

**City of Cody
Planning, Zoning, and
Adjustment
Board Meeting December 14,
2021**

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the City Hall Council Chambers on Tuesday, December 14, 2021 at 12:00 pm.

Present: Carson Rowley; Cayde O'Brien; Sandi Fisher; Karintha Herweyer; Scott Richard; Richard Jones; Deputy City Attorney Sandee Kitchen; City Planner Todd Stowell; Administrative Coordinator Bernie Butler

Absent: Rodney Laib, Council Liaison Andy Quick

Richard Jones called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Scott Richard made a motion, seconded by Karintha Herweyer, to approve the agenda for the December 14, 2021 meeting. Vote on the motion was unanimous, motion passed.

Cayde O'Brien made a motion, seconded by Carson Rowley, to approve the minutes from the November 30, 2021 meeting with corrections. Vote on the motion was unanimous, motion passed.

Todd Stowell reviewed the final plat for the Musser Beacon Hill 6-lot commercial subdivision. The subdivision is located on the west side of Beacon Hill Road, north of Sheridan Avenue. The Zoning of the property is Open Business/Light Industrial (D-3).

Staff reviewed the status of the preliminary plat conditions. Item #4 in the staff report is pending, waiting for verification from Cody Canal that they consent to the vacation of the drainage easement and irrigation easement. Consent will need to be provided before the mayor signs the final plat. Item #5 in the staff report to develop a plan for installation of the additional hydrant with the fire marshal is pending at this time. Due to the potential variety of placement, number, and required flow rates, the details of the hydrant situation are not able to be fully determined at this time.

The preliminary and final plat indicate a 15-foot utility easement that appeared to capture the pre-existing water line that runs along the north side Lot 6 in the area north of Lot 5. The submitted final plat easement document has written language that only mentions electric lines, although the exhibit does have the 15' labeled as "utility line". Public Works would like this easement to be a standard public utility easement, as opposed to an easement for water only. The waterline is at the extreme edge of the 15-foot easement. Public Works has requested a 25-foot easement be added to the final plat, off the north property line of Lot 6. Public Works believes this line is to be a City of Cody water main, and therefore needs a proper easement to access and maintain it. Without the easement, the line cannot be maintained by the City of Cody. Wyoming DEQ policies will need to be followed. The applicant is not willing to grant the easement.

Developer Harold Musser addressed the Board with the background on the property and waterline. He provided the Board with a map and description of the easement labeled "Exhibit A." After a long discussion and questions from the Board, Mr. Musser reiterated he is not willing to grant the requested 25-foot easement, but would grant the City limited easement to access and maintain the line.-

Cayde O'Brien made a motion, seconded by Carson Riley, to recommend to City Council the approval of the final plat of the Musser-Beacon Hill Subdivision as presented, with the consideration of ~~an easement~~, allowing a limited easement, for the maintenance and fire service on the water line, and following the Wyoming DEQ guidelines. Voting in favor of the motion were Karinthia Herweyer, Cayde O'Brien, Sandi Fisher, Carson Rowley, and Scott Richard. Richard Jones was opposed. With the majority in favor of the motion, motion passed.

Todd Stowell reviewed the conceptional plat for the McKinney 8-lot subdivision, located on the north side of West Avenue. The zoning is R-2, medium low density residential. Lot 1 is identified as a single-family dwelling, while lots 2-8 are intended for two-family dwellings (duplexes).

Todd Stowell discussed the project, including lot sizes, construction standards, utilities, and storm water. Staff would like to see frontage improvements for the subdivision on north side of West Avenue. Improvements may include widening of the asphalt, curb, gutter, sidewalk, or a pathway.

The main concerns from the Board are the sidewalks or pathways, adequate parking, storm water, and the ditch on the property.

Staff items: Next meeting will be December 28, 2021

Sandi Fisher made a motion, seconded by Scott Richard, to adjourn the meeting. Vote on the motion was unanimous, motion passed. Meeting was adjourned at 1:50 p.m.

Bernie Butler

Bernie Butler, Administrative Coordinator