

# Behind The City Scene

This month's column is intended to be of assistance to anybody who is ever going to buy a residence. Please feel free to share it with friends and family. That vacant lot next to your new single family residence, condominium or townhouse is probably not a future park!



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The August 7th Council meeting really brought this issue to the forefront...again.

Thankfully in another Ward residents came to the meeting to express their opposition to what is referred to as an "infill project". This is a situation where an existing neighborhood has lived next to a vacant piece of property for many years. Then a developer finally comes along and proposes a project that may or may not closely resemble the architecture of the existing neighborhood. The most common scenario plays out with City planning staff recommending the project and the Planning Commission (citizens appointed by City Council) affirming the recommendation.

These findings are typically based upon the underlying existing zoning parameters such as permissible density, building setbacks and exterior requirements. Then this volatile brew lands in front of City Council. Understandably upset neighbors versus sometimes very long standing zoning rights which the land owner and developers have relied upon. For obvious reasons comfort with a vacant lot is normal. Wildlife viewing, views, and fear of what the future holds all combine into sometimes very strong opposition.

So is it a future park? The only way to be certain is to contact the City Park's staff or the area Council Member. Do not rely upon any other representations that can be given in absolute good faith but are factually mistaken. In fact a good argument can be made that a purchaser should always perform some due diligence and ascertain the exact zoning parameters for the vacant adjacent land. But there is a very serious caveat even with this scenario. Vacant land can be rezoned to allow different uses. A rezoning does require the posting of the property with the yellow "Notice of Public Hearing" signs. If you ever see those signs, regardless of being associated with vacant land, please take note and respond by contacting the City planning offices.

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**2017 Ward IV Town Meetings** – held on the third Thursday of each month from 6:30 to 8:30 pm at EcoTech Institute, 1400 S. Abilene St., unless otherwise noted.