

**City of Cody**  
**Planning, Zoning, and Adjustment**  
**Board Meeting May 10, 2022**

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, May 10, 2022 at 12:00 pm.

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

Present: Scott Richard; Cayde O'Brien; Andrew Murray, Ian Morrison, Mathew Moss; City Deputy Attorney Sandee Kitchen; City Planner Todd Stowell; Administrative Coordinator Bernie Butler

Absent: Carson Rowley, Karinthia Herweyer

Ian Morrison moved to approve the agenda for May 10, 2022, seconded by Cayde O'Brien. Vote on the motion was unanimous, motion passed.

Ian Morrison moved to approve the minutes from the April 26, 2022 meeting, seconded by Andrew Murray. Vote on the motion was unanimous, motion passed.

A Public Hearing opened at 12:03 for a Special Exemption setback and nonconforming structure change, for a building at 1020 Alger Avenue. There were no comments from the public. The Public Hearing was closed at 12:04.

City Planner Todd Stowell reviewed the Special Exemption setback and nonconforming structure change for 1020 Alger Avenue. Property owner Chad McDougall would like to convert an existing building to the south of his main house into an accessory dwelling unit (ADU). The building does not meet the minimum setback requirement of 3 feet from the east property line. It is within one foot of the property line.

The accessory dwelling standards require the unit to share an electric meter with the main dwelling. The property owner requests an exemption to allow the ADU to use an existing second electric meter located on the garage near the alley.

The neighbor responses were all in favor of the special exemption. Chad McDougall said the ADU would be used for his mother in-law and his parents when they are in town.

Cayde O'Brien made a motion, seconded by Ian Morrison to approve the Special Exemption setback and nonconforming structure change for the building at 1020 Alger Avenue with recommendations 1-4, and conditions 1-4 in the staff report. Vote on the motion was unanimous, motion passed.

City Planner Todd Stowell reviewed the site plan to modify and allow the fabric structure at 3202 Big Horn Avenue to remain on the property. The deadline for the removal of the temporary fabric structure is May 15, 2022. The City received an application from the new property owner GordonJosh, LLC (Gordon and Josh Allison) to architecturally enhance the structure and allow it to remain on the property as a storage building. The property is zoned D-3 Business / Light Industrial, which allows storage buildings.

Todd reviewed the history of the structure, which was originally installed by Kayne West for a temporary storage building. The Board will need to consider the original application, which has been extended, and would require the structure to be removed. The other option would be to allow the structure to remain on the property as a storage building with proposed architectural enhancements. The Board's decision would need to be based on the conclusion that the structure is not architecturally compatible with the surrounding area.

Adjacent property owner Harold Musser addressed the Board stating he did not object to the structure remaining on the property with the architectural enhancements. Dustin Spomer, owner of the T-O Engineers building, was opposed to allowing the structure to remain as a permanent structure.

Joni Collier of JC Designs addressed the Board on behalf of the new property owner. She reviewed the proposed enhancements, compared the structure to similar buildings in Cody, and said the structure and foundation were engineered, and the fabric should last 15-20 years.

Board member Cayde O'Brien recused herself from voting due to a conflict of interest.

Ian Morrison made a motion to approve the site plan allowing the structure to remain on the property with the proposed architectural enhancements. There was not a second motion by the Board, therefore the motion died.

Ian Morrison made a motion, with a second from Andrew Murray, to table the site plan review until the next board meeting when there could be additional members to vote. Voting favor of the motion were Ian Morrison and Andrew Murray, with Scott Richard and Mathew Moss opposed. The motion died.

The next Board meeting will be held on May 31, 2022.

Ian Morrison made a motion, seconded by Cayde O'Brien to adjourn the meeting. Vote on the motion was unanimous. The meeting was adjourned at 1:00 pm.

*Bernie Butler*

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Bernie Butler, Administrative Coordinator