

Central Planning Authority

Minutes for a meeting of the Central Planning Authority held on November 28, 2007 at 10:30 a.m. in the Conference Room, 1st Floor, Regatta Office Park – Leeward One (formerly Safehaven).

35th Meeting of the Year

CPA/35/07

Mr. Dalkeith Bothwell (Chairman) (except 2.6)

Mr. Attlee Bodden (left at 12:15) (except 2.12)

Mr. Darrell Ebanks (arrived at 11:45) (except 2.4)

Mr. Ernley Hurlstone (absent)

Mr. Ray Hydes (arrived at 12:00)

Mr. Arek Joseph (except 2.5)

Mr. Trent McCoy

Mr. Rex Miller

Mr. Arden Parsons (Acting Chairman 2.6)

Mr. Eldon Rankin (arrived at 12:00, left at 5:00)

Mr. Owen Rankine (except 2.1)

Mr. Robert Watler (arrived at 11:25)

Mr. Fred Whittaker (except 2.5, 3.2, 3.6)

Mr. Kenneth Ebanks (Executive Secretary)

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

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

1.0 CONFIRMATION OF MINUTES

1.1 Confirmation of Minutes of (CPA/32/07 held on November 7, 2007.

Moved: Dalkeith Bothwell

Seconded: Rex Miller

Confirmed

2.2 Confirmation of Minutes of CPA/33/07 held on November 14, 2007.

Moved: Dalkeith Bothwell

Seconded: Fred Whittaker

Confirmed

2.0 APPLICATIONS

APPEARANCES (Items 2. 1 TO 2. 9)

2.1 LESBIA ALEXANDER Block 14D Parcel 151 (FA92-0215) (P07-1331) (\$45,000) (EJ)

Application for a lot size variance for a three (3) bedroom house.

Appearance at 11:30

Mr. Owen Rankine declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Hope Drive off Smith Road.
<i>Zoning</i>	MDR
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	10,018 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	Replacement House
<i>Building Size</i>	947 sq. ft.
<i>Density</i>	8.7
<i>Allowable Density</i>	4
<i>Building Coverage</i>	24.43%
<i>Total Site Coverage</i>	25%
<i>Existing Parking</i>	1

<i>Proposed Parking</i>	1
<i>Required Parking</i>	2
<i>Number of Units</i>	1

BACKGROUND

January 12, 2005 (**CPA/01/05; Item 2.3**) - The Authority granted permission for a house subject to the existing house being removed from the property.

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

1. The applicant is required to submit revised drawings that depict a duplex rather than two detached dwellings.

2. 2 ALAN SILVERMAN Block OPY Parcel 85 (F02-0066) (P07-1305) (\$125,000) (CS)

Application for reconsideration of CPA condition.

Appearance at 11:45

FACTS

<i>Location</i>	Downtown George Town off Albert Panton Way
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	27,412 sq. ft.
<i>Current Use</i>	Retail
<i>Proposed Use</i>	Restaurant
<i>Building Size</i>	1,576 sq. ft.
<i>Existing Parking</i>	3
<i>Required Parking</i>	8

BACKGROUND

September 5, 2007 (**CPA/24/07; Item 2.30**) - The Authority granted planning permission to allow a change-of-use from a retail store to a restaurant.

November 14, 2007 (**CPA/31/07; Item 2.24**) - The Authority resolved to grant planning permission for a change-of-use from retail to restaurant, subject to the following condition:

- 1) The applicant shall submit documentation showing the lease of a minimum of 5 parking spaces located within 500’ of the subject site.

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/31/07; item 2.24 be modified to delete condition 1).

All other conditions of CPA/31/07; item 2.24 remain applicable.

2. 3 PERCIVAL PEARSON Block 4E Parcel 245 (F07-0420) (P07-1113) (\$100,700) (DE)

Application for a house addition.

Appearance at 1:20

FACTS

<i>Location</i>	Off Town Hall Road, West Bay
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	.1500 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Additions
<i>Building Size</i>	1,007 sq. ft.
<i>Density</i>	6
<i>Allowable Density</i>	6
<i>Building Coverage</i>	37.7%
<i>Total Site Coverage</i>	37.7%
<i>Existing Parking</i>	1
<i>Proposed Parking</i>	1
<i>Required Parking</i>	1

BACKGROUND

October 17, 2007 (CPA/30/07; Item 2.27) - It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the deficient setbacks.

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 a minimum 12' setback from John Bush Road and a minimum 15' setback from Parcel 660.
- 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. 4 JOSEPH ANDERSON Block 15C Parcel 339 (F07-0271) (P07-0673) (\$500,000) (CS)

Application for five (5) apartments.

Appearance at 1:50

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

FACTS

<i>Location</i>	In South Sound, at the east end of Fern Circle
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	16,188 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Apartments
<i>Building Size</i>	5,213 sq. ft.
<i>Density</i>	13.5
<i>Allowable Density</i>	15
<i>Building Coverage</i>	24.8%
<i>Proposed Parking</i>	10
<i>Required Parking</i>	8
<i>Number of Units</i>	5

BACKGROUND

October 17, 2007 (CPA/30/07; **Item 2.23**) - The Authority adjourned the

application to invite the applicant to appear before the Authority to discuss concerns regarding the suitability of the site and area for apartments.

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

1. In accordance with Regulation 9(8) of the Development and Planning Regulations (2006 Revision), the Authority was not convinced that the subject site was a suitable location for apartments as the mass and scale of the proposed development would not be consistent with the character of existing development in the immediate area, which is predominantly that of single family dwellings.

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

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

2. 5 MR. ANTHONY SCOTT Block 40A Parcel 37 (F07-0405) (P07-1059) (\$1,449,657) (KB)

Application for five (5) two-story houses.

Appearance at 2:20

Mr. Arek Joseph declared a conflict and left the meeting room. Mr. Fred Whittaker declared a conflict, but prior to leaving the meeting room, he advised the Authority that the applicant is withdrawing the application for the excavation and wishes for the Authority to only consider the application for the five houses.

FACTS

<i>Location</i>	Rum Point Drive near Driftwood Village
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	3.9600 acres
<i>Current Use</i>	Vacant

<i>Proposed Use</i>	Five Houses
<i>Building Size</i>	13,179 sq. ft.
<i>Density</i>	1.3
<i>Building Coverage</i>	5.7%
<i>Parking Coverage</i>	8%
<i>Total Site Coverage</i>	13.7%
<i>Proposed Handicapped Spaces</i>	2
<i>Proposed Parking</i>	33
<i>Required Handicapped Spaces</i>	2
<i>Required Parking</i>	8

BACKGROUND

October 3, 2007 (CPA/28/07; Item 2.18) - The Authority adjourned the application to invite the applicant in to discuss concerns regarding the proposed excavation of sand.

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

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

- 1) The applicant shall submit a revised site plan showing a maximum of 15 parking spaces and a driveway configuration that allows for vehicle stacking to the satisfaction of the Director of Planning.
- 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) under Policy Development, Policy Drafts.*
- 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 (4-11) shall be complied with before a final Certificate of Occupancy can be issued.

- 4) The developer shall provide a septic tank with a capacity of at least 2,250 US gallons to treat the combined wastewater flows from the five proposed houses. Alternatively, the developer can install an individual septic tank for each of the five houses, each having a treatment capacity of at least 750 US gallons. The septic tank(s) shall be constructed in strict accordance with the Authority's standards.
- 5) All treated effluent shall be discharged into a disposal well(s) by gravity-flow. The disposal well(s) shall be constructed in strict accordance with the Authority's standards. The discharge pipe from the treatment system shall enter the disposal well at a height of at least two feet above the water table level in the well. 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.
- 6) A six-foot wide concrete sidewalk along the road side property line, and a 4 feet minimum in width landscape strip along the inside edge of the sidewalk.
- 7) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.
- 8) Construction of the sidewalk, drain and driveway shall be to the satisfaction of the Director of Planning in consultation with the National Roads Authority
- 9) The approved stormwater management system shall be installed on site.
- 10) Construct a gentle 'hump' at the entrance (along the entire width of the driveway) in order to prevent stormwater runoff from and onto the adjacent road.
- 11) Curbing is required for the driveway and parking areas to control stormwater runoff.

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

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 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.**

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. 6 ALICE MAE COE Block 9A Parcel 27 (FA90-0415) (P07-1214) (BES)

Application for reconsideration of CPA condition.

Appearance at 2:50

Mr. Dalkeith Bothwell declared a conflict and left the meeting room. Mr. Arden Parsons sat as Acting Chairman.

FACTS

<i>Location</i>	Up The Hill Road, West Bay
<i>Zoning</i>	LDR

BACKGROUND

CPA/25/91; Item 5.5 - Planning permission was granted for a seven (7) lot subdivision with conditions.

CPA/30/07; Item 2.25 - The above application was adjourned for the applicant to liaise with the Department to explore the possibility of revising the application to increase the number of lots which could be used to help offset the cost of constructing a paved subdivision road.

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/25/91; item 5.5 be modified as shown on the revised subdivision plan date stamped September 18, 2007 and by deleting condition b).

All other conditions of CPA/25/91; item 5.5 remain applicable.

2. 7 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.

Appearance at 3:20

FACTS

<i>Location</i>	Sand Point Road
<i>Zoning</i>	LDR
<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

BACKGROUND

October 31, 2007 (CPA/31/07; Item 2.34) - The Authority adjourned the application in order to invite the applicant to appear before the Authority.

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

In addition to Building Permit requirements, conditions (1-3) listed below shall be met before a Building Permit can be issued.

- 1) The applicant shall submit a revised site plan showing all structures setback 10' closer to the road side property boundary.
- 2) The applicant shall submit a revised site plan that shows an aerobic wastewater treatment system.
- 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, condition (6) 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.

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 SHAKIRA DICKSON Block 13E Parcel 66 (F88-0078) (P07-1251) (KB)

Application for a commercial building.

Appearance at 4:20

FACTS

<i>Location</i>	Watlers Road, George Town
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.1000 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Retail
<i>Building Size</i>	1,576 sq. ft.
<i>Density</i>	10
<i>Building Coverage</i>	18%
<i>Parking Coverage</i>	32%
<i>Total Site Coverage</i>	50%
<i>Proposed Parking</i>	5

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

BACKGROUND

July 11, 2007 (CPA/21/07; Item 2.28) - The Authority granted planning permission for a three-unit apartment building.

November 14, 2007 (CPA/33/07; Item 2.35) - The Authority adjourned the application to invite the applicant in to discuss concerns regarding the use of the proposed third level balcony.

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 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.
- 2) 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) under Policy Development, Policy Drafts.*

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

- 3) The applicant shall submit a construction operations plan to the satisfaction of the Director of Planning indicating in sufficient detail how the development will be constructed without interfering with or obstructing adjacent roads and properties. At a minimum, the plan shall indicate the location of material storage, workers parking, site offices, portable toilets, construction fencing and where applicable, the stockpiling of material excavated from the site and material brought to the site for fill purposes.
- 4) The applicant is required to obtain a Building Permit from the Chief Building Control Officer. Construction shall not commence prior to the issuance of a Building Permit.
- 5) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the

approved plans which you will receive when you have complied with all of the above conditions.

Additionally, once construction has started, conditions (6-13) shall be complied with before a final Certificate of Occupancy can be issued.

- 6) The development shall be connected to the West Bay Beach Sewerage System (WBBSS). The applicant is directed to liaise with the Water Authority to ensure compliance with their requirements.
- 7) 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.
- 8) The parking lot and driveway aisles surfaced with asphaltic concrete or equivalent and tire stops provided for each parking space which shall be striped.
- 9) Construction of the sidewalk, drain and driveway shall be to the satisfaction of the Director of Planning in consultation with the National Roads Authority
- 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.
- 13) The roof of the second floor shall only be used as accessible space for air conditioner equipment.

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 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. 9 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.

Appearance at 5:00

FACTS

<i>Location</i>	At the end of Uncle Bob Road in West Bay North East
<i>Zoning</i>	LDR
<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.

The containers have been removed but the applicant wishes to obtain planning permission to place them back on the site.

October 31, 2007 (**CPA/31/07; Item 2.14**) - The Authority resolved to adjourn the application to invite the applicant to appear before the Authority to discuss concerns regarding the application.

Decision: It was resolved to grant planning permission for the after-the-fact land clearing and to **grant planning permission for 6 months only for the two storage containers.**

Should an application for planning permission be submitted and approved for the primary development of the site then ancillary site construction containers would be allowed, the number to be determined by the Authority.

2.0 APPLICATIONS

REGULAR AGENDA (Items 2.10 TO 2.29)

2.10 IHCP LTD Block OPY Parcel 161 (FA80-0356) (P07-0761) (CS)

Application for an additional balcony to side alleyway.

FACTS

<i>Location</i>	The Grand Switzerland Shopping Centre
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Current Use</i>	Retail/Restaurant
<i>Proposed Use</i>	Retail/Restaurant
<i>Building Size</i>	195 sq. ft.

BACKGROUND

April 20, 2006 (**CPA/09/05; Item 2.22**) - it was resolved to grant planning permission for additional commercial development.

May 31, 2006 (**CPA/17/06; Item 2.19**) - It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the setback of the proposed balcony along Cardinal Avenue.

July 12, 2006 (**CPA/22/06; Item 2.7**) - CPA granted planning permission for three balconies along Harbour Drive and one balcony along Cardinal Avenue. The Authority required the balcony on Cardinal Avenue to be cantilevered instead of constructed with columns.

November 8, 2006 (**CPA/35/06; Item 2.10**) - The Authority resolved to adhere to planning permission CPA/22/06; Item 2.7.

July 25, 2007 (**CPA/23/07; Item 2.25**) - CPA resolved to adjourn the application for the following reason:

1. The applicant is required to submit revised drawings showing the two balconies connected and only one staircase.

September 12, 2007 (**CPA/25/07; Item 2.17**) - The Authority resolved to adjourn the application to invite the applicant to appear before the Authority to discuss concerns regarding the application.

October 17, 2007 (**CPA/30/07; Item 2.13**) - The Authority resolved to adjourn the application for an additional balcony for the following reason:

1. The Department is directed to contact the Building Control Unit to determine whether or not two means of egress and/or a second stair case is required per the Cayman Islands Building Code.

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 all of the above conditions.

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

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

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

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

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

2. 11 KIM SAMUEL Block 5B Parcel 146 (F06-0280) (P07-0804) (\$70,125) (CS)

Application to refurbish a derelict commercial building to allow storage and to allow an after-the-fact porch and view deck.

FACTS

<i>Location</i>	Northwest of the 4-Stop Intersection in West Bay, off Mollie Hydes Road
<i>Zoning</i>	N COM
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	2,178 sq. ft.
<i>Current Use</i>	Vacant Building
<i>Proposed Use</i>	Storage
<i>Building Size</i>	825 sq. ft.
<i>Building Coverage</i>	40%

Total Site Coverage 40%
Required Parking 1

BACKGROUND

January 25, 2006 (**CPA/03/06; Item 3.2**) - CPA resolved to issue an Enforcement Notice and Stop Notice.

February 21, 2006 - An Enforcement Notice and a Stop Notice were sent by registered post (CE05-0190).

May 30, 2007 (**CPA/15/07; Item 2.8**) - The Authority resolved to refuse an application for an after-the-fact porch and view deck for the following reasons:

1. The application does not comply with the minimum parking requirements per Regulation 8 (1) (b) (iv) of the Development and Planning Regulations (2006 Revision) and the Authority is of the opinion that the applicant did not demonstrate any acceptable reasons why the deficient parking scenario should be allowed per Regulation 8(13)(b)
2. The application does not comply with the front or rear setback requirements per Regulation 8 (8) (b) of the Development and Planning Regulations (2006 Revision) and the Authority saw no other reason to allow lesser setbacks.

There is no Planning Permission or Building Permit history for the existing 387 square foot commercial building.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss the same concerns the Authority had with the application when it was refused on May 30, 2007.

2. 12 JAY EASTERBROOK Block 1E Parcel 15 (F07-0348) (P07-0886) (\$5,500) (CS)

After-the-fact application for the clearing of land by mechanical means.

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

FACTS

<i>Location</i>	Northwest Point Road, West Bay
<i>Zoning</i>	BR/R
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.6000 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Deck to HWM

BACKGROUND

September 5, 2007 (CPA/24/07 Item 2.23) - It was resolved to adjourn the application, for the following reason:

1. The applicant must obtain a coastal works license prior to the Authority further considering the application.

Decision: It was resolved to grant planning permission.

2. 13 CI AMATEUR SWIMMING Block 15B Parcel 372 (F98-0057) (P07-1114) (\$6,000,000) (CS)

Application for a 50 meter Olympic pool, grand stand, snack bar, changing rooms and ticket booth.

FACTS

<i>Location</i>	Georgetown adjacent to the Lions Pool
<i>Zoning</i>	INST
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	31.9000 acres
<i>Current Use</i>	Pool
<i>Proposed Use</i>	Competition Pool
<i>Building Size</i>	19,135 sq. ft.

BACKGROUND

The Truman Bodden Sports Complex, UCC campus, George Hicks High School and Lions Pool have received previous planning permission for this site.

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

1. Ministry representatives are invited to appear before the Authority to discuss master plan details relevant to parking, setbacks and the width of the road corridor.

2. 14 EVADNE EBANKS Block 14E Parcel 462 (FA90-0041) (P07-1244) (\$5,500) (DE)

Application for a three (3) lot subdivision.

FACTS

<i>Location</i>	Off Walker Roads into the Windsor Park Subdivision onto Theresa Drive, George Town
<i>Zoning</i>	HDR

<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.4400 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Subdivision

BACKGROUND

October 17, 2007 (CPA/30/07; Item 2.33) - It was resolved to adjourn the application, for the following reasons:

1. The applicant must obtain consent from the owner of Block 14E Parcel 463 for the proposed reduction of the right-of-way to 22 feet.
2. The applicant must provide documentation from the Registrar of Lands consenting to the proposed reparcellation.

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

- 1) Prior to the subdivision plan being finalized, the following conditions shall be satisfied:
 - a) The applicant shall submit the requisite documentation demonstrating that the existing 30' vehicular right-of-way has been reduced in width to 22'.
 - b) The developer shall provide water infrastructure for the entire subdivision. The developer shall submit plans for the water supply system for approval by the Water Authority. The water supply system shall be installed to the Authority's specifications, under the Authority's supervision. Copies of these specifications are available at the Water Authority's office on Red Gate Road.
 - c) The developer shall request to have the sub-division connected to the Water Authority's public water system. This request will be acted upon after the pipelines on the sub-division have been installed in accordance with the WAC specifications and have passed all specified tests.
 - d) The surveyor's final drawing shall be submitted to the Planning Department for approval prior to the survey being registered.

2. 15 RC BODDEN Block 13E Parcel 164 (FB78-0176) (P07-1333) (\$21,000) (BES)

Application for storage tank/generator.

FACTS

<i>Location</i>	Bay Town Plaza, West Bay Road
<i>Zoning</i>	G COM

<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	2.9240 acres
<i>Current Use</i>	Office Building under Construction
<i>Proposed Use</i>	Above Ground Generator

BACKGROUND

CPA/28/07; Item 2.14 - The Authority adjourned an application for revised building elevations of the office building under construction.

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

- 1) The applicant is required to obtain approval from the Chief Petroleum Officer.
- 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 you have complied with the above conditions.

2. 16 HEBER ARCH Block 20B Parcel 364 (F07-0507) (P07-1397) (\$7,000) (KB)

Application for a two (2) lot subdivision.

FACTS

<i>Location</i>	Kingbird Drive, East George Town
<i>Zoning</i>	LI
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	NA
<i>Parcel Size</i>	.8000 acres
<i>Current Use</i>	Vacant

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

- 1) Lot B shall be combined with Block 20B Parcel 363.
- 2) The surveyor's final drawing shall be submitted to the Planning Department for approval prior to the survey being registered.

2. 17 R.C. BODDEN OFFICES Block 11D Parcel 4 (FA84-0226) (P07-1412) (\$3,000) (CS)

Application for two (2) wall-mounted signs for the Cost-U-Less store.

FACTS

Location At Governors Square on West Bay Road

BACKGROUND

December 7, 2005 (CPA/32/05; Item 2.36) - CPA granted planning permission for the Governor's Square commercial centre.

July 11, 2007 (CPA/21/07; Item 2.26) - CPA granted planning permission for a change-of-use to allow six restaurants.

September 12, 2007 (CPA/25/07; Item 2.28) - The Authority granted planning permission for 87 signs and a covered entrance.

October 2007 (CPA/30/07; Items 2.2 and 2.22) The Authority granted planning permission for 31 signs.

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

- 1) The applicant shall submit revised drawings showing the sign facing Lime Tree Bay Avenue and the Esterley Tibbetts Highway with a maximum size of 7' x 20'.
- 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 all of the above conditions.

2. 18 IHCP LTD Block OPY Parcel 161 (F80-0356) (P07-1421) (CS)

Application to modify to allow column support for an approved balcony.

FACTS

Location The Grand Switzerland Building on Cardinal Avenue and Harbour Drive

Zoning G COM

Notice Requirements NA

Current Use Commercial

Building Size 195 sq. ft.

BACKGROUND

April 20, 2006 (CPA/09/05; Item 2.22) - it was resolved to grant planning

permission for additional commercial development.

May 31, 2006 (CPA/17/06; Item 2.19) - It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the setback of the proposed balcony along Cardinal Avenue.

July 12, 2006 (CPA/22/06; Item 2.7) - CPA granted planning permission for three balconies along Harbour Drive and one balcony along Cardinal Avenue. The Authority required the balcony on Cardinal Avenue to be cantilevered instead of constructed with columns.

November 8, 2006 (CPA/35/06; Item 2.10) - The Authority resolved to adhere to planning permission CPA/22/06; Item 2.7.

July 25, 2007 (CPA/23/07; Item 2.25) - CPA resolved to adjourn the application for the following reason:

2. The applicant is required to submit revised drawings showing the two balconies connected and only one staircase.

September 12, 2007 (CPA/25/07; Item 2.17) - The Authority resolved to adjourn the application to invite the applicant to appear before the Authority to discuss concerns regarding the application.

October 17, 2007 (CPA/30/017; Item 2.13) - The Authority resolved to adjourn the application for an additional balcony for the following reason:

2. The Department is directed to contact the Building Control Unit to determine whether or not two means of egress and/or a second stair case is required per the Cayman Islands Building Code.

Decision: It was resolved to adhere to planning permission CPA/22/06; item 2.7, for the following reasons:

1. The columns were not necessary since the balcony could be cantilevered thereby retaining the existing sidewalk width, an issue of paramount importance due to the ever increasing number of pedestrians downtown.
2. The columns would be very close to the road which raises a concern with the potential for them to be hit by vehicles.

2. 19 TRISHA & BRAD WATTS Block 7C Parcel 33 (Lot A) (F07-0377) (P07-1458) (\$280,000) (DE)

Application for a duplex with separate single garages.

FACTS

Location

Off South Church Street and Denham Thompson Way onto Moxam Road and Point Four Street, George Town

Zoning

LDR

<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	.2512 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Duplex With Garages
<i>Building Size</i>	4,641 sq. ft.
<i>Density</i>	1
<i>Building Coverage</i>	22%
<i>Total Site Coverage</i>	22%
<i>Proposed Parking</i>	4
<i>Required Parking</i>	4

BACKGROUND

September 5, 2007 (**CPA/24/07; Item 2.33**) - It was resolved to grant planning permission for a two (2) lot subdivision.

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. 20 ST ALBANS CHURCH OF ENGLAND Block 14C Parcel 116 (F99-0293) (P07-1476) (BES)

Application to modify planning permission.

FACTS

<i>Location</i>	Shedden Road, George Town
<i>Zoning</i>	G COM
<i>Parcel Size</i>	.4000 acres

BACKGROUND

August 23, 2006 (**CPA/27/06; Item 2.16**) - CPA granted planning permission for an office building with conditions.

Sept. 12, 2007 - a Building Permit was issued for an office building.

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/27/06; item 2.16 be modified to allow the as-built location of the building.

All other conditions of CPA/27/06; item 2.16 remain applicable.

2. 21 ALEXANDER SEYMOUR Block 4E Parcel 149 (FA81-0423) (P07-0634) (\$50,000) (KB)

Application for an after-the-fact one (1) bedroom house.

FACTS

<i>Location</i>	Evans Close, West Bay
<i>Zoning</i>	LDR
<i>Parcel Size</i>	4,356 sq. ft.
<i>Current Use</i>	Residence
<i>Proposed Use</i>	Residence
<i>Building Size</i>	367 sq. ft.
<i>Density</i>	20
<i>Allowable Density</i>	3
<i>Footprint</i>	367 sq. ft.
<i>Building Coverage</i>	25%
<i>Required Parking</i>	3
<i>Number of Units</i>	1

BACKGROUND

In 1981, an extension to a house was approved. The original physical file could not be located prior to this report.

January 10, 2007 (**CPA/01/07; Item 3.4**) - The Authority issued an enforcement notice to stop the illegal construction of a two structures (one since has been destroyed).

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

2. 22 COLFRED HILL Block 4E Parcel 661 (F07-0264) (P07-0653) (\$203,940) (KB)

Application for three (3) one (1) bedroom apartments.

FACTS

<i>Location</i>	John Bush Road, West Bay
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	Advertising Complete
<i>Parcel Size</i>	16,117.2 sq. ft.
<i>Current Use</i>	Residential
<i>Proposed Use</i>	Apartments
<i>Building Size</i>	1,450 sq. ft.
<i>Density</i>	10.8
<i>Building Coverage</i>	19.7%
<i>Parking Coverage</i>	17%
<i>Total Site Coverage</i>	36.7%
<i>Existing Parking</i>	1
<i>Proposed Handicapped Spaces</i>	1
<i>Proposed Parking</i>	10
<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	6

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss its concern regarding access to the site.

2. 23 DALE BODDEN Block 44B Parcel 139 (FA80-0155) (P07-1253) (P07-1255) (P07-1256) (\$550,000) (EJ)

Application for a three (3) bedroom house with attached triple garage, gazebo, pool and 4' fence.

FACTS

<i>Location</i>	Shamrock Road in Bodden Town
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<i>Zoning</i>	LDR
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	108,900 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	House, Pool and Fence
<i>Building Size</i>	5,139 sq. ft.
<i>Density</i>	.4
<i>Allowable Density</i>	3
<i>Building Coverage</i>	4.72%
<i>Total Site Coverage</i>	5%
<i>Proposed Parking</i>	3
<i>Required Parking</i>	2
<i>Number of Units</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 the driveway shifted to the west and perpendicular to Shamrock Road. The applicant is directed to liaise with the Department in this regard.
- 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. 24 LOOKOUT GARDENS LTD Block 43A Parcel 61 (F98-0106) (P07-1376) (BES)

Application for commercial plaza.

FACTS

<i>Location</i>	Anton Bodden Drive, near The Bodden Town Civic Centre and Police Station
<i>Zoning</i>	MDR
<i>Notice Requirements</i>	No Objectors
<i>Advertisements</i>	Advertising Complete
<i>Parcel Size</i>	8.6490 acres
<i>Current Use</i>	Fruit Sales Kiosk and Real Estate Office
<i>Proposed Use</i>	Commercial Plaza
<i>Building Size</i>	70,996.54 sq. ft.
<i>Building Coverage</i>	18.8%
<i>Parking Coverage</i>	48.5%
<i>Total Site Coverage</i>	67.3%
<i>Proposed Handicapped Spaces</i>	6
<i>Proposed Parking</i>	240
<i>Required Handicapped Spaces</i>	6
<i>Required Parking</i>	181

BACKGROUND

April 6, 2005 (CPA/07/05; Item 2.20) - The CPA granted planning permission for a commercial complex with conditions.

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

1. Comments from the National Roads Authority are required in order for the Authority to properly consider the application.
2. The rear elevations must be revised to be more consistent with the residential character of the surrounding area.

2. 25 DOLPHIN DISCOVERY (CAYMAN) LTD Block 1D Parcel 657 (F05-0405) (P07-1383) (BES)

Application to modify condition (4) of CPA/07/07; Item 2.26.

FACTS

Location North West Point Road, West Bay
Zoning N COM

BACKGROUND

March 7, 2007 (CPA/07/07; Item 2.26) - CPA approved a commercial building with conditions.

Decision: It was resolved to adjourn the application in order for the Department to liaise with the applicant and the relevant agencies pertaining to the completion of a water anti-degradation plan.

2. 26 SAND BLUFF Block 75A Parcel 257 (F01-0171) (P07-1271) (\$100,000) (EJ)

Application for a swimming pool.

FACTS

Location Austin Conolly Drive
Zoning LDR
Notice Requirements N
Parcel Size 55,756 sq. ft.
Current Use House
Proposed Use Swimming Pool
Allowable Density 3

BACKGROUND

June 27, 2001 (CPA/21/01; Item 6.07) - The Authority granted approval for a house on the subject parcel(s).

November 28, 2001 (CPA/36/01; Item 5.02(C)) - The Authority modified planning condition of CPA/21/01 item 6.07 to delete condition 2.

November 12, 2003 (CPA/32/03; Item 3.15) - The Authority granted permission for a 6' concrete wall.

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

In addition to Building Permit requirements, conditions (1-2) 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 shall submit revised drawings indicating that the portion of the pool retaining wall facing the sea will be finished with natural stone or a similar natural rendering.
- 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.

2. 27 ALVIN BARNES Block 14E Parcel 438 (F07-0537) (P07-1495) (\$45,000) (EJ)

Application for an after-the-fact two (2) bedroom house.

FACTS

<i>Location</i>	Short Lane in Windsor Park
<i>Zoning</i>	HDR
<i>Parcel Size</i>	4,791.6 sq. ft.
<i>Current Use</i>	Houses?
<i>Proposed Use</i>	House
<i>Building Size</i>	722 sq. ft.
<i>Density</i>	27
<i>Allowable Density</i>	6
<i>Building Coverage</i>	32%
<i>Total Site Coverage</i>	32%
<i>Proposed Parking</i>	1
<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.

- 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 all of the above conditions.

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

2. 28 LEONARD WEBB Block 13D Parcel 64 (F07-0541) (P07-1503) (KB)

Application for a house (rebuild).

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].

It was further resolved to investigate whether the existing structures, if any, require planning permission.

2. 29 RICHARD DIXON Block 15C Parcel 53 (F07-0490) (P07-1351) (DE)

Application for a house (rebuild).

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 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].

3.0 ENFORCEMENTS

3.1 VORSHECK FAMILY LIMITED PARTNERSHIP Block 33D Parcel 1 (CE06-0285) (KS)

Construction of an addition to an existing dwelling house.

FACTS

Location Rum Point Drive, Rum Point

Zoning **LDR**

BACKGROUND

1981 the Authority approved a Dwelling House (F81-0477).

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 addition and all building material and rubble arising from the removal.

3.2 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 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.

October 31, 2007 (CPA/31/07; item 3.4) - The Authority resolved to adjourn issuing an enforcement notice pending the submission of an application.

Decision: It was resolved to adjourn the matter pending a submission through the land owner's agent.

3.3 JOHN FURNISS & SHERRIL R. FURNISS Block 8A Parcels 42 and 43 (CE07-0045) (KS)

Construction of structures and fence over 3'-6".

FACTS

Location

Conch Point Road, West Bay North East

Zoning

LDR

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 structure and all building material and rubble arising from the removal. The reduction of the height of the fence to a maximum of 3'-6".

3.4 NICOLE ELDERMIRE Block 9A Parcel 58 (CE06-0277) (KS)

Construction of an addition to an existing dwelling house.

FACTS

Location

Uncle Bob Road, West Bay North East

Zoning

LDR

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 addition and all building material and rubble arising from the removal.

3.5 NICOLE ELDERMIRE Block 9A Parcel 58 (CE06-0293) (KS)

Change-of-use of land from residential to use for the parking and storage of commercial vehicles and heavy equipment.

FACTS

Location Uncle Bob Road, West Bay North East

Zoning **LDR**

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 cease using the land for the parking and storage of commercial vehicles and heavy equipment. Remove from the land all commercial vehicles and heavy equipment.

3.6 RUPERT VASQUEZ, BRIDGETT VASQUEZ & TANYA VASQUEZ Block 4C Parcel 227 (CE07-0046) (KS)

Construction of additions (covered porch and structure) to an existing dwelling house and construction of a gazebo.

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

FACTS

Location Parkview Crescent, West bay North West

Zoning **LDR**

BACKGROUND

1981 Dwelling House approved (FA81-0209) file not available.

Decision: It was resolved to adjourn the matter pending a submission through the land owner's agent.

3.7 JENNIFER JENNINGS Block 72B Parcel 41 (CE07-0175) (KS)

Construction of an addition to an existing dwelling house.

FACTS

Location John McLean Drive, East End
Zoning **MDR**

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 addition and all building material and rubble arising from the removal.

4.0 **DEVELOPMENT PLAN MATTERS**

4.1 THOMAS SHROPSHIRE Block 25B Parcel 154 (RZ07-0004) (KS)

Application for rezoning.

FACTS

Location Shamrock Road, Prospect
Zoning **LDR**
Parcel Size .4600 acres

Decision: It was resolved to adjourn the application in order for the applicant to notify adjacent land owners. The applicant is directed to liaise with the Department in this regard.

5.0 **PLANNING APPEAL MATTERS**

6.0 **MATTERS FROM THE DIRECTOR OF PLANNING**

7.0 **CPA MEMBERS INFORMATION/DISCUSSIONS**