

City of Cody
Planning, Zoning, and Adjustment
Board Meeting July 27, 2021

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of Cody in Cody, Wyoming on Tuesday, July 27, 2021 at 12:00 pm.

Present: Kayl Mitchell; Richard Jones; Scott Richard; Sandi Fisher; City Deputy Attorney Sandee Kitchen; City Planner Todd Stowell; Council Liaison Andy Quick; Administrative Coordinator Bernie Butler.

Absent: Carson Rowley; Rodney Laib; Cayde O'Brien

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

Richard Jones moved to approve the agenda, seconded by Sandi Fisher. Vote on the motion was unanimous, motion passed.

Sandi Fisher moved to approve the minutes from the July 13, 2021 meeting, seconded by Richard Jones. Vote on the motion was unanimous, motion passed.

Todd Stowell gave an update on the Special Exemption permit for the electronic message board at the Trinity Lutheran Church, located at 3401 Sheridan Avenue. At the December 8, 2020 Planning and Zoning meeting, the Board granted a special exemption to the Church to install an electronic message board and illuminate their sign, subject to the conditions in the staff report. The approval of the sign specified that the operation of the sign would be reviewed after a trial period of 45 days. Letters were sent to the neighbors for comments and feedback.

In the December 8, 2020 original review, Condition 1 d was established as, "The displayed message shall not have any blinking, chasing, flashing or moving effects." It is now recommended that Condition 1 d be amended to say "The display message shall not have any blinking, chasing, flashing, or rapid-moving effects.

A motion was made by Richard Jones, seconded by Scott Richard, to modify Condition 1d for the electronic sign for the Trinity Lutheran Church as proposed, and to require the conditions of approval (1a-e) to be posted at the computer where the messages are generated. Motion passed 4-0.

A Public Hearing for a special exemption to minimum dwelling size for a house located at 1413 10th Street was opened at 12:03 p.m.

Aaron Brown was opposed to the special exemption stating that it did not meet minimum dwelling size or setbacks.

John Gallagher objected to the special exemption stating it would negatively impact the neighborhood. It would increase the density of the neighborhood. The existing regulations do not place a hardship on the property owner. The owner purchased this as a single lot two years ago and knew what he was buying. The existing regulation in a R-2 zoning district need to be enforced.

Property owner Brian Schumard addressed the Board to explain why he was asking for this special exemption. The property is 90-years-old. At one point the property was divided into two lots, then back to a single lot. He would like to re-establish the lot line and reconfigure it to have each dwelling on its own lot. He has no immediate plan for the guest house, but would like to expand the size and update it in the future.

The hearing was closed at 12:11 p.m.

Todd Stowell gave a description and background on the exemption request. The property owner, Brian Schumard, is asking to reestablish and reconfigure an interior lot line to separate the two houses into two lots. The guest house does not meet the minimum size requirement of the R-2 zoning district to qualify as a main house on its own lot. He went over the special exemption criteria and gave responses to some of the neighbor

questions.

Richard Jones made a motion, seconded by Sandi Fisher to recess the meeting while Todd Stowell went to see if there were any additional comments from the neighbors. Vote on the motion was unanimous, motion passed.

Sandi Fisher made a motion, seconded by Richard Jones to resume the meeting. Vote on the motion was unanimous, motion passed.

There were no additional comments found.

Richard Jones made a motion seconded by Sandi Fisher to approve the special exemption to the minimum dwelling size at 1413 10th Street with recommendations 1-5 in the staff report. Vote on the motion was unanimous, motion passed.

Kayl Mitchell made a motion, seconded by Sandi Fisher to adjourn the meeting. Vote on the motion was unanimous. Meeting adjourned at 12:38 pm.

Bernie Butler

Bernie Butler, Administrative Coordinator