

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, JULY 10, 2018
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

1. Call to Order by Chairman, Heidi Rasmussen
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the June 21, 2018 regular meeting.
6. NEW BUSINESS:
 - A. Downtown Architectural District Sign Review for Alpine Services LLC, located at 1349 Sheridan Avenue.
 - B. Sign review for the Cody Regional Health Cancer Center, located at 1025 9th Street.
 - C. Public Hearing for the Sign for Budget Blinds and Vision Stone & Tile, located at 1262 "B" Sheridan Avenue.
 - D. Request for 6-foot privacy fence in front yard of 1901 14th Street.
 - E. Public Hearing for request to rezone 1219 and 1220 Sunshine Avenue from R-1 to Limited Business D-1.
 - F. Request to rezone 1219 and 1220 Sunshine Avenue from R-1 to Limited Business D-1.
7. P & Z Board matters (announcements, comments, etc.)
8. Council Update
9. Staff Items
11. Adjourn

The public is invited to attend all Planning, Zoning and Adjustment Board meetings. If you need special accommodations to participate in the meeting, please call the City office at (307) 527-7511 at least 24 hours in advance of the meeting.

City of Cody
Planning, Zoning and Adjustment Board
Thursday, June 21, 2018

A meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Thursday, June 21, 2018 at 12:00 pm.

Present: Heidi Rasmussen, Chairperson; Buzzy Hassrick, Richard Jones, Sandi Fisher, Curt Dansie, Sandra Kitchen, Todd Stowell, City Planner; Glenn Neilson, Council Liaison; Bernie Butler, Administrator Assistant

Absent: Erynne Selk, Kayl Mitchell, Sandra Kitchen, City Deputy Attorney

Chairperson, Heidi Rasmussen, called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Buzzy Hassrick made a motion, seconded by Sandi Fisher, to approve the agenda for June 21, 2018. Vote on the motion was unanimous, motion carried.

Buzzy Hassrick made a motion, seconded by Curt Dansie, to approve the minutes from the June 12, 2018 meeting. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

A. Todd Stowell presented the Downtown Architectural District Sign Review for Rocky Mountain Dance Theatre, located at 1171 Sheridan Avenue.

Richard Jones made a motion seconded by Curt Dansie, to approve the sign for Rocky Mountain Dance Theatre, for a period of three years, for 2-3 months a year (June through July this year, June through August the following years), located at 1171 Sheridan Avenue. Vote on the motion was unanimous, motion approved.

B. Todd Stowell presented a Draft of the Short-term Rental Overlay Zone District and answered questions from the Board.

Buzzy Hassrick made a motion seconded by Sandi Fisher to recommend the Short-Term Rental Overlay District to the City Council for consideration, per the Planning, Zoning, and Adjustment Board Staff Report. Vote was 4-1 as follows: Sandi Fisher, Buzzy Hassrick, Heidi Rasmussen, and Curt Dansie voted in favor, with Richard Jones opposed. Motion passed.

C. Todd Stowell presented a proposal to amend the Accessory Dwelling Unit (ADU) Ordinance, to clarify that ADUs may only be permitted in Planned Unit Developments (PUDs) when allowed by the PUD Plan, and amend the definition of an ADU.

Curt Dansie made a motion seconded by Richard Jones, to recommend the amendments to the Accessory Dwelling Unit Ordinance to the City Council for consideration. Vote on the motion was unanimous, motion approved.

P & Z Board Matters – None

Council Updates – None

Staff Items – None

Sandy Fisher made a motion, seconded by Buzzy Hassrick, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the Board, Chairperson Heidi Rasmussen adjourned the meeting at 12:30 p.m.

Bernie Butler, Administrative Assistant

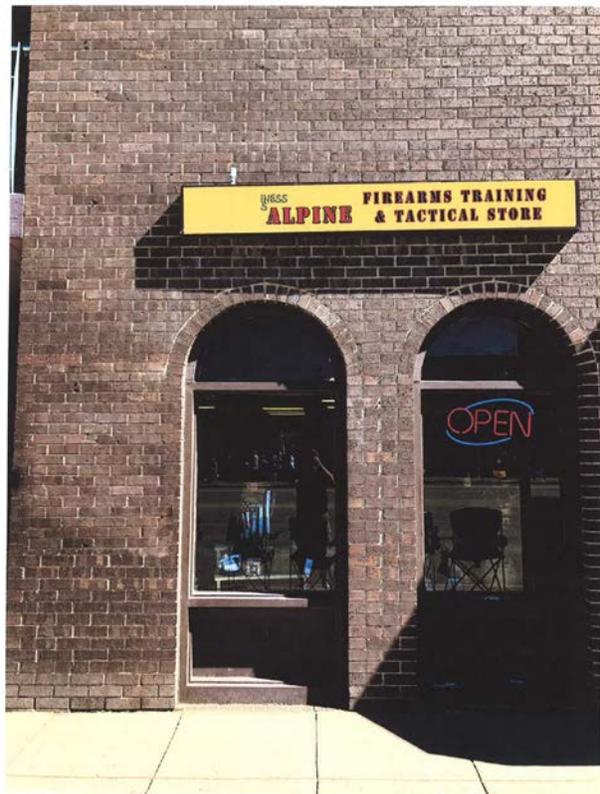
DRAFT

**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	JULY 10, 2018	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	DOWNTOWN ARCHITECTURAL DISTRICT SIGN REVIEW: ALPINE FIREARMS TRAINING & TACTICAL STORE. SGN 2018-16	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Teresa Flesher of Alpine Services, LLC has submitted an application to install two signs on the building at 1349 Sheridan Avenue. The proposed 1-foot by 8-foot wall sign utilizes an existing internally-illuminated sign cabinet on the wall above the storefront windows and is depicted to the right. The second sign measures approximately 30" by 40" and is a wall wrap next to the entrance door.



REVIEW CRITERIA:

The property is within the Downtown Architectural District established by Section 9-2-2 of the Cody City Code. Pursuant to Subsection 9-2-2(B), *"The planning, zoning and adjustment board shall examine and evaluate applications and plans involved in building and sign permits insofar as they pertain to the exterior of commercial buildings within the downtown district as herein described and shall make recommendations and suggestions to the applicants, property owners or occupants."*

The sign must also comply with applicable provisions of the sign code.

STAFF COMMENTS:

The downtown sign district permits 1.5 square feet of wall sign per foot of street frontage. Based on the approximate 20 feet of street frontage that the business occupies in the building, it is entitled to 30 square feet of wall signage. Both signs combine for a total of just over 16 square feet, which is well below the area allowed. However, there is a limit of one sign per business per street frontage, meaning the matter of two signs needs further review.

One option is to require the applicant to apply for a special exemption to allow two signs instead of one. However, if the Board is agreeable, there may be an option for allowing both signs at least on a temporary basis.

Specially, the non-illuminated sign is a vinyl/plastic film wrap attached by to the building. The definition of a banner is, "*A strip of cloth, plastic or similar material with copy and/or graphics produced in a professional manner and intended to be hung or suspended without a rigid enclosing framework, and affixed to a building or railing which is located outdoors. Banners shall be displayed pursuant to section 10-15-9 of this chapter.*" If the plastic film wrap is interpreted to fall within the definition of a banner, it could remain for up to 120 days under the temporary banner provisions. In order for it to remain longer, a special exemption would be needed.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The signs are of professional construction and will not permanently affect any architectural features of the building.

ALTERNATIVES:

Approve or deny the signs, with or without making recommendations and suggestions.

RECOMMENDATIONS:

Approve the illuminated wall sign as proposed and authorize the sign made of plastic film wrap to remain as a temporary banner until the end of October 2018 (120 days).

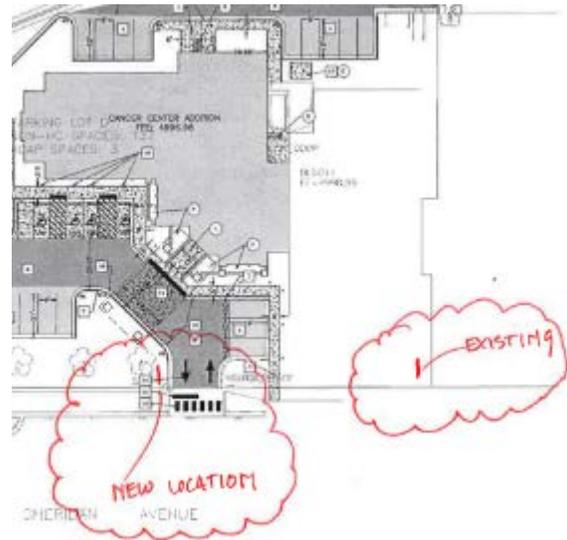
(Note: This does not preclude the applicant from submitting a special exemption application to allow the plastic film wrap sign to remain longer than 120 days.)

**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	DECEMBER 22, 2015	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	CODY REGIONAL HEALTH SIGN AT CANCER CENTER. SGN 2018-17	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

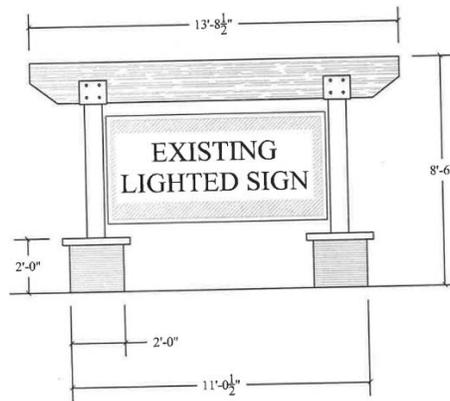
Sletten Construction has submitted a sign application to relocate the existing Cody Regional Health cancer center sign located at 1025 Sheridan Avenue and to mount it in a new monument. The new location is located a few feet behind the sidewalk and just west of the re-designed vehicle entrance. The internally illuminated sign measures four feet by eight feet and it would be mounted in a monument structure measuring 8'6" tall and 13'8" long. The structure is designed to be coordinated with the existing building by using matching materials—steel columns, lumber beam, rock veneer bases.



Existing sign:



Proposed sign and monument structure:



CODY REGIONAL HEALTH - CANCER CENTER
RELOCATED MONUMENT SIGN

REVIEW CRITERIA:

Pursuant to City of Cody Code Section 10-15-9(F):

"The Hospitals and Urgent Care Clinics are unique in nature and require separate signage within the city. There is a need for flexibility for these facilities due to the services these facilities provide. The intent of this section is to have clear and visible signage for the health and safety of the community. Regardless of which zoning district hospitals and urgent care clinics are located, such uses shall be permitted the following signs:

- 1. Emergency and Trauma center signs shall not require a permit.*
- 2. The areas of the facility that face or are next to a residential neighborhood will not be allowed to have illuminated signage. Areas that are facing or within a commercial district will be allowed to have illuminated signage.*
- 3. All signage will be approved through the Planning, Zoning and Adjustment Board."*

The sign table does not set any specific limitations on the number, area (size), height, or length of hospital signs.

STAFF COMMENTS:

Staff provides the following recommended findings:

1. The size of the sign is remaining the same (32 square feet), only the location is being changed. 32 square feet is well within the amount that is typically allowed in the D-2 zoning district, in which the cancer center is located.
2. The proposed signage is of an appropriate scale and content to serve the intent of being clear and visible, as stated in CMC 10-15-9(F).
3. The sign does not face a residential area so it can be internally illuminated as proposed.
4. The sign location is within the property boundaries and sufficiently far from the highway so as to not significantly affect sight distance for vehicles using the driveway (located approximately 14 feet behind curb). The sign location is also outside of any city utility easements.

ALTERNATIVES:

Approve, approve with conditions, or deny the sign request.

RECOMMENDATION:

Approve the relocation and monument for the Cody Regional Health cancer center sign, as proposed.

Notice to Owners of Neighboring Properties:

Please return this letter by July 5, 2018 to:

Date: June 26, 2018

Cody City Planner
P.O. Box 2200
Cody, WY 82414

RE: **SPECIAL EXEMPTION REQUEST**

THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Vison Stone and Tile/ Budget Blinds
Address or Location/Legal Description: 1362 B Sheridan Avenue

Description of Request: Authorization to allow two existing signs to remain as installed. One sign advertises Vision Stone and Tile and the other Budget Blinds. Both signs measure 3 ft. by 6 ft. (18 square feet each, for a total of 36 square feet). Due to the limited street frontage, the businesses would normally be limited to a total of 24.5 square feet.

This request will be considered by City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, July 10, 2018, at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave.

Response Letter from Owners of Neighboring Properties within 140 Feet of Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by Vision Stone and Tile and Budget Blinds for the special exemption described above.

I have NO OBJECTION to the Special Exemption Request.

Name: YATKY BOMMER

Address: 1376 SHERIDAN AVE

Comments: _____

I OBJECT to the Special Exemption Request:

Name: _____

Address: _____

Reason for Objection: _____

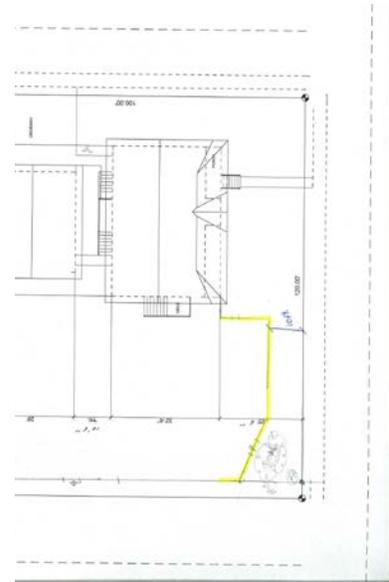
If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	JULY 10, 2018	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	REQUEST FOR 6-FOOT PRIVACY FENCE IN FRONT YARD OF 1901 14 TH STREET	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Margaret Leger of 1901 14th Street would like to install a 6-foot tall vinyl privacy fence. A portion of the proposed fence would be installed in the front yard, which requires an exception to the fence height requirements. The fence would be about ten feet behind the front property line and extend from the existing deck to the alley, where it would then continue along the alley and west property line. The portion within the front setback is shown on the drawing in yellow.



REVIEW PROCEDURE:

Section 9-4-1(E)(2) of the City of Cody Code states that the Planning and Zoning Board may approve a fence taller than that specified (3-foot maximum height for solid fence in

front yard) when the additional height will not have any adverse impacts to neighboring properties or the public health and safety.

The fence would be located outside of any city utility easements. It would also be sufficiently far enough from the intersection of the alley with 14th Street that sight distance is not a concern.

The review process requires the applicant to notify owners of the adjacent lots of the request and allow them up to ten (10) days to provide comments. The notice was sent June 19, 2018. The applicant received a response from the neighbor to the south that they have no concern. The neighbor to the west did not respond.

ALTERNATIVES:

Approve or deny the 6-foot tall fence in the front yard of 1901 14th Street in the location requested.

RECOMMENDATION:

Staff believes that the circumstances are such that the request can be granted to allow the 6-foot fence to be located as proposed.

**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	JULY 10, 2018	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	REQUEST TO REZONE 1219 AND 1220 SUNSHINE AVENUE FROM R-1 TO LIMITED BUSINESS (D-1). FILE: ZON 2018-03	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Thea Marx as owner of 1219 Sunshine Avenue, and 4J Properties as owner of 1220 Sunshine Avenue have submitted an application to rezone the two lots from Single-Family Residential (R-1) to Limited Business (D-1).

1219 Sunshine Avenue is a 25,226 square-foot lot that contains an existing residence. 1220 Sunshine Avenue is a 26,673 square-foot lot that contains an office building and associated improvements.

Existing Conditions:



Existing Zoning:



Neighboring Properties:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Single-family dwelling	Single-family Residential (R-1)
East	Post Office and County Complex	General Business (D-2)
South	Vacant lot	Limited Business (D-1)
West	Single-family dwellings	Single-family Residential (R-1)

Photos of 1219 Sunshine:



Photos of 1220 Sunshine:



Existing Zoning and Planned Uses:

The existing zoning of the property is Single-family Residential (R-1), which allows single-family dwellings, small-scale home occupations (no on-site customers in R-1), parks, and a few other specialized uses (refer to 10-7-2 of the City code). It does not allow office buildings, short-term rental, or retail uses.

The existing office building at 1220 Sunshine Avenue is a legal non-conforming use. It was built in 1981 apparently after a lawsuit regarding the zoning of the property resulted in the judge validating the disputed building permit. Staff interprets that the legal non-conforming use is limited to office/medical use and other uses that are options in the residential zones (such as daycare).

Office buildings are considered permitted uses in the D-1 zoning district but are limited to 5,000 square feet per story. The existing building is 7,764 square feet on the main level so if the rezone to D-1 is granted the building would remain non-conforming as to size, but the use itself would become classified as "permitted". The property at 1220

Sunshine Avenue is effectively built out, with the possible exception of adding parking on the north end of the lot.

The primary difference between the existing non-conforming office building and the D-1 zone is that the D-1 zone allows commercial retail uses. The city does not have any zoning district that is tailored specifically to professional office use.

The owner of 1219 Sunshine Avenue has submitted a letter detailing her plans for use of her property if it is rezoned, which letter is attached. In summary, the house would be used as a short-term rental during the tourist season, a long-term rental outside of that, and after five years the owner would use the house as a combined residence and Naturopathic Medicine clinic. While the owner's intent helps set the framework of the rezone request, a rezone to D-1 would open up the option for any use permitted in D-1, some of which would require review by the Planning and Zoning Board (commercial related) and some of which would not (residential uses, including multi-family). If that is a significant concern, the option of a development agreement to limit uses or provide mandatory buffers could be investigated.

PROCEDURE:

The following section is found in the City of Cody code.

10-5-1: CITY COUNCIL AUTHORITY: The city council may by ordinance at any time, on its own motion or petition, or upon the recommendations by the planning and zoning commission, amend, supplement or change the regulations or districts herein or subsequently established; provided, however, that a public hearing shall first be held in relation thereto, after one publication of notice of the time, place and purpose of such hearing, in an official newspaper, at least fifteen (15) days prior to such hearing.

The public hearing has been advertised to occur with the Planning and Zoning Board, based on the thought that the Board needs public input in order to make a fully informed recommendation. Notice of the public hearing was published in the *Cody Enterprise* on June 21 and sent by certified mail to neighbors within 140 feet (plus R/W) on June 19, 2017.

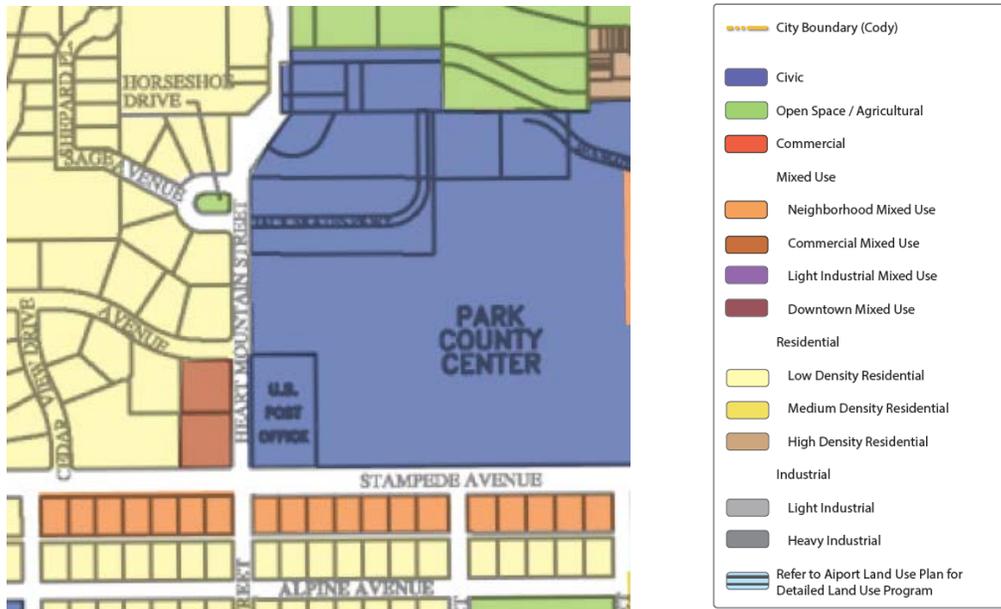
REVIEW CRITERIA:

Rezoning is a legislative action, subject to the full discretion of the governing body. The Cody zoning ordinance does not have specific criteria outlined for granting or denying rezoning requests. For the purpose of providing guidance, staff will refer to the following general standards for zoning that are found in Wyoming state law, Section 15-1-601(d). Please note that the standards are in the context of initially adopting an overall zoning plan for a community, yet they can provide guidance for reviewing site specific proposals as well.

(d) All regulations shall be made:

(i) In accordance with a comprehensive plan and designed to:

Staff Comment: The City adopted a new comprehensive plan in March of 2014. Per the master plan "*The Future Land Use Map...will be the guide for future zoning and development within the City.*" The portion of the Future Land Use Map for this area is below, which shows 1220 Sunshine as Commercial Mixed Use and 1219 Sunshine as Low Density Residential. However, the Master Plan specifically states that, "*the boundaries between land use designation are not rigid and can accommodate reasonable rezone requests that may encroach across boundaries depicted on the map.*"



The City has not yet created a zone that corresponds with the "Commercial Mixed Use" concept of the master plan, yet the concept of commercial/residential mixed-use development is available in the D-1 zoning district.

(A) Lessen congestion in the streets;

Staff Comment: There is no significant problem with traffic congestion at the intersection of Sunshine Avenue and Heart Mountain Street and the rezone is not expected to result in a situation that would create traffic congestion.

(B) Secure safety from fire, panic and other dangers;

Staff Comment: Any new construction or use would need to comply with applicable development codes, which codes are intended to ensure that adequate protections occur so as to secure safety from fire, panic, or other physical dangers.

(C) Promote health and general welfare;

Staff Comment: The zone change would open the opportunity for more jobs, services, and commerce to help meet community needs; thereby contributing to personal and community health and welfare. Whether this can be done without

significant impacts to the health or general welfare of persons in the area needs to be considered. Input from the neighbors and discussion with the applicant is needed in this respect.

(D) Provide adequate light and air;

Staff Comment: This standard is typically related to providing sufficient open space and setbacks. (The language originally developed to address tenement housing conditions of the early 1900's.) Current building codes and zoning setbacks/buffers are intended to meet this requirement.

(E) Prevent the overcrowding of land;

Staff Comment: What constitutes "overcrowding" is subject to personal interpretation. Neither of the current landowners have plans to construct more buildings than currently exist, although there is definitely the potential for such on 1219 Sunshine Avenue, as it is almost as large as 1220 Sunshine Avenue. 1220 Sunshine Avenue is effectively built out, although there is the thought of expanding the parking lot into the grass area at the north end of the lot. If there is the thought of needing to minimize the amount of potential development on 1219 Sunshine Avenue to less than what would normally be allowed in the D-1 zone, the limitations would need to be in the form of a development agreement, or zoning only a portion of the lot.

(F) Avoid undue concentration of population;

Staff Comment: While it has not been proposed, the D-1 zone does allow for multi-family housing, limited only by preserving a 15-foot buffer next to the neighboring residential lots and providing adequate parking. This may be of concern to the owners in the adjacent single-family neighborhood.

(G) Facilitate adequate provisions for transportation, water, sewerage, schools, parks and other public requirements.

Staff Comment: The existing buildings are connected to all typical utilities and the main lines are in the immediate vicinity if upgrades to the service lines are needed. Commercial zoning typically does not increase demand for schools or parks.

(ii) With reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses;

Staff Comment: While the planned uses provide some level of comfort to most of the neighbors, it is necessary to consider what other uses would have a potential to be conducted on the properties under the D-1 zoning. For example, D-1 zoning permits retail uses such as hardware stores, grocery stores, bakeries, and clothing stores. However, it does not permit the more intense retail uses like drive-thrus, restaurants, hotels, auto repair, banks, public entertainment venues, and vehicle sales lots. As noted above, multi-family development would also be a potential use of the properties. The D-1 zone limits hours of operation of business uses to between 6 a.m. and 10 p.m. and limits the size of buildings to 5,000 square feet if one story and 10,000 square feet if two story. While the intent of the D-1 zone is to permit services normally accessory

to a residential area with only moderate interference to the neighborhood, staff is concerned that the standard D-1 requirements combined with the sizes of the lots are inadequate to ensure compatibility with the adjacent single-family residential zone. That is not the applicant's fault, but it is something staff thinks should be addressed.

(iii) With a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city or town; and

Staff Comment: This determination needs the input of the public hearing. At this point, staff has some concern about possible "worst case" scenarios. Yet, there seems to some openness of the neighborhood to allow at least some of the uses identified by the applicants.

(iv) With consideration given to the historic integrity of certain neighborhoods or districts and a view to preserving, rehabilitating and maintaining historic properties and encouraging compatible uses within the neighborhoods or districts, but no regulation made to carry out the purposes of this paragraph is valid to the extent it constitutes an unconstitutional taking without compensation.

Staff Comment: The properties themselves do not contain historic structures, however, the adjacent residential neighborhood could unofficially be considered at or near that status. The discussion really comes down to compatibility. Staff does not necessarily see the rezone as an all or nothing scenario, but whether or not the desires of the applicants can be accommodated while still preserving the character, property values, and quiet nature of the adjoining residential neighborhood.

OTHER:

Significant Changes:

When reviewing rezones, it is beneficial to consider whether there has been a change in circumstances since the property was designated with its current zone. Both properties appear to have been located in a residential zone for the past several decades. Since then the Post Office, the County Complex, and the Rec Center have been constructed across the street. In addition, the city population, as well as well as the demand for services and commercial activity, has more than doubled.

Proximity to Like Zoning:

The subject properties are next to a D-1 zoned property to the south and across Heart Mountain Street from D-2 zoning. The proposed configuration does not have the appearance of a spot zone.

Public Hearing:

Please note that this staff report was prepared without the benefit of the information that will be provided at the public hearing. All public comments need to be considered. Thus far, of the 10 lot owners in the notice area, the city has received three (3) responses of “no objection” and two (2) indicating “objection”. One letter of objection is related to the requested short-term rental of the home at 1219 Sunshine Avenue, and not the use of the home for the intended business. The other letter of objection primarily notes the potential negative affect on adjacent property values. Copies of all responses are attached. The map to the right shows “no objection” as green, “objection” as pink, and no written response as white.



ATTACHMENTS:

Letter from Thea Marx
Public comments.

ALTERNATIVES:

Recommend approval or denial of the requested rezone to the City Council. Approval could be accompanied by a development agreement negotiated with the applicants.

RECOMMENDATION:

The Planning and Zoning Board will need to provide a recommendation to the City Council.

Based on the information provided thus far, staff would recommend a rezone to Limited Business (D-1) only if the applicants are agreeable to a “no development” buffer along the west and north portions of 1219 Sunshine Avenue. No access, parking or buildings related to multi-family or commercial use would be permitted in the buffer area. The thought is that a buffer of 40 feet of this nature would be adequate to protect the adjoining residential properties. The buffer would not only provide separation, but also limit the scale of development on the lot, as it would encumber approximately 40% of the Marx property.

June 27, 2018

City of Cody
City Council
1338 Rumsey Ave.
Cody WY 82414

RE: Sunshine Avenue Zone Change Request

Dear Honorable City Council Members,

My name is Thea Marx. I am a Wyoming native. I have lived and worked in Cody since 1998, fourteen of those years have been at 1219 Sunshine Avenue. I came to Cody as the executive director of the Western Design Conference and discovered a wonderful place to call home. I've raised my daughter in Cody and the town generously welcomed my grandmother as I cared for her the remaining 11 years of her life. It has been my dream to pursue Naturopathic Medicine and return to Wyoming to practice, thus my zone change request.

I have been accepted into medical school and will be leaving Cody temporarily to pursue Naturopathic Medicine at the University of Bridgeport, Bridgeport, CT. I have created a five-year business plan that includes utilizing my current residence as a vacation rental during the high season and a long-term rental outside of those months. The income is crucial to help support my daughter and myself as I take on this new endeavor. I plan on returning to Cody after my graduation and residency. I wish to maintain my home so that I may utilize it as my clinic and residence. My practice will not require additional parking beyond what is currently available.

The property will be managed locally. Management will be thorough with complete lawn care and physical plant maintenance.

A zone change to D-1 will allow me to accomplish both goals: short term rental and a limited business such as operates at 1220 Sunshine Avenue across the street. I have personally spoken with each of my neighbors informing them of my plans and made myself available to answer any questions.

Thank you for your time and consideration of my request to change the zoning on 1219 Sunshine Avenue from R-1 to D-1. Please do not hesitate to contact me should any questions arise at 307-272-8432.

Sincerely,


Thea Marx

Letter to Neighboring Properties within 140 Feet

Please return this letter by: July 5, 2018

Date: June 18, 2018

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Thea Marx (1219 Sunshine Ave.) and 4J Properties (1220 Sunshine Ave.) Phone #: (307) 272-8432

Address/Location & Legal Description: 1219 and 1220 Sunshine Avenue (ADIX ADDITION LOT 6, BLOCK 2 AND LOT 1 BLOCK 3)

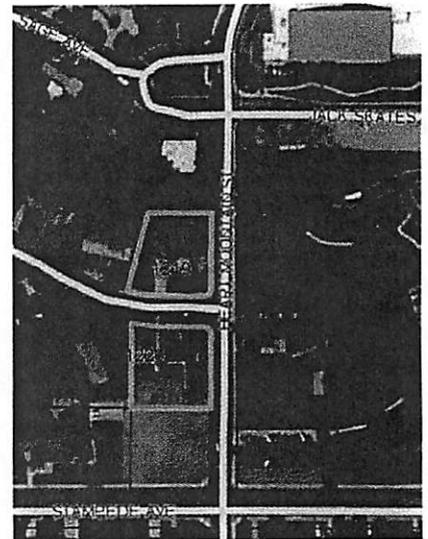
Description of Request: Rezone 1219 and 1220 Sunshine Avenue from Residential (R-1) to Limited Business (D-1). 1220 contains an existing office building. 1219 contains a residence, and the owner is seeking the ability to operate a short-term rental for the near term and eventually an in-home medical clinic (naturopathic).

A Public Hearing will be held before the Planning and Zoning Board at their regularly scheduled meeting on Tuesday, July 10, 2018 at 12:00 p.m. (noon) in the City Hall Council Chambers at 1338 Rumsey Avenue, Cody, WY. The Planning and Zoning Board will make a recommendation to the City Council on the rezone request. The recommendation will be considered at the City Council meeting that evening at 7:00 p.m., in the Council Chambers.

Letter from Neighboring Properties

Dear Board Members:

I am familiar with the proposal by Thea Marx (1219 Sunshine Avenue) and 4J Properties (1220 Sunshine Avenue) to rezone the properties noted to Limited Business (D-1).



I have NO OBJECTION to the zone change.

Name: JEANETTE R. WILSON Address: _____

1301 STAMPEDE AVE., CODY, WY. 82414

Comments: _____

I OBJECT to the zone change:

Name: _____ Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Please return to:

City of Cody
Attention: Community Development Department
PO Box 2200
Cody, WY 82414

Letter to Neighboring Properties within 140 Feet

Please return this letter by: July 5, 2018

Date: June 18, 2018

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Thea Marx (1219 Sunshine Ave.) and 4J Properties (1220 Sunshine Ave.) Phone #: (307) 272-8432

Address/Location & Legal Description: 1219 and 1220 Sunshine Avenue (ADIX ADDITION LOT 6, BLOCK 2 AND LOT 1 BLOCK 3)

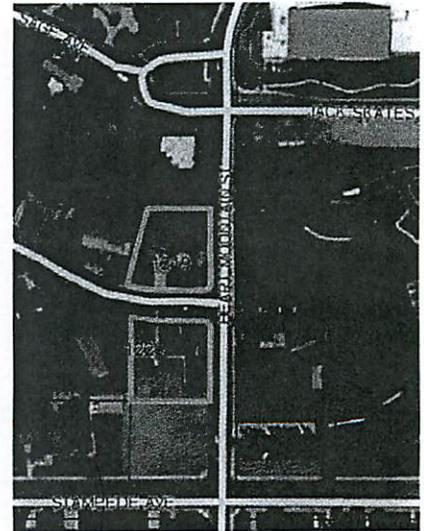
Description of Request: Rezone 1219 and 1220 Sunshine Avenue from Residential (R-1) to Limited Business (D-1). 1220 contains an existing office building. 1219 contains a residence, and the owner is seeking the ability to operate a short-term rental for the near term and eventually an in-home medical clinic (naturopathic).

A Public Hearing will be held before the Planning and Zoning Board at their regularly scheduled meeting on Tuesday, July 10, 2018 at 12:00 p.m. (noon) in the City Hall Council Chambers at 1338 Rumsey Avenue, Cody, WY. The Planning and Zoning Board will make a recommendation to the City Council on the rezone request. The recommendation will be considered at the City Council meeting that evening at 7:00 p.m., in the Council Chambers.

Letter from Neighboring Properties

Dear Board Members:

I am familiar with the proposal by Thea Marx (1219 Sunshine Avenue) and 4J Properties (1220 Sunshine Avenue) to rezone the properties noted to Limited Business (D-1).



I have **NO OBJECTION** to the zone change.

Name: YATKY BOHNER Address: _____

Comments: _____

I **OBJECT** to the zone change:

Name: _____ Address: _____

Reason for Objection: _____

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: _____

Please return to:

City of Cody
Attention: Community Development Department
PO Box 2200
Cody, WY 82414

Letter to Neighboring Properties within 140 Feet

Please return this letter by: July 5, 2018

Date: June 18, 2018

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Thea Marx (1219 Sunshine Ave.) and 4J Properties (1220 Sunshine Ave.) Phone #: (307) 272-8432
Address/Location & Legal Description: 1219 and 1220 Sunshine Avenue (ADIX ADDITION LOT 6, BLOCK 2 AND LOT 1 BLOCK 3)

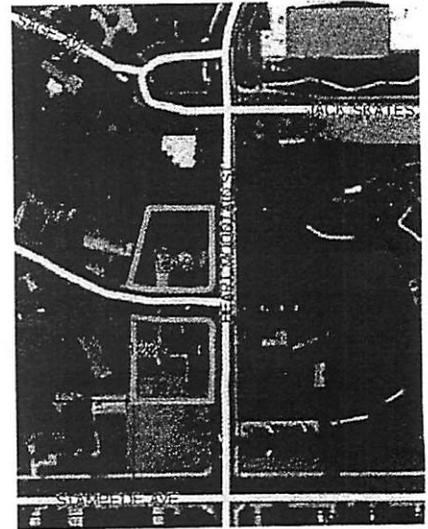
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I have NO OBJECTION to the zone change.

Name: Carolyn W. Sharp Address: _____

1308 Hoesehoe Dr Cody

Comments: _____

I OBJECT to the zone change:

Name: _____ Address: _____

Reason for Objection: _____

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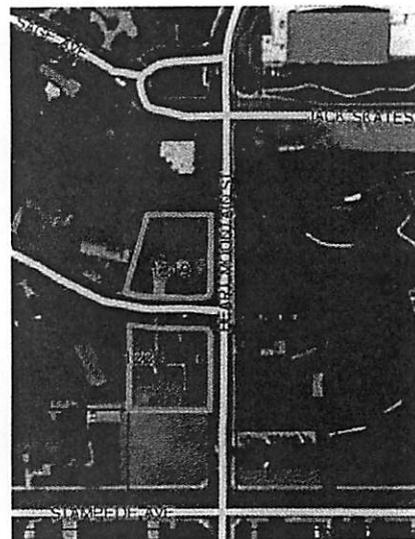
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I have NO OBJECTION to the zone change.

Name: _____ Address: _____

Comments: _____

I OBJECT to the zone change:

Name: Goldy M. Dawson Address: 1244 Sunshine Ave.

Reason for Objection: I have given the situation a lot of thought- six years is a long time & the Thea Marx might change her mind about coming back to Cody

Changing the zoning from residential to limited business will negatively affect the value of my property & the entire neighborhood-

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: dawsono.g@gmail.com

Please return to:

City of Cody
Attention: Community Development Department
PO Box 2200
Cody, WY 82414

Letter to Neighboring Properties within 140 Feet

Please return this letter by: July 5, 2018

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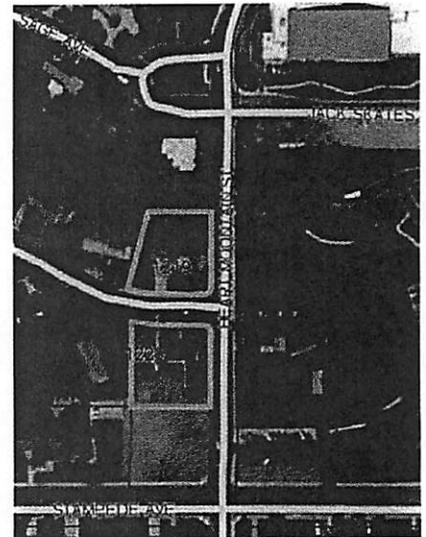
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I have NO OBJECTION to the zone change.

Name: _____ Address: _____

Comments: _____

I OBJECT to the zone change:

Name: Chris Taggart Address: 1202 Sunshine

Reason for Objection: _____

If thea wants to have long term renters Don Fine, I'm even good to have her home business there. I just dont want our area to become short term Air B+B etc.

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: ctaggart@taggartcompany.com

Please return to:

City of Cody
Attention: Community Development Department
PO Box 2200
Cody, WY 82414