

Town Council Meeting 5/11/2009
Final minutes excerpt

Item 9 Presentation by Robert McDaniel regarding request for removal of restrictions placed on 106 Sunset Road by the Council.

Councilor Libby advised the Council that Robert McDaniel is a subcontractor that he worked with in the past. Councilor Libby also stated that he had informed Chair Armitage before the meeting about this relationship. Councilor Libby also stated that Mr. McDaniel had discussed the problem with him and he had a meeting with Community Development Director Amanda Stearns, Code Enforcement Officer Al Farris and Town Manager Nathan Poore.

Poore stated that this was a misplaced dwelling that was discovered back in 1997. Today there is a request to remove the restrictions. He said that if they choose to allow this then the back property taxes should be researched. There was an abatement done because this could not be used as residential. Poore stated that this was a change for the original agreement/settlement agreement.

Councilor Libby suggested to remove the back lot restriction, and possibly appear before the misplaced dwelling. Mr. McDaniel should pay any expense the Town would incur in making this happen, including staff time and recording of deeds. Paying these charges could be his penalty. Councilor Libby stated he did not agree with charging for the back taxes.

Poore said that by removing the restrictions then there is added value of \$160,000.00 to the property.

Councilor Wroblewski asked what the plans are now for the unit over the garage.

Mr. McDaniel stated that there may be a family room or in-law suite.

Amanda Stearns stated that it could be used as living space as long as it was not used as a dwelling unit. There is no boundary survey right now, and there are concerns with the garage not meeting setbacks.

Councilor Armitage requested more information such as a boundary survey before going any further with a new agreement.