



Town of Alpine Planning & Zoning Commission MINUTES

DATE: November 9, 2004

Attending: Board members: Dave Gustafson, Steve Fusco, Scott Reed, Don Sherman, and Paula Stevens. Contractors: Rob Wagner. Home/Property Owners: Tyler Peterson, Rex Verley. Business owners: Don Goetz, Kathryn Parsons and P&Z secretary.

Attending for Annexation worksession: Mayor David Lloyd, All P&Z members listed above. Council members: Troy Johnson, Bert McNeel, D.R. Hutchinson. Home/Property Owners: Kent & Marilyn Perkins, Leon Kjellgren, Shawn Bard, Raneel McNeel. Business Owners: Dodie Jordan, Carla Stone. Developer: Mike Halpin, w/ asst. Lisa Paddleford, and Atty. Chris Hawkes.

1 - CALL TO ORDER at 7:04pm

2 - ROLL CALL & ESTABLISH a QUORUM

3 - P&Z MINUTES: October 12th, 2004 & October 26th, 2004 *Need Motions. TABLED*

4 - COUNCIL MINUTES: September 7th, 2004 & September 21st, 2004, (October 5th - no meeting) *Need Motions. TABLED*

5 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **Variance Question** - (*Memo handed out in this meeting*) - Town Clerk has question regarding an old plat from Jeff Dupont and the possibility of multi-housing on the property. Members will review and advise clerk within the week.
- **Question Only** - Rex Verley has a question on carport regulations. Rex explained it is a temporary structure that will only be used in the winter. Members felt no permit was needed and the carport as explained would be fine.
- **Old Plat Issue** - Don Goetz discussed an issue arising from an old plat. Regarding Lots #8 & #9 in Palisades Heights, 165 Morning Star Drive. He is taking over the property in a property exchange from Todd Seeton. He discussed his possibilities for building on this property. There was confusion if the property had been subdivided as the Town already has an existing lot #8 next to the property in question. Also each apartment had a lot number. Don G. explained originally it was to be townhomes sold with the land underneath it. The county has it recorded as shown on the final plat, but Don G. insisted the lot was not subdivided, that the plat is only done in that way to show where the 2nd phase of building would be. Paula advised replatting might be needed and we would need to find out legally what are the actual configurations to the property.

Steve asked if property was on Town's sewer system. Don answered yes. Secretary suggested speaking to former Mayor Donn Wooden, who had signed off on this plat, to find out what he remembered as to why the plat was structured in this manner. Paula advised if it was indeed two separate lots than multi-housing cannot be done. The second lot is too small. Steve said there is confusion as to how they labeled the different items on the plat. Steve did verify that it was lot #9, not lot #8. But Paula showed that on the plat, it stated it was lot #8. Scott added that it is also subdivided into multi-lots. Don said P&Z has to ask legal counsel on this.

- **Paula Schmidt - Sign permit #S-13-04** - Rob Wagner of R&R Builders, represented Paula Schmidt. She is requesting a sign permit for her new dental office on US Hwy 89. Don asked what size the sign was. Dave answered it was 4x6. Steve asked if it was lighted. Rob answered yes. Paula asked how they were lighting it. Rob answered he thinks up-lighting, but he was trying to convince the owner to do down-lighting. Paula advised to make sure it was down-lighting. Rob said he would convince her to do down-lighting. ***Paula Stevens approved sign permit #S-13-04 as shown in the application with the requirement of having down-lighting, Don Sherman seconded, All in favor.***
- **Tyler & Mitzi Peterson - Fence permit #F-13-04** - The Petersons are requesting a fence permit for a fence to be built in their backyard. Joe Sender has approved siteplan/setbacks with a note about one of the pins. ***Don Sherman approved fence permit #F-13-04, Steve Fusco seconded, All in favor.***
- **Correspondence received** - A letter from resident Andre Gavin regarding fire pits was handed out to members to review for changing the wording in Town Ordinance in Chapter 4, section, 93-4-10, Unauthorized Fires. ***It would be discussed in next P&Z meeting.***

- **Lincoln County Planning & Development meeting** - Secretary advised members about the Lincoln Cty. P&D meeting that will be at the Town's meeting room on November 18th, next Thursday. It will be a worksession for the draft version of the County's Comprehensive Plan. Members were also advised that if the Town does not have a Master Plan, the County's Comprehensive Plan will become the Town's Plan.

6 - UNFINISHED/ONGOING BUSINESS:

• **P&Z ATTENDING COUNCIL MEETINGS:**

1) November 23rd - Don Sherman 2) December 14th - Paula Stevens

- **Ongoing - Joan & Bob Reed roof beam emergency**- The secretary explained that the special meeting was cancelled as attorneys for both the Town and the Reed's were working through the legal issues. Further information and work was requested by the Town from the Reed's engineer before any meeting could take place and that Joan was advised of this again on Nov. 9th. The Reeds should be advised through their attorney. A letter from Town's attorney to Reed's Attorney was sent last week (*handed out in this meeting*). The Town received on Nov. 8th, a faxed letter with several pages of diagrams and information from the Reed's engineer. (*Handed out in this meeting*). Secretary also advised that she explained again (on Nov. 9th), to Joan Reed, that all the items requested by P&Z at the last meeting were still not received such as a detailed drawing of building/site, etc. Secretary reminded Mrs. Reed that she had written down all the information that the commission had requested before another meeting on this matter. Secretary asked Joan on the phone, if she had that list of items she wrote down during the last meeting. Joan answered yes. Also Mrs. Reed was advised that the Town's attorney had already sent her attorney a letter listing several items that needed to be done. Mrs. Reed requested a copy of that letter which the secretary did fax to her. She was advised no meeting would be set nor would it be discussed in another P&Z meeting until ALL items were received in a timely manner prior to a P&Z meeting, giving the P&Z members time to review the requested paperwork.

P&Z members reviewed the engineer's diagrams that were faxed that only pertained to the beam in question. Steve felt we should only concentrate on the broken beam. The secretary explained and read portions of the letter from the engineer that stated he would not be liable for any other part of the building and that they did not do a structural analysis for any other part of the building. But the Town's attorney requested in our letter, that the engineer "*must "chase" the damage to insure that all adjacent areas are in fact repaired consistent with safety and structural integrity*". Therefore indeed the Town must have the rest of roof checked, if not then it would be a liability for the Town. Dave said he had advised the attorney to request that as it is needed. The secretary said that at the last meeting, Don had advised Joan Reed that he was concerned about the entire roof structure and that she needed to have the engineer check the entire area to make sure it was structurally sound, therefore Joan already knew her engineer must do this.

Dave decided a letter needed to be sent to the Reeds from P&Z that gave a list of information that is needed and a time frame to when all information must be received. Paula advised having the Town attorney review the letter first. Dave said we will sight code to evacuate the building and a deadline to when this would occur it need be. Also we need the engineer to detail what the problem is and how it was chased through the building.

7 - ADJOURN MEETING- *Paula Stevens motioned to adjourn, Don Sherman seconded. All in favor.*

(After P&Z Meeting)- ANNEXATION PROPOSAL WORK SESSION

Items mailed to P&Z prior to tonight's meeting:

- October 12 & October 26, 2004 P&Z Minutes

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

- Memo on Question re Jeff Dupont's multi-housing/plat issue
- Letter from resident Andre Gavin re private property fire pits
- Letter from James Lubing to Reed's Attorney
- Faxed letter to Town office, from ES2(Reed's Engineer) w/ several pages of diagrams and information

Dave Gustafson, Chairman

Date

Attest:

BofA/ P&Z Secretary

Date