. 25 STANLEY ALVIN SUTHERLAND Block 33B Parcel 78 (F07-0465) (P07-1311) (P07-1249) (\$33,000) (EJ)**

Application for a 52" vinyl fence and seawall.

**FACTS**

<i>Location</i>	Water Cay Road
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	15,672 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Fence and Seawall
<i>Allowable Density</i>	3

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

**2. 26 JACK & EZMIE SMITH Block 5C Parcel 202 (F02-0012) (P07-1324) (\$15,000) (DE)**

Application for two (2) houses.

**FACTS**

<i>Location</i>	Off Elizabeth Street, West Bay
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	2.1700 acres
<i>Current Use</i>	Fence, Agricultural
<i>Proposed Use</i>	House
<i>Building Size</i>	192 sq. ft.
<i>Density</i>	.9
<i>Allowable Density</i>	3
<i>Building Coverage</i>	.9%

<i>Existing Parking</i>	1
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

**BACKGROUND**

March 6, 2002 (CPA/05/02; Item 5.02 9(A)) - It was resolved to grant planning permission for an after-the-fact 6 feet chain link fence on the subject parcel.

**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].

**2. 27 WALTER BODDEN Block 13E Parcel 69 (F07-0485) (P07-1328) (\$34,000) (EJ)**

Application for an after-the-fact house.

**FACTS**

<i>Location</i>	Watler's Road
<i>Zoning</i>	<b>HDR</b>
<i>Parcel Size</i>	4,356 sq. ft.
<i>Current Use</i>	Ivanized House
<i>Proposed Use</i>	House
<i>Building Size</i>	268 sq. ft.
<i>Density</i>	10
<i>Allowable Density</i>	6
<i>Building Coverage</i>	6%
<i>Total Site Coverage</i>	6%
<i>Required Parking</i>	1

*Number of Units*

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.
- 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.

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

**2. 28 ROBERT GLAZIER Block 33B Parcel 94 (F03-0445) (P07-1072) (\$45,000) (EJ)**

Application for a swimming pool.

**FACTS**

<i>Location</i>	Sand Point Road
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	20,037.6 sq. ft.
<i>Current Use</i>	Duplex
<i>Proposed Use</i>	Swimming Pool
<i>Density</i>	2.17
<i>Allowable Density</i>	3

**BACKGROUND**

November 26, 2003 (**CPA/33/03; Item 3.16**) - The Authority granted permission for an addition to existing house to create a (1x1) bedroom duplex.

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

In addition to Building Permit requirements, condition (1) listed below shall be met before a Building Permit can be issued.

- 1) The construction drawings for the proposed swimming pool shall be submitted to the Department of Environmental Health. The applicant shall also submit to the Director of Planning the requisite signed certificate certifying that if the pool is constructed in accordance with the submitted plans it will conform to public health requirements.

- 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.

**2. 29 JOHN & THERESA PITCAIRN Block 15D Parcel 128 (F96-0127) (P07-1158) (\$20,000) (EJ)**

Application for a one (1) bedroom dwelling unit with gym.

**FACTS**

<i>Location</i>	Off The Avenue
<i>Zoning</i>	<b>LDR</b>
<i>Parcel Size</i>	23,073 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	House and Gym
<i>Building Size</i>	1,400 sq. ft.
<i>Density</i>	3.78
<i>Allowable Density</i>	3
<i>Building Coverage</i>	19.73%
<i>Total Site Coverage</i>	20%
<i>Existing Parking</i>	2
<i>Required Parking</i>	2
<i>Number of Units</i>	2

**BACKGROUND**

July 24, 1996 (**CPA/26/96; Item 6.1**) - The Authority granted approval for a garage and dwelling unit (maid's quarters).

**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].

**2. 30 RICHARD DIXON Block 15C Parcel 53 (F07-0490) (P07-1351) (\$120,000) (DE)**

Application for a house (reconstruction).

**FACTS**

<i>Location</i>	Off Fairbanks Road and Fairlawn Road
<i>Zoning</i>	<b>MDR</b>
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	.4500 acres
<i>Current Use</i>	Houses
<i>Proposed Use</i>	House
<i>Building Size</i>	947 sq. ft.
<i>Density</i>	13
<i>Allowable Density</i>	4
<i>Building Coverage</i>	23%
<i>Total Site Coverage</i>	23%
<i>Existing Parking</i>	1
<i>Proposed Parking</i>	4
<i>Required Parking</i>	1
<i>Number of Units</i>	6

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

1. Department staff are directed to visit the site and take photographs illustrating existing site conditions and structures.
2. The applicant is invited to appear before the Authority to discuss concerns regarding the application.

**2. 31 SAM THEVASAYAN Block 12C Parcel 356 (F00-0157) (P07-1097)  
(\$2,782,120) (CS)**

Application for a 4 storey commercial building, two (2) signs and a generator.

**FACTS**

<i>Location</i>	In Seven Mile Beach, at the end of Earth Close
<i>Zoning</i>	<b>N COM</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	20,800 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Offices
<i>Building Size</i>	25,292 sq. ft.
<i>Building Coverage</i>	31%
<i>Parking Coverage</i>	62%
<i>Total Site Coverage</i>	93%
<i>Proposed Parking</i>	65
<i>Required Parking</i>	63

**BACKGROUND**

January 17, 2001 (**CPA/02/01; Item 6.02**) - CPA granted planning permission for offices and storage units.

September 3, 2003 (**CPA/25/03; Item 3.17**) - The Authority granted planning permission for a commercial building.

October 3, 2007 (**CPA/28/07; Item 2.23**) – The Authority adjourned the application, for the following reason:

1. The applicant is required to submit a revised site plan that provides for a temporary turnaround at the end of Earth Close.

October 17, 2007 (**CPA/30/07; Item 2.26**) - The Authority resolved to adjourn an application for a commercial building for the following reason:

1. The applicant is required to submit the following drawings:
  - a) A cross-section of the building which includes the proposed finished site grade.
  - b) A revised site plan showing a minimum 20' front setback and the temporary turnaround enlarged to accommodate emergency vehicles.
  - c) *A detailed landscape plan. 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.*

**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. 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 (8-12) shall be complied with before a final Certificate of Occupancy can be issued.

- 8) The applicant shall install the approved on-site wastewater treatment plant in accordance with the requirements of the Water Authority.
- 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) The approved stormwater management system shall be installed on site.
- 11) 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.
- 12) 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. 32 SELKIRK WATLER Block 22D Parcel 141 Rem 11 (F07-0197) (P07-1235) (BES)**

Application to modify planning permission.

**FACTS**

*Location*

Spinnaker Road, Red Bay

*Zoning*

**LDR**

**Decision:** It was resolved to adhere to the conditions of planning permission CPA/25/00; item 5.03.

**2. 33 DOUG & TRISH GORNALL Block 69A Parcel 48 (F07-0482) (P07-1309) (P07-1310) (\$644,000) (EJ)**

Application for a seven (7) bedroom house with basement, detached single garage with upper one (1) bedroom unit and swimming pool.

**FACTS**

<i>Location</i>	Queens Highway
<i>Zoning</i>	<b>LDR</b>
<i>Parcel Size</i>	20,912 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	House, Detach Unit and Pool
<i>Building Size</i>	8,758 sq. ft.
<i>Density</i>	4.17
<i>Allowable Density</i>	3
<i>Building Coverage</i>	17.67%
<i>Total Site Coverage</i>	18%
<i>Proposed Parking</i>	2
<i>Required Parking</i>	2
<i>Number of Units</i>	2

**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 construction drawings for the proposed swimming pool shall be submitted to the Department of Environmental Health. The applicant shall also submit to the Director of Planning the requisite signed certificate certifying that if the pool is constructed in accordance with the submitted plans it will conform to public health requirements.
- 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 is reminded that any conversion of the house to a multi-family use will require a separate application for planning permission.

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. 34 STEVEN MAEDA Block 33B Parcel 60 (F07-0447) (P07-1206) (P07-1209) (\$1,200,000) (EJ)**

Application for setback variance for a four (4) bedroom house with swimming pool and two (2) cabanas.

**FACTS**

<i>Location</i>	Sand Point Road
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	21,780 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	House, Pool and Two Cabanas
<i>Building Size</i>	5,967 sq. ft.
<i>Density</i>	2
<i>Allowable Density</i>	3
<i>Building Coverage</i>	16%
<i>Total Site Coverage</i>	16%
<i>Proposed Parking</i>	2
<i>Required Parking</i>	1
<i>Number of Units</i>	1

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

**2. 35 HOME GAS LTD Block 20D Parcel 173 (F07-0470) (P07-1275) (BES)**

Application for temporary storage of 14 LPG tanks.

**Mr. Attlee Bodden declared a conflict and left the meeting room.**

**FACTS**

<i>Location</i>	Linford Pierson Highway
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Proposed Use</i>	Temporary Storage Of
<i>Building Size</i>	5,380 sq. ft.

**Decision:** It was resolved to grant planning permission **for one year only, subject to the following conditions:**

- 1) The approval of the Chief Petroleum Officer must be obtained before the tanks are transported to the property.
- 2) The existing vegetative buffer along the road shall be retained.
- 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.

**2. 36 MIKE SIMMONS Block 22D Parcel 242 (F07-0402) (P07-1045) (\$10,000) (KB)**

Application for a two (2) lot subdivision.

**FACTS**

<i>Location</i>	Off Spinnaker Road, Prospect
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	4.3960 acres
<i>Current Use</i>	Canal
<i>Proposed Use</i>	Residential
<i>Number of Parcels</i>	2

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

- 1) A thirty-foot vehicular right-of-way shall be registered over Block 22D Parcel 244 in favor of Lot 'B' and Block 22D Parcel 294.
- 2) The surveyor's final drawing shall be submitted to the Planning Department for approval prior to the survey being registered.

**2. 37 MARK DELAPENHA Block 53A Parcel 122 (F07-0479) (P07-1302) (\$600,000) (EJ)**

Application for a five (5) bedroom house.

**FACTS**

<i>Location</i>	Further Road in North Side
<i>Zoning</i>	<b>A/R</b>
<i>Parcel Size</i>	44,169.8400 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	House
<i>Building Size</i>	6,023 sq. ft.
<i>Density</i>	.99
<i>Allowable Density</i>	1
<i>Building Coverage</i>	8.7%
<i>Total Site Coverage</i>	9%
<i>Proposed Parking</i>	2
<i>Required Parking</i>	2

**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 is reminded that approval has been granted for a house only, not a duplex.

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. 38 ROSE HAWKINS Block 9A Parcel 221 (F04-0331) (P07-1399) (CS)**

Application to change the location of the required sidewalk.

**FACTS**

<i>Location</i>	At the northeast corner of Sticky Toffee Lane and Batabano Road
<i>Zoning</i>	<b>LDR</b>
<i>Notice Requirements</i>	NA
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.8200 acres
<i>Current Use</i>	Apartments
<i>Proposed Use</i>	Apartments

**BACKGROUND**

August 6, 2004 (**CPA/20/04; Item 2.6**) - CPA granted planning permission for 6 apartments subject to the following conditions:

- 1) The applicant shall submit a copy of the documentation submitted to the Lands & Survey Department to combine Block 9A, Parcels 221 & 222.
- 2) The applicant shall submit a landscape plan, which shall be subject to review and approval by the Director of Planning.

July 27, 2005 (**CPA/17/05; Item 2.15**) - CPA resolved to modify planning permission to relocate the building on the site as shown on the plans date stamped July 1, 2005.

December 7, 2005 (**CPA/32/05; Item 2.31**) - CPA resolved to adhere to planning permission CPA/20/04; item 2.6. The request was to eliminate condition 1.

July 26, 2006 (**CPA/24/06; Item 2.31**) - CPA resolved to allow an additional apartment unit as shown on the plans date stamped June 26, 2006.

March 7, 2007 (**CPA/07/07; Item 2.34**) - The Authority resolved to grant Special Permission to Occupy for a period of six months during which time the sidewalk shall be completed.

**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/20/04; item 2.6 be modified to replace condition 12) with the

following:

*“12) The applicant shall provide a 6’ wide grass verge along Sticky Toffee Lane instead of constructing a 6’ wide sidewalk.”*

All other conditions of CPA/20/04; item 2.6 remain applicable

### **3.0 ENFORCEMENTS**

#### **3.1 PAUL MCFIELD Block 13D Parcel 292 (CE07-0033) (KS)**

Change-of-use of High Density Residential Land for use for the storage, maintenance and repair of motor vehicles and the construction of a structure.

#### **FACTS**

*Location* Brushy Avenue, George Town Central

*Zoning* **HDR**

#### **BACKGROUND**

1992 (CPA/27/92; **Item 3.04**) - The Authority granted planning permission for four unit apartments.

November 21, 2001 (CPA/35/01; **Item 5.03**) - The Authority granted a modification to conditions of 1992 approval.

**Decision:** It was resolved to authorise the issuance of an Enforcement Notice and Stop Notice in accordance with Section 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 60 days 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).

The steps to be required in the enforcement notice are: Stop using any part of the land for the storage, repair and maintenance of motor vehicles and the removal from the land of all the motor vehicles and equipment brought on to the land for the purpose of that use. The removal of the structure and the removal of arising building material and rubble.

The Stop Notice to require the use of the land for the storage, repair and maintenance of motor vehicles prohibited by the enforcement notice to cease.

**3. 2 ROBERT O. THOMPSON (OWNER) ERROL BARRY MARAGH (OCCUPIER) Block 20B Parcel 82 (CE07-0102) (KS)**

Operation of a commercial auto sale lot.

**Mr. Attlee Boddien declared a conflict and left the meeting room.**

**FACTS**

*Location* Shedden Road, George Town East

*Zoning* **G COM and LI**

**BACKGROUND**

**March 31, 2005** - Construction of after-the-fact apartments (CE05-0074).

May 13, 2005 (**CPA/11/05; Item 2.27**) - The Authority granted planning permission for seven after-the-fact apartment units for twelve months only.

June 15, 2005 (**CPA/14/05; Item 2.10**) - The Authority granted planning permission for commercial auto sale lot for one year only.

April 5, 2006 (**CPA/11/06; Item 2.31**) - The Authority granted planning permission for a subdivision.

**Decision:** It was resolved to authorise the issuance of an Enforcement Notice in accordance with Section 18 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 60 days from the date when the Notice takes effect. The steps to be required in the enforcement are to cease using the land for the operation of a commercial auto sale lot and remove the vehicles from the land.

**3. 3 JOSEPH BUREY & CAROL BUREY Block 28C Parcel 312 (CE07-0132) (KS)**

Breach of planning conditions - temporary house.

**FACTS**

*Location* Pinto Drive, Savannah

*Zoning* **LDR**

**BACKGROUND**

December 15, 2004 (**CPA/29/04; Item 2.15**) - The Authority granted planning permission for a temporary house for 18 months subject to conditions namely; the structure shall be removed from the site within 18 months from the date of the authority's decision letter (December 17, 2004).

November 2, 2005 (CPA/28/05; Item 2.27) - The Authority granted planning permission for a House.

**Decision:** It was resolved to authorise the issuance of an Enforcement Notice in accordance with Section 18 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 60 days from the date when the Notice takes effect.

The steps required to be taken by the enforcement notice are removal of the temporary house and all associated electrical and plumbing connections.

### 3.4 JOSEPH BUREY & CAROL BUREY Block 28C Parcel 312 (CE07-0132) (KS)

Change-of-use of a garage to use for residential, construction of additions to existing dwelling house (dormer windows, rear addition, patio adjacent to East side of house) and construction of structures (garden shed and electrical meter structure).

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

#### **FACTS**

*Location* Pinto Drive, Savannah

*Zoning* LDR

#### **BACKGROUND**

December 15, 2004 (CPA/29/04; Item 2.15) - The Authority granted planning permission for a temporary house for **18 months**.

November 2, 2005 (CPA/28/05; Item 2.27) - The Authority granted planning permission for a house (F99-0363).

**Decision:** It was resolved to authorise the issuance of an Enforcement Notice in accordance with Section 18 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 60 days from the date when the Notice takes effect.

The steps required to be taken by the enforcement notice are the removal of the rear addition, dormer windows, patio, garden shed, electrical meter structure and all building material and rubble arising from the removal. Convert the area shown as a garage on the approved plans dated February 14, 2006 back to use as a garage as shown on the approved plans.

**3. 5 CLEVELAND N. HENRY (OWNER) ERROL DICKENS (OCCUPIER)  
Block 13D Parcel 385 (CE07-0034) (KS)**

Change-of-use of High Density Residential land for use for the storage, maintenance and repair of motor vehicles and heavy equipment and the construction of a structure.

**FACTS**

*Location* Brushy Avenue, George Town Central  
*Zoning* **HDR**

**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 60 days 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).

The steps to be required in the enforcement notice are: Stop using any part of the land for the storage, repair and maintenance of motor vehicles and heavy equipment. Remove from the land all the motor vehicles, heavy equipment and equipment brought on to the land for the purpose of that use. Remove the structure and the arising building material and rubble.

The Stop Notice to require the use of the land for the storage, repair and maintenance of motor vehicles and heavy equipment prohibited by the enforcement notice to cease.

**4.0 DEVELOPMENT PLAN MATTERS**

**4. 1 DANIEL "MIKE" SIMMONS Block 20E Parcel 87 (RZ07-0006) (MS)**

Application for rezoning.

**FACTS**

*Location* South Side of Linford Pierson Highway  
*Zoning* **LDR**  
*Existing Use* Large Vehicle Storage and Repair and Cell Tower  
*Parcel Size* 22.0000 acres

**BACKGROUND**

The parcel is a 22 acre Low Density Residential zoned parcel located along the Linford Pierson Highway. According to the applicant, much of the parcel has been used for heavy equipment operation, maintenance, and storage since 1972. Planning permission was granted for a Cable and Wireless cell tower and facilities in February, 2006.

The NRA has a gazetted east-west road directly south of the project site.

**Decision:** It was resolved to adjourn the application and invite the applicant into a future hearing to discuss the merits of the proposal. The Authority does not support this proposal because it would be considered a "spot zoning" in the middle of an established residential neighbourhood with several homes and apartments in the immediate vicinity.

## **5.0 PLANNING APPEAL MATTERS**

## **6.0 MATTERS FROM THE DIRECTOR OF PLANNING**

## **7.0 CPA MEMBERS INFORMATION/DISCUSSIONS**