



## Town of Alpine Planning & Zoning Commission MINUTES

DATE: April 13, 2004

**Attending:** Mayor David Lloyd, Board members: Billy Esperson, Steve Fusco, Dave Gustafson, Scott Reed and Don Sherman. Planner Paula Stevens. Homeowner: Kevin Stringham; Business owners: Jim Blittersdorf & Juline Christofferson, and Donn Wooden. Mike Stevens and Town secretary.

- 1 - CALL TO ORDER at 7:07pm
- 2 - ROLL CALL & ESTABLISHED A QUORUM
- 3 - P&Z MINUTES: March 9th *Scott Reed motioned to approve March 9<sup>th</sup> P&Z Minutes, Steve Fusco seconded, Motion carried.* and March 23rd *Don Sherman motioned to approve March 23<sup>rd</sup> P&Z Minutes, Billy Esperson seconded, Motion carried.*
- 4 - COUNCIL MINUTES: March 16<sup>th</sup> *Steve Fusco motioned to approve March 16<sup>th</sup> Council Minutes, Scott Reed seconded, Motion carried* and April 6<sup>th</sup> *(Tabled.)*

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

- *New P&Z member, Paula Stevens* - P&Z welcomed Paula, who will be participating in the discussions but cannot vote until a 6-member ordinance is passed. Council has approved Paula's joining, simply an ordinance needs to be passed first. Mayor Dave stated a resolution should be done instead as it is quicker, even though he was aware that the Town Clerk requested not to do anymore resolutions. He felt that the resolution could be changed into an Ordinance at a later date when P&Z did their other ordinances. *Billy Esperson motioned to approve resolution for 6 member board, Dave Gustafson seconded, Motion carried.*
- *#V-02-04 Kevin Stringham - Variance Request for deck.* Kevin wants to put his deck 1 ft. from property line, in his setback. His neighbor is his stepdad and approves the deck being built into the setback. He had a letter from his stepdad stating so. There are portions on the eastside and back that will be covered. The east side is the area P&Z members had a problem with as it is 1 foot from the property line, well into the setback. One of the concerns was regarding snow sliding into the neighboring property in the winter. Discussion switched to the pitch of the roof and description of the deck area. Don asked how long the stepfather lived on that property. Kevin answered that he had been there since 1951. Don said he had concerns if there was a sale of the property next to Kevin, with a deck on the property line, to grant a variance like that was difficult to do. Dave said if it was an open deck, that would be one issue, if property ever changed hands, that's the problem. Paula asked if Kevin could not build as he'd like to and have to adhere to the Town's codes would the deck then become, essentially a walkway, reducing the functionality to Kevin. Kevin agreed that would be the case. He said even if he did a 10ft. deck, the pitch would be so steep, leaving 5ft. to his property line. Billy said if he didn't have the covered deck on the side and just have it on the back then Kevin could conform to the Town's rules. He could have a shed roof only over the french doors instead of the entire deck on the east side covered.

Dave said he didn't think he could recommend this, and if Kevin could come up with some other options P&Z could look at that. Billy added Kevin needs to conform closer to make it happen. Kevin then asked what are his options? Why is he restricted? What else can he do since the P&Z will not let him do as he wants? Steve then said that he'd be more inclined to go with the variance if it was without a roof structure, because then we set a precedent. Steve offered, for example, people will want to build their garages one foot from their property line. Kevin agreed and understood then what P&Z was trying to explain to him with their concerns.

Kevin then offered up using a retractable awning. Discussion began and Steve found on pg. 136, Section 501. General Provisions, G. Yard, Lot & Area Requirements, #3, Projections over Required Yards, that states it has to be 10 ft. from property line: meaning Kevin would still need a variance for the awning.

Billy advised redesigning to come closer to the Town's codes, and get a brochure for the awning to take to Council. This way

he said Council can see what he wants to do in regards to an awning. Donn Wooden asked if you'd really need a permit for an awning. Steve said with this request yes as it needs a variance. Don Sherman said Lyal has to check the roof structure, so snowload is okay on the covered porch area. Secretary verified that that would mean a building permit with one inspection on the back area only. ***Billy then concluded that he recommended that Kevin take the P&Z minutes from this meeting with the brochure information on the awning and go for the variance to Council. Then Kevin should return to P&Z for the covered porch area, such as will be built in the back yard. All agreed.***

\*\*\*Note: Before end of meeting, Kevin returned with an internet brochure that gave the information on an awning system. Secretary will forward to Council with meeting minutes for Kevin's variance.

- ***#C-02-04 Rocky Mtn. Rogues - Bull Moose Motel Building Permit.*** Jim Blittersdorf is requesting approval on his building permit for a new motel and to have okayed to transfer onto the next Council meeting. ***\*\*Letter from the Town Clerk's Office needs to be reviewed prior to discussion on this Permit.*** Lyal Radford reviewed plans and had a few notes. Joe Sender inspected site, he has submitted several issues P&Z needs to review and address on this permit.

Mayor Dave stood up and addressed P&Z on behalf of Jim Blittersdorf in the beginning, requesting there not be any tempers, arguments or a pissing contest. He explained that Jim Blittersdorf was simply trying to obtain an approval on his building permit and there was some confusion on whether it needed to go to Fire Marshall's office for review first prior to P&Z and that though Jim did not have his building application complete, he said what P&Z should do, what he's suggesting, is make recommendations and let Jim take onto Fire Marshall's office, then it'll go to Council. He said he advised Jim to have completed, the items on siteplan that still need done, before that meeting. Dave Gustafson asked about the parking spaces and that they needed to be drawn on siteplan, the Mayor stated that there is ample parking and he's already advised Jim to have that completed too, before the Council meeting. The Mayor said he thinks the P&Z should just recommend Jim's building permit be okayed. He added that Joe and Lyal have already looked at it.

Jim Blittersdorf added he spoke with Doyle from DEQ, and Doyle said he did not need to do as Joe Sender had advised regarding State of Wyoming engineer's review and approval. Secretary asked for a letter from Doyle that states the opposite of what our inspector, Joe, wrote. Juline said she would get the secretary a letter from Doyle/DEQ. The Mayor interrupted and said we did not need to argue about this, that the State Statute 35-9-108, regarding "Plan review procedure". Mayor Dave asked the secretary if anywhere in the Town's building permit application paperwork says plans have to go to Fire Marshall's office first. The secretary advised that she was not sure but did know that this was the procedure the Town always followed per the Town Clerk. Mayor then said well there is no recommendation it has to go to Fire Marshall's office first.

Dave said there was already grading being done, looked like earthwork was done. Jim said that is from a few years ago. Juline added that they know by law they can not begin work on the motel without a permit that that is punishable by law. Jim added they only did flagging yesterday. The Mayor interrupted again and said that George Smith, Electrical Compliance Inspector called him and said that Jim did not have to go to Fire Marshall's office for plan review first before going to the Town's P&Z as Town Clerk and secretary stated Jim had to do. The secretary stated what was actually said to her and the Clerk by George: That George had come into the Town office and immediately asked why the Town had allowed Jim to begin building when the Fire Marshall's office hadn't even seen the plans on the motel yet. Secretary had explained Jim had simply flagged area for our inspector to review. George advised both clerk and secretary that Jim had to have his plans reviewed by Fire Marshall's office prior to coming to the Town for any review or approval process. Juline then stated that they spoke to George and he denies ever saying what the secretary just said. She added that the State Fire Marshall office told them they want to see something that is actually approved by Town first. She said George's boss disputes what George had said. Secretary asked for name of George's boss from Juline which she did not know at the time and then secretary asked for a letter from George's boss that disputes what George said. Juline added that this is what they did last time and this is what Pat, Fire Marshall's Ofc., told them. Jim said they spoke with Pat, Fire Marshall's office and she wanted them to get approval from Town first. (\*Which is the opposite of what the Town Clerk states is the review procedure, whereas always the Fire Marshall reviews the plans first before the Town- Clerk advised the Mayor and Mr. Blittersdorf prior to the meeting).

Paula stated that recommendations from the Fire Marshall's office can greatly change the blueprint/siteplans regarding structure, etc. Then the P&Z would have to review it yet again, as they'd have to review and okay the changes that were required by the Fire Marshall's review, therefore it makes sense to always have the Fire Marshall review plans before the Town. Jim said the Fire Marshalls do not look at trusses, framing and snowload so it wouldn't matter. He insisted the Fire Marshall's office wants an approved set of plans. He said it isn't their job to review anything but sprinklers, electrical, etc. He added this is what Pat told them last year too.

Mayor said let's look at the plans and give our recommendations. Billy asked "What about the Clerk's letter/punchlist of items that Jim needed to follow to submit these plans to Town prior to the P&Z meeting?" Mayor again stated he has talked to Jim, and Jim promised to have all that done on the siteplans before the next Council meeting. Jim added that his setbacks are on the plan and explained them. Then he said the Bank told him that their building is going out in front so there will be no problems. He said the dimensions he gave are the structural part of building, he did the full foot print.

Steve Fusco asked that when looking at the parking at the existing saloon, was there enough parking for the motel? He added that Jim had to show the actual parking spaces marked for the saloon and then show the parking spaces required for the motel, plus the

driveways, egress and ingress, but that none was drawn on Jim's siteplan. That right now as laid out on siteplan it's combined parking. The Mayor again stated he told Jim to have that ready to show Council. Jim stated should it be identified, he did that, the stalls are written small on plans. Steve said there is a certain amount required for a restaurant and a certain amount for a motel, that we needed a more detailed siteplan. He added if you have something drawn to designate your required parking it will help getting the plans to Council, as they will have the same questions P&Z has right now. Juline said Town didn't have liquor store listed. Steve said it probably would fall under retail. 1 x 200 sq.ft. per usable floor area. He added that bathrooms and hallways do not count. Steve said they'd have to do the math to lay it out correctly.

Billy said Jim needed to identify the parking clearly, such as listed in the Clerk's letter. As it is now, there are no dimensions listed on siteplan. Jim said it's all paved. Billy said he wants it laid out where the spaces are, and the handicapped spaces and required landscaping. Dave and Billy said Jim needs to lay out in plans the ingress and egress, that it has to show clearly on the plans.

Steve then said that regarding the sewer line issue, that someone proposed an 8-plex and was told had to have a 6" by the DEQ. Jim said he talked to an engineer and was told a 4" would be fine. He said right now he has thousands of times of flushing and has a 4" in his restaurant/bar, so there is no way he'd need more for a motel. Juline added that they reviewed this with Doyle of DEQ and he said it was okay to have a 4". Steve asked Juline to send the Town a document from Doyle, on what she just stated Doyle told her. Steve then added that in the motel there will be 24 toilets that can be flushed at one time such as during a busy season, where Jim doesn't have 24 toilets in the restaurant. Then Steve brought the fact that Joe Sender could only locate 2 of the property markings, as one was with an X and one under the blacktop.

Paula asked about exterior lighting as she saw it was not addressed on the plans either. She asked about the appropriate Town Codes and if the lighting was directed away from the highway. She discussed glare, intrusion for residential, etc and asked that Jim show that as well as determine it on paper. Juline says it'll be same as last year. Paula stated either way, it must be shown on these plans.

Dave Gustafson said there is nothing on the plans submitted that they're requesting, no specifications on required items, and there is an extensive list of missing requirements. He felt that Jim needed to return to P&Z first prior to going to Council as there was too much to be checked that they couldn't check with the way the plans were as of today. He said that it's unfair to Council to send Jim to them with so much unanswered and not specified in writing on plans. Part of this P&Z meeting is for P&Z members to cover these items and have them cleared. If Jim does not have all these items prior to a Council meeting, then he'll just have to answer all the same questions again and nothing will get accomplished. Juline said they can show the recessed lighting and draw the little parking spaces on the plans. Jim again stated the Fire Marshall reviews that. Paula said that's great, but the Town has additional and different concerns than the Fire Marshall's. Therefore any changes the Fire Marshall may require, the P&Z would have to review again to make sure it adheres to the Town's requirements.

Discussion began about the Fire Marshall's concerns such as firewalls, sprinklers, etc. Scott Reed requested Jim just depict what is needed on plans, such as if sprinkling, need to show that. Jim said all will be sprinkled. Scott said then need to show it on the plans. Jim said he is doing double walls just for the sound. Steve said they needed to see an Electrical Plan as P&Z requires to see that on anyone's plans as stated in the building permit application and it has to be reviewed before approval of permit. Steve said he would like to have seen it before P&Z makes a recommendation to Council and also to make sure the sewer line is actually adequate. Dave added Jim would get a letter from Doyle. Therefore P&Z needs to see that letter from Doyle with Jim & Juline's statements that Doyle disagreed with Joe Sender's recommendations and requirements. Steve added that the 8-plex had to bump up their originally 4" line to a 6", as it was not sufficient for the needs. Billy added that P&Z cannot go against Joe Sender's recommendations so they need to see the letter from Doyle of DEQ.

Dave Gustafson agreed with Paula, as he stated that they can at least say Jim can go to Fire Marshall's, but then Jim would have to return to P&Z and get the Clerk's list answered, then when Jim went to Council there would not be anymore questions and it would help Jim and Juline during their Council meeting.

Don Sherman said that Jim is content with the fact that he is not ready for Council next meeting as Fire Marshall is not there until Monday.

Steve Fusco asked about locating the utilities and greenspace. Jim responded with that the grocery store and bank showed him their plans and they do not have any greenspace on theirs, that it is all parking lot. Dave said the Town's landscaping requirements are weak. Steve said that no matter what other's do, these are the items P&Z is requesting to see, so there is no question that they want to see it the next P&Z meeting Jim is to attend prior to Council. Steve added this way issues are done and there would not have to be another followup P&Z meeting to this building permit. Paula asked if parking is allowed in setbacks? Steve said the new parking lot is already paved, it's already made available, so they would not say to rip it up. Jim said he had an agreement with WYDOT regarding his front setback. Jim responded to his parking issue with questions about the Town's Civic Center parking area. (\*Note- Civic Center is grandfathered in) Dave then asked about where are the spaces for handicapped parking, that also needed to be shown on the plans.

***Dave Gustafson motioned regarding #C-02-04/Bull Moose Motel, that after Jim has plans reviewed and approved by the State Fire Marshall's office, and all required items are done on the siteplan, blueprints, as required by P&Z/Town, and all letters requested***

**by P&Z are received, that Jim comes back to P&Z prior to any Council meeting. Steve Fusco seconded. Motion carried.**

The secretary asked Jim if he would have all his information ready by the Wednesday prior to next P&Z meeting as Town requires. Jim asked if secretary was going to beat him up if not ready and did not meet the deadline. The secretary stated she again was only following the rules. Don Sherman told Jim that P&Z just had a Council member show up the night of the P&Z meeting with his paperwork, so he said we're not sticklers on the deadline.

Mayor Dave told secretary to just schedule it for the agenda, that Jim does not need to have it by that Wednesday deadline. Donn Wooden suggested that once we've received an application like this, have it as a matter of record on the agenda and keep on the agenda under ongoing business. Jim requested all his 3 copies of plans back so he could submit them to Fire Marshall's office. All 3 sets of plans were returned to Jim plus a copy of Lyal, Town's Building Inspector's record.

***Jim Blittersdorf is to return to P&Z, prior to attending a Council meeting, with all required items specified by the Town Clerk's letter given to Mr. Blittersdorf along with an approval of his plans by State Fire Marshall's office, letters from George Smith's boss from the Fire Marshall's office, letter from Doyle Conklin of DEQ and any other info P&Z or Clerk requested such as completed plans.***

- ***#RE-02-04 Donn Wooden – Remodel old Post Office Roofline and Canopy.*** Donn Wooden presented a roofline addition to the old Post Office building along with remodeling of the canopy of the old gas island next to the old Post Office. Lyal Radford reviewed, only question was the footings which he spoke directly to Mr. Wooden about. Donn discussed how he intends to move his real estate office into the old post office and an attorney has been promised the space for the existing log building. Donn added he felt the canopy over the old gas station was a danger and hard to see, so he wanted to make good use of it. He will only have a few feet covered with Fedex and UPS drop boxes and a reader board for real estate issues. Don Sherman said that it sounded nice. Donn Wooden said there are 2 holes in the ground that are filled, the tanks are pumped with sand. In the old post office building, Donn wants to put in a covered porch over sidewalk, install a bay window, put log siding and support it with timbers.

Billy asked where the property line was and was Donn within the setbacks. Donn said he was well within his setbacks. Discussion went into where Donn's setbacks were as Billy wasn't completely understanding where the canopy was being built on to existing old post office building. The secretary volunteered that there is an existing small cement slab and that is what Donn is simply covering. Donn added that there is no gross increase of the building and then Donn showed exactly where it was and how he is well within the setbacks. Donn also added that Gunnars Restaurant was the first building on that side of street and everyone tried to line up with them. He also explained that he has 3 parcels within the area they were discussing.

***Billy Esperson motioned to approve #RE-02-04/Donn Wooden's remodel permit. Dave Gustafson seconded. Motion carried. All agreed the project sounded nice.***

- ***Sign letter sent to businesses -*** (For Information Only) The letter was sent out on March 18 to Alpine businesses and put in the Post Office and Civic Center. This letter was advising business owners of the Town codes regarding lights and setbacks for their signs along with WYDOT setbacks. Some concern was brought up that certain business owners were not complying after the letter such as Frenchy's and Snake River Saloon. All agreed that they'd check on these businesses and if not complying a new letter would be sent to them.
- Dave also noticed there was a propane tank behind the roofing company near TJ Sports. He was questioning if someone was living there and if so we needed to check into it and check the Town's Ordinances. A member brought up that others such as Troy Johnson, Council member, too has a trailer that is lived in from what they understood. The secretary added that if this is against an ordinance it doesn't matter if you're a Council member or not, the ordinance has to be followed. The P&Z said they would look into the ordinances, but did realize that people do use trailers on a seasonal, temporary basis.
- ***Codes & Laws pertaining to ethics –*** (For Information Only) Several handouts have been given to P&Z members tonight regarding ethics while being on the P&Z Commission. Please submit any questions to the P&Z secretary so it can be answered or discussed prior to next meeting or put on agenda for the following meeting if absolutely necessary, otherwise it should be self-explanatory.
- Don Sherman told the other P&Z members, now that it is spring, to go behind Kringle's to see the issue he brought up in a prior meeting regarding their fences and that it should be placed on the next meeting agenda. The secretary said she'd speak with the owners and will advise. The secretary advised that this would be the time for Joe Sender to check on the Mug Shot sign though it was viewed that Hope Truax, owner, had indeed pulled the sign in question farther back from the street. The secretary also will check on the IBC Code Ordinance status with Town Attorney, John Bowers. There was question if the IBC was for business only or for both residential and business.

**6 - UNFINISHED/ONGOING BUSINESS:**

- **CODE NEEDING UPDATED:** New ordinance/code updated is needed, to add that New homeowners & businesses need to identify their physical address & they should also call Town to obtain their correct physical address first.
- **GREATER ALPINE AREA MASTER PLAN**
- **CERTIFICATE OF OCCUPANCY PERMITS (TABLED):** Commission has discussed process of issuing certificate of occupancy permits. Some new businesses and residential homes have been issued an occupancy permit without finishing their projects entirely. Dave Gustafson drafted an ordinance, similar to what Jackson utilizes. Currently, for when certificates of occupancy permits are issued. Action needs to be taken to write the draft code and forward to Council.
- **ACCESSORY BUILDING/ SHEDS (TABLED):** Current codes for accessory buildings/ sheds are too vague. Lots of questions re: how big a shed can be, whether it can be placed in setbacks, etc. There is no building permit application for a shed either. *This code will need to be rewritten/ modified.*
- **COMMERCIAL DEVELOPMENTS/LANDSCAPING PLANS (TABLED):** Commission discussed implementing landscaping plans for commercial and R-2 zoned properties. As many new businesses and R-2 zoned business for rental housing have done a great job completing their proposed landscaping, many businesses and apartment complexes have not. Dave Gustafson agreed to draft proposed landscaping requirements for B-1 and R-2 zoned properties for the August 26, 2003 Planning & Zoning Meeting. Item pending Dave Gustafson's completion of a draft code.
- **IBC CODE:** Atty. John Bowers is drafting an Ordinance to replace the UBC Ordinance- see above
- **The Mug Shot SIGN's PERMIT #S-1-04** – see above
- **Zoning Map** – Need to go through by subdivision to update/redo this map.
- **Kringle's Fence issue** – see above
  
- **P&Z ATTENDING COUNCIL MEETINGS:** *Need to decide who will attend next meetings*  
1) April 6<sup>th</sup> – Scott Reed      2) April 20<sup>th</sup> – Steve Fusco      3) May 4<sup>th</sup> – Dave Gustafson

*Billy Esperson adjourned meeting at 8:55pm and went into Code Research Session*

**Items Mailed to P&Z prior to tonight's meeting:**

- Building Permit draft from Steve Fusco

**Items Handed out to P&Z during tonight's meeting:**

- April 6<sup>th</sup> Council Minutes
- Town Clerk's letter – re: Bull Moose Motel Permit
- Joe Sender's submittal- re: Bull Moose Motel Permit
- Joe Sender's submittal- re: Inspection Process for Building Permits
- Building Permit draft from Steve Fusco (in case members didn't receive)

**HANDOUTS FOR INFORMATION ONLY:**

- New Town of Alpine Lot # and Street Maps (For information only)
- Lincoln County P&Z new requests for building near areas surrounding Town of Alpine (For information only)
- Pertaining to Ethics - Ordinance No. 1991-07
- Pertaining to Ethics: - Title 9: Chapter 13- Article 1 –
  - 9-13-103- Use of Title and Prestige of public office
  - 9-13-105- Misuse of Office
  - 9-13-106- Official decisions and votes

\_\_\_\_\_  
Billy Esperson, Chairman

\_\_\_\_\_  
Date

Attest:

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Town Secretary

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Date