



Town of Alpine Planning & Zoning Commission MINUTES

DATE: February 8, 2005

Attending: Board members: Dave Gustafson, Scott Reed, Don Sherman and Paula Stevens. Contractor: Rex Doornbos, Property owner: Peter Karns and Town clerk.

-
- 1 - CALL TO ORDER at 7:06pm
 - 2 - ROLL CALL & ESTABLISH a QUORUM
 - 3 - P&Z MINUTES January 11th & January 25th, 2005 (*still waiting on feedback to finish minutes, Dave advised members to please submit your info asap so can finish minutes in time to mail to you for approval in next P&Z meeting*)
 - 4 - COUNCIL MINUTES: February 1st, 2005 (Tabled)
 - 5 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- Marlowe Scherbel to discuss plat/land for twinhome vs. duplex issue in below Permits #C-10-04 & #C-11-04- table until Marlow arrives...
- Commercial Building Permit Unit A #C-10-04 & Unit B #C-11-04 - (permits were approved in last meeting)RE-REVIEW- Western Land & Homes, LLC, Owner Jeff Dupont is received a commercial building permit for a two Unit building last P&Z meeting. He is listing it as a duplex, but the design is like a twinhome. There were reasons regarding the size of property that it was non-conforming. *See Clerk's letter regarding twinhome zoning. Rex advised the Commission that the plat to these units is actually .3904 acre of land which leaves 14 sq. ft. under the minimum property standards for a duplex. Marlowe Scherbel will address the twin home issue when he arrives. **Table for later in meeting when Marlowe arrives...**
- **TABLED - Commercial Building Permit C-06-04 -** Peter Karns is requesting a commercial building permit. He is building a business next door to Town office building. Neighboring property owner, Jeff Dupont is building same building. Lyal and Joe both approved their inspections. *Meeting held 2/2/05 with all property owners to go over CC&R's, P&Z punchlist and any items required before attending this meeting. Paula Stevens attended on behalf of P&Z.* Peter Karns requests a commercial building permit for a new business complex next to the Town Hall. Neighboring property owner, Jeff Dupont, is also seeking the same building adjacent to Karns. These two business buildings would complete the RVM Office Complex which the Town Hall is a part of currently. Lyal Radford and Joe Sender have approved their inspections of both properties. *A meeting was held 2/2/05 with all property owners to go over CC&R's, the P&Z's punch list, and any other items requiring attention. Paula Stevens, on behalf of the P&Z Commission, attended this meeting in Jackson.* The Commission reviewed the building packet and Paula Stevens updated the Commission on the meeting in Jackson with the owners and the Mayor. The CC&R's to the business complex for all three owners (the Town of Alpine, Peter Karns, and Jeff Dupont) cover areas such as snow removal. The Business Park owners are to make changes to the site plan according to the January 28th, 2005 punch list; items to be included will be parking, garbage enclosure location, landscaping and screening. The Chairman inquired if the information has been received or not to which Mr. Dournbos advised he had the screening and garbage enclosure information. The site plan needs to be revised to show all items. Dave Gustafson advised all items discussed at the business owners meeting should be reflected on the site plan. Don Sherman suggested the handicap parking and ramp is included on the site plan. He also suggested they check on insurance rates for having a sprinkler system installed in the building as they are 1-ft short of needing a sprinkler system; he feels the installation of a sprinkler system might be beneficial but realizes it is required. Paula Stevens inquired whether a sprinkler system would be needed if a fire wall is installed between each unit. Dave Gustafson reiterated that through the variance process the wrap-around deck was approved and needs to be reflected on the drawings. The parking is dependent upon what businesses are placed into the two new buildings. Mr. Gustafson inquired how the parking requirements will be implemented and tracked for compliance. **All punchlist information was not received therefore Rex Doornbos was advised to return when he had all the punchlist information completed.**
- **TABLED- Commercial Building Permit C-07-04 (same as C-06-04) -** Jeff Dupont is requesting a commercial building permit. He is building a business next door to Town office building. Neighboring property owner, Peter Karns is building same building. Lyal and Joe both approved their inspections. *Meeting held 2/2/05 with all property owners to go over*

CC&R's, P&Z punchlist and any items required before attending this meeting. Paula Stevens attended on behalf of P&Z. All punchlist information was not received therefore Rex Doornbos was advised to return when he had all the punchlist information completed.

6 - UNFINISHED/ONGOING BUSINESS:

- **P&Z ATTENDING COUNCIL MEETINGS:**
1) March 1st - 2) March 22nd -
- **ON HOLD for legal research- Steve Dicenso - residential built inside a commercial building without a building permit issue** - This issue has been discussed in prior P&Z meetings. Steve wanted to address the commission on wanting to know how they would like him to proceed. *Reference* building permits: C-04-01 & C-03-03 regarding Lot# 6 Kilroy Subdivision Storage Units originally owned by Marc Elkins. Steve Dicenso is listed on all inspection sheets as contractor on second phase by our inspector Lyal. He is now the owner. Discussion on options for action, review of Mr. Dicenso's meeting with members, zoning, similar cases in Teton County, etc. Paula will draft a letter after attorney's review. *This issue was given to Town Attorney for review.*

7 - ADJOURN MEETING- *Paula Stevens motioned to temporarily adjourn the meeting at 8:06pm until Marlowe Scherbel arrives, Don Sherman seconded. All in favor.*

RECONVENE MEETING at 8:10pm-

- **Marlowe Scherbel to discuss plat/land for twinhome vs. duplex issue in below Permits #C-10-04 & #C-11-04 Commercial Building Permit Unit A #C-10-04 & Unit B #C-11-04 - RE-REVIEW-** Marlowe advised he was at meeting on behalf of Rex Doornbos, Peter Karns and Jeff Dupont. He thanked commission for waiting and apologized for being late. In Lot #29 in Phase II of Greys River, he explained that someone had rounded off the acreage, creating a shortage of lot size. When calculating correctly it actually is over the 17,000 sq. ft. by about 14 ft. He wanted to have a discussion on twinhomes, townhomes, and condominiums to make sure that the Town and he were on the same page. Marlowe continued, he said when talking construction, there is architectural styles, such as townhomes, with upstairs living, downstairs kitchen area, etc. There are other ways of constructing that still would be a townhome. The differences he sees are, starting with a lot division basically you have to have a big enough lot, two lots, so you can have single family residents and setbacks. In an R-2 zone, it means you can have two units. You can accomplish two units by a condominium, which you maybe more familiar with. Behind Gunnars there is the Palisades Heights Townhomes. There is six units, three buildings, with separate driveways. That one was platted, it is a townhouse style construction, but it was platted a condominium. Condominium you are selling air space. Basically the plat of a condominium is three dimensional, because you have to show plan view, and elevation because you are selling air space. On condominiums you'll see this in the big, larger communities; you can have multi levels like apartments. Apartment buildings can become condominiums because you sell air space and they are stacked on each other. So condominium is air space that you buy and platted as such. They also have common areas. In this particular instance all of the lawns around it are common. You can also have common elements or limited common elements. A limited common element is something that in the declaration, a legal document, a unit gets a limit, like a porch, which is a limited common element because only that unit gets to use that porch, not everybody. But the yards, or swimming pool or tennis court might be general common, which everyone uses. In a general common, you have common ownership, that's why it's called common area. So you own the airspace and you have a percentage of ownership. With a condominium you only have two units that meets your R-2 codes.

A townhouse method of division actually was developed out of the condominium statute and out of subdivision statute. A townhouse you are not selling air space, you are selling title to land, but it's only the land underneath the footprint of the building. In a townhome division you can have general and limited common elements again. Where you own an interests in tennis courts and other things. So again it can be two units, you can call it a townhouse, and the dividing line would then be probably...in Jackson they require an airspace, two firewalls, but here you don't have those kinds of requirements but it's the same concept. So with a townhouse each townhouse has a line going through, each owner owns their units completely, they own the dirt underneath their unit, and they have title to that.

Marlowe continued that the next one that has occurred in Town, a twinhome, basically, again you have to have the 17,000 sq.ft. in this Town. So it has two units, it has a common wall like the townhouse he was talking about, not sharing a wall, so you have that complication, so should have something that says you have to have firewalls. Such in the case if one wall burns down who takes care of it. That is basically a lot division with a zero lot line in between. So you have two units that share a common wall in a sense. But they own all the land on their side of the line. There are no common elements in a twinhome. They own their unit, but they are attached together. The other thing that comes in is the duplex.

AFTER MEETING REVIEWS-

ENFORCEMENT-

- **Jim Blittersdorf permit # RE-01-03 Deck Enclosure on side-** Final inspection was done, no Certificate of Occupancy was given at that time as Lyal had several notes. Top floor is not finished. ***A letter was to be created advising Mr. Blittersdorf that a C.O. was not given due to notes from Lyal.***
- **Jim Blittersdorf permit # RE-03-04 Roof Structure-** No electrical issue. Fire Marshall's electrical review still waiting for a copy of this approval. Letter sent to Jim Blittersdorf. ***Jim responded to letter with options on how to handle issue. Feb 22nd***

Items given to P&Z during tonight's meeting:

- 2/1/05 Council minutes
- Clerk's letter re twinhome zoning

Dave Gustafson, Chairman

Date

Attest:

P&Z Secretary

Date