



## **CITY OF LANDER BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING**

**Thursday, March 20, 2025 at 6:00 PM  
City Council Chambers, 240 Lincoln Street**

### **MINUTES**

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Attendance: Chair Zach Mahlum, Members, Kara Colovich, Kristin Yannone, Chris Savan, Rob Newsom, and Joe Henry. Tom Russell was unexcused. City Attorney Adam Phillips, Council Liaison John Larsen, Assistant Public Works Director Hunter Roseberry, 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. PLANNING COMMISSION MINUTES of March 6, 2025**

Kristin Moved to approve the minutes as presented. Seconded by Kara, motion passed.

#### **3. BOARD OF ADJUSTMENT - NEW BUSINESS**

##### **A. S 25.01, and NCU 25.01 Trosper's addition replat, Kluberton**

Joe Kluberton, owner and applicant took the oath. They described that the desire is to split this family property into two lots. Family members currently reside in both houses but future owners may benefit from separate, sellable lots. They are on the schedule for sidewalks this spring.

As shown in the NCU 25.01 application, there is an encroachment into the alley on lot 16A that has existed since 1886 when the structure was built and prior to platting the original town of Lander. The City stated they are willing to grant an encroachment license to the owner that applies to their heirs and assigns for as long as the structure exists or other arrangements are being made.

Zach clarified that this land is not under any liens. The owner notified them that there is a Helioc with no balance that they can terminate.

Chris verified that there are no public utilities under the structure and no litigation pending from other neighbors.

RaJean read the City Staff recommendations to approve this plat contingent on the placement of the sidewalk and the enactment of the encroachment license.

Kristen moved to approve S 25.01 subject to the conditions in the City recommendations. Chris seconded. Motion passed.

Kristen moved to approve NCU 25.01 subject to the terms and conditions from the city. Chris seconded. Motion passed. RaJean gave update of both the process of Council approval and then the decision order from the Attorney to the owner.

B. S 25.02 Original City of Lander replat, 160 N 2nd Elliot

Dave Fehringer, agent for Ms Elliot, took the oath. Chris Savan recused himself as this plat is presented by his employer.

The lot split is desired to complete a contract for sale. It meets the minimum requirement for lot sizes.

Zach clarified ADA sidewalk requirement being partially paid by the City for Lincoln Street. RaJean explained costs split for Lincoln Street construction that is underway but the owner is responsible for all costs on 2nd street..

Kristin asked how the lots will be accessed. Dave stated that the current house has an access from 2nd street. Lot 10A could be accessed from Lincoln or 2nd. RaJean said City Engineer prefers access from Lincoln but Dave said 2nd is safer distance from the intersections.

RaJean read the City recommendation letter that recommends approval on the conditions that the 2nd street sidewalk be upgraded to ADA, there is a 10-foot street side utility easement added on both lots and that Water and Sewer taps be installed on the northerly lot at the time of this summer's Lincoln Street reconstruction.

Kara moved to approve S 25.02 subject to the City conditions and Kristen seconded. Motion passed with Chris abstaining.

Hunter reminded Dave that the owner should get with City as soon as possible to implement Lincoln Street improvements.

C. CU 25.01 251 N 4th Short term rental, Tripp

There was no representative for this application as the parties are out of town without remote computer access and their daughter that lives here in town is unavailable. RaJean was aware of their excused absence and she presented the application from the agenda packet.

RaJean read the City recommendation letter that this permit be approved contingent on the owner showing proof of collection of WY Lodging taxes and agreeing to the annual fire inspection.

Kristen verified that 2 parking spaces is adequate to meet our codes.

Chris asked City staff what level of inspection is performed for a short term rental. Hunter reported that there is an inspection form that covers ingress, egress, electrical panel labels, and fire extinguisher placement. Kristen added that they have discussed proper addressing and posting a list of such inside the house. Chris is wondering about the USE of a commercial turned

residential and need fire suppression systems. This is a building code issue and will be discussed in the future.

Joe verified with Hunter that those fire inspection schedules are kept up to date and on file.

Kristen moved to approve CU 25.01 subject to city conditions. Kara seconded, motion passed. RaJean will contact owner about the decision order.

#### **4. BOARD OF ADJUSTMENT - OLD BUSINESS**

#### **5. PLANNING COMMISSION - NEW BUSINESS**

#### **6. PLANNING COMMISSION - OLD BUSINESS**

##### **A. Title 4 Planning and Zoning update priorities discussion**

Discussions were held on the list of priorities crafted from the lists presented by the commissioners and liaisons at the March 6<sup>th</sup> meeting. Zach stated that it was time to get priorities well defined for a path forward.

Discussions were held on Short-term rentals being a lower priority as statistically there are less than 1% of the housing stock is affected and legal ramifications may be arduous. The effort may outweigh the benefit and other priorities may be more urgent. Perhaps the commission could simply address the immediate public perception of the issue with a short educational narrative.

Members discussed the benefits of a Housing plan in addition to the housing goals in the 2025 Master plan. The commission could be one vehicle to create a housing plan if directed to do so by Council. Another idea to create a housing plan is a diverse community task force including commission members, local businesses, and community members.

The consensus was to put a high priority on the planning commission to promote Title 4 changes for the statutory compliance items to: align with state statutes, meet FAA requirements, and provide consistency with other City codes including the appellate process.

Updating the Planned Unit Development portion of the codes was another topic that the members thought should be a high priority for this commission to focus on.

#### **7. ADJOURNMENT**

Adjournment at 7:40pm