



# TOWN COMMISSION MEETING

May 13, 2025, at 6:30 PM

<b>AGENDA ITEM TITLE:</b>	DISCUSSION & ACTION, RESOLUTION 25-15 CALDWELL RIDGE SUBDIVISION
<b>SUBJECT:</b>	The Town Commission will consider approval of a hardship application for the Caldwell Ridge Subdivision.
<b>STAFF ANALYSIS:</b>	<p>This is an applicant-initiated request for approval of a hardship application for the Caldwell Ridge Subdivision.</p> <p>The Town Commission may authorize exception(s) to the moratorium imposed by Ordinance 24-09 when it finds, based upon competent substantial evidence presented at a duly noticed public meeting, that the deferral of action and/or issuance on an application for a development order and/or development permit for the duration of the moratorium imposes an extraordinary hardship. For purposes of requesting a hardship exception, the owner shall request a determination in the same form and manner provided for in <b>Section 6</b> of the Ordinance.</p> <p>In reviewing an application for an exception based upon a claim of extraordinary hardship, the Town Commission shall consider all competent substantial evidence and relevant testimony which includes, but is not limited to, the following:</p> <ul style="list-style-type: none"><li>(i) Prior to July 23, 2024 (date established by pending ordinance doctrine), the extent to which the owner had received permit(s) and/or approvals from the Town.</li><li>(ii) Prior to July 23, 2024, whether the owner had entered into any contractual commitments in reliance upon the permit(s) and/or approval(s) issued by the Town.</li><li>(iii) Prior to July 23, 2024, whether the owner has made a substantial made a substantial expenditure in <i>good faith</i> reliance upon the permit(s) and/or approval(s) issued by the Town.</li><li>(iv) Prior to July 23, 2024, in <i>good faith</i> reliance upon the permit(s) and/or approval(s) issued by the Town, the owner has incurred financial obligation(s) to a lending institution which cannot be met unless the subject development proceeds (i.e., owner exhausted all available alternatives).</li><li>(v) Whether the moratorium exposes the owner to substantial monetary liability to third-parties, results in the owner's inability to earn a reasonable investment-backed expectation on and/or for the subject real property.</li></ul>

**FISCAL IMPACT:**

No Fiscal Impact

**STAFF RECOMMENDATION:**

Staff has no comments or recommendations for this item. This item is being presented at the will of the Commission

**ATTACHMENTS:**

Caldwell Ridge Hardship Application