

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD

Minutes of the Regular Meeting Held October 11, 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; Rick Brasher; Greg Gaspers, Chairperson; Bud McDonald; Justin Lundvall; Steve Miller, Council Liaison; Sandee Kitchen, Deputy City Attorney; Steve Payne, Public Works Director; Jolene Osborne, Engineering Administrative Assistant;

EXCUSED ABSENCE: Kim Borer, Vice Chairperson;

ABSENT: None

Bud McDonald made a motion seconded by Jacob Ivanoff to approve the minutes of the September 27, 2011 regular session meeting.

Vote on the motion was unanimous, motion carried.

PUBLIC HEARING

A public hearing was held to determine if it is in the public interest to grant a special exemption to Betty Simpers for property located at 1320 Bleistein Avenue. The applicant is requesting an exemption from the front and side yard setbacks to construct a handicap access ramp and porch.

Chairman Greg Gaspers opened the public hearing at 12:02 p.m.

Steve Payne summarized the application. The applicant sent eighteen (18) certified letters to all adjacent property owners within 140'. Two neighbors did not reply and the remaining sixteen (16) had no objections.

After calling for public comment three times and hearing none, Chairman Greg Gaspers closed the public hearing at 12:05 p.m.

PRESENTATION OF COMMUNICATIONS:

- A. As the board finds the following requirements of Section 10-14-2C(2):
- a. As there were no neighborhood objections, the special exemption will not produce an undesirable change in the neighborhood;
 - b. The setback exemption will be compatible with adjacent land uses and the neighborhood as the neighborhood is residentially oriented and there were no neighborhood objections;
 - c. An exemption from the setback requirements is the minimum deviation from the specifications of the zoning ordinance necessary and adequate for the building;
 - d. It would be unfeasible for the applicant to move the building;
 - e. There are adequate services and infrastructure available to serve the building; and
 - f. The exemption from the setback requirements has no impact on the goals, policies and future land use map of the master plan;

Rick Brasher made a motion seconded by Jacob Ivanoff to approve of the special exemption from the setback requirements for property located at 1320 Bleistein Avenue with the following conditions:

1. The Special Exemption will run with the property unless the building is demolished or otherwise destroyed beyond repair in a catastrophic event. Then if the building is rebuilt, it would have to conform to current zoning ordinances.
2. The Special Exemption Permit must be executed and recorded with the Park County Clerk and recorded within 10 days of approval.

Vote on the motion was unanimous, motion carried.

- B. Bud McDonald made a motion seconded by Justin Lundvall to approve the site plan review application submitted by the City of Cody for property located at 531 15th Street with the following conditions:
1. The applicant will submit a complete set of construction plans to the building department for their review and approval.
 2. The applicant will pay all assigned building and utility permit fees.

Vote on the motion was unanimous, motion carried.

C. P&Z Board Matters: None

D. Council Update: Nothing to report.

E. Staff Update: Steve Payne explained that the sign code and building code will go before council with an ordinance change due to some discrepancies identified by the codifiers. The sign code will be reviewed at the next scheduled council meeting on October 18, 2011 and the building code is expected to be reviewed November 1, 2011.

The meeting was adjourned at 12:19 PM.

Respectfully submitted,

Jolene Y. Osborne
Engineering Administrative Assistant