

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD

Minutes of the Regular Meeting Held November 8, 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; 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; Rick Brasher;

ABSENT: None

Bud McDonald made a motion seconded by Justin Lundvall to approve the minutes of the October 25, 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 John and Jamie Parsons at 1613 Cedar View Drive. The applicant is requesting an exemption from the front setbacks to construct an attached two car garage.

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

After calling for public comment three times and hearing none, Chairman Greg Gaspers closed the public hearing at 12:03 p.m.

PRESENTATION OF COMMUNICATIONS:

A. As the board finds the following requirements of Section 10-14-2C(2):

- a. As there were minimal 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 as it is already under construction;
- 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;

Jacob Ivanoff made a motion seconded by Bud McDonald to approve of the special exemption from the setback requirements for property located at 1613 Cedar View Drive 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 Jacob Ivanoff to recommend to Council approval of the Preliminary and Final Plat of the Blackburn PUD with the following conditions:

1. A waiver of the requirement for Alleys.
2. A waiver of the Sidewalk Requirement.
3. Receipt and approval by staff and the City Attorney of By-laws for the Home Owners/Subdivision Lot Owners Association. The by-laws need to spell out how the maintenance of the curb and gutter and landscaping for the boulevard/island will be handled, how the costs will be attributed to the various lots, how monies will be put aside for the various impending costs, how the operation and maintenance of the irrigation system will be handled and how costs will be allocated, etc.
4. Approval by staff and the City Attorney of the Covenants for the Subdivision.
5. The applicant will be required to pay all tap and hook-on fees prior to the signing of the final plat.
6. Receipt of a Signed and Sealed set of both the Preliminary and Final Plat.

Vote on the motion was unanimous, motion carried.

C. P&Z Board Matters:

1. Bud McDonald referenced the recent interviews of three good candidates for City Planner. Steve Payne stated that two of the candidates will be reviewed further and a recommendation for hiring is expected by next week.
2. The off-street parking requirements were addressed by the committee last week. Generally, the changes proposed will be less restrictive in a number of areas. There may also be a proposal to expand the downtown area that does not require off street parking to an additional half block to the north and south, plus the north side of Rumsey Avenue and south side of Beck Avenue. There was additional discussion regarding a possible monetary payment of a certain percentage of off street parking that the council could use to augment additional off street parking.

D. Council Update: Steve Miller thanked all of those involved with the City Planner candidate interviews yesterday.

The meeting was adjourned at 12:32 PM.

Respectfully submitted,

Jolene Y. Osborne
Engineering Administrative Assistant