

Unapproved Minutes
Vermillion Planning Commission
Monday November 22, 2010 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on November 22, 2010 at 5:30 p.m.

1. Roll Call

Present: Fairholm, Flanagan, Forseth, Howe, Muenster, Reasoner, Tuve, and Iverson.

Absent: Gruhn.

Also present were Farrel Christensen, Building Official, Jose Dominguez, City Engineer, and Andy Colvin, Assistant to the City Manager.

2. Minutes

a. November 8, 2010 Regular Meeting.

Moved by Forseth to approve the November 8, 2010 regular meeting minutes with the correction of 1,500 sq. feet size before a structure needs to meet the minimum depth for frost footings, seconded by Tuve. Motion carried 8-0.

3. Adoption of the Agenda

Moved by Fairholm to adopt the agenda as printed, seconded by Howe. Motion carried 8-0.

4. Visitors to be Heard

5. Public Hearing

a. Parking Variance for 117 Forest Avenue

Farrel Christensen provided a background on the property and presented the application for a variance to create an exception to the minimum parking requirement for single family dwellings in the rental housing code. Farrel reported that the property meets all requirements of the City's rental housing code except for the parking requirement. The property contains one off-street parking space, while the City's rental housing code requires a minimum of two off-street parking spaces for this type of dwelling. The owner of the property is unable to meet the requirement for additional parking to register the property as a rental. Farrel gave a brief background on the City's parking ordinance, noting that its intent was to limit congestion on residential streets in neighborhoods that were not designed for multi-family uses.

Fairholm left at 5:40 p.m.

Harry Scholten, Vermillion, spoke on behalf of the applicant. Mr. Scholten stated that the property meets all other requirements to be

registered as a rental. Mr. Scholten stated that the City created the current situation by allowing the house to be placed on such a small lot and that property owners should not be restricted from utilizing their property as rental housing. Mr. Scholten stated that this is a unique situation and that there are no other circumstances like this property in Vermillion. It was further stated that if the property is not utilized as a rental, it will sit vacant until sold.

Forseth inquired if the property drops off in the rear. Farrel stated that the rear yard does drop off. Farrel asked for clarification on the exact number of bedrooms. Reasoner stated that if this were a single-family home then the parking requirement would not apply and it would be possible that two people who lived there would each own a car, and the parking issue would exist anyway. Iverson stated that a single exception would lead to several other exceptions. Farrel reported that the only other exception to the parking rule is Town Square because many of the residents do not have vehicles.

Muenster inquired whether the variance could be granted with conditions, such as a period of time until the exception would expire. City Attorney McCulloch stated that the Planning Commission is able to attach conditions if a variance is granted and that a time frame would be possible.

Howe inquired about language requiring the applicant to demonstrate a hardship. City Attorney McCulloch repeated the section of the ordinance dealing with appeals. Howe stated that some properties are not meant to be used as rentals and that allowing this exception would make an already non-conforming use even more so.

City Attorney McCulloch asked about the number of bedrooms. Farrel defined the minimum size to be considered a bedroom. McCulloch stated that the ordinance provides an exception for older houses with one bedroom to only have one parking space. There was uncertainty about the exact size of the second bedroom.

Moved by Howe to continue the hearing on December 13th so that staff can gather more information on the exact sizes of all bedrooms within the home, seconded by Tuve. Motion carried 7-0.

6. Old Business

7. New Business

- a. Plat of Lot 3A of Replat of Lot 7 and Plat of Lot 4 of Replat of Lots 6 and 7, Block 86, Snyder's Addition.

Jose introduced the plat, stating that the owner is combining and renaming pieces of land. Jose stated that all of the proper easements are being obtained and that the plat meets the comprehensive plan requirement for redevelopment.

The Planning Commission discussed the size and zoning of the land to be platted. Muenster asked if construction is allowed to be taking place on the property prior to plat approval. Jose stated that the building is allowed without the plat and that the description of the property will be more clear going forward.

Moved by Forseth to recommend approval of the plat to the City Council, seconded by Reasoner. Motion carried 7-0.

8. Staff Reports

Andy Colvin informed the Planning Commission about the Comprehensive Plan survey and that the results will be shared at a future meeting.

9. Adjourn

Moved by Howe to adjourn, seconded by Forseth. Motion carried 7-0.

Chairman Iverson declared the meeting adjourned 6:21 p.m.