



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

DATE: **December 14, 2004**

Attending: Board members: Dave Gustafson, Steve Fusco, Scott Reed, Don Sherman and Paula Stevens. Contractors: Rex Doornbos. and BofA/P&Z secretary.

Board of Adjustment
MINUTES

- 1 - **CALL TO ORDER at 7:18pm**
- 2 - **ROLL CALL & ESTABLISH a QUORUM**
- 3 - **TONIGHT'S APPOINTMENTS/ NEW BUSINESS:**

- **Variance Request.- V-08-04-** Peter Karns is requesting a variance on two issues: overhang and slope pitch. He is building a business next door to Town office building. Neighboring property owner, Jeff Dupont is also requesting same variance. Town Council was responsible for letting P&Z know what they wanted. Town of Alpine is part of the property owner's association and has made its comments regarding these two variances. *(Council's letter mailed prior to meeting to members)* Mayor has now issued an Addendum to that letter stating several Council members now are not in favor of the flat roof and that the building should conform to existing structure and Town Codes. Mayor wanted P&Z to have CC&R's to read prior to meeting. *(CC&R's mailed prior to meeting to members)* **Tabled until January 11th meeting.**
- **Variance Request.- V-09-04-** Jeff Dupont is requesting a variance on two issues: overhang and slope pitch. He is building a business next door to Town office building. Neighboring property owner, Peter Karns is also requesting same variance. Town Council was responsible for letting P&Z know what they wanted. Town of Alpine is part of the property owner's association and has made its comments regarding these two variances. *(Council's letter mailed prior to meeting to members)* Mayor has now issued an Addendum to that letter stating several Council members now are not in favor of the flat roof and that the building should conform to existing structure and Town Codes. Mayor wanted P&Z to have CC&R's to read prior to meeting. *(CC&R's mailed prior to meeting to members)* **Tabled until January 11th meeting.**

Dave explained that the bottom line is that the owners must prove they can comply with state statutes. Paula read the statutes to Rex. Don added that this is the law Board members must follow, and that they do not want to deter business. Paula said she didn't feel it would be a deterrence for the owners to build to code. Steve asked about the two foot tails showing on the truss drawing. Rex explained that was on the back edge.

Dave explained how the procedure for variance is now going in the Board of Adjustment meetings: They like to meet first meeting to talk about the variance and what the person wants a variance for. Then they will meet a second time to make any decisions. This gives the board members time to review and research the variance issue to make sure their decisions are what is best for the Town. It also gives the property owners time to get a good idea of what is needed and any additional information or plans that may need to be presented to help acquire a variance.

Dave told Rex that our Code is firm and it is up to him to show the Board that they can meet the state statutes. Don added that people keep drawing plans, then they find out it does not meet the codes, so they just say they'll get a variance. In years past, the Board would give a variance. They are trying to follow closer to their codes and have owners do the same. Dave explained that Rex was not denied, but the owners need to come back and prove they can meet the statutes as requested.

After much discussion these two variance requests were tabled until the owners could prove they could comply with State Statutes regarding acquiring a variance. The owners' contractor, Rex Doornbos was advised and given a copy of the State Statutes. The process for variance was explained to Rex that they like for the owners to come to the first meeting to describe the building and explain the reasons for wanting a variance and then they are to come back to a second meeting to finalize as this then gives the

board members time to review and research the variance request. Property Owners are to attend their own public hearing and Dave advised Rex the owners must come back to the follow up meeting on January 11th, 2005.

4- ADJOURN MEETING- Don Sherman motioned to adjourn the Board of Adjustment meeting, Paula Stevens seconded, All in favor.

Planning & Zoning MINUTES

1 - CALL TO ORDER at 7:57pm

2 - ROLL CALL & ESTABLISH a QUORUM

3 - P&Z MINUTES November 9th, & November 23rd, 2004 Paula Stevens motioned to approve P&Z November 9th & 23rd minutes, Scott Reed seconded, All in favor.

4 - COUNCIL MINUTES: November 2nd, November 16th, 2004. Paula Stevens motioned to approve Council November 2nd & 16th minutes, Don Sherman seconded, All in favor. December 7th, 2004 December 7th were tabled until next meeting.

5 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **December 28th P&Z meeting cancelled** - Due to the holiday season it has been requested by several P&Z members to cancel this meeting. *Scott Reed motioned to approve canceling December 28th meeting for the holidays, Paula Stevens seconded, All in favor.*
- **JHRE&A Office Building ramp issue** - Due to winter conditions Brad Andrews has advised they cannot pour the slab for the ADA handicap ramp. P&Z secretary and clerk advised he may possibly be able to construct a temporary wood ramp and then replace in spring as that is allowed and done in other towns. Also they are not able to put in landscaping at this time. He was advised it must be approved by P&Z first to do temporary ramp and landscaping in spring so he can get his Certificate of Occupancy now. He was advised he did not need to attend meeting as this was a question that needed answered by P&Z and the secretary could explain the issue. Lyal will inspect the temporary ramp.

Dave said the commission has to be careful in the decision they make with requirements with temporary Certificate of Occupancies. It's critical we maintain some consistency with our issues. Members felt they can put concrete in now as Jim Sandner has laid foundation across the street. Paula asked if we can require a bond when have a temporary Certificate of Occupancy. Dave said that temporary Certificate of Occupancies will allow P&Z to put conditions on it and a deadline date for work to be completed before a permanent Certificate of Occupancy can be given. Paula added if it is not completed within the time stated the temporary Certificate of Occupancy can be revoked.

Under UBC they can give temporary Certificate of Occupancy's and can establish conditions on the temporary C.O. *Dave Gustafson or secretary will call Brad Andrews, to advise him to wait for letter from P&Z with their decision of how he will need to proceed. A temporary C.O. can be given with conditions regarding the landscaping be finalized by a certain date and the ramp will need to be done temporarily and then the concrete finalized by a date. Also estimates for both the ramp and landscaping will need to be done and a bond maybe requested.*

- **(Announcement Only) IBC Code** - Transferring to IBC has been delayed due to necessary verbage regarding the Fire Marshall's approval. Need to finalize this issue and have draft prepared by January 11th P&Z meeting. *Dave Gustafson will redo draft with information and wording from Teton County's ordinance to expedite creating this ordinance's verbage.*
- **Code Research** - Don asked Paula how the code research was going, which originally was done by Steve. Paula explained that she has been completely focused on the annexation now, so no code research could be done. Dave stated that as a volunteer it's impossible to get these things completed. He feels it's time the town put forth the money to have a planning and building official. Dave added that the group is so busy with the everyday items with code enforcement, problems, permit processing and they still need to work on the rezoning map, ordinances and codes. He said that the commission is buried with the everyday items. *All members agreed that the Town Council needs to prioritize what is greatly needed, which is to hire a planner and get the Town codes redone immediately. This has been known for years and the codes are still confusing.*

**All members would like to thank Mayor Dave Lloyd for his letter and the ham.*

6 - UNFINISHED/ONGOING BUSINESS:

- **Joan Reed Broken Beam issue** - Lyal Radford, building inspector, inspected the beam repair December 14th. He is recommending the rest of the roof structure be checked out to determine if the same problem will occur elsewhere. He viewed the bay directly east of the repaired section and saw it has about an inch sag. The contractor, Ron Antil Construction, advised Lyal he would check to determine if center support is continuous to basement floor. Secretary advised the commission needed to make sure to follow up on this issue. *Copy of Inspection sheet will be included with Town's minutes file.*

Scott felt the P&Z should have had the entire building inspected and condemned. Most of the members agreed. Dave said the structural engineer did that for us, inspecting the building. We do not have the authority to go in and do that. He had spoke with the Town's attorney and he said we can only ask to chase issue. If something else fails it is the owner's responsibility.

Secretary brought up that she noticed the a subcontractor's name was listed was not the original contractor Reeds advised would be working on building. First it was 5-Star Construction, then Fred Bergamo showed up to a meeting with Reeds. When Fred was questioned if he was now the contractor he said he was working with 5-Star. Now on the inspection sheet from December 14 it states a Ron Antil Construction company. ***Secretary will verify who is actually the contractor on this job. If Ron Antil is the contractor he has no business license to work in the Town of Alpine.***

Don asked if Lyal knew, reviewed and understood what the structural engineer had drawn. Secretary responded that the information was in the building packet that Lyal reviews before going on an inspection. She did not know if he had.

Secretary is to speak with Lyal, inspector, to verify he did read the structural engineer's information and that his inspection included checking those issues the engineer was to fix. Dave will write a letter following up on the inspection and any issue that comes from it to the Reeds.

- **P&Z ATTENDING COUNCIL MEETINGS:**
1) December 21st - Paula Stevens

Steve Fusco resigning P&Z. Will begin new year as Council member -

The secretary said P&Z should take a moment to thank Steve Fusco for his hard work for P&Z. And the Town of Alpine does thank him too. He will be greatly missed. We know he won't forget about us when he goes to Council. She added the board would be sad to see him go but knew he would be a great help to Council and the Town as it was very much needed. We know he will keep P&Z issues at the forefront because they are extremely important and have been ignored for far too long, which has now created a lot of problems for P&Z and the Town.

Steve then read a speech he had prepared. He announced he will be resigning his position with P&Z and explained how much he has enjoyed working with the members and tried to meet the goals to improve the Town. He explained what he wanted to do as a Council member.

All wished Steve the very best.

7 - ADJOURN MEETING- *Steve Fusco (for his last time making a motion for P&Z) motioned to adjourn the P&Z meeting, Don Sherman seconded. All in favor.*

AFTER MEETING REVIEWS-

- **P&Z and Council issue re meetings-** P&Z has decided to no longer go to Council to simply read P&Z minutes as they feel it is not necessary. They feel they are best used as a resource and there to give advice, discuss P&Z issues that may come up in a Council meeting and be a representative of P&Z for the Town during Council meeting. There was much discussion regarding these issues.

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 (*copy given to P&Z in this meeting along with letters from Jim and Dave Gustafson*). Top floor is not finished. ***Dave will send letter to Jim regarding this issue after discussion with commission.***
- **Jim Blittersdorf permit # RE-03-04 Roof Structure-** No electrical issue. Fire Marshall's electrical review still waiting for a copy of this approval. (*copies of letters given to P&Z in this meeting from Jim and Dave Gustafson*). ***Dave will send letter to Jim regarding this issue after discussion with commission.***

- **Marc Elkins (prior owner), Steve Dicenso (present owner) residential built inside storage units without permit/approval-** Steve Dicenso has applied for a variance due to be heard at our January 11th meeting. P&Z feels at this time to hold the variance process so they can write a letter to Mr. Dicenso and advise him how to proceed after reviewing this situation. He built the residential in a commercial building without a permit or any type of notice to the Town, while knowing the Town has building codes as he was the original contractor on the storage units when Marc Elkins was the owner. ***Dave will send letter to Steve Dicenso regarding this issue and how they would like him to proceed after discussion with commission.***

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

- Addendum to Council letter re: Variance requests
- December 7th Council minutes
- Proposed P&Z Meeting Procedure draft re permit process
- 109 Ordinance #6
- Wyoming Rural Development Council letter/flyer re: Wyoming Main Street Program
- Copies of correspondence between Dave Gustafson and Jim Blittersdorf on 2 permits listed above
- Copy of Lyal's final inspection sheet for Jim Blittersdorf deck enclosure

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

- Council letter re: Variance requests
- CC&R's for office complex area where Town office is located
- P&Z minutes for November 23rd, 2004
- 109 Ordinance #6

Dave Gustafson, Chairman

Date

Attest:

BofA/ P&Z Secretary

Date