

Planning Commission Meeting  
January 21, 2010  
Verbatim Excerpt

ZONING ORDINANCE AMENDMENT (LIMITATIONS ON YARDS THAT ABUT  
OUTLOTS THAT ARE CONTIGUOUS TO STREETS)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Commissioner Sargeant.

Commissioner Sargeant: Thank you, Mr. Chairman. First, I'd like to recognize Jack Reale and Lorrie Kirst for their detailed work on this particular Zoning Ordinance Amendment. I think we have clarified some issues that the Board -- as Commissioner Hart has been trying to address for sometime now. With that, I have a motion which has, as been alluded to, four bullet points regarding grandfathering, so if you'll bear with me. I would MOVE THAT THE PLANNING COMMISSION FORWARD TO THE BOARD OF SUPERVISORS THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING LIMITATIONS ON YARDS THAT ABUT OUTLOTS THAT ARE CONTIGUOUS TO STREETS, FOR THE RECOMMENDATION FOR ADOPTION, AS ADVERTISED IN THE STAFF REPORT DATED JANUARY [sic] 7, 2009, WHICH INCLUDES A RECOMMENDATION THAT THE FOLLOWING BE GRANDFATHERED FROM THE PROPOSED AMENDMENT: ONE, LOTS THAT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS AMENDMENT, PROVIDED THAT SUCH LOTS ARE LOCATED IN A COUNTY-APPROVED SUBDIVISION, OR ARE VALIDATED UNDER SECTION 01-1-12, SECTION 101-1-13, OR SECTION 101-1-14 OF THE SUBDIVISION ORDINANCE, AND, ALL SPECIAL PERMITS, SPECIAL EXCEPTIONS, AND PROFFERED REZONING APPLICATIONS AND AMENDMENTS THERETO THAT CONTAIN OUTLOTS THAT ABUT A STREET, WHEN APPROVED PRIOR TO THE EFFECTIVE DATE OF THIS AMENDMENT. ALSO, ALL PRELIMINARY SUBDIVISION PLANS SUBMITTED ON OR BEFORE THE EFFECTIVE DATE OF THE AMENDMENT, PROVIDED THAT THE PRELIMINARY PLAN IS APPROVED WITHIN 12 MONTHS OF THE EFFECTIVE DATE OF THE AMENDMENT, AND THE SUBDIVISION PLAT IS RECORDED WITHIN 24 MONTHS OF THE EFFECTIVE DATE OF THE AMENDMENT. AND FINALLY, ALL SITE PLANS SUBMITTED ON OR BEFORE THE EFFECTIVE DATE OF THE AMENDMENT, PROVIDED THAT THE SITE PLAN IS APPROVED WITHIN 12 MONTHS OF THE EFFECTIVE DATE OF THE AMENDMENT, AND THE SITE PLAN REMAINS VALID.

Commissioners de la Fe and Flanagan: Second.

Chairman Murphy: Seconded by Mr. de la Fe and Mr. -- did you have a question?

Commissioner Flanagan: No, I seconded it.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? If you will forgive me, I will not repeat. All those in favor of the motion to recommend to the Board of

Supervisors that it amend the Zoning Ordinance Amendment on limitations on yards that abut outlots, as articulated by Commissioner Sargeant this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Sargeant: Thank you, Mr. Chairman.

Chairman Murphy: Thank you very much.

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(The motion carried unanimously with Commissioners Harsel and Lawrence absent from the meeting.)

KAD