

**City of Cody**  
**Planning, Zoning and Adjustment Board**  
**Tuesday, May 22, 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, May 22, 2012 at 12:00 PM

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

Excused Absence: None.

Chairperson Kim Borer called the meeting to order at 12:00 PM, followed by the pledge of allegiance.

Bud McDonald made a motion seconded by Rick Brasher to approve the agenda. Vote on the motion was unanimous, motion carried.

Bob Senitte made a motion seconded by Jacob Ivanoff to approve the minutes of the May 8, 2012 regular meeting. Vote on the motion was unanimous, motion carried.

**PRESENTATION OF COMMUNICATIONS:**

Rick Brasher made a motion seconded by Bud McDonald to remove from the table the temporary sign application submitted by Chinatown Restaurant for property located at 937 Sheridan Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the updated temporary sign for Chinatown Restaurant, emphasizing the font and color changes to the proposal.

Bud McDonald made a motion seconded by Bob Senitte to approve the temporary sign application submitted by Chinatown Restaurant for property located at 937 Sheridan Avenue. Vote on the motion was unanimous, motion carried.

Carl DeVries, owner of D-Rock Boyz, explained the proposed water feature and sign submitted for 233 Yellowstone Avenue.

Todd Stowell presented the staff report, noting the lighting plan. The application does meet all required signing regulations.

Mark Musser made a motion seconded by Bob Senitte to approve the application submitted by D-Rock Boyz and Wyoming River Trips for 233 Yellowstone Avenue. Vote on the motion was unanimous, motion carried.

Greg Gaspers, Mountain States Consulting, presented the proposal from the American Legion to construct a concrete block building at 300 16<sup>th</sup> Street (Legion Field).

Todd Stowell reviewed the application including the coordination between the applicant and the City Parks Department on placement of the building in relation to the irrigation lines and sprinkler plans of the area.

Bud McDonald made a motion seconded by Justin Lundvall to approve the site plan submitted by the American Legion for property located at 300 16<sup>th</sup> Street where agreed to by the Parks Department, with the requirement that the applicant apply and obtain a building permit. Vote on the motion was unanimous, motion carried.

Brad Nielson with the VFW Post #2673 presented the application for a proposed patio at 808 12<sup>th</sup> Street. He noted that no trees are slated to be removed.

Todd Stowell presented the staff report adding that the applicants are also requesting approval for the second phase of the project to enclose the patio. He spoke to the location as being outside of the downtown architectural district, but across the street from a Residential B zone. Required parking is calculated using capacity numbers based on square footage of the bar/restaurant and assembly area. The additional square footage would require 9 additional on-site parking spaces. They currently have 32 approved on-site spaces. The applicant indicated that due to membership being restricted to veterans, they are not expecting an increase in numbers of attendees due to the addition. The applicant also responded to a parking question by stating that the existing parking lot, on-street parking along the frontage of the lot, and alley parking is usually sufficient to accommodate most VFW functions.

RJ Ludwick, Post Commander, spoke to the parking situation in that they are not expecting an increase in numbers of attendees.

Jacob Ivanoff made a motion seconded by Bob Senitte to approve the two-phased site plan submitted by the VFW Post #2673 for property located at 808 12<sup>th</sup> Street subject to the following requirements:

1. Approval of the site plan is subject to City Council approval of the parking variance.
2. A storm water and grading plan meeting City storm water policy must be submitted for review and approval with the building permit for the enclosed structure. Installation of the storm water control will need to be inspected and certified by the engineer, in writing, that it was built as designed.
3. The project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes, including fire sprinkler requirements. A building permit application is required.
4. The project must be completed by May 30, 2015, or Planning and Zoning Board approval of any uncompleted construction will expire.

Vote on the motion was unanimous, motion carried.

Jim Heberlein, resident at 2928 East Carter, explained that he is in the process of purchasing the property at 2920 East Carter. The previous owner has removed a mobile home and he would like approval to place a new mobile home in the same location.

Todd Stowell presented the request to place a 1995, 16' by 80' mobile home at 2920 East Carter Avenue in a Residential B zone. The Residential B zone seems to require that any mobile home be new at the time it is placed on the property. He explained that the zoning ordinance is not totally clear on the issue, yet thought the Board could consider the

nonconforming status of the 1970 era mobile home recently on the property, that the 1995 is an improvement that is less non-conforming, and approve of the application.

Bud McDonald made a motion seconded by Rick Brasher to approve the request to place a mobile home at 2920 East Carter Avenue with the requirement that the applicant obtain a building permit.

Jolene Osborne presented the approved sign applications for Lincare at 426 West Yellowstone Avenue and Cody Electric at 1814 Central Avenue.

Steve Miller reminded the community about the Master Plan Update Community Kick-off Event that will be held tomorrow from 4:00 PM until 7:00 PM at the Recreation Center.

Meeting adjourned at 12:35 PM.

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Jolene Y. Osborne  
Engineering Administrative Assistant