

MINUTES
AUSTIN CITY PLANNING COMMISSION
TUESDAY, NOVEMBER 9, 2004
5:30 P.M.
AUSTIN PUBLIC LIBRARY

MEMBERS PRESENT: Brian D. Johnson, Janet Anderson, Sue Grove, Glen Mair, Suzanne McCarthy and Sue Howard.

MEMBERS ABSENT: Norm Hecimovich, Rich Bergstrom and Gordon Kuehne

OTHERS PRESENT: Craig Hoium, Craig Byram and public

The meeting was called to order by Commission Member Brian D. Johnson at 5:30 P.M.

Commission Member Anderson made a motion to approve the October 12, 2004 minutes as written, seconded by Commission Member Grove. Motion passed unanimously.

ORDINANCE REVIEW:

- Austin City Code Section 10.14 providing regulations for the storage of motor vehicles and recreational vehicles
- Austin City Code Section 11.75, Subd. 7(A) providing regulations for temporary storage of motor vehicles

Craig Hoium reviewed both of the existing ordinances providing regulations for vehicle parking in residential areas. He pointed out that some of the wording in these ordinances are not very specific. As long as vehicles and recreational vehicles are registered, operable and not in the front yard there is not much we can do. He referred to an ordinance from Worthington, Minnesota for suggested changes.

On page 2, Section 6 – Surfacing Material shall include asphalt and concrete. Within the limitations set forth at Sec.99.2(N), gravel and other granular material is also included in the definition of surfacing material approved for rear yard areas.

Section 8 (a) – Yard, Front shall mean yard extending across the full width of the subject property, the area between the front property line and the nearest exterior wall of the principal structure located on the subject property.

Our current front yard definition is the front 25 feet of the property. Consideration should be taken for the newly established parking regulations to update this definition. Hard surfacing for parking, there is a provision for side or rear (page 4) can be granular. The word temporary needs to be defined more specifically also.

The Zoning Departments procedure for removal of inoperable vehicles is to send a certified letter or hand deliver a letter to the property owner, then it goes to the City Council for approval, after a ten day waiting period, the towing is done by the city. Our repeat offenders know how the game works and how to avoid the letters.

Commission Member Johnson asked about posting a notice instead of sending a letter to save us a step.

Mr. Hoium pointed out an example of Albert Lea's notice to the owner. The notice is put in the car window and a photo taken for proof of notice.

Commission Member McCarthy asked about yards with junk and debris.

Mr. Hoium said our Zoning Department receives approximately 400 complaints per year.

Craig Byram said the guidelines are similar. You need to make sure the ordinance is sculpted to achieve the goal with the least burden to the homeowner. A reasonable amount of vehicles allowed without offending neighbors. The point is to go far enough without stepping on any toes.

Mr. Hoium said the average number of letters sent is two or three, but can be up to ten or more.

Commission Member Howard asked about enforcement of letters.

Mr. Hoium said every case is different. If a case goes to court we have justification that yes we notified that homeowner. Normal procedure for a zoning complaint is to visit the site, speak with the owner if possible and follow up with a letter.

Commission Member Grove said you cannot be too vague or the ordinance is hard to enforce.

Commission Member Anderson said if the home is not resided in how do you contact the owner.

Mr. Hoium said we have access to homeowners and their addresses even if that is not where they reside.

Commission Member Anderson asked about page 6, Section I (2).

Mr. Hoium said that was marked by our Zoning Official Doug Mauer. The way that item reads it would be okay to pour a slab of concrete in the front yard for recreational vehicle parking.

Dan Kane, 501 7th Ave SE, I would like to give you a little background about why I am here tonight. 48 days ago I sent a letter to a County Commissioner with no response. Nine days ago I spoke to a City Council Member. Mr. Kane then proceeded to illustrate his concerns about various properties in his neighborhood. Numerous properties are vacant and unkempt. The City Counselor informed me that the asbestos is part of the hold up in the homes being removed. I have had to move out of my home because of mold due to the flooding. Ten years ago I could sit in my front yard, read my books and think my thoughts, I can no longer do that. Ten times items have been stolen from my property. I want to know if you can expedite the process of these homes being removed.

Commission Member Anderson said Mr. Kane had called her and she would like to know if the City owns the abandoned houses.

Mr. Hoium said yes, the City has been working on the acquisition of approximately 50 homes to be removed over the last 1-2 years. Specific time frames have to be followed with these removals. All of them will be torn down or moved eventually. The Planning Commission does not have any power over this process.

Commission Member Anderson asked about the ordinance under review and if the number of vehicles and time limits will be more specific.

Mr. Hoium said yes.

Mr. Byram said a definition of temporary storage will be added.

Mr. Hoium stated that no motion needs to be made here. He will put together a model ordinance and bring it to the December meeting for reviewal before going to the Council.

OTHER BUSINESS:

Mr. Hoium said that Sue Howard's term on the Planning Commission is up this year and Norm Hecimovich has won a seat on the City Council. He would like to have a dinner in the conference room next month to thank them for their time and service they have provided to the City of Austin.

ADJOURN:

Commission Member Mair made a motion to adjourn the Planning Commission Meeting, seconded by Commission Member Grove. Motion passed unanimously. Meeting adjourned at 6:20 P.M.

