



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, October 19, 2023 at 6:00 PM
City Council Chambers, 240 Lincoln Street

AGENDA

-
Attendance: Chair Zach Mahlum, Members, Tom Russel, Kara Colovich, Kristin Yannone, Dave Fehringer, Rob Newsom, and Joe Henry. City Attorney Adam Phillips, Council Liaison Missy White, 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. BOA & PLANNING COMMISSION MINUTES of October 5, 2023

3. BOARD OF ADJUSTMENT - NEW BUSINESS

A. Vacation 23.01, 473 S 4th, Meyer

B. Z 23.01, R-5 to C, 431 Washakie, Baker

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

6. PLANNING COMMISSION - OLD BUSINESS

A. Suggested changes to Title 4-11-10 off street parking

B. Title 4 Residential suggested changes to date

7. ADJOURNMENT

CITY OF LANDER

BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, October 05, 2023 at 6:00 PM
City Council Chambers, 240 Lincoln Street

MINUTES



Join Zoom Meeting

<https://us06web.zoom.us/j/85768470104?pwd=NDFJZ01nTlZwMEYvSTFiS2lMYzB4QT09>

Meeting ID: 857 6847 0104

Passcode: 339483

Attendance: Chair Zach Mahlum, Members, Tom Russel, Kara Colovich, Kristin Yannone, Dave Fehringer, Rob Newsom, and Joe Henry. City Attorney Adam Phillips, Council Liaison Missy White, Assistant Public Works Director Hunter Roseberry, Recording Secretary RaJean Strube Fossen

Kristin Yanonne was excused.

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 & PLANNING COMMISSION MINUTES of September 7, 2023

Joe moved to accept the minutes. Seconded by Dave . Motion passed

3. BOARD OF ADJUSTMENT - NEW BUSINESS

A. CU 23.11, 390 S 1st, Childcare, Tynsky

Owner Shaelyssa Tynsky took the oath and reported that she has been operating on a provisional license for some time. She will open her home to a total of 8 children which includes 3 of her children.

Zach asked if she has had any comments from local residents. She has had none.

Kara confirmed that the fencing is secure and the owner reported that the locks keeps the kids from accidentally wandering the busy neighborhood.

The City staff comments were read into the minutes. The fire inspection was performed prior to the issuance of the temporary license.

The Public Hearing was to be September 21, 2023 but there was no quorum so the meeting was not held. However there were no public at the previously scheduled hearing and no written public comment prior to the meeting.

Joe moved to approve CU 22.11, Kara seconded. Motion passed. The owner was notified of the upcoming decision order which is her final permission.

B. Vacation 23.01, 473 S 4th, Meyer

Dave F recused himself from the conversation as he is the surveyor of record. Owner Gregg Meyer took the oath and described their process to demolish the existing residential structure and build a new home on thier lot. There has never been an alley and they have been maintaining it a yard since their ownership in 1996. They have been in conversation with the City and the vacation is favorable with the City Engineer.

Rob asked why the vacation will not be split between two adjacent lots. RaJean confirmed that is commaan but in this case the area to be vacated is not condusive to that arrangement and the neighbor has no interest in the land.

Kara confirmed that she inspected the property and it did not appear to be needed as a alley.

RaJean read the City staff comments into the record. City staff recommends that this Vacation request be forwarded to Council for approval.

Zach confirmed that the owner will not pay any money for this parcel. RaJean confirmed that there will be no money required and there is recent precedent for that arrangement.

Vacation will require three readings to enact an ordinance. The first reading will be a public hearing as required by statute. That will occur at the October 24th City Council meeting and notices have been mailed out and published as required.

Tom moved approval ov Vacation 23.01, Rob scoded. Motion passed with Dave abstaining from the vote.

4. BOARD OF ADJUSTMENT - OLD BUSINESS

A. Nonconforming use permit process - Administrative approval for setbacks

Zach reminded the Commission that they authorized City Administration to approve NCU's if they were standard minimal requests like setback requirements. Discussions were held on the type and reason for these being processed. Most of these are being generated during the building permit process.

RaJean explained that an nonconforming permit is like owners insurance that the City will not enforce the setback requirements for future sales/ permits, etc. She explained that Nonconforming permits exist for a structure until they are abandoned or destroyed and a variance stays with the land for perpetuity. There was no objection to the current authorized process. The process will be codified in the update for Title 4.

5. PLANNING COMMISSION - NEW BUSINESS

A. S 23.07, JAG Hill subdivision, Guschewsky - public hearing

Dave F recused himself as he is the surveyor of record. Owner Paul Guschewsky took the oath and described thier wish to replat lots to match the existing commercial buildings and thier uses. Historically the family has used the property with various lot lines throughout the years and throughout many changing commercial uses.

The City Building Department is requiring that a parking lot be available to meet the IBC parking requirments for 535 E Main. The lot has already been paved and is in use as such even though it exists in an R-1 district which does not allow parking lots. This request includes a rezoning request for said lot which will fix that issue. It has been used as such since the 70.s There were two public questions but no public comment after explanation of the request.

Kara asked how common is rezoning. RaJean reported that it is not unusual for an owner to ask for a rezoning on the fringes of two different zones.

Tom moved to approve as presented. Joe seconded. During discussion the City comments were read into the record. There are some City forms that must be added to the documents before the plat will be recorded. Both the owner and their agent were sent the letter in advance of the meeting and they agree that all requirements will be met.

Tom moved to amend the original motion to move approval of S 23.07 with city contingencies as listed. Joe seconded. Motion passed with Dave abstaining from the vote.

6. PLANNING COMMISSION - OLD BUSINESS

A. Review of changes for S 23.03 Table Mountain Subdivision and Bishop Randal Street dedication

No action required, however the members were shown that the contingency of their original approval where the documents should be split into two separeate documents of the subdivision and the street dedication have been met. The subdivision will be presented for Council approval at their October 24th meeting.

B. Title 4 suggested changes - Off Sreet Parking Requirements 4-11-10

Zach reported there were three commercial off-street parking options submitted from prior meetings being: No parking regulations, regulation calcuted by size of the building and, regulation based on the type of commercial use. It was pointed out that the IBC does have minimal commercial parking requirements that are already adopted when the City adopted the 2021 IBC.

Discussion were held on the merits of no parking requirements in commercial zones assuming that business owners will provide parking to enhance their own business success. It was recognized that currently commercial zones are not surrounded by residential zones so commercial businesses will have the latitude to figure it out without negatively affecting residences.

Members recognized the need to pay close attention to multiplexes that will need dense parking. This will be especially true if snow routes go into effect that reduce residential parking in the more densely populated districts.

In 2019, CBI recommended .5 spaces per bedroom. Discussions were held on recommending .5 per bedroom, 1-2 per unit, and other options including giving credit for on-street spaces. It was

suggested that the new code consider the fate of the rounding up when calculating spaces. It was recognized that off street parking will minimize/restrict building space for new developers.

The members favor requirements for residential, but not for commercial, noting that ADA spots in accordance with current laws will still a requirement.

The Building department will be at the next meeting to help craft a final suggestion.

C. Review Title 4 Residential suggested changes to date

Members should look at the markup in the packet and comment to RaJean. Discussions were held on the merit of making a informational speaker circuit to targeted populations prior to the final ordinance public hearings. The presentations may include realtor groups and agencies, homeowners associations, senior center, service clubs, contractors and chamber businesses. Members are willing to help in these presentations depending on their schedules.

Members should also look at the IZC for comparison before we finalize our Title 4 recommended changes.

D. Disucssion of new International Zoning Code

<https://codes.iccsafe.org/content/IZC2021P1>

Members discussed the merit of using the code as a check to our revisions. Zach asked members to look at the code for comparisons and further thought. This may be done as an agenda item in future meetings.

7. ADJOURNMENT at 7:31 pm



THE CITY OF LANDER

240 LINCOLN STREET, LANDER, WY 82520

TELEPHONE 307-332-2870

OFFICE OF
PLANNING COMMISSION

September 29, 2023

Re: City Staff comments for Vacation 23.01, 473 S 4th Meyer

City Staff has been talking to the owner since the beginning of September. Public Works has verified that there are no existing utilities running East-West through the partial alley. Public Works has no future need for the 50 foot dead-end alley and has never maintained the right-of-way. Due to the configuration of the circle drive for Brodie Street there is no reason to believe that future utilities will request to use this partial alley.

Both the City and the owner desire to quit claim deed the vacated property to the applicant Gregg and Karen Meyer upon final approval of the ordinance.

City staff recommends approval of vacation application 23.01. Should the planning commission recommend the alley vacation as requested, City Administration will prepare an ordinance as required by City Code. Ordinances take a public hearing and three readings of council to be enacted. The public hearing should take place at the first reading of the ordinance.

Lance Hopkin

RaJean Strube Fossen

STREET & ALLEY VACATION REQUEST

\$225.00

(For Office Use Only)

Date received: 9/20/23

Fee: pd 9/29/23

Planning Commission Hearing Date: Oct 5 Recommendation: _____

City Council Hearing Date: _____ Ordinance # _____

Date Notices Sent: _____

Name of Applicant: James Gregg and Karen N Meyer

Physical Address: 473 S 4th St Lander Wy 82520

Mailing Address: 473 S 4th St Lander Wy 82520

Legal Description of Property: TWP 33N RNC 099W Sec 18 TR IN
NESW & JI Pattens ADDN BLK 42 FR LOT 20

WD 2010-1339903

Please provide the following supporting documents:


1. A list of all property owners and their mailing addresses within 400' of the requested vacation:
2. State specifically why you are asking for this vacation.
3. The request for vacation shall be made by all of the owners of lots within that portion of the overall plat sought to be vacated. List all owners and have original signatures of all owners.
4. Copies of all filed deeds showing ownership.


A public hearing will b held at the first reading of the ordinance for the requested vacation. A notice shall be sent to all property owners within 400' of the requested vacation.

The following are the procedures for processing a street or alley vacation request.

- a. Review the request with the City Staff. At this point, you will receive the necessary forms and instructions for filling out and filing said forms.
- b. The Planning Commission meets the fourth Thursday of the month. By ordinance, a legal notice regarding the request must be sent to all property owners within 400' prior o the public hearing. Our office requires submission of all completed material at least twenty-one (21) days prior to the meeting date in order to meet his publication requirements. There will be no exception from the twenty-one (21) day filing deadline date.

- c. **The petitioner and/or a designated representative must be present at the public hearing to give testimony and answer questions regarding the request. If no one is present at the hearing, the request may be denied at the discretion of the Board.**
- d. All public hearings are held by the City Council in the City Council Chamber, 240 Lincoln Street, starting at 6:00 p.m.


Applicant

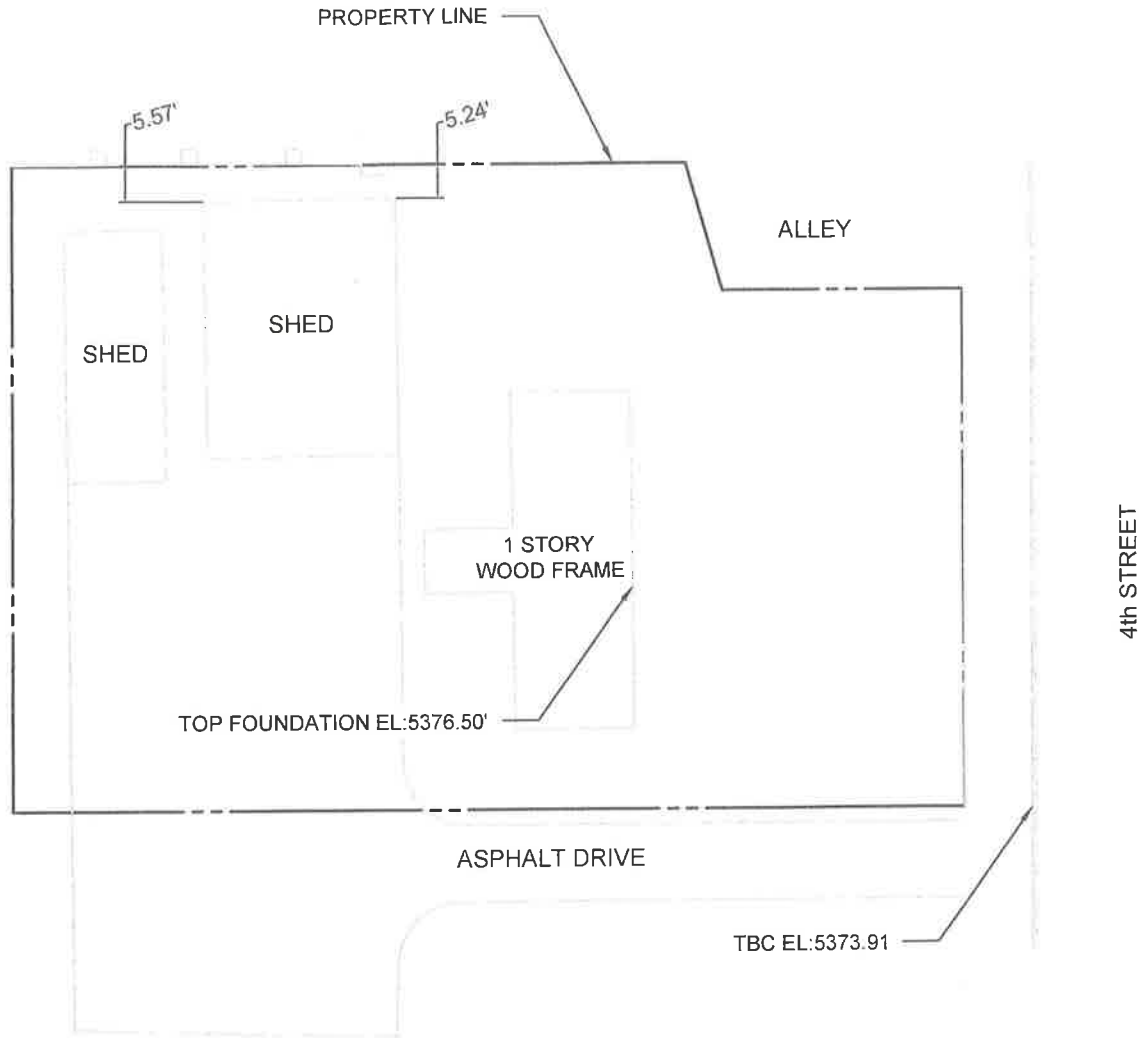

Applicant

To The Planning Commission,

Section 3, Item A.

We are looking to make improvements to our lot at 473 S 4th St by removing existing duplex structure and replacing it with a larger new single family home that would come within six and a half feet of the existing alley. We have taken care of this alley area since 1996. Please see the attachments of the legal description and site map along with the proposed new structure.

Sincerely,
Dregg Meyer



FREMONT
SURVEYING

477 LINCOLN ST. STE 1
LANDER, WY 82520
307.206.1007 | FREMONTSURVEYING.COM

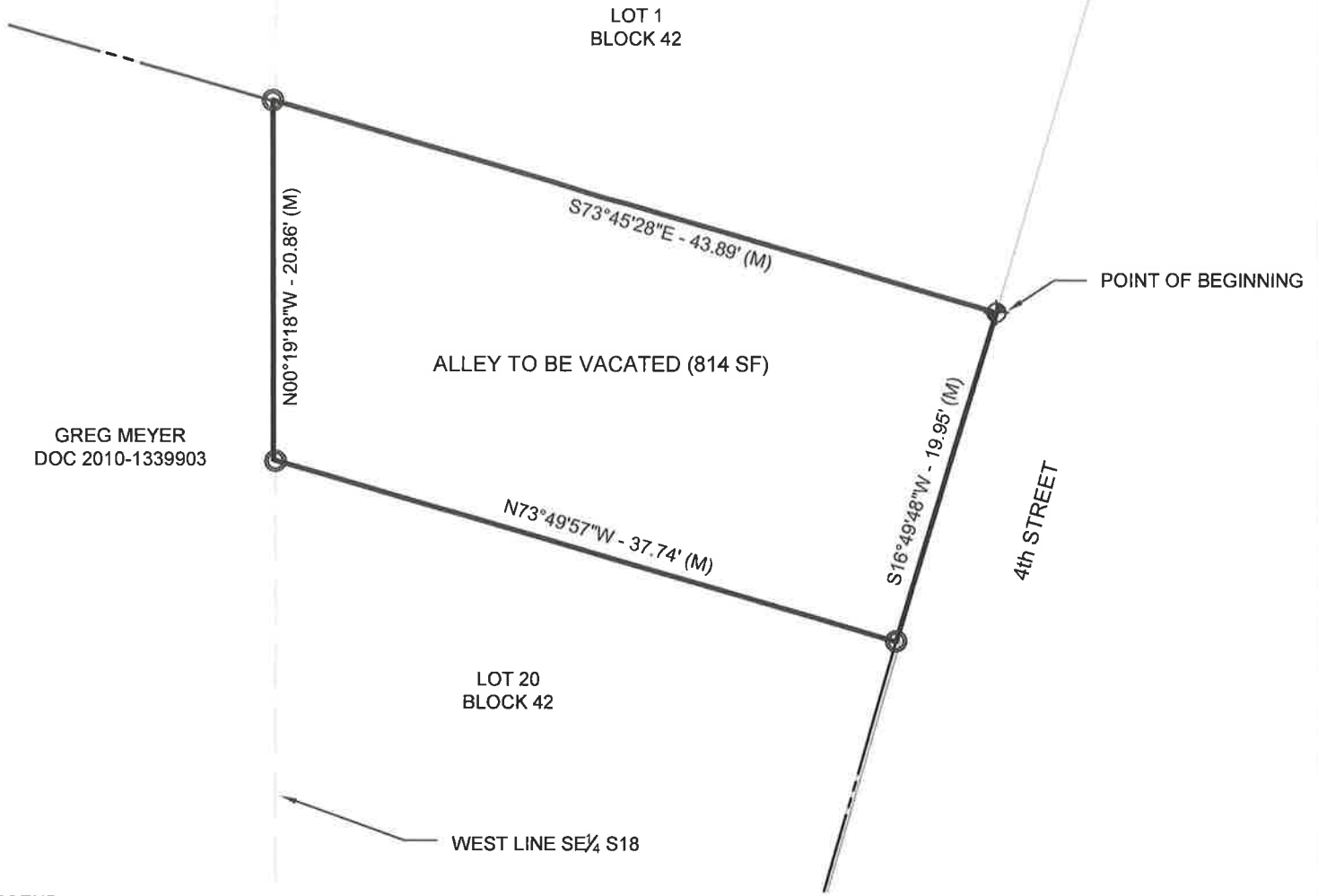
SCALE 1" = 30'

IF BAR LENGTH DOES NOT EQUAL 1" (ONE INCH), THIS PAGE WAS NOT PLOTTED TO THE INTENDED SCALE

Drawn By: DAF
Checked By: DAF
Job #:
Date: 9/25/2023
Revision:
Date:
Explanation:

EXISTING CONDITIONS
LOT 20, BLOCK 42 JI PATTEENS ADDN SECTION 18, T33N, R99W LANDER, WY

GREG & KAREN MEYER 473 4th STREET LANDER, WY 82520



LEGEND:

- FOUND 1.5" ALUMINUM CAP LS 5042
- ⊕ FOUND ¾" REBAR

TRACT LEGAL DESCRIPTION:

An existing alley as dedication to the City of Lander within Section 18, T.33N., R.99W., 6th PM., City of Lander, Fremont County, Wyoming, more particularly described as follows:
 Commencing from the Southeast Corner of Lot 1, Block 42, J.I. Patten's Addition to the Townsite (now City) of Lander. Thence proceed S16°49'48"W, a distance of 19.95 feet, more or less, to the northeast corner of Lot 20, Block 42;
 Thence N73°49'57"W, a distance of 37.74 feet, more or less, along the north line of said Lot 20 to the west line of the Southeast ¼ of said Section 18;
 Thence N00°19'18"W, a distance of 20.86 feet, more or less, along the said west line of the Southeast ¼ of said Section 18 to the south line of said Lot 1, Block 42;
 Thence S73°45'28"E, a distance of 43.89 feet, more or less, along the south of said Lot 1, Block 42, to the point of beginning of this description. Said Tract contains 814 square feet, more or less.

CERTIFICATE OF SURVEYOR

I, David A. Fehringer, of Lander, Wyoming do hereby certify that the Parcel described and shown hereon was derived from notes taken during an actual survey made by me SEPTEMBER 18, 2023 and that this is a correct representation of said survey to the best of my knowledge.



FREMONT
ENGINEERING | SURVEYING

427 LINCOLN ST., STE 1
LANDER, WY 82520

307.206.1007 | FREMONTSURVEYING.COM

SCALE 1" = 10'

IF BAR LENGTH DOES NOT EQUAL 1"(ONE INCH), THIS PAGE WAS NOT PLOTTED TO THE INTENDED SCALE.

Drawn By: DAF
Checked By: AE
Job #:
Date: 9/26/2023
Revision:
Date:
Explanation:

ALLEY VACATION
J.I. PATTEN'S ADDITION SECTION 18, T33N, R99W LANDER, WY

GREG & KAREN MEYER 473 4th STREET LANDER, WY 82520

WARRANTY DEED

GREGG MEYER, a single person grantor(s), for and in consideration of Ten dollars and other good and valuable consideration in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT TO, GREGG MEYER AND KAREN N. MEYER, husband and wife grantee(s), Whose address is: 2881 Sinks Canyon Road, Lander, Wyoming 82520 of Fremont County and State of Wyoming, the following described real estate, situate in Fremont County and State of Wyoming, to wit:

A portion of Lot 20, Block 42, J. I. Patten's Addition to the City of Lander, Fremont County, Wyoming, more particularly described as follows: Beginning at Point #1, the point intersection of the Northerly line of said Lot 20 with the West line of the NW¼SE¼ of Section 18, Township 33 North, Range 99 West, 6th P.M.; thence proceed S. 73°59' E. along the Northerly line of said Lot 20 a distance of 38.05 feet, more or less, to Point #2, the Northeastly corner of said Lot 20; thence proceed S. 16°01' W. along the Easterly side of said Lot 20 a distance of 81.0 feet, to Point #3; thence proceed N. 73°59' W. a distance of 14.43 feet, more or less, to Point #4, a point on the West line of said NW¼SE¼; thence proceed N. 0°14.7' W. along said West line a distance of 84.38 feet, more or less, to Point #1, the point of beginning hereinbefore mentioned.

AND

A tract of land in the NE¼SW¼ of Section 18, Township 33 North, Range 99 West, 6th P.M., Fremont County, Wyoming, more particularly described as follows: Beginning at Point #1 a point at the intersection of the East line of said NE¼SW¼ and the North line of the alley at Block 42 of J. I. Patten's Addition to the City of Lander, Fremont County, Wyoming; thence proceed S. 0°14.7' E., along the East line of said NE¼SW¼ a distance of 105.21 feet to Point #2; thence proceed N. 73°59' W. a distance of 135.57 feet to Point #3; thence proceed N. 16°01' E. a distance of 101.0 feet to Point #4; thence proceed S. 73°59' E. a distance of 106.12 feet, more or less, to Point #1, the point of beginning hereinbefore mentioned.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming.

Dated this 21 day of Dec, 2010.

Gregg Meyer
GREGG MEYER

STATE OF Wyoming

COUNTY OF Fremont

This instrument was acknowledged before me on 21st day December, 2010 by GREGG MEYER.

Seal



Nicole Powell
NOTARY PUBLIC
My commission expires:



CITY OF LANDER
ZONING AMENDMENT/REZONING REQUEST – TITLE 4-6
INSTRUCTIONS AND APPLICATION
NON-REFUNDABLE FEE \$500.00

For Office use only:
Date Received 9-15-23 Date Fee Paid 9-15-23 BOA Hearing Date Oct 26, 2023
Existing zone designation R-5 to C Applicable Section of zoning code

Name of Applicant Kevin Baker Email kbaker245@gmail.com
Address 431 Washakie Phone 307-349-5758

Do you own this property Yes X No

If no, Name of Owner Email

Address Phone

Legal Description of Property (Street address, subdivision lot and block numbers, or attached a Legal description prepared by a surveyor)
431 Washakie

Present Zoning District of Property R-5 Current zoning use of the property R-5

Proposed Zoning District C-Commercial Proposed zoning use of property C

Will this zoning (check one):
___ correct an obvious error or oversight in the regulations.
___ recognize the promotion of the public health, safety and general welfare.

Describe the Proposed use of property and why a zoning request is needed.
Looking to use current home as long term rental and build tin shop on empty lot

Describe why the zoning amendment will NOT have an adverse effect on the surrounding properties and is in keeping with the existing uses of the neighborhood
Leaving the long term rental house along with renovations to the current home. My tenants are also employees so there will be no disruption to close neighbors. My shop hours are from 8-5 M-F also most of our work is in the field, not at the shop, so there will be no disruption from extra traffic or noise

___ Attached is a plot plan or drawing of all lots and buildings that request a zoning amendment showing the adjacent properties and their existing zoning designation.

Signature of applicant [Signature] Date 9-14-23



**CITY OF LANDER
ZONING AMENDMENT/REZONING REQUEST – TITLE 4-6
INSTRUCTIONS AND APPLICATION
NON-REFUNDABLE FEE \$500.00**

A Zoning amendment/rezoning request application must be submitted along with a plot plan or drawing. The graphic must be a straight-edged drawn plan (a drawing to scale is preferred but not necessary) delineating the property lines and dimensions, adjacent street(s) and name(s) of that/those street(s), a north arrow, the location of existing/proposed building(s) on the parcel and if applicable off-street parking and/or loading layout. Aerial photographs of your property can be found on the Fremont County map server at <https://maps.greenwoodmap.com/fremontwy/>

1. The following are the procedures required for a zoning amendment/rezoning application:
 - a. Review the request with the City Planning Staff. Application forms are available on the City Website www.landerwyoming.org on the homepage under the "Documents and Forms" tab.
 - b. The City ordinance 4-8 states the rules for Zoning amendments. There are only two reasons for rezoning property: 1) to correct an obvious error or oversight in the regulations; or 2) to recognize the promotion of the public health, safety and general welfare. The City Zoning code can be found on the City website at this link [Title 4 Zoning Code](#).
 - c. Prior to the City Council's public hearing, the Board of Adjustment (BOA) reviews the request and render's a recommendation to the Council. The Board of Adjustment meets the First Thursday of the month. Our office requires submission of all completed material at least twenty-one (21) days prior to the meeting date. There will be no exceptions from the twenty-one (21) day filing deadline date. The petitioner and/or a designated representative must be present at the Board of Adjustment meeting to give testimony and answer questions regarding the request.
2. If approved and recommended for a zoning amendment by the Board of Adjustments, the City Council, by ordinance, must have three readings on any rezoning request. Thus, the public hearing is also the first reading with two others following only if the request receives an affirmative vote.
3. The petitioner and/or a designated representative must be present at the public hearing and City Council meeting to give testimony and answer questions regarding the request.
4. By ordinance, a legal notice regarding the case must be published in a newspaper of general circulation at least fifteen (15) days prior to the public hearing and a letter describing your request will be mailed to all residents within 400' of the property under application.
5. All public hearings are held in the City Council Chambers, 240 Lincoln Street, Lander, Wyoming 82520 starting at 6:00 p.m. unless otherwise posted.

Zoning amendment Case number: 223.01

Your BOA meeting will be held: ~~Oct 26th~~ Oct 19th

Return forms by: _____



Rajeon Strube Fossen <rsfossen@landerwyoming.org>

Rezoning request, 431 Washakie

2 messages

Steven Wiles <wiles.s@gmail.com>

Mon, Oct 9, 2023 at 10:49 AM

To: "rsfossen@landerwyoming.org" <rsfossen@landerwyoming.org>

RaJean:

I am writing to express my opposition to this request to change two lots in a residential zone to a commercial zone. In my view this is "spot zoning", a practice that in the past the City has been opposed to. Changing the character of our residential neighborhood will not only have a negative impact on our enjoyment of our homes but also on their value. Over the years the City has worked diligently to eliminate various commercial businesses located in residential zones. Approving this would be a reversal of long standing policies.

Sincerely,

Steve Wiles
360 Washakie St
349-3190

Rajeon Strube Fossen <rsfossen@landerwyoming.org>

Tue, Oct 10, 2023 at 7:34 AM

To: Steven Wiles <wiles.s@gmail.com>

THank you Steve. Your comments will be included in the agenda packet for the meeting on October 19th. Please still consider coming to City Hall in person at 6pm if that meets your needs.



Have a great fall!
RaJean

[Quoted text hidden]



Section 3, Item B.

Rajeon Strube Fossen <rsfossen@landerwyoming.org>

431 Washakie Rezoning Request

2 messages

Julie <jegoudy@yahoo.com>

325 N 4th

Mon, Oct 16, 2023 at 9:33 AM

To: "rsfossen@landerwyoming.org" <rsfossen@landerwyoming.org>

I would like to speak **against** in writing the rezoning request for [431 Washakie Street](#). This is a quite well kept neighborhood and I feel that it would add unwanted commercial traffic, noise, clutter and devaluation of our adjacent homes.

Thank you
Julie Goudy

Rajeon Strube Fossen <rsfossen@landerwyoming.org>

Tue, Oct 17, 2023 at 7:06 AM

To: Julie <jegoudy@yahoo.com>

Thank you, your comments will be presented at the meeting on Thursday, Oct 19th. Please feel free to attend in person at 6:00 at City Hall.



Have a great fall!
RaJean

[Quoted text hidden]



Rajeon Strube Fossen <rsfossen@landerwyoming.org>

Rezoning request for 431 Washakie

2 messages

Eric Concannon <ericconcannon@yahoo.com>

Fri, Oct 13, 2023 at 8:51 PM

To: Rajeon Strube Fossen <rsfossen@landerwyoming.org>

RaJean,

Please register the following as my opinion regarding this rezoning request at 431 Washakie, which is a property less than one block from my home.

I do not support this change.

My thoughts on this matter follow:

1. It will be a significant departure the entirely residential (mix of single-family and multi-family) nature of this entire block of Washakie Street as well as most of the block of Washakie East of 3rd and all of the block West of 5th. The existing R-5 designation for this property already permits a variety of "light commercial" uses, which I believe to be acceptable in this neighborhood. The fact that this is a rezoning request rather than a conditional use permit indicates that the planned use of the property will not conform to any of conditional uses of the R-5 zone. Therefore, it will clearly not "be compatible with the character of the area" (Lander Municipal Code Sec. 4-6-1-C). The commercial zone in this part of town should remain limited to both sides of Lincoln St to the South and immediately adjacent to 2nd Street to the East.
2. Numerous properties are presently available for sale, vacant, or underutilized along the entire length of Lincoln. Please refer to [this document \(https://core.ac.uk/download/pdf/4393786.pdf\)](https://core.ac.uk/download/pdf/4393786.pdf), especially Chapter 1, for an in-depth discussion of this subject. I have attached a portion of the City's zoning map with with notes (mouse over the arrows to view) about such properties based on a walk along the length of Lincoln on Friday 10/13/23. Lincoln is one of several parts of town within Commercial Zones with numerous similar properties. Nearly all of these properties throughout Lander must be built out or remodeled and actively in use for "higher and better purposes for the community" (see document referenced above) before any consideration should be given to more commercial lots within the city.

Regards,

Eric Concannon
477 Amoretti Street **Lander Zoning Lincoln Markup.pdf**
811K**Rajeon Strube Fossen** <rsfossen@landerwyoming.org>

Tue, Oct 17, 2023 at 7:14 AM

To: Eric Concannon <ericconcannon@yahoo.com>

Thank you Eric. Your comments will be presented at the October 19th meeting. Please feel free to still attend the public hearing at 6:00 pm at City Hall.



Have a great fall!
RaJean

October 14, 2023

City of Lander
240 Lincoln Street
Lander, Wyoming 82520

Re: Rezoning request for 431 Washakie Street, Lander

As residents of Washakie Street, situated directly across from this property, we are opposed to rezoning this to a commercial property.

As well as increasing traffic through this residential area, parking would be adversely affected. During renovation to this property currently ongoing, many people visiting/working have chosen to park on the street other than in front of 431 Washakie.

We recognize that the street is for public parking, but it is frustrating when adjacent homeowners, renters, visitors, etc. choose to park long term on the street in front of someone else's home, set their trash receptacle, and have occupied camp trailers parked. There does not appear to be any regulation or common courtesy. Property taxpayers are required to maintain sidewalks, and should have some right to utilize the street so we do not have to walk around the block to get to our own residence.

Thank you,

Rose Hirasawa Laurie Hirasawa

436 Washakie Street
Lander, Wyoming



Section 3, Item B.

Rajeon Strube Fossen <rsfossen@landerwyoming.org>

431 Washakie - Hirasawa comments

2 messages

L Connell <kazuyogirl@yahoo.com>

Sun, Oct 15, 2023 at 1:36 PM

To: "rsfossen@landerwyoming.org" <rsfossen@landerwyoming.org>

please see attached



431 Washakie City of Lander comments.jpg
404K

Rajeon Strube Fossen <rsfossen@landerwyoming.org>

Tue, Oct 17, 2023 at 7:16 AM

To: L Connell <kazuyogirl@yahoo.com>

Thank you for your comments. They will be presented at the meeting October 19th. I see you also signed the petition that Steve Wiles presented. Please feel free to come to the hearing at 6:00 pm at City Hall.



Have a great fall!
Rajeon

On Sun, Oct 15, 2023 at 1:36 PM L Connell <kazuyogirl@yahoo.com> wrote:

please see attached

ownership	address 1	address 2
ALBRECHT CARRIE & UNEMA JOEL	335 N 4TH ST	LANDER, WY 82520-2821
ANDERSON MARK W	PO BOX 49	BURNS, WY 82053
BROOKS DONALD W & SUSAN L	455 AMORETTI	LANDER, WY 82520
<i>Letter</i> BROWN KRISTEN & ERIC <i>Concannon</i>	477 AMORETTI ST	LANDER, WY 82520
CARDENAS DANIEL	473 WASHAKIE ST	LANDER, WY 82520-2833
CARPENTER STEVEN & GERIELIN	157 MARKET ST	LANDER, WY 82520-2329
✓COMSTOCK TODD R & KARI JO	382 WASHAKIE ST	LANDER, WY 82520-2856
✓CRAIG KATHERINE & NICHOLS PETER	365 WASHAKIE ST	LANDER, WY 82520-2855
DEBOLT SYNDA	355 N 4 ST	LANDER, WY 82520
EAGLE TREE LLC	PO BOX 876	LANDER, WY 82520
EBY KARL H & ELISABETH H	375 AMORETTI ST	LANDER, WY 82520-2843
ECKART ANDREW C	393 WASHAKIE ST	LANDER, WY 82520
ELKS BPOE LODGE #2317	P O BOX 402	LANDER, WY 82520
ELLIS DONALD TRUST	C/O ELLIS DONALD OR ANGIE PO	LANDER, WY 82520-0747
✓ELZAY FRANKLIN W & CLAUDIA L	391 AMORETTI ST	LANDER, WY 82520-2843
FERGUSON STUART & MELANIE	336 N 4TH ST	LANDER, WY 82520-2822
✓FIFIELD TERESA L	346 WASHAKIE ST	LANDER, WY 82520-2856
FORBES KELSIE	507 WASHAKIE ST	LANDER, WY 82520-2739
FORTON WILLIAM J & DEBBIE J	547 MARKET ST	LANDER, WY 82520-2130
<i>Letter</i> GOUDY JULIE E	325 N 4 ST	LANDER, WY 82520
✓HAEGEL ANNA CHRISTINE	383 WASHAKIE ST	LANDER, WY 82520
HASTINGS CRYSTAL	PO BOX 25	LANDER, WY 82520-0025
HELLER JEFFREY S	323 N 5TH ST	LANDER, WY 82520
<i>Letter</i> ✓HIRASAWA ROSE MARY	436 WASHAKIE	LANDER, WY 82520
HUGGINS JOSHUA P & NICOLE M	431 WASHAKIE ST	LANDER, WY 82520
LANDER WORX LLC	PO BOX 631	LANDER, WY 82520-0631
MAESTAS CADE A & CHRISTINE A	387 N 4 ST	LANDER, WY 82520
✓MCOMIE DANIEL A & SHERYLE L	373 WASHAKIE ST	LANDER, WY 82520-2855
✓MCRANN MICHAEL & KAREN	340 MAIN ST	LANDER, WY 82520
✓METTENBRINK KATHLEEN & PATRICK	460 WASHAKIE ST	LANDER, WY 82520-2834
MONTANA MUSTANGS LLC	143 CAPITOL ST	LANDER, WY 82520-3928
NARDI BARBARA H	474 WASHAKIE ST	LANDER, WY 82520
NATIONAL OUTDOOR LEADERSHIP SCHOOL	284 LINCOLN	LANDER, WY 82520
PESCHIO DAVID J & SHANNON K	367 AMORETTI ST	LANDER, WY 82520-2843
PLYMALE CHARLIE A & LARISSA T	125 WENDY ST	LANDER, WY 82520-3827
REGION V BOARD OF COOPERATIVE EDUCATION	P O BOX 24	WILSON, WY 83014
✓RIDDLE DONALD M	461 WASHAKIE ST	LANDER, WY 82520-2833
SAMO8 LLC	1210 MCDOUGALL DR	LANDER, WY 82520-3531
✓SANDERS MEGHAN B	494 WASHAKIE ST	LANDER, WY 82520-2834
SOUTHTOWNE PROPERTIES MGMT	395 LAKESIDE RD	LANDER, WY 82520-9205
SPUR PROPERTIES LLC	295 W 500 S	PRICE, UT 84501-3242
✓WATKINS STEVEN & SONDRRA	445 WASHAKIE ST	LANDER, WY 82520
✓WILES SARA LIVING TRUST	PO BOX 348	LANDER, WY 82520
YARDAS MIKE TRUST	PO BOX 517	LANDER, WY 82520

13 eligible signatures. 40% of 44 = 17.6 signatures.
 2 additional letters petition fails. RSF-10/17

The undersigned property owners are opposed to the rezoning of 431 Washakie St from residential to commercial.

- 1 Steve Wiles - 360 Washakie
- 2 Teri Field 346 Washakie

- 1 Sara Waters - 360 Washakie
- 3 Frank Ely 391 Amoretti
- 4 Lynn Moran 433 Amoretti
- 5 Dan McOmie 373 Washakie
- 6 Rose Hirasawa 436 Washakie

Rec 10/16/23
 10:00 AM

 Mr. Wiles

- 7 Tall [unclear] 382 WASHAKIE
- 8 [unclear] 445 Washakie
- 9 Don Riddle 461 Washakie
- 10 Katie Mettenbrink - 460 Washakie
- 10 Patrick Mettenbrink - 460 Washakie
- 6 Laurie Hirasawa 436 Washakie
- 11 Anne Hegel 383 Washakie
- 12 Kate Craig 365 Washakie
- 13 Meghan Sanders 494 Washakie

not w/ [unclear] Amy Tillotson
 not w/ [unclear] Jayme Blackburn ADLS 345 WASHAKIE - Lincoln Street



THE CITY OF LANDER

240 LINCOLN STREET, LANDER, WY 82520
TELEPHONE 307-332-2870

OFFICE OF
PLANNING COMMISSION

October 15, 2023

Re: City Staff comments for Z 23.01, 431 Washington, Baker.

City Staff noted that the existing property is adjacent to the existing Commercial zoning district at the rear (alley) side of the lot. Washington Street is zoned commercial for the 100 and 200 blocks and southern lots on Washakie Street are adjacent to Commercial zoning district south of the alley for all 300-700 blocks.

As an R-5 District, there are restrictions on approved multiple uses as listed in 4-12-5 D below:

1. Multiple Uses. Any number of permitted uses may be allowed on a single lot/development pad provided the specific use of some lots/development pads or structures may be limited based on access, parking limitations, or potential impacts to adjacent residential uses.
2. Storage Uses. Storage shall be limited to accessory storage of commodities sold at retail on the premises. All storage shall be completely enclosed within a structure unless otherwise approved by the planning commission. No commercial storage facility will be allowed.
3. Walls/Fences Between differing Use Districts. A six-foot-high solid wall/fence/screening or other approved buffer shall be constructed and maintained on all property lines which abut a residential use or zone district unless the property is separated from the residential use or zone district by a public road or alley. Walls or fences may be required to be set back from streets and alleys so as not to obstruct views.
4. Hours of Operation. No business shall be open to the public between the hours of ten p.m. and seven a.m. without a conditional use permit.
5. Uses in Structures. All uses shall be operated primarily within an enclosed structure. Limited seasonal outdoor displays and sales may be permitted if approved in the site plan review or by the Planning Commission.
6. Loading Areas Screened. All loading areas shall be screened from public view or from view from any adjacent residential use or zone district by a maintained wall or screened fence not to exceed ten feet in height.

As a Commercial District adjacent to a Residential District the setback requirements must meet that of the residential district and a six-foot high buffer shall be required as listed in 4-12-F below:

Minimum Setback Requirements for Principal Structures:

1. front yard: 8 feet,
2. side yard on flanking street on corner lot: 8 feet,
3. When a lot or parcel of ground in the district adjoins a residential district, the setback requirements that apply to the yard area of the residential district shall be required, otherwise no setbacks would be required,
4. When a parcel of ground or lot adjoins a residential district at the rear yard, a six-foot-high solid wall/fence or other approved buffer shall be required.

City Code section 4-7-2 states that the Planning Commission has the power to “hear and make recommendations to the City Council on rezoning applications ensuring that the application is consistent with the adopted Master Plan.” City staff believes the request is consistent with the 2012 Master Plan suggests implementation plan for two related action items being:

1-2 Develop a zoning plan that promotes graduated densities and intensities of development with the highest density and intensity in the downtown and the lowest at the edge of the planning area. (i.e., Adoption of zoning codes that reinforce graduated density and intensity patterns.)

3-4 Identify opportunities to expand existing industrial sites by rezoning adjacent properties as they become available.

City staff received four written public comments and one petition on this rezoning request. All public comment was against the request to change the existing R-5 Residential zoning to C-Commercial zoning. The application is in order, is consistent with the 2012 Master Plan, and meets all the requirements for City Codes 4-3-2 District Zoning Map and 4-8-4 Amendments – Zoning Map.

Hunter Rosebury

Lance Hopkin

RaJean Strube Fossen