

Item 23-0069: Approve proposed change to Municipal Code 19-91, Parking in front and side yard in residential district; parking on terraces

Municipal Services Committee

Mon, Jan 23, 2023 4:30PM

Alderson William Siebers (District 1) 02:17

23-0069 approve proposed change in municipal code 19-91 parking in front and side yard in residential district parking on terraces. Do I hear a motion?

Alderson Brad Firkus (District 3) 02:30

Move to approve.

Alderson William Siebers (District 1) 02:32

Do I hear a second?

Alderson Joss Thyssen (District 8) 02:33

Second.

Alderson William Siebers (District 1) 02:34

Motion's been made and seconded to approve. Mr. Craanen? What mic are you? We got your memo? I think it was your memo. You want to add to it?

Supervisor Kurt Craanen (Inspections) 02:51

Sure. I can just go over it real quick and then I'll answer questions. Basically, I'm just doing some housecleaning and clarifying some things with this ordinance. We do get quite a few of these permits that we write every year. From 20 to 30 we write a year. Not a lot, but enough. A lot of questions about what people can do in their front yard to expand their driveway on private property.

Supervisor Kurt Craanen (Inspections) 03:17

The--as far as the house cleaning, a couple of years ago, the state passed an act, Act 55, which prohibited cities from enacting time-of-sale requirements. So, there was language in this ordinance that said after six months of a sale, any gravel driveway needed to be paved. We did enforce that for many years but we obviously can't enforce it anymore. So that's I'm just taking that language out. That's the first thing that this change does.

Supervisor Kurt Craanen (Inspections) 03:43

Then the other thing is we you know, through enforcing this over the years, we've just had a lot of questions about how this is interpreted. So, for example, on corner lots, there's a question like, "What is the front yard?" You can go four feet into the greater front yard the ordinance says, well, on a corner lot, you have two front yards. So, can you go 12 feet? Is it a side yard? So, we just constantly had that, you know, discussion with homeowners. So, this clarifies that. And then there's some diagrams included so we can show people so we're not trying to explain it to them. And so, it's right in the ordinance.

Supervisor Kurt Craanen (Inspections) 04:16

And then the last thing was when you when the driver comes off the street, like the street apron, we always require in permits when right them to flare that so you don't have like the addition or the extension isn't like a rectangle. Because what will happen is you'll--people will start coming in on an angle and they're going to drive

over our terrace and then start rutting it up. So we always make them come into their private side of the property, then flare the payments so then they make that that turn right on their property. So, we always wrote--in the permits we would write we would write it that way, but it was never in the ordinance requiring that so this solidifies that So that's basically it. We're not changing any standards.

Alderson William Siebers (District 1) 05:05

In regards to the front yard, the four feet, if somebody wanted to do that, could you do it with gravel?

Supervisor Kurt Craanen (Inspections) 05:16

No.

Alderson William Siebers (District 1) 05:16

Okay.

Supervisor Kurt Craanen (Inspections) 05:17

It has to be a paved surface

Alderson William Siebers (District 1) 05:18

Has to be paved. Okay. So, what--help me understand the gravel? If we have gravel, we can't...?

Supervisor Kurt Craanen (Inspections) 05:26

I think years ago, the City Council made attempt to eliminate gravel driveways, because there's many out there, and people can continue to maintain them. Well, but rather than tell everybody in the entire city, "Oh, we're gonna pass the ordinance and everybody has to pave their gravel driveway." That was seen as maybe a hardship on a lot of people. So, what was done was the ordinance that is in existence right now says after six months, you have to pave--six months after a sale, you have to pave your gravel driveway. But that's unenforceable, so we're just eliminating that from our ordinance.

Alderson Sheri Hartzheim (District 13) 05:59

Okay. Any questions? Alderson Hartzheim, what...?

Alderson Sheri Hartzheim (District 13) 06:08

I know I'm just hammering on this, but we cannot enforce--there are gravel driveways allowed in the city of Appleton and there's nothing that we can do to enforce that? Enforce paving?

Supervisor Kurt Craanen (Inspections) 06:19

I guess look at him as a legal non-conforming situation. If someone were to build a new house and put a new driveway, of course it has to be paved, or if you do a driveway extension it has to be paved, but if it exists already, there's no requirement that that we can make them pave it.

Alderson Sheri Hartzheim (District 13) 06:34

Okay. So, it's only for, as you mentioned, preexisting.

Supervisor Kurt Craanen (Inspections) 06:37

Yes.

Alderson Sheri Hartzheim (District 13) 06:38

Thank you.

Alderson William Siebers (District 1) 06:40

Any further questions, comments? All right, if not, all in favor signify by saying aye. Those opposed? Chair votes aye. Five zero.