



Building Heights, Outdoor Bars, Outdoor Speakers, and Shuttles

Town Staff has received many questions from the general public about building height limitations, outdoor bars, outdoor speakers, and shuttles. It is our hope that the following will help all Fenwick Islanders with similar questions better understand the status of each of these topics of public interest.

Building Height limitations

Commercial building height has not been increased and is not being increased.

Based on the questions received, construction of The Fenwick Shores Hotel ("Hotel") and the discussions of the Ad-hoc Commercial District Planning Committee ("Committee") have led some to believe that the commercial building height has been increased or is in the process of being increased. That belief is not accurate.

Although it is accurate that the Hotel's elevator shaft exceeds the 32 foot commercial building height limitation, the Hotel received a variance for the elevator shaft from the Board of Adjustment. It is also accurate that the Hotel's roof-top mechanical equipment extends 5.5 feet above the maximum roof height. However, the existing Code does not prohibit locating such equipment or such a height therefor on a commercial roof.

Accordingly, in part due to the Town's experience during the Hotel's approval process and construction, the Ad-hoc Commercial Development Committee has been engaged in discussions about possible design guidelines to help better address issues that arise with commercial construction and also to just generally improve the appearance of the Commercial Corridor. Included in the discussions is a suggestion to allow mechanical equipment on a roof to extend 4.5 feet in height above the maximum building height permitted. The draft guidelines also suggest allowing architectural features, such as sloped roof facades or sloping parapet walls, to be used for mechanical screening and sound suppression. In addition, the draft guidelines suggest allowing other architectural features, such as peaks, cupulas, widow walks, to extend the same 4.5 feet. Some of these suggestions have been successfully implemented in other beach communities.

It is very important to understand that these suggestions are only under discussion at this time. It is also important to know that these suggestions come from an architect and many Committee meetings. The Committee must conclude its discussions and review of the suggestions made by the architect and/or others during its meetings and then vote to make recommendations to Town Council. The Committee's recommendations will then be forwarded to the Town Council. Town Council reviews the recommendations and makes changes or asks for additional information from the Committee and/or architect, if and as they so desire. Any new guidelines that the Town Council considers advancing will then be discussed with the public in workshops and at least one public hearing for any new guidelines involving a Zoning Code change. The public input will then come back to Town Council where the guidelines will be discussed again, possibly modified, and/or possibly considered for adoption.

Outdoor Bars

Outdoor bars are not permitted in Fenwick Island. There are some restaurants that have outdoor seated dining areas that offer alcohol service to patrons having dinner. This has been permitted in Fenwick Island for many

years. These restaurants must follow Code requirements to provide alcohol to seated patrons. These requirements ensure that Fenwick Island retains its quiet demeanor.

Outdoor Speakers

Outdoor speakers are not permitted in outdoor seated dining areas. One of the requirements for an outdoor seated dining area is that no music or entertainment be allowed. The only exception are occasions approved by Town Council.

Shuttle Buses

The Code states that no commercial parking lot can be used for a shuttle bus service. **There is no consideration being given to change this.** The reason shuttle buses have been the topic of discussion recently is because the Town has been asked by a local business to allow a courtesy shuttle service for its customers, like the shuttle service provided by Nantucket's which is located just outside of Town limits.

The Nantucket's service has been running for approximately 15 years and is valued by many people in our community. There are many issues to consider and those issues are being studied right now. Many people have provided opinions on this subject. The Charter and Ordinance Committee has had one meeting to discuss this matter and is now in the process of discussing the many issues, opinions, and possible ordinance ideas raised with the Town Attorney and Town Staff. **No final recommendation has been made by the Committee to the Town Council. The Town Council does not have any ordinances related to shuttle services under consideration.**

If you have any questions involving these issues or other issues in the Town of Fenwick Island, please contact us.

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We are here to help!