

**MINUTES**  
**Planning and Zoning Commission**  
**March 12, 2013**

1. CALL TO ORDER.

The regular monthly meeting of the Marion Planning and Zoning Commission was called to order at 6:00 p.m. by Chair Golden.

2. ROLL CALL.

Members Present: Bell, AbouAssaly, Seidl, Neighbor, Golden, Pelley  
Members Absent: Preussner, Besler, Mooney,  
Staff Present: Treharne, Hockett, Billings

3. MINUTES

- a. Planning and Zoning - January 8, 2013
- b. Zoning Board of Adjustment – January 15, 2013
- c. Council – February 7 and 21, 2013

Motion by Neighbor, seconded by Seidl, to approve minutes of the January 8, 2013 Planning and Zoning Commission meeting.

All 'Ayes', motion passed.

4. COUNTY SUBDIVISIONS –

- a. CPC Resolution No. 13-07 recommending approval of Bogert's Second Addition to Linn County located north of County Home Road, east of North Marion Road (Marolyn Bogert)

Hockett presented the staff report and familiarized the Commission with the location of the request.

Motion by Seidl, seconded by AbouAssaly, to approve CPC Resolution No. 13-07 recommending approval of Bogert's Second Addition to Linn County located north of County Home Road, east of North Marion Road.

All 'Ayes', motion passed.

- b. CPC Resolution No. 13-08 recommending approval of Jenssen's First Addition Final Plat to Linn County located south of Martin Creek Road, East of Fox Hollow Road (James and Mildred Jessen)

Hockett presented the staff report and identified the location of the request.

Motion by Seidl, seconded by Neighbor, to approve CPC Resolution No. 13-08 recommending approval of Jenssen's First Addition Final Plat to Linn County located south of Martin Creek Road, East of Fox Hollow Road.

All 'Ayes', motion passed.

## 5. ZONING CODE AMENDMENT –

- a. Public Hearing regarding amending Section 176.29 of the Marion Code of Ordinances regarding parking and storage of recreational vehicles.

Billings gave a brief history on how the proposed ordinance came to be. She then presented the proposed ordinance.

AbouAssaly joined the meeting at 6:23.

Billings went on to provide examples of the size and location of the campers that would be regulated under the proposed ordinance.

Bell noted that she had reservations with the proposed ordinance, mainly with the stipulation that the existing campers would not be grandfathered and would require homeowners to bear what could be a significant cost to relocate their currently conforming camper.

AbouAssaly asked how she proposed to regulate the grandfathering of RV's. Bell explained that she would like to see a tracking mechanism set in place in which people could request their camper be placed on a list to be grandfathered until the property is sold.

AbouAssaly noted that he thought the proposed ordinance should be more restrictive and that recreational vehicles should not be allowed to be stored on a residential lot. He then asked if there was a definition of 'recreational vehicle.' Billings replied that a definition had not been established, but could be included prior to Council's review.

Pelley added that he questioned whether campers being parked too close to the property line could be considered a safety problem for emergency response teams.

Golden opened the Public Hearing at 6:40pm.

Frank Cannavo, of 195 South 19<sup>th</sup> Street Court, addressed the Commission in favor of the proposed ordinance. He noted that the current regulations are too vague and allow for limitless parking on a property so long as there is a hard surface.

Gene Dooley, formerly of 205 South 19<sup>th</sup> Street Court, now residing at 3044 Kinsale Drive, addressed the Commission opposed to the length and height limits being proposed in the ordinance. He went on to explain that he built his new house specifically to allow his large camper to be parked in the interior side yard, behind the front line of the house. He added that the camper would not be parked at the property during the winter months when they travel elsewhere with it. He asked the Commission to consider a seasonal allowance for campers to be parked on residential properties.

Pelley asked how the 25-foot length was established for the proposed ordinance. Billings replied that it was a number that the City Council was comfortable with. Pelley noted that the 3-foot proposed setback for a camper was still not enough of a setback when considering the distance it will be from the neighbors' home.

Seidl suggested that they not limit the length of the camper so long as it is setback 7-foot from the side property line.

Pelley added that he felt anything over 6-foot in height (the height of an allowed fence) should be set back from the property line.

Bell noted that she still had a problem with changing the rules on someone who has been able to park their camper in their yard for the last 30 years. AbouAssaly suggesting including a sunset clause for allowing current campers to remain where they are.

Treharne added that the Staff has discussed a proposed enforcement date and would like a recommendation from the Commission, allowing property owners to have time to plan where to store their campers in the future. Another option is to have the existing campers regulated by a Conditional Use Permit in which they would apply to have their camper parked in their yard, and the neighbors would have the opportunity to speak for or against the request.

With no other public comment, the Public Hearing was closed at 7:07pm.

- b. CPC Resolution No. 13-09 recommending amending Section 176.29 of the Marion Code of Ordinances regarding parking and storage of recreational vehicles.

Pelley noted that RV's can be considered a nuisance by some people and they should be able to have the largest investment in their life (their house) protected.

Treharne asked for clarification on the discussed sunset clause. Bell replied that the ordinance would go into effect immediately, however any existing RV's would be allowed until the sunset date.

Motion by Pelley, seconded by Seidl, to approve CPC Resolution No. 13-09 recommending amending Section 176.29 of the Marion Code of Ordinances regarding parking and storage of recreational vehicles subject to:

- 1) That recreational vehicles currently parked on a residential lot be grandfathered until a date 18 months from the City Council's adoption of the ordinance, at which time the grandfathering will sunset.
- 2) There is a minimum setback of 3-feet from interior lot lines for recreational vehicles under 6-feet in height. And for every two foot of height increase, the setback shall increase an additional foot.
- 3) There is no size limitation on recreational vehicles so long as they meet the setback requirements.
- 4) That a definition for recreational vehicle be embodied in the ordinance.

Roll call:

Seidl: Aye

Neighbor: Aye

AbouAssaly: Aye

Pelley: Aye

Bell: Nay  
Golden: Aye

Motion passed.

6. OTHER BUSINESS –

7. ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Nick AbouAssaly, Secretary