

## **MAY 11, 2015 LEGAL AFFAIRS COMMITTEE MEETING MINUTES**

5:15 p.m., Council Chamber, Members present: Pearson, Platteter, Stoneberg. Others present: T. Carter, A. Christianson, A. Kenyon, A. Lobermeier.

### **Yard Barns:**

Mr. Gorsegner described a few situations he has had in the past where requests have been made to locate garages or sheds in front yards owing to lack of room for them in side or rear yards. Sometimes these have been due to site topography. In other cases houses, primarily along the river, were built back from the street to gain views of the river, but leaving no side or rear yard options [Hon] , at the same time as the front yards were quite large. The general feeling seemed to be that, absent serious neighbor objections, such buildings can be fit into front yards provided they are behind the usual 30' setback. Adm. Christianson described what he sees as a trend toward more storage needs for mowers and boats and ATVs and the like resulting in increasing requests to locate these buildings forward of houses on the street side. Mr. Gorsegner then noted he has received as many such requests in the past year as he can ever remember before. He concluded by suggesting that if these situations are to be considered to be permitted that such approval be pursuant to a "conditional use permit" where conditions of the approval can be tailor made to fit each specific set on circumstances.

Mr. Carter commented on how his personal situation is impacted by current and potential rules.

A draft amendment ordinance will be prepared for consideration at a future meeting.

In a related matter, Mr. Gorsegner explained that adjoining lots held by the same owner are generally made one tax parcel by an assessor but, that, if setback requirement can be met, a current owner could sell an extra lot with an accessory building on it together with the primary residence, or sell it apart.

### **Yard Fencing:**

Adm. Christianson reported he was asked about the propriety of chain link fence in street yards. Mr. Gorsegner noted that open fences, which even a picket fence might be with proper spacing of slats, are fine in street yards. And that, on the other hand, solid side yard fences require a sign off by the abutting owner.

In Mrs. Stoneberg's case she would prefer to put a split rail fence closer to the road, but that would result in it being in the right of way.

No action was recommended.

### **Water Bills:**

Atty. Kenyon explained that a Ladysmith landlord who is also a Cornell landlord asked him why the Ladysmith water utility can't do like the Cornell water utility and disallow service to tenants who have unpaid bills at previous locations at which they have resided, until and unless those are paid. Mr. Gorsegner countered that would involve a good deal of additional paperwork to stay on top of and seems to be at odds with PSC rule 185. He did note that it can take nearly one quarter (of a year) or until new utility bills go out to get unpaid bills taken care of. Mr. Kenyon then noted that he will convey to the inquiring landlord that the City's position seems to be that "we're not in the business of collecting for you, Mr. Landlord".

**Other:**

Mr. Carter stated that he advocates opening up all the streets in the City to ATV use and asked that it be placed a future agenda for consideration.

**Adjourn:**

The meeting adjourned at about 6:15 p.m.