

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD

Minutes of the Regular Meeting Held February 22, 2011 at 12:00 PM

CALL TO ORDER: Chairperson Greg Gaspers called the meeting to order at 12:01 PM.

ROLL CALL

PRESENT: Jacob Ivanoff; Kim Borer, Vice Chairperson; Rick Brasher; Bill Nielson; Bud McDonald; Justin Lundvall; Greg Gaspers, Chairperson; Steve Miller, Council Liaison; Steve Payne, Public Works Director; Sandee Kitchen, Deputy City Attorney; Jolene Osborne, Engineering Administrative Assistant;

EXCUSED ABSENCE: None

ABSENT: None

Bud McDonald made a motion seconded Kim Borer to approve the minutes of the February 8, 2011 regular session meeting.

Vote on the motion was unanimous, motion carried.

Chairperson Greg Gaspers closed the regular meeting at 12:03 p.m. to hold a public hearing to determine if it is in the public interest to grant a special exemption to Clinton Cook, for property located at 1301 Red Butte Avenue. The request is to allow Richard Cook to work as a non-resident employee for Cook Appraisals, Inc. The board heard a presentation from Clinton Cook of Cook Appraisals, Inc. who spoke to the objections that were submitted via letter by Vernon Nieters. Mr. Cook stated that he was not requesting a zone change. Cook Appraisals recycles all paper that is generated from the business so no additional garbage would occur. The traffic impact would be minimal since Heart Mountain Street is already an arterial collector. Clinton Cook is the sole owner of the business and he explained that he has office space. He is requesting the exemption run only for as long as he owns the property. Upon calling for additional comments three times and there being none, Chairperson Greg Gaspers closed the public hearing at 12:09 p.m. and reconvened the regular meeting.

PRESENTATION OF COMMUNICATIONS:

- A. Bill Nielson made a motion seconded by Jacob Ivanoff to approve the special exemption application submitted by Clinton Cook with Cook Appraisals, Inc. for property located at 1301 Red Butte Avenue to allow Richard Cook to work as a non-resident employee for Cook Appraisals, Inc. after finding the following:
- 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;
 - 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;
 - 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;

- e. Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use; and
- f. The special exemption is consistent with the goals, policies and future land use map of the master plan.

with the following conditions:

- 1. That the employee be Richard Cook.
- 2. The Special Exemption will exist for the duration of time that Mr. Clinton Cook owns the property as his primary residence.
- 3. The Special Exemption Permit must be executed and recorded with the Park County Clerk and recorded within 10 days of any approval.

Vote on the motion was unanimous, motion carried.

B. Discussion Items:

The board members attended a joint meeting with the County P&Z Board last week. The following issues were discussed:

- 1. The county had questions regarding the appointment of a city planner.
- 2. The boards also discussed the height requirements for the county in their efforts to protect the view shed.
- 3. The County also requested access to the 20/20 study as well as the city master plan future revisions for information regarding zoning and future annexations.
- 4. The boards agreed that the subdivision process for the area within 1 mile of the city limits should be streamlined. Applicants have raised concerns regarding the number of meetings with staff that are required to get through the P&Z process for both entities. Perhaps the two staffs could get together to work on streamlining the process.

C. Council Update:

- 1. Steve Miller thanked the P&Z board for attending the joint meeting as he was attending the City Council Meeting.

D. Staff Update

- 1. In regard to the previous application from Big Bear Motors, Bill Holly has contacted staff to inform the city that the large sign will be modified to be reduced to the required height.
- 2. Steve Payne gave an outline of the county and city subdivision processes. He suggested he meet with the county staff with the next application to begin to streamline the meetings with applicants.

The meeting was adjourned at 12:26 PM.

Respectfully submitted,

Jolene Osborne
Engineering Administrative Assistant