

**City of Cody**  
**Planning, Zoning and Adjustment Board**  
**Tuesday, August 12, 2014**

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, August 12, 2014 at 12:00 PM

Present: Justin Lundvall, Chairperson; Robert Senitte; Buzzy Hassrick; Mark Musser; Kim Borer; Sandra Kitchen, Deputy City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Lynn Stutzman, Administrative Assistant.

Absent: Justin Ness; Brad Payne

Chairperson Justin Lundvall called the meeting to order at 12:01 PM, followed by the pledge of allegiance.

Kim Borer made a motion, seconded by Mark Musser, to approve the agenda. Vote on the motion was unanimous, motion carried.

Buzzy Hassrick made a motion, seconded by Kim Borer, to approve the minutes for the July 22, 2014 meeting with the corrections noted. Vote on the motion was unanimous, motion carried.

**NEW BUSINESS:**

Todd Stowell presented the staff report for the concession stand and restrooms for the Tennis Complex at the Cody Middle School. The following conditions were recommended

1. Approve the concession building as proposed.
2. Table the decision on the restroom building until a special exemption application is submitted for review, or the building is moved to meet setback requirements. Approval of the restroom building would also need to be subject to authorization from the City Council to use a privy vault rather than connection to city sewer.

Kim Borer made a motion, seconded by Buzzy Hassrick for the site plan review of the concession stand at the tennis complex at the Cody Middle School. Vote on the motion was unanimous, motion carried.

Mark Musser made a motion, seconded by Buzzy Hassrick to table the restroom building until a special exemption application is submitted for review. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for modifications to the site plan for the Cody Labs Warehouse (Phase I) at 127 Road 2AB. The following conditions were recommended:

1. Obtain the necessary easement for the proposed storm water channel that will extend onto the property to the east.
2. The emergency response plan and evidence of compliance with applicable state and federal permits or licenses pertaining to hazardous materials must be submitted for review and approval prior to use of the facility (certificate of occupancy). The emergency response plan

will be reviewed and approved by the Fire Marshal. Planning and Building staff will verify the necessary hazardous material licenses and permits.

3. The project must otherwise comply with the previously approved landscape plan and updated construction plans.

Buzzy Hassrick made a motion, seconded by Kim Borer, for approval of minor site plan review to Cody Labs/Forward Cody Warehouse with the three recommendations as stated in the staff report and that the approval be contingent upon DEQ approval. Vote on the motion was unanimous, motion carried.

The Chair opened the public hearing for comments on the Special Exemption request for 2401 Central Avenue. There being no public comments, the Chairman closed the public hearing.

Todd Stowell presented the staff report for the Special Exemption Request from Patrick and Pamela Jackson to reduce the setback requirement at 2401 Central Avenue.

Kim Borer made a motion, seconded by Buzzy Hassrick, to approve the special exemption request for 2401 Central Avenue for Patrick and Pamela Jackson subject to the Special Exemption permit being filed at the County Clerk's office within 10 days. In addition to that, the review criteria have been met. Item A: The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to the nearby properties the addition will actually improve the property. Item B: The special exemption is designed to be compatible with adjacent land uses and the area or neighborhood it continues to be residential area. Item 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; this is a smaller lot and the applicant is maximizing the depth as there is not a lot of width; also that the original property itself extends into the special exemption area further than the request. Item 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 due to the lot size and the special exemption request is less intrusive than the existing dwelling. Item E: Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use, no additional infrastructure will be needed. Item F: The special exemption is consistent with the goals, policies and future land use map of the master plan—again 24th Street is connecting Heights Avenue and no further extension is planned. Vote on the motion was unanimous, motion carried.

#### OLD BUSINESS:

Approved Signs by Staff: Grand Loop Yarns and Fibers on Mountain View Avenue. The Ivy raising freestanding sign up and putting the reader board underneath. 8' long by 44" tall. Overall height of the sign is around 7 ½ feet. Accents Floral on Beck Avenue they are replacing the signs that are already there. Monster Lake has added plywood backing to their sign.

P&Z Board Matters: None

Council Update: None

Staff Items: None

Mark Musser made a motion, seconded by Bob Senitte, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Justin Lundvall adjourned the meeting at 1:07 PM.

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Lynn Stutzman  
Administrative Assistant