

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, August 8, 2017

A meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, August 8, 2017 at 12:00 pm.

Present: Steve Miller, Chairman, Kayl Mitchell, Heidi Rasmussen, Richard Jones, Buzzy Hassrick, Reese Graham, Sandra Kitchen City Deputy Attorney, Todd Stowell, City Planner; Bernie Butler, Administrative Assistant.

Absent: Curt Dansie, Glenn A. Nielsen, Council Liaison

Chairman, Steve Miller called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Buzzy Hassrick made a motion, seconded by Reese Graham, to approve the agenda for August 8, 2017. Vote on the motion was unanimous, motion carried.

Heidi Rasmussen made a motion, seconded by Richard Jones, to approve the minutes for the July 25, 2017 meeting. Vote on the motion was unanimous, motion carried.

A. Todd Stowell presented a Downtown Architectural District sign review, for Yellowstone Out West, located at 1225 Sheridan Avenue.

Richard Jones made a motion, seconded by Buzzy Hassrick to approve the sign for Yellowstone Out West, located at 1225 Sheridan Avenue, contingent on the condition that any rope lighting to be used on the sign must be reviewed and approved by the City Planner.

Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

B. The Public Hearing for a Conditional Use Permit for an Auto Detailing home occupation, located at 1714 32nd Street, began at 12:07.

There were no comments from the public.

The Public Hearing for a Conditional Use Permit, for an Auto Detailing home occupation, located at 1714 32nd Street was closed at 12:08 p.m. with no additional public comments submitted.

C. Todd Stowell presented a Conditional Use Permit, for an Auto Detailing home occupation, located at 1714 32nd Street, within an existing 896-square-foot garage on the property. The property is 0.81 acres in size and within the R-2MH (Medium-Low Density Manufactured Home) zoning district, which

permits large-scale home occupations through the conditional use permit process. The home occupation is within the “large-scale” category due to its size (over 500 sq. ft.) and location in an accessory building. Todd Stowell reviewed the criteria for the supplemental standards for large-scale home occupations and the conditional use criteria. The applicant has met the criteria.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the Conditional Use Permit to allow an Auto Detailing Shop at 1714 32nd Street, subject to ongoing compliance with the home occupation standards and any updates to the electrical receptacles in the building required by the Building Official. Vote on the motion was unanimous, motion carried.

Chairman Steve Miller, reviewed the seven criteria for conditional uses for the Board. Buzzy Hassrick made a motion, seconded by Richard Jones, to accept that all criteria were met by the applicant. Vote on the motion was unanimous, motion carried.

D. Todd Stowell presented the McCue Subdivision, both the preliminary plat and final plat for review. Todd reviewed the City of Cody Subdivision Regulations, and pointed out all the variances to the standards that would be needed. Staff also noted that the requirement in the subdivision code relating to an agreement to annex has been discussed in the last few County subdivisions. Council has waived the requirement in those situations and staff presumes they will do so again here, since there are no city utility services to the property, and the property is not in an identified “annexation area”.

Heidi Rasmussen made a motion, seconded by Richard Jones, to recommend the City Council:

1. Grant the variances noted in the staff report.
2. Approve the preliminary and final plat of the McCue Subdivision subject to the following conditions:

A. Comply with applicable County requirements.

B. Prior to the Mayor signing the final plat:

- i. Provide evidence of separate authorized water connections for both lots from the water provider, or remove any unauthorized connections and note on the plat that no on-site domestic water has been provided to the lot(s);
- ii. Add improvement district language, committing both lots to future participation in any improvement district to construct Reesy Road;
- iii. Expand Note 7 as follows: “In addition to the obligation to share on a per acre pro-rata basis the costs of establishing and maintaining Reesy Road, as set forth in the certain easement document recorded April 9, 1980 in Microfilm Book 49, Page 774, it is ultimately the responsibility of the individual lot owners to maintain their portion of Reesy Road; and,

Either:

- iii. If it is shown that the Reesy Road frontage is owned by the McCues, dedicate the Reesy Road property as public right-of-way (change map and plat language accordingly).

OR,

- iii. If it is shown that the Reesy Road frontage is owned by the original subdividers (Charles Spicer, George & Alta Reesy, or their heirs and assignees), modify the final plat by:
 1. Removing note 2.

2. Removing the Easement Dedication language (don't own Reesy Road).
3. Removing the gross acreage references.

C. Applicant and Surveyor work with the City Staff to place a note on the final plat about water rights (the right to use water).

Vote on the motion was unanimous, motion carried.

P & Z Board Matters – none

Council Updates – none

Staff Items – none

Kayl Mitchell made a motion, seconded by Reese Graham to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairman Miller adjourned the meeting at 12:38 p.m.

Bernie Butler, Administrative Assistant