

**City of Cody**  
**Planning, Zoning and Adjustment Board**  
**Tuesday, March 27, 2012**

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, March 27, 2012 at 12:00 PM

Present: Rick Brasher, Vice Chairperson; Jacob Ivanoff; Justin Lundvall; Kim Borer, Chairperson; Bud McDonald; Mark Musser; Bob Senitte; Steve Miller, Council Liaison; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Jolene Osborne, Engineering Administrative Assistant;

Absent: None

Chairperson Kim Borer called the meeting to order at 11:59 PM, followed by the pledge of allegiance.

Bud McDonald made a motion seconded by Jacob Ivanoff to approve the Agenda. Vote was unanimous.

Justin Lundvall made a motion seconded by Jacob Ivanoff to approve the minutes of the March 13, 2012 regular meeting. Vote on the motion was unanimous, motion carried.

Ethan Wessel of Tennen Studio spoke regarding the renovation of the Fernandez residence at 1019 Rumsey Avenue.

Todd Stowell presented the staff report explaining that as part of the building permit review for the planned renovations, the building official discovered that the existing building is nonconforming. No construction is proposed for the nonconforming wall and the structure meets fire code requirements.

Justin Lundvall made a motion seconded by Jacob Ivanoff to approve the request submitted by TC Custom Building to expand the nonconforming residence at 1019 Rumsey Avenue as presented.

Vote on the motion was unanimous, motion carried.

Cindy Baldwin, owner of the Lockhart Inn, presented her application to install a mobile home on the Lockhart Inn property at 109 West Yellowstone Avenue. Existing utility connections would be used, as a mobile home was in this location previously.

Todd Stowell presented the staff report regarding the Lockhart Inn application proposal, including an explanation that the mobile home could only be permitted as a non-commercial use. Commercial use should be interpreted as rental purposes or commercial activity. As this home is for housing the owner and/or caretaker of the inn, it is not a commercial use, and could be allowed in this zone. It was explained the location of the mobile home may have to be shifted slightly to meet fire code separation requirements. There are no zoning setbacks.

Bud McDonald made a motion seconded by Bob Senitte to approve the architecture and landscaping application submitted by Cindy Baldwin to place a mobile home at the Lockhart Inn located at 109 West Yellowstone Avenue with the condition that the mobile home will be located to meet fire code.

Rick Brasher opposed the motion. Jacob Ivanoff, Justin Lundvall, Kim Borer, Bud McDonald, Mark Musser and Bob Senitte approved the motion. Motion carried.

Bud McDonald made a motion seconded by Mark Musser to amend the previous motion with an additional condition that the applicant submits an affidavit that will state that the mobile home will not be permitted for commercial use, and that the applicant will obtain a building permit.

Vote on the motion was unanimous, motion carried.

Glenn Ross spoke regarding his conceptual plan for a sixteen-lot subdivision at 129 Cooper Lane East and requested feedback from the board. He provided the board with additional information to address comments from staff that outlined the requested variances, special exemptions etc.

Todd Stowell presented the staff report in regard to the proposed Ross Subdivision Conceptual Plat, including the City's objective in regard to the Master Street Plan. He clarified that this is an opportunity for discussion, and that no variances or approvals are officially granted until the preliminary plat stage.

Rick Brasher stated that the east-west street access easement as suggested in the Master Plan does not seem necessary. Mark Musser agreed. Bud McDonald agreed and also added that he believed the north-south access would also not need to be pursued.

Harold Musser, developer of Musketeer Acres, explained the original purpose of the access and utility easement along the Musketeer subdivision. He explained that the access easement is not a public access easement.

Paul Blough of Holm, Blough and Company reiterated the easement intent of Musketeer Acres. He stated there is approximately one mile between West Cooper Lane and the proposal with less than a quarter of that mile where easements currently exist.

Mark Musser led the board through the points of interest in the staff report. In regard to the request to wave the restrictions to conform to the Street Master Plan, the board agreed that the plan is a general concept and the applicant's proposal meets the intent of the plan. In regard to the variance from the cul-de-sac length greater than 500 feet, the board agreed to consider the variance as the number of lots was low. In regard to the reverse curves and tangent requirements, the applicant modified their submitted plat. In regard to the width of easement right-of-way, the board stated it could be amendable to keep continuity with the surrounding areas. In regard to the variance of the alley requirement, the board agreed the submittal was consistent with the surrounding areas and would be considered. The board also agreed that a possible variance from curb, gutter and sidewalk installation requirement was a reasonable request.

Greg Meinecke, Park County Engineer, spoke to Park County's involvement in the application. They have been working extensively with the applicant and would like to make sure that any of the City of Cody Planning and Zoning Board's concerns are properly represented to the County Planning and Zoning Board. As the County was agreeable with the proposed street cross section to allow a 24 foot pavement width and 2 foot shoulders, the board will consider that variance as well. Greg Meinecke is assured that a drainage plan can be worked out.

Brian McDaniel of Wyoming Steel Services, LLC introduced their application for a site plan located on Road 2AB.

James Klessens of Forward Cody and member of Cody Land Development Corporation presented the application to establish Wyoming Steel Services, LLC. Brian McDaniel proposes to provide a metal salvage yard and associated services to the Cody area.

Todd Stowell spoke to the board regarding the proposal, set forth the points as to why the use could be considered a permitted use, explained that the portable office can be allowed because it is not a residential structure/mobile home, and reviewed the requirements of the Industrial Zone.

Sandra Kitchen indicated that a temporary authorization can be used.

Questions pertaining to operational practices, pollution prevention, DEQ review, and stacking height of materials were asked by the board and answered by the applicant and staff.

Bud McDonald made a motion seconded by Mark Musser to approve the site plan application submitted by Wyoming Steel Services, LLC for property located at 156 Road 2AB with the following conditions:

1. The applicant will meet DEQ requirements.
2. No storage of materials will be allowed on easements.
3. The applicant will apply for and pay for all utility hookups.
4. The applicant will ensure the site lighting meets on-site lighting requirements.
5. The approval will be limited to a 2 year period.
6. The project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes. A building permit application is required.

Vote on the motion was unanimous, motion carried.

Kim Borer called for a motion to remove proposed Sign Code amendment item from the table three times, hearing none. No action was taken.

Todd Stowell mentioned that work is continuing on the nonconforming amendments. The proposal will be brought for consideration at a future meeting.

Spring WYOPASS meeting in Thermopolis will be April 27<sup>th</sup>. Attendees are welcome to carpool. Kim Borer, Bud McDonald and Todd Stowell indicated they will be attending.

Kim Borer invited the public to comment on the Sheridan Avenue Streetscape proposals on April 2<sup>nd</sup> from 6:00 to 8:00 pm at City Hall.

Steve Miller updated the board regarding the interviews for the Master Plan Update applicants.

Meeting adjourned at 1:48 PM.

---

Jolene Y. Osborne  
Engineering Administrative Assistant