

1 Genola Town Planning Commission meeting
2 Minutes –August 27, 2009

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4 Meeting called to order at 7:31 PM. Present: Marty Larson, Mark Davis, Chairman Nikki
5 Anderson, Keanan Raven, Seth Orton, Rex Barney and Beth Coleman. Prayer was offered by
6 Mrs. Beth Coleman. Chairman Anderson led in the pledge and welcomed those present:
7 Martin Clinger, Brent Wetsel, Amelia Wetsel, Stan Judd and Emily Clinger.

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9 Chairman Larson stated that there were two public petitions on the agenda but asked that
10 Mr. Keanan Raven would be sworn in first. Mr. Raven would replace Mr. James Bertschi who
11 resigned in May of 2009.

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13 Mrs. Claudia MacNaughtan swore in Mr. Keanan Raven.

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15 Mr. Brent Wetsel was the first petition that was heard. He was present at the meeting to
16 discuss the agriculture ordinance. Mr. Wetsel discussed the problems that he has
17 encountered with his horses and neighbor. He explained that he is trying to install a barn on
18 his property that is 14 feet tall with masonite walls. He stated that he received a document
19 from his neighbor stating he was going against ordinances having his horses as close as he
20 has them to the neighbor's home. He stated that he asked for the Agriculture Ordinance and
21 was emailed this by the Clerk. He stated that the information he was given is conflicting. He
22 went on to say that there are 2 homes on Anna Ekins that have barns or corrals closer than
23 200 feet. It was stated that where Mr. Wetsel had planned to put his barn it was 100 feet
24 from a neighbor.

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26 Chairman Anderson thanked him for coming. She explained to Mr. Wetsel and the
27 Commission that his property was recorded before 1974. His lot is a grandfathered lot and
28 that is why he has 1 ¼ acres in an A-1 Zone. She stated that at the time his lot was
29 recorded, there was no ordinance. The ordinance that his neighbor is speaking of was
30 created after 2000. Chairman Anderson stated that Mr. Wetsel's neighbor was referring to
31 20-05-14, and Mr. Wetsel was going off of 20-12-07. She stated that this ordinance concerns
32 accessory buildings.

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34 Mrs. Coleman stated that this was discussed previously and thinks it needs to be changed.
35 She stated that the Planning Commission should propose a change soon, not just because of
36 this individual, but for everyone.

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38 Mr. Seth Orton stated that after reading the 20-05-02, he thinks the 20-05-14 doesn't pertain
39 to his lot and that 20-05-02 is "new development" not existing.

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41 Mr. Marty Larson stated that 20-05-02 is pretty broad, and that the ordinance needs to be
42 changed.

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44 Chairman Anderson stated that she didn't believe that it pertains to Mr. Wetsel, and that if he
45 is not changing the use of the lot, he is grandfathered in.

47 Mr. Rex Barney stated that he doesn't see a problem.

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49 Both Mr. Mark Davis and Mr. Keanan Raven thought that because it is a existing lot the
50 ordinance would not apply to Mr. Wetsel.

51 Chairman Anderson stated that regardless of the Commission believing the Ordinance should
52 be changed, they need to address Mr. Wetsels issue. She stated that she would entertain a
53 motion to put Mr. Wetsels problem on hold until the Planning Commission could speak with
54 the Town Attorney and do more research.

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56 Motion by Mr. Raven that we approve the zone for his structure based on the new
57 development.

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59 No second to Mr. Ravens motion. Motion died.

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61 Motion by Mr. Orton that we research with Mr. David Church whether the ordinance 20-05-04
62 applies or not and put on the next agenda to work out a change on the ordinance.

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64 Mrs. Coleman seconded the motion, all voted aye. The motion carried.

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66 Chairman Anderson asked Mr. Orton to make the call to Mr. David Church and explain the
67 situation.

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69 The next item on the agenda was a zone change for Mr. Troy and Traci Wright. Property
70 located at 591 E. 400 N. Mr. Stan Judd was asked by the Wrights to present this to the
71 Planning Commission. He presented a notarized power of attorney. Mr. Judd presented a
72 map of the property. The Wrights own approximately 5 acres with 171 feet of frontage.

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74 Chairman Anderson asked Mr. Judd if the Wrights understood by rezoning this property it
75 would take the lot out of a non-conforming lot of record.

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77 Mr. Orton asked what the consequences would be of making this change without adequate
78 frontage. He stated that if they change to R-1 they must meet the 2 ½ acres with 200 feet
79 frontage on a recognized road. Mr. Judd asked for the state code that states they must meet
80 R-1 requirements. Planning Commission action taken on the Chapman property was
81 discussed.

82

83 Motion by Mr. Rex Barney to recommend the zone change for Mr. Troy and Traci Wright from
84 A-1 to R-1 contingent on the zone change complies with the state law regarding non
85 conforming lots.

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87 Mrs. Coleman seconded the motion, all voted aye. Motion carried.

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89 Chairman Anderson stated that she will check out the State non conforming lot code.

90

91 Business

92 Chairman Anderson moved to approve the minutes for May and June 2009.

93
94 Motion by Mr. Larson to make changes in May minutes as contingent was given.
95 Mr. Orton seconded the motion, all voted aye. Motion carried.
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97 Motion by Mr. Larson to approve the June 25th minutes as changed.
98 Mr. Davis seconded the motion. All voted aye, motion carried.
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100 Motion to adjourn the meeting by Mr. Davis. The motion was seconded by Mr. Larson, all
101 voted aye. Motion carried.
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103 Meeting ended at 9:43
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105 Minutes were written and recorded by Penny Thompson and Claudia MacNaughtan
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107 Approved by *Mikki Anderson* Date *19 Nov 2009*.