

Your Ref:

Our Ref: DCB/11/11 (Item 8.05)



CAYMAN ISLANDS
GOVERNMENT

Planning Office
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Cayman Islands

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DEVELOPMENT CONTROL BOARD

Elsie Marie Kynes
Ronald Gregory Kynes
P.O. Box 34
Cayman Brac KY2-2301
Cayman Islands

RESOLUTION

At a meeting of the Development Control Board for the Cayman Islands held at the District Administration Building, Stake Bay, Cayman Brac, on the 27th day of June 2011, **IT WAS RESOLVED** that an Enforcement Notice be issued in respect of development on Block 81A Parcel 30.

1. The development in respect of which the notice is to be issued consists of:
 - (i) **Illegal construction of three (3) houses.**
2. The notice is to be served upon:
 - (i) The Registered owner
3. The grounds for authorising the service of this notice are:
 - (i) The said development has been carried out without the grant of planning permission required under Part III of the Development and Planning Law (2008 Revisions, as amended);
4. The steps to be required in the notice are:
 - (i) **Apply for planning permission for the three (3) houses; OR**
 - (ii) **Remove the structure.**
5. The reasons for the requirements in paragraph 4. above are that:
 - (i) Only by obtaining planning permission; or
 - (ii) Removing the structure can the breach be remedied.

6. The Board considers it expedient to issue this notice having regard to:

- (i) The provisions of the Development Plan, and
- (ii) any other material considerations

Dated this 29TH day of JUNE, 2011.


Chairman, Development Control Board

**THE DEVELOPMENT CONTROL BOARD
ENFORCEMENT NOTICE
DEVELOPMENT & PLANNING LAW (2008 REVISION, AS AMENDED) S.18 (1)**

TO: Elsie Marie Kynes
Ronald Gregory Kynes
OF: P.O. Box 34
Cayman Brac KY2-2101
Cayman Islands

WHEREAS

- (1) You are the owner of land ("the land") registered as **Block 81A Parcel 30** in the LCW Registration Section.
- (2) It appears to the Development Control Board of the Cayman Islands ("the Board") that, within the period of three years before the date of service of this notice, development of the land has been carried out without the grant of permission required in that behalf under Part III of the Development and Planning Law (2008 Revision, as amended) ("the Law"), namely:
 - (3) **Illegal construction of three (3) houses.**
 - (4) The Board considers it expedient, having regard to the provisions of the Development Plan and to all other material considerations, to serve this notice.

The Board accordingly gives you notice pursuant to Section 18 of the Law requiring you to take the following steps:

- (i) **Apply for Planning permission for the three (3) houses; or**
- (ii) **Remove the structures.**

The above steps must be completed within the period of 28 days from the date when this Notice takes effect.

This Notice shall take effect, subject to the provisions of section 18(5) and (6) of the Law, at the end of the period of 28 days from the date of service hereof.

Dated this 29th day of June, 2011


Planning Officer

NOTES:

1. If you are aggrieved by this Notice and wish to appeal against it, you must do so to the Summary Court in accordance with the provisions of section 19 of the Law before the Notice takes effect. The operation of the Notice will be suspended pending the final determination of any such appeal.
2. If, before this Notice takes effect, an application is made for planning permission for the unauthorized development in accordance with the provision of section 18(6) of the Law, the operation of the Notice will be suspended pending the final determination of the application, and will take effect immediately if the permission applied for is not granted.
3. Failure to comply with this Notice is a criminal offence pursuant to Section 21 of the Law with liability on summary conviction to a fine of \$5000, and in the case of a continuing offence, by a further fine of \$1000 for every day after the first day during which the requirements of this Notice remain unfulfilled.