

Planning Commission
April 26, 2017
Minutes

The Vice Chairman called the meeting to order at 4:30 PM. The following members were present: Mr. Joe Galea, Mr. Pete McGory, Mr. David Miller, Mr. Wes Poole and Mr. Jim Jackson. Chairman Zuilhof was excused from the meeting. Casey Sparks and Angela Byington represented the Planning Department; Trevor Hayberger represented the Law Department and Debi Eversole, Clerk from the Community Development Department.

Mr. McGory moved to approve the minutes as written. Mr. Poole seconded the motion. Mr. Miller advised the clerk of typographical errors. The minutes were approved as corrected.

Mr. Hayberger swore in all audience members and staff wishing to speak during the public hearing.

Ms. Sparks presented the proposed changes to Section 1129.06 as follows:

- Change language from "on residentially zoned property" to "on property operating as residential use"
- "No more than two recreational vehicles shall be permitted on a property trailers shall be excluded if holding a recreational vehicle"
- "The number of recreational vehicles shall not exceed 30% of the rear yard, this percentage shall be cumulative of all accessory structures that exist on the property". Staff would determine the percentage if a property owner applies for a shed or pool permit. They will list what is in the yard and Staff can determine if the maximum 30% is used. The other way to determine is if a complaint comes in.
- "A minimum setback of three feet in width shall be maintained between recreational vehicles and the lot line of any side yard or rear yard. Screening shall be required within the rear yard when adjacent to another residential property, screening shall occur by virtue of fence or vegetation at a height of six feet". When storing recreational vehicles within the rear yard should there be a minimum distance of 10' between the recreational vehicle and the adjacent structure? Should the screening in the rear yard occur adjacent to another structure or encompass the whole rear yard area?

Mr. Jackson asked what if 100 recreational vehicle owners within the City were not able to meet these requirements. Ms. Sparks stated that they could request a variance or seek other storage options. Mr. Jackson stated that it could be very expensive to meet the paved driveways and screening requirements.

Mr. McGory stated that he realizes that recreational vehicle can be defined as a single jet-ski on a trailer up to a greyhound bus sized motor home. There are many residential areas within the City that a greyhound bus sized motor home would not fit in a driveway or back yard, nor would the neighbors want to see that.

Mr. Poole stated his view on the 10' minimum distance from an adjacent structure. He feels that if your lot is small and the distance between the houses is tight, then you're not supposed to get a big boat to store next to your neighbor's house. If you live in an area with bigger lots and appropriate distance between houses, it may not be as much of an intrusion.

Mr. McGory stated that he feels it is reasonable to achieve what is being proposed. You need cut offs and limitations. Using a percentage of the lot coverage sounds like a good way to achieve this because there is a major difference in size between a jet-ski and a motor home.

Mr. Miller stated regarding the side yard setback, there are various properties where there is not 10' between houses. He stated that he doesn't think that some of the houses in his neighborhood have 10' between houses and that it is his right on his property to store a boat if he wants to. Mr. Poole stated that it comes

down to what we want the community to look like. Mr. McGory stated the alternatives are to do nothing or do something. If Planning Commission wants to do something, then limitations need to be put in place.

Mr. Jackson stated that even if a property owner has the sufficient space to store their recreational vehicle that they would have to spend \$10,000 - \$15,000 on concrete and screening.

Ms. Sparks stated that the next topic of the presentation would address some of these concerns.

- If screening is required in the rear yard, would the property owner be required to screen the entire rear yard or only if they are adjacent to a residential structure, only screening that area. The other option is no screening at all

Ms. Sparks added that she had a resident that stated that pavers should be allowed instead of full pavement. The current code requires it to be paved and cost effective alternatives would be to allow gravel or pavers.

Mr. Poole stated that if you can't get 10' between two adjacent structures, then you should not be allowed to park a recreational vehicle. There are regulations that you just have to accept sometimes.

Mr. McGory added the point where there may not be enough space between houses for a recreational vehicle, but what is the difference in parking an old beat up pickup truck. Mr. Galea answered that a recreational vehicle is a leisure vehicle and a pick up is a mode of daily transportation.

Mr. Jackson brought up the point that he had just returned from Florida in his recreational vehicle. He parked it in his driveway while he unpacked it and it took him 4 days to get everything out of it. He wondered if he is in violation. Ms. Sparks stated that in a previous meeting, it was proposed that all owners have 72 hours, but the concern was how to enforce it. This regulation was not put in the proposal due to the fact that it would be very difficult to enforce. Mr. Galea asked if it would be police enforced or code enforcement. Ms. Sparks stated that it would be code enforcement.

Mark Norman 1016 Third Street stated that his advocacy around the community is attracting people to the community. One of the ways to do that is to ensure that property values are protected. There are so many scenarios where there are no regulations that prevents further investment in those areas. The concern is not solely on one vehicle, it's when a resident has 3 or 4 vehicles that have not been moved in years. Part of the discussion tonight involves a property on Franklin Street that had been shown as an example in a prior meeting. This particular house sits 14" from the property line and there is a boat with a torn up tarp beside it. This draws down the property values in that area. His focus is on regulating the more high density areas and smaller lots in order to keep property values intact and drawing people into the community.

Mr. Miller asked Mr. Norman what he felt about the 30% of the lot coverage regulation that is proposed. Mr. Norman replied that if there was a percentage to go by, people may not just clutter their yards with accessory structures.

Mr. McGory asked Mr. Norman his view on the setback regulation that is proposed. He stated that regulations need to be established to keep the city attractive and create investment.

Marcie Platte, 1217 Columbus Avenue stated that she feels like the City is micromanaging people's property. She remembers when the County enforced violations through the Health Department and it worked. She stated that once the City took over enforcement, it got worse.

Greg Lockhart, City Commissioner stated that he supports what citizens want to do on their own property as long as it does not interfere with the neighbors. He feels that if someone spends \$500,000 on a recreational vehicle or \$100,000 on a boat, it may look nicer than your neighbor's vehicles that are parked. He added that

if people are coming to visit and park their recreational vehicle on a property, they are not staying for only 1 or 2 days. He has traveled to a family reunion in a recreational vehicle and parked in the driveway for a week. He also stated that he is in favor of the pavers or gravel. He asked how it is determined whether someone needs a variance for over 30% of the yard space taken up. How is this measured and who will approve the variance.

Ms. Sparks stated that it would be determined if someone wanted a shed or accessory structure on their property. Staff would ask them to indicate all of the structures and determine at that point if there is over 30% coverage. If so, they could apply for a variance, which would be heard through the Board of Zoning Appeals and not approved at Staff level.

Mr. Lockhart stated that he is in favor of fencing or screening, but it would not have to be the entire yard, only the area that would screen when the recreational vehicle is parked.

Mr. Poole stated that he agrees with a lot of what has been discussed tonight, but wants to clarify that the Board of Zoning Appeals does not approve variances just because someone requests one. Ms. Sparks added that it is the applicant's obligation to state a hardship of why the variance is necessary.

- "Recreational vehicles shall be stored on a paved surface". Should pavers be included as a permitted alternative?
- "Recreational vehicles stored on a property operating as a residential use shall be registered to the occupant or property owner"

Mr. Poole stated that he is not opposed to pavers instead of pavement, but they have to be kept nice with no weeds growing around them.

Mr. Miller stated that he recalls that when the discussion first started, the discussion was to allow pervious materials for storage of recreational vehicles. He is in complete favor of pervious materials, whether it be gravel or pavers.

Ms. Platte stated that she doesn't understand why the City is trying to regulate what you park a recreational vehicle on when driveways within the City are concrete, asphalt, gravel or even dirt. She also feels it is not the burden of the neighbors to enforce the regulations by calling when they see a violation.

Mr. Miller stated that in an effort to summarize the meeting:

- No consensus has been reached on paving, but the appropriateness of dictating that it not become a nuisance has been established.
- He does not see the need for both a percentage requirement and total number requirement, especially on a large lot.
- Setback requirements need to be established.

Mr. Poole stated that he thinks keeping the number at 2 is sufficient because most lots within the City would exceed the 30% rule if they already have a shed and then add 2 recreational vehicles. If people require more, they can request a variance.

Mr. McGory stated that the number should not matter as long as all accessory structures and recreational vehicles do not exceed 30%. The Commission agreed.

Ms. Sparks asked the Commission what they thought about the screening. Should the entire area be screened or just the area around the accessory structure. The Commission agreed that screening would only be necessary if the 3' setback from the property line and 10' setback from the adjacent structure cannot be met.

Ms. Sparks stated that she will add pavers to the proposed legislation and take out the number of recreational vehicles (2), keeping the 30% maximum space for accessory structures and adding the 10' setback from adjacent structures. This will be brought back to a future meeting for discussion and possible recommendation to City Commission.

Mr. Poole moved to adjourn. Mr. Galea seconded the motion. The meeting was adjourned at 5:50pm.

APPROVED:

Debi Eversole, Clerk

David Miller, Vice Chairman