

SBCC MEETING MINUTES
APRIL 22, 2016 2 PM

Attendance: Members John Fields, Bob Cestone Joe Hinks and Wayne Schrader(participated by remote access); and Mayor Pat Voveris and resident Jim Gross.

Public Comment: Jim Gross requested that he be allowed to comment on the house height portion of the ordinance when that was discussed. The committee agreed with his request.

Town Attorney Comments

A detailed discussion took place regarding the attorney's comments shown on the right hand margin and recommended wording changes shown. The committee agreed as follows:

145-3, Comment (H1): Agree.

145-35,E,(2), Comment (H2): Agree but add the word "both" after the word "when".

145-35,E,(2),(a) Comment (H3): Agree with additional wording but change "certificate of occupancy" to "Certificate of Compliance/Occupancy" so as to agree with other sections of the code. Also, "on the same lot" is to be left in and its wording incorporated into the attorney's new wording.

145-35,E,(2),(b), Comment (H4): Delete "discovered due to use of newer surveying technology such as GPS".

145-35,J,(3), Comment (H5): Reject wording change—nothing but wordsmithing.

145-37,F, Comments (H6) and (H7): Reject changes—nothing but wordsmithing and attorney not understanding intent.

145-38,F, Comment (H8): Reject changes—same reason as (H6) and (H7) above.

145-38,F,(6): Comment (H9): Reject change—attorney is not familiar with our zoning map.

145-38,F,(6): Comment (H10): Reject change—"street-right-of-way" is used in other sections of our code and has never been a problem.

Other Potential Changes

Jim Gross presented his concerns regarding the building height of 35 feet above BFE being too high and unfair to other sections of town. Bob Cestone also expressed concern that the 35 feet above BFE was too high and only 33 feet was needed to build the same house on different lots on Ocean drive. Bob presented hand drawn sketches to support the 33 feet. After much discussion it was agreed to leave the height at 35 feet above BFE and let council decide at the April 28 workshop whether to leave the 35 feet in the ordinance or to remove that portion of the ordinance for additional consideration. The VE10 zone in Sandpiper Village was also discussed but it was determined that since Sea Side Drive was lower than Ocean Drive, using the same height above BFE in both the VE13 and VE10 zones shouldn't make a difference. However, because the Ocean front lots in Sandpiper Village are currently in a VE12 zone, allowing the higher height before the new FIRM Map becomes effective in October could result in higher than intended building heights. It was agreed to recommend wording in the ordinance to council to delay the effective date of this portion of the ordinance to coincide with FEMA's change.

John Fields agreed to type up over the weekend the above recommended changes for inclusion in the 4/28/16 council workshop meeting.

Public comment: None.

Meeting adjourned at 3:50 PM

Submitted by Bob Cestone