

Minority Opinion, Stephen Gangemi Petition

1. The change of the Gangemi petition from NB (Neighborhood Business) to O&I (Office and Industrial) without advertising or hearing is a violation of our own zoning procedure. Courts have frequently held that failing to follow a local jurisdiction's adopted procedure is not legal. This petition must be restyled, advertised, and reheard. The county otherwise puts itself in a position of liability for not following its own ordinance.
2. The propensity to zone properties along 15-501 to higher uses will only continue if nothing is done to serve notice that the corridor already has more than enough zoned land for the near term future. This case may be only a house converted to a clinic, but it is also a mapped land commercial or office land use across from shopping center. There is nothing to arrest further petition of strip commercial north and south of this location. Additional strip commercial and additional traffic and turning movements on 15-501 cannot continue if any reasonable use of the corridor as a transportation artery is anticipated.

Submitted by Jim Elza and Bill Arthur