



Town of Alpine
Board of Adjustments/Planning & Zoning Commission
Minutes

DATE: September 23, 2008

PLACE: Alpine Town Hall • 250 River Circle

TIME: 7:00 p.m.

TYPE: Regular

Attendance: P&Z members present: Pat Marolf, Dave Gustafson, Kennis Lutz & John Thomas. Others in attendance: see attached sheet.

1 - CALL TO ORDER at 7:03pm.

2 - ROLL CALL & ESTABLISH QUORUM by Terra Miller.

3 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **Lincoln County Library Alpine Branch-Variance Request on setbacks.** Board reviewed request. Tiphany, representing Library, stated they would like to move the shed behind the Library to the Northwest corner of the building for easier access. John Thomas asked if there was a back door. Tiphany stated there was a backdoor with a sidewalk. Currently they have to walk out the front door and through the gravel to get to the shed. The Library would also like to change the area where the shed currently sets into a grassy area. Kennis Lutz asked what the setback change would be. Tiphany informed him that it would reduce the rear setback from 20 feet to 8 feet. Currently the shed will be in the way of the snow removal and storage. The Library is aware that the trees in the back will need to be moved for the new placement of the shed. Dave Gustafson stated he is a big fan of the library so anything he says is said in order to maintain the code book. First of all we need to show there is an exception that proves if the variance isn't accepted it will be detrimental to the property. Secondly, Dave stated he holds setbacks very high in order to keep separation. In this case there is separation due to the roads surrounding the property. However we need to set precedence so we maintain consistency throughout the community. The last concern he has is the snow removal from the streets with connection to visibility on the corners. There was a question brought up in regards to corner lot setbacks. According to the code any side of the property that adjoins a road is considered a front and requires 25 feet. Kennis Lutz suggested placing the shed in a different location along the west side of the building. Tiphany said they really hadn't looked into other spots. Dave suggested they maybe try and wiggle it into a different spot to see if they still need the variance. John Thomas asked how far away from the building the shed needed to sit. Currently that setback is being reviewed. The variance was tabled until the next meeting to see if the shed could be situated differently and to see what amendments will be made to the Code.

 - **4 - ADJOURN MEETING- Need Motion. Kennis Lutz made a motion to adjourn the meeting; Pat Marolf seconded it: Vote: 4-Yes, 0-No, 0-Abstain, 0-Absent.**
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2 - ROLL CALL & ESTABLISH QUORUM still present from Board of Adjustment meeting.

3 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **Margene Jensen: 308 Palis Park; 123 Grey's River Rd-Final Plat review, REP-03-08, needs recommendation for approval.** Council did request that the declaration of the water and sewer bill be included in the Home Owner's Association document. Deb Wolfley stated the Town Attorney had confirmed through an email that the change had been made. **Kennis Lutz made a motion to recommend approval to the Council with no conditions; John Thomas seconded it: Vote: 4-Yes, 0-No, 0-Abstain, 0-Absent.**

- **Steve Chichinsky-proposal for Lot 28 of Riverview Meadows needs reviewed.** Terra stated Steve Chichinsky wanted to know what step he needed to take next. He has spoken with Mary Flowers and has not heard from her concerning a letter. However he would like to know what he could do while he is waiting for her response. Terra was wondering if he should proceed with a rezone. Dave did say that a rezone would need to take place as a secondary step. In order to proceed, the Commission needs a letter from the Riverview Meadows Home Owner Association accepting the project. Dave Gustafson suggested that Mr. Chichinsky look at the legalities of the issue because there have been questions on whether or not the Town would want to be in the day care business. A rezone would need to take place but not yet. It was determined that Kennis Lutz would contact Mr. Chichinsky.

- **Review list of Candidates for the open P&Z Commission seat-Kathy Perks, David Jenkins, & Carla Stone. See handouts.** Deb Wolfley wanted to make sure the Commission was aware that David Jenkins would be moving into the Town limits within the next couple of months. He is also concerned that there would be a conflict of interest with him owning the lumber store. Deb told him that he didn't think so. Dave Gustafson agreed because we have codes set in place and it becomes obvious if there is. John Thomas stated the bottom line is that it will be hard to fill Paula's shoes. She had a lot of experience and professionalism. We need to look at the candidates objectively. Dave Gustafson stated it is critical we have someone that is removed from the Town so they can look from outside of the box and give an objective opinion. Dave thinks Carla would be a good member but still has vested interest in the Town and maybe Kathy would give a better balance to the Commission. Kennis Lutz thinks Dave Jenkins is most qualified for the open seat. Kennis Lutz feels that Carla would be good but does not have any building experience. John Thomas stated after looking at Kathy's resume she would give a more objective and unbiased opinion. He also feels she has more planning experience and an avenue to planning that we are now missing without Paula. Dave Gustafson stated it is good to have a balance between a planning aspect and a building aspect. Terra Miller stated with 2 more members leaving at the end of the year Dave Jenkins could be considered for an in Town position. Pat Marolf had a concern with Kathy Perks because she has never been to a P&Z meeting. He also had a concern with Carla being involved with the Real Estate that she might have to abstain too often. Dave Gustafson asked if it would be possible to seat the positions that are going to be open. Deb Wolfley stated we have not advertised for those openings yet. It was determined that the Commission recommend Kathy Perks for the open seat and extend David Jenkins letter of interest for the open seats coming up at the end of the year. Advertising will be done for the open in Town seats and those interested advised to attend the meetings to understand what is going on.

4 - UNFINISHED/ONGOING BUSINESS:

- **Land Use and Development Code-Town Council has sent back the revisions submitted. Two Council members present to discuss the amendment list.** Dave Gustafson stated the minor construction permit has already been adopted. The Commission is trying to cover everything we have already adopted in the IBC and IRC codes for the basic principal of liability. In order to get out of the IBC/IRC regulations we need to make an exception in an ordinance. Beau Taylor, Don Jorgensen and the Commission had an extensive discussion over the suggested amendments. The final agreement for each item is as listed:
 - *Eave restriction*-all agreed the amendment is needed.
 - *Definitions*-all agreed the definitions were needed and accurate.
 - *Siding*-will be addressed under each zoning as aesthetics.
 - *Re-Roofing*-will be reworded to state changes that increase the load of the roof will require a permit.
 - *Window and doors*-will be reworded to indicate changes to the dimensions of windows and doors.
 - *Switching Utilities*-all agreed a permit is required.
 - *Electrical additions or adjustments*-permit required only for commercial buildings.
 - *Plumbing additions or adjustments*-permit required only for commercial buildings.
 - *Sheds*-all agreed to leave in minor construction permits.
 - *Propane Tanks*-permit is required when underground tanks are installed after initial construction.
 - *Variance requirements*-agreed on verbiage change.
 - *8 foot setback requirement*-all agreed to remove it.
 - *Remove the 50 foot setback from buildings*-all agreed needs to be removed.
 - *Sign Permit Process*-all agreed one should be added.
 - *Temporary banners*-all agreed the addition to allow temporary banners for 120 days.
 - *Roof pitch of 4/12 in R1, R2, & MRC multi-unit structures*-all agreed it should be added.
 - *Fee Section*-all agreed to include it.
 - *Exclusion of old or used buildings*-agreed to be added for all structures over 200 square feet.
 - *Combination of Multi-Unit Residential Structures and Commercial Structures in MRC*-all agreed verbiage needed to be added.
 - *Subdivision Codes*-all agreed to add.
 - *Cost Coverage*-agreed to also be included for those reviews done within one mile of the Town.
 - *Public and Community Facility Zone setback change*-side and rear setbacks change to 10 feet.
 - *Impact Fees*- all agreed we don't want to make a profit but we do need to make sure that we cover our costs.
 - *Minor Construction fees*-with the current inspection costs and the administrator cost it was agreed to set it at \$150

There was also a discussion on why a Zoning Administrator would be beneficial to the community. Dave pointed out instead of Jody having to go out and do a setback inspection for \$100 the Zoning Administrator could do the same with less expense. Don Jorgensen asked if this position would be adding a salary. Dave explained that is why we recommended Terra because she is already working with the Town. It would just be an added responsibility and he thinks needs to be compensated. Deb Wolfley stated there are a fair number of items that could be taken care of by the Zoning Administrator quicker than having to come to the Commission for review or answers. He also thinks the current staff could handle the work load by assigning one of the three staff members to the responsibility of Zoning Administrator. Deb also thinks it would fit nicely with the overall plan for the Town. Don Jorgensen's main concern is the justification of adding the Zoning Administrator. Dave feels the service would improve in the area of time, the cost for site inspections and building permits would decrease, and we have someone on staff that is knowledgeable of the Town Codes. John Thomas stated adding a Zoning Administrator will streamline the process reducing cost and time spent.

- **Active Building Permits & Non Compliance Issues:** *Ongoing, see handouts.* Jon Kindzerski-Stefan advised we send our Building Official in to see exactly what is going on within the structure. We currently have no record of the initial build or a permit for the remodel that was done. It was agreed to send Jody in for an inspection. Alan Downie-received a letter from Mr. Downie stating he started his project in 2005 and did not think a permit was required if a project cost less than \$2500. Terra could not find anything in 2005 stating there was a cost limitation on when a permit was required for remodels. So in 2005 a permit would have been required. Since the structure is not completed he needs to get a permit. Terra will call him and let him know of their decision.

5 - **P&Z MINUTES:** *August 26, 2008; September 9, 2008; need motion to approve.* **August 26, 2008-Pat Marolf made a motion to approve; John Thomas seconded it; Vote: 4-Yes, 0-No, 0-Abstain, 0-Absent. September 9, 2008-Kennis Lutz made a motion to approve; Pat Marolf seconded it; Vote: 4-Yes, 0-No, 0-Abstain, 0-Absent.**

6 - **COUNCIL MINUTES DISTRIBUTED:**

- **P&Z ATTENDING COUNCIL MEETINGS:**

1) October 7, 2008-*Dave Gustafson*

2) October 21, 2008-*John Thomas*

7 - **ADJOURN MEETING- Need Motion.** **John Thomas made a motion to adjourn the meeting at 9:03pm; Kennis Lutz seconded it; Vote: 4-Yes, 0-No, 0-Abstain, 0-Absent**

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


- Active Permits Worksheet
- Non-Compliance Worksheet
- David Jenkins' Letter of interest for the open Planning & Zoning Seat

9 - **Items mailed to P&Z before meeting:**

- August 26, 2008; September 9, 2008 P&Z meeting minutes.
- "The Western Planer" April/May 2008
- Letters from candidates for Commission Seat-Kathy Perks, Carla Stone



Dave Gustafson, Chairman

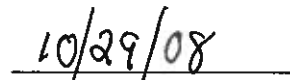


Date

Attest



Terra Miller, Secretary



Date

