

**Wagner Planning and Zoning Commission Meeting**  
**Monday, September 8<sup>th</sup>, 2014**  
**Wagner City Hall**  
**5:30PM**

Meeting called to order at 5:30 pm.

Members stood and recited the Pledge of Allegiance.

Members Present: Dale Petrik, Jean Pirner and Chad Peters. Others present: Becky Brunsing, Finance Officer, City Attorney, Ken Cotton and Brian McGinnis, Planning and Development District III. Absent: John Greger and Vern Twitero.

A motion was made by Pirner, second by Petrik to approve the agenda. All voted aye, motion carried.

The first application was for rezoning a property for Randy Beeson. Mr. Beeson submitted a building permit for a 56' X 40' X 12' garage/steel pole shed to be built directly south of his residence on Lot 43-A, which is zoned Residential (R-1). The building permit was denied because under the R-1 district, it did not meet the measurement requirements as per definition of a garage which shall not be larger than seventy-five (75) percent of the area of the largest floor of the principal building. Additionally, a garage/shed cannot be placed on an empty lot as there needs to be a principal use, such as a home present to have an accessory use, such as a garage/shed. Therefore, Mr. Beeson submitted a rezoning application requesting lots 43-A and 44-A be rezoned from Residential (R-1) to Agricultural District. The zoning board reviewed the rezoning application made by Randy Beeson.

Randy Beeson spoke on the rezoning issue. Mr. Beeson said that rezoning lot 43-A and 44-A would match with lot 31 behind him, as that is zoned agriculture also. Mr. Beeson stated that he does not plan on farming any of the property. He just would like a shed for machinery and more storage. The shed would be a pole barn structure – generally what is seen on agriculture property.

Brian McGinnis from Planning District III stated that lots 43-A and 44-A would need to be combined so that both lots have to be sold together as one unit – neither lot can be sold unless both lots are sold.

No one was present to speak in opposition of the rezoning.

A motion was made by Petrik, second by Pirner to rezone lots 43-A and 44-A from Residential (R-1) to Agricultural District subject to legally tying lots 43-A and 44-A together either by restrictive deed or replat the two lots into one. All voted aye, motion carried.

The above motion is a legislative act; therefore, it will be brought forward to the city council at a special meeting in ordinance form to change the zoning district on those two lots to Agriculture from Residential (R-1). This meeting is scheduled for Monday, September 29<sup>th</sup>, 2014 at 5:30 pm.

The zoning board next considered an application for a variance from Paul Foster for lots 2 & 3, block 9, Cihlars Addition. Mr. Foster submitted a building permit for a 90' X 48' X 14' steel shed to be placed on Lots 2 & 3. The building permit was denied because under the R-1 district, it did not meet the measurement requirements as per definition of a garage which shall not be larger than seventy-five (75) percent of the area of the largest floor of the principal building. Also, the garage/shed size exceeds the size allowed for one lot. Additionally, a garage/shed cannot be placed on an empty lot as there needs to be a principal use, such as a home present to have an accessory use, such as a garage/shed.

Mr. Foster explained his need for a large shed. He wants the front part (that would face Front Avenue) to be a garage and the back part to be a workshop for his hobby woodworking. The building will be a pole building with 2' X 6' studs, concrete floor, 2 colored metals and wainscoting.

No one appeared to speak in opposition of the shed.

Discussion followed on the size of the building, and also the two other sheds on the property. Currently, there is a trailer on lot 4 and Mr. Foster's residence is on lots 5 & 6. One shed is behind his house. The other one, the smiley face shed, is on the empty two lots. Mr. Foster stated that the white shed behind his house will be removed. The smiley face shed will be relocated to a concrete pad that has already been poured behind the trailer house on lot 4.

There being no other comments from parties present, a motion was made by Petrik, second by Pirner, to recommend the variance be granted to build the shed on lots 2 & 3 subject to the following conditions:

1. Everything be stored inside the large shed;
2. White building to be removed from the property;
3. Smiley face shed to be relocated to concrete pad behind trailer house, but must be at least 20' off alley right-of-way line;
4. All five lots to be tied together by restrictive deed or replatted into one tract;
5. Once trailer is moved off of property it will not be allowed to be replaced with another one.
6. Trim trees in the alley.

All voted aye, motion carried.

The meeting was adjourned at 6:40 pm.

Respectfully submitted,

Ken Cotton  
City Attorney

Rebecca Brunsing  
Finance Officer