

WORLAND BOARD OF ADJUSTMENT AND PLANNING COMMISSION  
Regular Meeting  
August 11, 2016

The Worland Board of Adjustment and Planning Commission (BAPC) met Thursday, August 11, 2016 at 12:00 p.m. at Worland City Hall Council Chambers. Commission members in attendance Chairman Garrett Immesoete, Member Terry Sutherland, Member Mike Dykman, Member Mike Bies and Member Scott Fritzler. Also attending were Planning Advisor Ron Vanderpool, City Engineer Representative Mike Donnell, Building Official Nick Kruger, Fire Chief Chris Kocher, Clerk/Treasurer Tracy Glanz and Deputy Clerk Norma Homan. There were nine (9) visitors in attendance.

Chairman Immesoete brought the meeting to order and asked for approval of the minutes from the July 28, 2016 meeting.

Motion: To approve the minutes of the July 28, 2016 regular meeting.

By: Member Fritzler

Second by: Member Bies

Vote: The motion passed unanimously.

Chairman Immesoete opened the Special Exemption hearing at 12:01

Amber Bear has been a Daycare provider for 6 years and is currently relocating to a new home at 407 South Road 11. She is requesting a Special Exemption to continue with her Daycare at the new location. Planning Advisor Ron Vanderpool informed the Members that Amber has provided all documents requested and advised the Board to approve the Special Exemption contingent on his review verifying certified letters to adjacent neighbors. Fire Chief Chris Kocher stated that the house has been inspected and has met fire safety requirements to continue with Daycare.

Chairman Immesoete closed the Special Exemption hearing at 12:04

Chairman Immesoete opened the Regular Meeting for discussion at 12:04

Motion: To approve the Special Exemption for a Daycare at 407 South Road 11 contingent upon Planning Advisor Vanderpool's review and State of Wyoming approval.

By: Member Bies

Second by: Member Fritzler

Vote: The motion passed unanimously.

Chairman Immesoete opened the Special Exemption hearing at 12:05:50

Hanna Stanek is requesting a Special Exemption to open a Daycare in her home on 1406 Charles Ave. Planning Advisor Vanderpool recommended that the Board approve the Special

Exemption contingent upon verification of the certified letters to adjacent neighbors. Planning Advisor Vanderpool has a letter from the State of Wyoming waiting to have approval from the BAPC Board. Fire Chief Chris Kocher has no issues with the use of the premises for a Daycare.

Chairman Immesoete closed the Special Exemption hearing at 12:07

Chairman Immesoete opened the Regular Meeting at 12:07

Motion: To approve the Special Exemption for a Daycare at 1406 Charles Ave contingent upon Planning Advisor Vanderpool's document review and approval from the State of Wyoming.

By: Member Fritzler

Second by: Member Sutherland

Vote: The motion passed unanimously.

BAPC Members discussed modifications to Chapter 24-10-3, Fences due to public comments and concerns. Planning Advisor Vanderpool suggested to send a letter to City Council with proposed amendments for an Ordinance to be passed. The Board Members agreed to the following changes:

SECTION 1: Section 24-10-3(B) of the Worland City Code shall be amended by adding following verbiage to the end of Sub-to Section 24-10-3 (B)(1): **AND**

SECTION 2: Section 24-10-3(B) of the Worland City Code shall be amended by adding following verbiage to the end of Sub-Section 24-10-3 (B)(2)

***The administering authority may waive the requirements for professional survey provided that;***

- a. The property(s) in question are within the platted boundaries of a legally adopted addition or subdivision of the City of Worland;***
- b. The proposed fence does not encroach or appear to encroach into any other property boundaries including public rights-of-way, as determined from available documents, plats, and or surveys, provided by applicant;***
- c. The applicant, in writing, request to be exempted under these provisions by providing a signed affidavit with attached drawing(s) as an exhibit verifying the applicant's intentions.***

SECTION 3: Section 24-10-3 of the Worland City Code shall be amended by creating a new Sub-Section 24-10-3 (B)(6), which states:

***6. Interior fencing is exempted from the permitting and fencing requirements provided that; the height(s) do not exceed the provisions of 24-10-3 B (1); are located entirely with the rear and/or side yard; and are located a minimum of five (5) feet from any lot line as determined by the administering authority.***

SECTION 4: Section 24-14 (B) of the Worland City Code shall be amended by creating a new Sub-Section 24-14(B)(1), which states:

**1. Exemptions:**

***The administering authority may waive the requirements for professional survey provided that;***

- a. The property(s) in question are within the platted boundaries of a legally adopted addition or subdivision of the City of Worland;***
- b. The proposed improvement does not encroach or appear to encroach into any adopted setback as per Table 24-9-3 of the Worland City Code, as determined from available documents, plats, and or surveys, provided by applicant;***
- c. The applicant, in writing, request to be exempted under these provisions by providing a signed affidavit with attached drawing(s) as an exhibit verifying the applicant's intentions.***

Shelley Spence, Manager at First American Title Company stated that if records are not specifically recorded with an attached document, with a platted subdivision or recorded at the record of survey, there would be no knowledge that a survey took place. By virtue of the arrangement the Title Company has with the Courthouse any time a plat is recorded, the Title Company gets a copy of that plat to index into their documents. During Ms. Spence's previous work as a Lender, the Title Company used to require a location survey for title insurance on the property. At some point that requirement was dropped which has made it more difficult to know the specifics of properties.

Shane Foote, Manager at Bloedorn Lumber stated he wanted to attend the meeting to hear the facts on fences indicating that about 3 weeks ago builders weren't able to move forward with their projects due to requests for surveys for fencing. After hearing the modifications made, Mr. Foote was happy with the direction the BAPC Board is taking.

Chairman Immesoete will suggest to the City Council to have survey points put throughout the City of Worland to help out with the current situation.

Building Official Nick Kruger informed Members that the City Council has discussed that option and will be looking into getting bids from Engineers. Building Official Kruger strongly recommends the BAPC Members make a decision today that they are content with to submit to City Council because City Council is ready to vote.

Motion: To submit a formal request to City Council on modifications made to Chapter 24-10-3 Fences for a first reading and approval.

By: Member Fritzler

Second by: Member Dykman

Vote: The motion passed unanimously.

With no further business, the meeting adjourned at 1:47 p.m.

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Garret Immesoete, Chairman

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Norma Homan, Deputy Clerk