



Town of Alpine
Board of Adjustment & Planning & Zoning Commission
MINUTES

DATE: **June 14, 2005**

Attending: Board members: Dave Gustafson, Scott Reed, Don Sherman and Paula Stevens. Town Treasurer: Brenda Bennett. Business/Property Owners: Bryan Pack, Mark Stilson, Lori Isenhardt, Nils Johnson, Jeff Dupont, Jim Sandner, and Joan Reed. Surveyors Karl Scherbel and Marlowe Scherbel. Thomas Brown, Michael Bean. BofA/P&Z secretary.

Board of Adjustment MINUTES

- 1 - **CALL TO ORDER** at 7:02pm
- 2 - **ROLL CALL & ESTABLISHED a QUORUM**
- 3 - **TONIGHT'S APPOINTMENTS:**

- **VARIANCE- V-01-05- RVM Office Complex screening/fencing (continued from last meeting)** - Problems with the Silverstar and Lower Valley Energy's easements, lines too close to where fencing would have to be installed. The property owners association is requesting a variance to not install this fencing. There is no room for it and is a possible hazard to drivers coming around the corners of these lots if 6 foot fencing was installed. Jeff Dupont got locates from both utilities.

Jeff Dupont reviewed the reason for variance. Brenda, Town Treasurer, advised Board she spoke with both Lower Valley Energy, Silverstar Communications and Town of Alpine Maintenance/Water Dept. Director, Val Jensen. Silverstar and Lower Valley both said no to screening as we need to be back a certain footage from the electric green box, there will be snow coming off roof knocking down a fence, not enough room for Fire Dept. and exiting of building in an emergency situation. The water and sewer lines are right in area of proposed fencing. Brenda expressed that it obviously was then a waste of money as it was simply not feasible. Don asked if building had a zero setback. Brenda answered yes. Paula advised all three standards are met. **Paula Stevens motioned to approve V-01-05 for discussion as all WY State Statutes had been met, Scott Reed seconded. Votes: Dave Gustafson-approve, Scott Reed- approve, Don Sherman- approve, Paula Stevens - approve. All in favor.**

- **VARIANCE- V-02-05 Jim Sandner Sign size - Tabled for onsite review-** Jim is requesting variance for his setback and additional height needed for his signage at his office complex. Jim showed a drawing of proposed sign. He is requesting a 24ft. height as he is contemplating a Clock Tower. There will be a potential of nine businesses in the building therefore they all would need signage. Board and Jim discussed measurements and setback issues. Don read Part B of W.S.S. and asked Jim if he was deprived of using. Jim answered yes, if each business cannot put up signage how would anyone know they are there. Jim said he could work with Board to decide on possibly different sign sizes. If he cannot get 24ft. height, he cannot do the clock tower. Scott advised if Jim is not able to go upwards, he would have to go outwards and that would not be appealing. Jim added that putting signs on the building would detract from the building. He asked to negotiate with Board and figure out a solution. Don stated that it was a gorgeous building. Most agreed putting signs on building would take away from the look of the building. Paula said she had a problem with this as Jim was not asking for a small variance. Don asked if there was a way to have a visual onsite of the height and area to place sign. Paula agreed with Don to have a visual such as placing some poles up to see the possible impact. Scott said Jim has the right to put a 15-20ft. sign. Jim said that would wipe out the view. Paula said they wanted to review more to help make this work. Board and Jim agreed for an onsite meeting where Jim will provide a visual to make it easier for Board to see possible impact or get ideas for options. **Tabled. Review and inspection of site for height and setback variance with Jim Sandner on Thursday, June 16th, 7pm at Northstar office building.**

4 - **ADJOURN MEETING-** *Don Sherman motioned to adjourn Board of Adjustment meeting, Scott Reed seconded, All in favor.*

- Joan Reed discussed her original Greys River Square sign that was blown down in a winter storm. She is not able to put it back up due to the sign square footage calculation in the code. Her tenant, Alpine Variety, has taken 64 sq.ft. of allowed signage leaving limited sign space for the entire building. She was advised she could apply for a variance but would have to meet the WY State Statutes that the Board must follow for variance reviews. Joan expressed frustration with this old code and agreed with Jim Sandner that the codes are outdated and with the growth in the Town, items such as allowed signage

must change. Paula stated that the problem Joan is facing is due to allowance of the Alpine Variety sign's size, which in turn limits Joan's sign. That they may want to rethink the signage on that building. Joan said she could not do that to Thomas, Alpine Variety, as they have a need to be visible and she did agree to the signs already. The secretary added that several new businesses coming in have multiple leased areas or many businesses within one building, such as the Riverview Meadows Office Complex area, Northstar Construction's building, Grey's River Square, etc. These buildings will need multiple signage and people have expressed the necessity for certain changes in the outdated codes. Joan advised that the building originally had offices and the main area is the side, with the most square footage. Secretary advised Joan she also can speak with her Council to state her needs and requests as a business owner in the town.

Planning & Zoning Commission MINUTES

1 - **CALL TO ORDER** at 7:55pm

2 - **ROLL CALL & ESTABLISHED a QUORUM**

3 - **P&Z MINUTES** April 12th and April 26th, 2005 *Don Sherman motioned to approve April 12th P&Z minutes, Paula Stevens seconded. All in favor. Don Sherman motioned to approve April 26th P&Z minutes, Scott Reed seconded. All in favor.*

4 - **COUNCIL MINUTES:** May 17th, 2005 *Don Sherman motioned to approve May 17th Council minutes, Paula Stevens seconded. All in favor.*

5 - **TONIGHT'S APPOINTMENTS/ NEW BUSINESS:**

- **ANNOUNCEMENT: Lincoln Cty Commissioners Public Meeting:** Thursday, June 23rd, 7pm at the Alpine Town Hall.
- **ANNOUNCEMENT: BUDGET READINGS:** June 14, 6:30pm; June 21, 7:00pm and June 23, 6:30pm
- **Sign permit #S-02-05 Jim Sandner Sign - Hold for variance decision.**
- **Fence permit #F-01-05 Mark Stilson** - Mark is requesting a fence permit. Joe approved pins. *Don Sherman motioned to approve #F-01-05, Paula Stevens seconded. All in favor.*
- **Residential permit #R1-01-05 Bryan Pack** - Bryan is requesting a residential permit for a house. Lyal approved with notes, Joe approved setbacks, septic. Paula asked if there was fencing proposed at this time for the property. Bryan said no. *Paula Stevens motioned to approve #R1-01-05, Scott Reed seconded, Dave Gustafson in favor. Don Sherman abstained.*
- **Residential permit #R1-03-05 - Catherine Peet/Pat Milligan Portable Shed/foundation slab** - Catherine and Patrick are requesting permit to build foundation to move shed onto it. They received a variance on October 12th, 2004 to move shed onto property. Only conditions were: verify 100lb. snowload of roof and \$1,920.00 performance bond needed. RVM HOA approval. Performance bond received. 100lbs. snowload proof given in the shed's brochure information. Don asked about steel in the foundation. A discussion began regarding the setup of the foundation/cement. *Don Sherman motioned to approve #R1-03-05 with the stipulation of installation of hold down bolts in cement and Lyal, building inspector to review plan and do final inspection after foundation is set, Paula Stevens seconded. All in favor.*
- **Fence permit #F-06-05 Lori Isenhardt** - Lori is requesting a fence permit. Joe approved property pins. Lori explained the different fences and reasons for necessary privacy as the homes are extremely close in certain areas. This privacy would benefit the neighbor too. Paula asked about the snowplowing and snow removal on Mountain Drive, as she understood it to be a issue. Paula asked how far back would the front fence be so it would not be damaged. Nils advised about 6 feet back off roadway and added that in that area they blow the snow, so there is no pushing of snow. Dave Gustafson submitted a letter on this fence issue as he is Lori's neighbor. Secretary read letter which will be included with these minutes for record. Paula asked if there was an issue that Lori wanted a privacy fence in the one area and post and rail was in the rest. Lori explained how close the neighbor's house was and she would really like some privacy. Don said they have the right to build within the codes. The height requirement was read from the code. *Scott Reed motioned to approve #F-06-05, Paula Stevens seconded, Don Sherman in favor, Dave Gustafson abstained.*
- **Replat Advisement for Lot#29 GRVIL#2 -Western Land & Homes, LLC** - Surveyor Scherbel is advising Town P&Z of replat of the duplex property to a lot split on lot #29, GRVIL#2 subdivision for owner Jeff Dupont of Western Land & Homes, LLC to make it a twinhome. Reference: Commercial building permit #C-02-05. Karl advised the Commission of the new plat and explained what they were proposing with the plat maps. He also said it was a R-2 zone. There was some discussion on what the area really is zoned as no one knew if the Council ever made if a PUD by the required process or is it still in a R-1 or R-2 zoning. Commission said that was an issue that must be brought up at Council before this plat could be considered. The plat does not follow the Town's codes and Karl advised that the Town had already set a precedent for allowing twinhomes in certain areas of the Town already so they were simply following the precedent the Town had already put into place. Marlowe arrived at the end of the discussion and requested to know the reasons for denial. Paula advised it is the same issue as before, as discussed in a prior meeting. Marlowe said the Council approved this type of situation before. Don said they cannot recommend because it has a zero lot line which does not meet the R-2 Town Codes. They are simply following the Town's codes and that is how they have to base their decision. Dave added that they do not follow precedents,

they follow the codes. Paula said it's a recommendation, Council can go by the precedent, but the Commission has to follow the codes. Marlowe expressed frustration that still there are no rules/codes as for townhomes, condominiums, duplexes, etc. Discussion turned to the codes being outdated and in need of much repair. Marlowe expressed frustration in working with these codes and asking why they have not been updated. ***Paula Stevens motioned to recommend denial of the replat based on Town of Alpine Codes and enforcement of those codes, Don Sherman seconded. All in favor to recommend denial of replat.***

- ***Alpine Meadows new subdivision information*** - No review is being done by P&Z prior to Council as what is the normal procedure. Attorney advised Town Clerk they did not need to go to P&Z, since P&Z cannot make a decision. Clerk did advise the attorney that that is our normal procedure. That procedure allows P&Z to review planning issues that could affect the Town and then advises Council.

Commission members were surprised and bewildered as to why Alpine Meadows replat was being allowed to bypass P&Z and the procedure set in place of P&Z reviewing all plat, replats, rezones, etc. Paula advised she would attend the Council meeting and requested secretary fax her the PUD ordinance for review. ***Council will make a decision to approve this plat at their June 21st meeting.***

6 - UNFINISHED/ONGOING BUSINESS:

- **P&Z ATTENDING COUNCIL MEETINGS:**
1) June 21st - Paula Stevens 2) July 5th - Scott Reed

7 - ADJOURN MEETING- *Don Sherman motioned to adjourn meeting, Paula Stevens seconded. All in favor. Meeting adjourned at 9:30pm*

AFTER MEETING REVIEWS-

DISCUSSIONS/WORKSHOP-

- ***111-Ordinance 2005-01 Emergency Ordinances*** - Atty. Carter Wilkinson has given these emergency ordinance drafts for you to review so it can continue to Council for approval. ***Paula said that she had advised Carter weeks ago and will get her notes and advise the commission of her conversation with attorney.***
- ***Donn Wooden letter*** - Discussion on a response to Mr. Wooden's letter which was mailed to P&Z members.
- ***Zoning map*** - Please see letter from Tracy, clerk. The zoning map needs to be updated. Steve Fusco originally began updating this so you may want to speak with him. ***Commission advised Town needs a planner.***
- ***Variance fees*** - Discussion on a fee schedule for variance request applications. There have been numerous variance requests in the past year. There are no fees for requesting a variance; therefore there are no monies to cover the office staff labor or the Board of Adjustment's time. Other towns, counties, cities, etc. do charge a fee for the variance process/permit request. ***Paula will review.***
- ***Building Permit Fees*** - (Earlier discussed w/Council) Need a new schedule of fees to present to Council to get approval. ***Paula requested copy of existing Fee Schedule, secretary to email. Paula will review and make draft for new fees.***

ENFORCEMENT-

- ***Bull Moose Saloon- Remodel Bldg. Permit #RE-03-04 re: non-permitted lights-*** A letter now requesting proof from the insurance company re: requirements was mailed April 2005. No reply.
- ***Alpine Variety signage*** - Discussion on amount of signs and original sign permit requested all smaller signs be put inside the window. These are still on the outside adding to the allowed sq.ft.

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

- Alpine Meadows new subdivision map
- Letter from Town clerk re Zoning
- Copy of existing Zoning Map
- Budget Hearings schedule

Items mailed to P&Z before meeting:

- May 17th Council meeting minutes
- Legal notice for Jim Sandner variance
- Legal notice for division of lot for Western Land & Homes, LLC
- Draft ordinance 111 No. 2005-01 on P&Z permits and enforcement
- Existing Section 108 Code re enforcement
- Advisement of Lincoln Cty. Commissioners meeting in Alpine
- Flyer on CDBG Grant public hearing
- Alpine Meadows new subdivision information

Dave Gustafson, Chairman

Date

Attest:

BofA/P&Z secretary

Date