

Minutes
Land Development Standards Committee
February 17, 2010

Members Present: David Blevins, Mike Erwin, Steve Kaufman, Patrick McDowell, Ron Leatherwood, Joe Taylor

Members Absent: Patrick Bradshaw, Daniel Hyatt, Ken Wilson

Staff present: Fred Baker, Paul Benson, Alison Melnikova

The meeting came to order at 7:30 a.m. Mr. Benson announced that the topic of discussion is Chapter 13 Nonconformities. He pointed out that section 13.2 is new and provides the Board of Adjustment with the ability to permit certain changes to nonconforming uses.

The Committee discussed the provisions of 13.2.2 and agreed that the conditions for discontinuance in subsection A.5. should be changed from 180 days to 365 days and the reference to seasonal businesses be deleted. Along with this change the Committee would like for subsection B. to be deleted in its entirety.

The Committee agrees with the consultant that the sentence in 13.4.1 is confusing. After considerable discussion the Committee agrees with the additional language the consultant suggested.

13.5.2 C. should be changed to 365 days by consensus of the Committee.

13.5.3 C. The Committee prefers Option A permitting the repair of nonconforming structures after fire or natural causes as long as the degree of nonconformity is not increased. Mr. Benson suggested that language be added to require replacement facades to meet applicable design standards. The Committee was in general agreement with this requirement.

The Committee agreed with the new provisions of 13.5.4 pertaining to nonconforming accessory uses and structures.

Mr. Benson suggested that the standards of 13.6.1 A. be revised to permit a smaller manufactured home as long as a double-wide could not be replaced with a single-wide. The Committee agreed with this suggestion.

Mr. Taylor raised a question about size requirements for manufactured homes on individual lots. Mr. Benson stated that the design standards were intended to permit only double-wide units. There was some discussion of whether the standard of a length not exceeding four times the width would accomplish this goal. *(Note: a little research indicates that the average width of a single wide is 14 feet, therefore this standard would permit a single wide if it were no longer than 56', a typical double-wide is 24' x 60'.)*

The Committee began discussion of the table in Section 13.7 regarding requirements to be met with changes in nonconforming situation. In general the Committee agreed with this approach. There was concern expressed that in situations where major replacements of walls/roofs, etc. takes place no improvements would be required by this table as long as the structure were not expanded. Similar to the comments regarding section 13.5.2 C. there was interest in requiring replacement structures to meet design requirements, provided this would not require changes to the footprint of the building, and cost of the improvements was not used to trigger the improvements. The Committee agreed to discuss this further at next week's meeting.

The meeting adjourned at 9:15 a.m.

Paul Benson
Planning Director