

HardisonInk.com

Williston City Council overrules its P&Z Board



This is a view of Mayor R. Gerald Hethcoat (left) and Williston City Council President Charles Goodman as seen from behind the podium where people stand to address the City Council. This picture was taken Tuesday night (July 11).

Story and Photos

By Jeff M. Hardison © July 13, 2017 at 8:37 p.m.

WILLISTON -- The five members of the Williston City Council -- President Charles Goodman, Vice President Nancy Winger, and councilmen Elihu Ross, Kory Lamb and Tim Hass chose to allow variances from Land Development Regulations after the Planning and Zoning Board ruled to not allow them.

The overturning of the P&Z Board's decision occurred in a quasi-judicial hearing Tuesday night (July 11).

The appeal of denial for variance by Planning and Zoning for Covington Development (Front Porch Community) was brought by its developer John Curtis.



Williston City Manager Scott Lippmann (left) and City Attorney Frederick L. Koberlein Jr. are present Tuesday night to help the city leaders.

HardisonInk.com



City Council Vice President Nancy Winger, Councilman Elihu Ross and City Manager Scott Lippmann (left) focus on the issue of the moment.



Councilman Tim Hass (left) and Councilman Kori Lamb ponder some of the important issues of the evening. This night was the last meeting for Councilman Hass because his family is moving away from Williston. A special election is scheduled and qualifying to be a candidate hopefully is on the agenda for at least one person.

The 70 pages of notes in the agenda packet for City Council members, and the 45 minutes of discussion boil down to the P&Z Board seeing city ordinances and land development regulations requiring them to reject the application for three of the five

HardisonInk.com

variances sought by Curtis.

All three of those denials relate to density of structures to lot space. Curtis said for more than two years now he has consistently told planners and the City Council that he wants to create an "affordable" development (houses less than \$200,000 or so), that is relatively near to Williston Middle High School.

This "front porch community" centers, according to Curtis, on the idea that relatively small houses that are close to each other, and to the street and sidewalk, will lead to a stronger likelihood of neighbors speaking with each other more often, and forming a more close-knit neighborhood.

Three P&Z Board members explained why they voted as they did to deny the request for the variances from the law, and to recommend that the developer simply rezone the property to a higher density zoning designation.

Curtis argued, in part, that he did not own every lot in the proposed subdivision. Another reason to not abide by the law without variance, Curtis contended, is to create this different neighborhood in contrast with the others that are in areas with that zoning designation.

He was granted the right to build on smaller lots with houses closer to each other. He was granted the right to use 15 feet as the setback from sidewalks rather than 35 feet as the setback from sidewalks.

P&Z Vice Chairman Matthew Marino, and P&Z members Debra Jones and Carol Forney explained how they saw the land development regulations as mandating a denial of Curtis' requests for variances.

Hence the quasi-judicial hearing happened.

Far into the discussion, Curtis said there will be about 100 developable lots with the whole subdivision having 289 10,000 square-foot lots. The other space is needed for stormwater management and the like.

Williston Planner and Project Manager Josie Lodder recommended approval of the variances, despite what the P&Z Board saw as law requiring a denial of the request.

After several City Council members, and Mayor R. Gerald Hethcoat, spoke in favor of the development, President Goodman gave his endorsement.

Goodman said the City Council, in his opinion, could legally grant the variances.

"In my opinion," Goodman said, "this is the right development, at the right spot, at the right time. We have just put in a new school, and the proximity to that school is absolutely wonderful.

"The idea of not having our children being bused is an excellent concept," he continued. "The fact is, I have worked on (as a general contractor) these types of communities, and certainly Haile Plantation jumps out at you."

Goodman said some people do not like to mow big yards of grass.

It is his opinion that this is a legal action that the City Council can take and it is one these leaders should take.

On a motion by Wininger, seconded by Ross, the City Council voted 5-0 to grant the request for variances from the land development regulations.