



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, November 02, 2023 at 6:00 PM
City Council Chambers, 240 Lincoln Street

MINUTES

Attendance: Chair Zach Mahlum, Members, Kara Colovich, Kristin Yannone, Dave Fehringer, Tom Russell, and Joe Henry. Rob Newsom was absent. Council Liaison Missy White, Assistant Public Works Director Hunter Roseberry, Anne Even for Recording Secretary RaJean Strube Fossen

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

This meeting is being recorded electronically. All petitioners to the Board of Adjustments will receive a written decision and order within thirty (30) days of this hearing. The decision will be clearly stated with findings of fact and conclusions of law. Anyone wishing to appeal against a decision and order may do so through District Court.

Anyone wishing to speak tonight, must first be recognized, come to the podium, take the oath, and state your name prior to speaking.

2. APPROVAL OF MINUTES

A. BOARD OF ADJUSTMENT MINUTES of October 19, 2023

Kristin moved to accept the minutes, Kara seconded. Motion passed.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

A. S 23.08 Block 3, lots 3-4, Jones subdivision replat/annexation

Dave recused himself from the matter as he is the surveyor of record.

Doug Duncan took the oath and described that they wanted to enlarge their lot to accommodate their new garage to be in their residential lot. They own all the surrounding parcels both in the city and the County.

Kara verified that the garage is already built and that the new lines make the garage meet all the City setbacks.

Anne Even read the City comments into the record recommending approval of the request.

There was no public comment. Kristin moved to recommend approval of S 23.08 to City Council contingent on the City staff receiving the information requested in the City Staff Comment letter. Joe seconded. Motion passed.

B. **Z 23.02 Rezone Lots 3-4 Earl and Farlow Addition from R-5 to C, David Hess**

David Hess took the oath and described his request to rezone two lots from R-5 to Commercial with the intent to build an electrical shop on the lot to expand the adjacent Boyle Electric.

Missy verified that this is a planning process instead of the BOA. Zach confirmed that the previous rezoning request was missed labeled and the codes require zoning to go through the planning commission and not the BOA. The 400' letter and public notice did happen as part of the planning commission request.

Kristin asked if this request could be accomplished without rezoning. The owner did not think an electrical shop could be operated in an R-5 zone.

Joe verified the exact location of the lots in the request.

There was no public comment other than the one prior written public comment "for" the request.

Anne Even read the city comments into the record recommending approval of this rezoning request.

Zach verified that the original form was filled out as a variance as staff sent him the wrong form and then helped him fill out the new form. Anne verified the RaJean also had a typo in the original application, and this is for lots 3-4 and NOT lots 4-5.

Kristin verified that the owner of these two lots does not own the adjacent Boyle Electric lot. Kristin recognizes that City staff states this request is consistent with the 2012 Master plan. However, she has talked to Hunter and RaJean and does not believe that the 2012 recommendation promoting R-5 to transition to Commercial data is reflective of current data and trends. She noted that the new Master Plan may address the current trends. For this lot, and on a single basis, she agrees this is consistent with the neighborhood. Kristin warns that in general the ever-increasing commercial zones should not expand away from Main Street to encroach on housing and residential zones.

Kristin Moved to recommend Z 23.02 to City Council for approval. Dave Seconded. Motion passed.

The owner asked Hunter about the timing of the 6-foot fence between R-5 and Commercial. Zach and Hunter agreed that would be a condition during the building permit and construction process.

6. PLANNING COMMISSION - OLD BUSINESS

A. Title 4 suggested changes - Residential Parking changes if any

Discussions were held on the pros and cons of reducing parking requirements in order to promote density. The consensus was that for multifamily construction, 1 off-street parking space per unit would suffice instead of making the requirements on a per bedroom basis as it currently stands. The commission would like to make improvements recognizing that it may not be perfect.

Kristin will craft some language for the next meeting for the members to consider.

7. ADJOURNMENT