

===== **TOWN OF LA POINTE** =====

RESOLUTION #09-0811

WHEREAS, the new version of 4.3.3., and 8.4.2. of the Town of La Pointe Zoning Ordinance contains certain inconsistencies and ambiguities that would likely cause difficulties in enforcement of the Zoning Ordinance;

WHEREAS, these portions and other portions of the Ordinance have been referred back to the Town Plan Commission for further consideration and possible revision;

WHEREAS 8.4.2.2. of the Ordinance is the only provision for enforcement, revision or revocation of Conditional Use Permits;

THEREFORE, BE IT RESOLVED, that a moratorium on the use of 4.3.3. to justify lesser setbacks for or alterations to non-conforming grand-fathered lots is ordered. There also shall be no further work done on existing C.U.P. applications except as set forth in this resolution. A property owner may file an application for a conditional use permit, but the date of filing shall be deemed to be the date on which this moratorium is lifted for purposes of all time limits under the ordinance. The C.U.P moratorium shall not apply to any enforcement actions under 8.4.2.2 and such enforcement actions may move forward in accordance with the existing Ordinance. The moratorium shall also not apply to C.U.P.'s approved by the Town Board prior to this moratorium where the only remaining step is to obtain approved sanitary facilities. Once the sanitary approval is obtained, those C.U.P.'s may still be issued despite this moratorium.

Passed this 11th day of August, 2009.

Posted Aug. 17, 2009

Attest Patty Hobin
Patty Hobin, Town Clerk

Greg Nelson
Greg Nelson, Chairperson

Beth Fischlowitz
Beth Fischlowitz, Supervisor

Ric Gillman
Ric Gillman, Supervisor

Hamilton Ross II
Hamilton Ross II, Supervisor

Larry Whalen
Larry Whalen, Supervisor