

**GARDINER CITY COUNCIL MEETING
AGENDA SUPPLEMENT**

Item Number: 5.4
Agenda Topic: Consideration of Zoning Map Change Correction of Clerical Error to Zoning Map
For Agenda of: July 14th, 2005
Date Submitted: July 8th, 2005
City Dept.: Department of Planning & Development
Authorized By: Chris Paszyc

Exhibits Attached: Tax Map 11, Existing Zoning District Map 1995 Comprehensive Plan, Zoning District Map as Amended July 29th, 2004.

Expenditure Required: \$
Available Appropriation: \$
Amount to be Budgeted: \$

Summary

In their June 15, 2005 meeting, the Planning Board considered a zoning map change/correction due to clerical mapping error. Barbara McPheters, Code Enforcement Officer, indicated that the subject property (863 Brunswick Avenue, City Tax Map 11, Lot 38) belongs to Fleet Service and has been an established commercial use for many years. It used to be in the Planned Development Zone, but was inadvertently rezoned Residential Growth when the Land Use Ordinance was updated in 2003. It appears from the maps that it should have been designated as Planned Development. In their June 7th, 2005 meeting the Ordinance Review Committee considered the issue. The group reviewed the Comprehensive Plan which described the intended uses of the zone and subject property. The plan identified the need to zone commercial properties in an appropriate district and *not to restrict them to residential uses*. However, that is not what happened with this property – it was rezoned as a residential use.

Recommendations

Both the Planning Board and the Ordinance Review Committee unanimously voted to recommend that the zone change from Residential Growth back to Planned Development for the property located at 863 Brunswick Avenue, City Tax Map 11, Lot 38.