

HCC Recommendation DATE: May 24, 2000

TOPIC: Boulevard Sidewalks

SUMMARY: Last year the City Commission voted to adopt an ordinance requiring the installation of boulevard sidewalks on all new properties developed as well as any sidewalk installation on existing properties. The ordinance allows for a number of sensible variables not requiring Commission approval.

RECOMMENDATION: The HCC recommends that the City Commission uphold the boulevard Sidewalk Ordinance by not granting a variance for the sake of the convenience of the applicant without a great show of need.

VOTE: Proponents 13 Opponents 1 Abstain 0

PROPONENTS:

- Ensures fairness and conformity.
- Avoids unnecessary requests.
- Reduce staff time in preparation of such requests.
- Reinforce that city ordinance are in fact regulations to be followed.

OPPONENTS:

- It is better to have non-conforming sidewalks than to have no sidewalks.

FURTHER DISCUSSION:

There was an in-depth discussion regarding the pros and cons of this ordinance. The opinions varied. What stood out is that the ordinance was researched, public hearings were held for citizens' input and the Commission approved the ordinance. Understanding that there are situations that will arise on occasion requiring a variance, they should be the rare exception rather than one of convenience. Once a number of variances are granted it can send the message that this is 'standard operating procedure' rather than the exception. Also discussed is that those following the ordinance may end up feeling frustrated and angry, leading to the false perception the 'haves and the have not'.