



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

April 19, 2007
Donogue

Present: Acting Chairman John Chihak, Commissioners Gordon Roberts, Karen Scott, Jake Donoghue, Dennis Casey

Guests: Town Planner Mona Green

Deputy Town Clerk: Angela Kulp

Acting Chairman Chihak called the meeting to order.

Minutes: Acting Chair Chihak called for a motion to approve the February 15th, 2007 minutes. Commissioner Casey motioned, Commissioner Roberts seconded and the February minutes are approved as submitted.

New Deputy Clerk: Acting Chair Chihak welcomed new Deputy Clerk Angela Kulp, and expressed gratitude on behalf of the Commission to outgoing Deputy Clerk Betsy Donworth. The Commission thanks Betsy for a great job and her service to the village.

Old Business: There is no old business pending.

New Business-Reconstruction/Remodel:

Town Planner Mona Green researched three local examples of how different jurisdictions in the area deal with the issue of reconstruction versus remodel without a variance, in their codes and shared this with the Commission. First, Town Planner Green read the current village definitions of reconstruction and remodel in our Ordinance 349:

Reconstruction: any construction in which the enclosed living space added to the existing structure comprises more than 20% of the existing structure and/or the value of the construction is more than the greater of the assessed value of the existing improvements or \$250,000.

Remodel: any construction in which the enclosed living space added to the existing structure comprises 20% or less of the existing structure and the value of the construction is less than or equal to the greater of the assessed value of existing improvements or \$250,000.

In the three examples Town Planner Green brought, they all deal with these definitions differently. The complete text of all examples municipal codes was handed out in copies at the onset of discussion. To summarize:

Yarrow Point: One must meet basically two criteria, or get a variance: Do not increase the degree of non-conformity, *and* do not add over 50% to the existing structure area or 100% of the existing habitable floor space.

Hunts Point: A variance is not required as long as one is not increasing the non-conformity of the exterior, and the project does not exceed 10% of the assessed value of the building. There are no restrictions on the interiors of non-forming structures for needing a variance.

Clyde Hill: Non-conforming structures may be altered or enlarged if: 1) the Non-conformity is not increased, and 2) the alterations are necessary to meet city, state or federal requirements. The \$ value for differentiating between a reconstruction and remodel is tied to an annually fluctuating index.

Commissioner Scott suggested we also review Bellevue's municipal code as well. Town Planner Green indicated the problem with a fluctuating index is that the cost of finishes drive a project up around \$300/sq.ft; much higher than is typical for today's construction.

Commissioners Chihak, Donogue and Scott were in favor of keeping the same footprint, and not increasing the non-conformity; Commissioner Casey felt we should focus on improving conformity. Commissioner Donoghue thought the project size shouldn't matter as long as we focus on preserving open space and allowing for creativity. Commissioners Scott and Chihak were concerned not having a \$ value tied to our definitions would encourage tear-downs, and McMansions. Town Planner Green cautioned against not having a \$ limit.

Commissioner Casey encouraged us to think about how construction impacts the surrounding neighbors. Commissioner Scott liked the concept of having our definitions tied to a percentage instead of a dollar amount. The Commissioners used previous examples of remodels and reconstructions in the village wondering if our zoning codes impacted some neighbors' decisions one way or another. Town Planner Green feels that no, neighbors seem to be working with the codes and we don't have a lot of variance requests. Commissioner Scott pointed out that the difference between remodels and reconstructions are like comparing apples to oranges.

Commissioner Donoghue felt we need to be pro-active as others may not challenge their issue with a variance. He re-iterated his concern about doing away with \$ restrictions and not increasing the conformity. Commissioner Chihak felt a \$ amount was not consistent and therefore not a good bench mark. Town Planner Green summarized that we'll have those that want to stay, and care about the village aesthetics and open space, and we'll have those that won't stay long and would rather maximize their investment return. There was consensus we still need feedback from the Town Council on the recent code change.

Commissioner Casey suggested we talk about this next time and put it down on our agenda.

Adjourn: Acting Chairman Chihak asked for a motion to adjourn the meeting. Commissioner Casey motioned, Commissioner Donoghue seconded, and the meeting was adjourned.

Next Meeting: Third Thursday of May, at Commissioner Scott's home, 7:30pm on 5/17/07.

Respectfully submitted,

Angela Kulp
Deputy Town Clerk