

**City of Cody**  
**Planning, Zoning and Adjustment Board**  
**Tuesday, April 28, 2015**

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, April 28, 2015 at 12:00 PM

Present: Justin Lundvall-Chairperson; Justin Ness; Reese Graham; Curt Dansie; Buzzy Hassrick; Brad Payne; Mark Musser; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Lynn Stutzman, Engineering Administrative Assistant.

Absent: Steve Miller-Council Liaison

Chairperson Justin Lundvall called the meeting to order at 12:01 PM, followed by the pledge of allegiance.

Justin Ness made a motion, seconded by Mark Musser, to approve the agenda. Vote on the motion was unanimous, motion carried.

Brad Payne made a motion, seconded by Justin Ness, to approve the minutes for the April 14, 2015 meeting. Vote on the motion was unanimous, motion carried.

Justin Ness made a motion, seconded by Curt Dansie, to approve the minutes for the March 31, 2015 special meeting. Vote on the motion was unanimous, motion carried.

**NEW BUSINESS:**

Todd Stowell presented the staff report for the Downtown Sign Review for two wall signs for Gunrunner Firearms and Pawn located at 1131 12<sup>th</sup> Street.

Reese Graham made a motion, seconded by Justin Ness, to approve the Downtown Sign Review for two wall signs for Gunrunner Firearms and Pawn located at 1131 12<sup>th</sup> Street. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for an 8-foot tall fence for Chad and Deb Bolken at 2108 14<sup>th</sup> Street.

Buzzy Hassrick made a motion, seconded by Mark Musser, to approve an 8-foot tall fence for Chad and Deb Bolken at 2108 14<sup>th</sup> Street. Vote on the motion was unanimous, motion carried.

Todd Stowell presented a brief presentation for the Public Hearing for the Special Exemption Review requesting an increase in the total amount of wall signage for Wal Mart located at 325 Yellowstone Avenue.

Chairman Lundvall opened the public hearing at 12:10 p.m. No comments were received. Chairman Lundvall closed the public hearing at 12:10 p.m.

Todd Stowell presented the staff report for the Special Exemption Review requesting an increase in the total amount of wall signage for Wal Mart located at 325 Yellowstone Avenue.

Brad Payne made a motion, seconded by Justin Ness, to approve the Special Exemption Review requesting an increase in the total amount of wall signage for Wal Mart located at 325 Yellowstone Avenue based on the following findings:

- a. The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.
- b. The special exemption is designed to be compatible with adjacent land uses and the area or neighborhood. Granting the special exemption request is not expected to create any significant compatibility issues. The increase in the amount of signage is minimal—only 11.3 square feet. In addition the sign matches the same style and color as the other entrance signs to the main Walmart store.
- c. The special exemption is the minimum deviation from the specifications of the zoning ordinance necessary and adequate for the proposed activity, structure or use. The amount of exemption is small in both total amount and percentage of the standard. In addition, the sign, as well as all existing signage on the Walmart building, appears to be in scale with the building itself.
- d. The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than a special exemption. No other feasible options have been identified that would achieve the requested result.
- e. Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use. No additional utility services or infrastructure improvements are necessary because of the proposed sign.
- f. The special exemption is consistent with the goals, policies and future land use map of the master plan. The future land use map designation for this area is “commercial mixed use”, which is consistent with the continued commercial use of the property. Principle 1.2b of the master plan states that “Permitted signage should have a professional appearance and scale...” Staff believes the sign has a professional appearance and is in scale with the building.

Vote on the motion was unanimous, motion carried.

Todd presented the staff report for the Site Plan Review for Verizon Wireless Communication Facility (65-foot cell tower) located at 3526 Cottonwood Avenue. Kevin Howell owner of Digital Skylines answered questions from the Board. Bill Voerding, owner of the property where the cell tower will be

constructed, answered questions from the Board relating to the option for a tree-style tower and color preferences.

Justin Ness made a motion, seconded by Reese Graham, to approve the Site Plan Review for Verizon Wireless Communication Facility located at 3526 Cottonwood Avenue as submitted with the following conditions:

1. No logos or other advertising signs are permitted on the communication tower and antennas.
2. Lighting of the communication tower is not authorized, unless specifically required by the FAA.
3. The project must otherwise comply with the submitted plans and applicable building, fire, and electrical codes.
4. The tower must be painted an earth tone color to match the surroundings.

The Board determined that the landscape buffer requirement is not applicable. The fence height of 7' is authorized. Vote on the motion was unanimous, motion carried.

Todd presented the staff report for the Preliminary and Final Plat review of Blackburn 1 Minor Subdivision for a 2-lot subdivision by Higbie Revocable Family Trust located at 171 Blackburn Street.

Justin Ness made a motion, seconded by Buzzy Hassrick, to recommend to City Council approval of the requested variances from the alley and sidewalk requirements since there are no alleys to tie into and that the lots are sufficiently large to accommodate all alley purposes; and that sidewalks were previously waived and there is no sidewalk system to tie into in the subdivision; and to recommend that City Council approve the Preliminary Plat of the Blackburn 1 Minor Subdivision as presented. Vote on the motion was unanimous, motion carried.

Justin Ness made a motion, seconded by Curt Dansie, to recommend to City Council approval of the final Plat of the Blackburn 1 Minor Subdivision. Vote on the motion was unanimous, motion carried.

Todd presented the staff report for the minor map corrections to the Entry Corridor Overlay Zone (Landscaping Ordinance).

Reese Graham made a motion, seconded by Curt Dansie, to recommend to Council the minor map corrections to the recommended Entry Corridor Overlay Zone (Landscaping Ordinance). Vote on the motion was unanimous, motion carried.

Approved Signs by Staff: Fed Ex address sign located at 33<sup>rd</sup> Street. Billboard reconstruction by Lamar Signs at 3H Liquor located at 1907 Big Horn Avenue. Sinclair/Bailey Oil gas price sign at 124 W. Yellowstone Avenue.

P&Z Board Matters: None

Council Update: None

Staff Items: None

Justin Ness made a motion, seconded by Brad Payne, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Lundvall adjourned the meeting at 1:07 PM.

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Lynn Stutzman  
Engineering Administrative Assistant