



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Tuesday, July 02, 2024 at 6:00 PM
City Council Chambers, 240 Lincoln Street

AGENDA

Join Zoom Meeting

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

Meeting ID: 857 6847 0104

Passcode: 339483

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

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. **BOARD OF ADJUSTMENT MINUTES** of June 6, 2024

No meeting was held June 18 due to lack of quorum.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

6. PLANNING COMMISSION - OLD BUSINESS

A. Review Title 4 2024 suggested changes

B. Set Public outreach dates/venues

7. ADJOURNMENT



CITY OF LANDER

BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, June 06, 2024 at 6:00 PM
City Council Chambers, 240 Lincoln Street

MINUTES

Attendance: Chair Zach Mahlum, Members, Kara Colovich, Kristin Yannone, Dave Fehringer, Rob Newsom, and Joe Henry. Tom Russell was absent. City Attorney Adam Phillips, Council Liaison Missy White, Assistant Public Works Director Hunter Roseberry.

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 May 16, 2024

Kara moved to approve the minutes of May 16, 2024. Seconded by Dave. Motion carried unanimously.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

A. CU 24.05, 411 Lincoln, Childcare, Williamson

Ms. Williamson took the oath and addressed the Board to explain her daycare operation for children 0-5 years of age from 7:30 to 5:30 M-F.

Zach verified that the facility will be licensed for 20 children. Zach verified that there are 4 dedicated parking spaces in addition to the street public parking. Kristin asked how the drop-off would be handled. Ms. Williamson reported that the drop off is off-street so the kids will be safe. Dave verified that the building is fronting Lincoln Street. Joe verified that the parents will be required to escort the children in as listed in the handbook.

Hunter read the staff comments into the record recommending approval of the new daycare. The fire inspection on May 17, 2024, has already been passed and the DFS has verified that all the paperwork is in order.

There being no public comment, Kristin Yannone moved to approve CU 24.05 as recommended. Seconded by Rob Newsom. Motion carried unanimously.

Zach reminded the applicant that a decision order will be forthcoming within 30 days.

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

A. S 24.03, E Amoretti Addition Replat, 575 N 4th, McDonald

Chris McDonald, Owner, took the oath and addressed the Board with a request to separate the single property into 2 lots to accommodate the two existing residences. Zach asked if there was a current mortgage to which the owner replied that it was personally financed by an individual.

Rob verified that the lot line is located to meet the side setbacks between the two buildings. Concern arose that lot 2A doesn't meet the minimum lot width of 50' facing N 4th. The owner reported that the residences have been there for 30 and 10 years through the generational ownership of his family.

Missy read the City Letter into the record stating that sidewalks must be installed, and a nonconforming setback registration is needed on lot 2A, and a nonconforming use permit is needed also for all accessory sheds.

Discussions were held concerning whether the applicant should choose to withdraw the application or work with the surveyor to change the lot line to meet the minimum street frontage. Zach verified that the applicant did not apply for a variance on the lot frontage. Dave explained to the owner that a nonconforming permit is less arduous than the variance route.

Rob Ellsworth came forward with public comment stating that he will be doing the sidewalk for Mr. McDonald. He suggested a canted lot line from the sidewalk or setback to the east lot line may cause issues for future owners. Zach stated that the Commission cannot direct the owner what to do and he should talk with his surveyor. Rob asked if they could install the sidewalk without approval. Hunter agreed that the sidewalk was needed and could proceed.

Zach explained that the owner could appeal to the City Council if the subdivision was not approved tonight. City Attorney agreed with that assessment. Adam and Zach reiterated that he could withdraw, appeal to the City Council, or revise the plat to meet the standards.

Kristin moved to approve S 24.03. Kara Seconded. The applicant did not want to withdraw the application, nor apply for a variance, and is willing to adjust the lot lines to accommodate a legal 50' lot frontage. Joe put forth an amended motion to include that all city requirements are met including the City frontage requirements. Rob seconded the amendment. Motion to amend carried.

Motion to approve S 24.03 as amended passed unanimously. Zach explained that the plat is recommended to council for approval contingent on the correct lot frontage.

6. PLANNING COMMISSION - OLD BUSINESS

7. ADJOURNMENT @ 6:40 pm

Description	R-1 Single Family		R-2 Low Density		R-3 Medium Density		R-5 High Density		R - Med		Agricultural		Commercial		Public Lands (new)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Single Family Dwellings	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No Change	Not allowed	No Change
Multifamily Dwellings	Not allowed	No change	Allowed with no limit on # of units Allowed up to 4 units	Allowed up to 4 units	Allowed up to 4 units Allowed up to 6 units	Allowed up to 6 units	Allowed no limit on # units	No change	Allowed with no limit on # of units	No change	Not Allowed	No change	Allowed	No Change	Not allowed	No Change
Church	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No Change	Not allowed	No Change
Schools	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Not Allowed	No change	Allowed	No Change	Allowed	No Change
Mortuary, crematory	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No Change	Not allowed	No Change
Residential Off-Street parking required	1 minimum, 2 maximum	No change	1 minimum, 2 maximum 1 per dwelling unit	1 per dwelling unit	1 minimum, 2 maximum 1 per dwelling unit	1 per dwelling unit	1 minimum, 2 maximum 1 per dwelling unit	1 per dwelling unit	1 minimum, 2 maximum 1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	As listed in 4-11-10	As required in current version of adopted building and ADA codes	N/A	
Manufactured Homes	Not allowed	No change	Not allowed	No change	Allowed	No change	Not Allowed	No change	Not Allowed	No change	Not Allowed	Allow	Allowed	No Change	Not allowed	No Change
Manufactured Home Parks	Not allowed	No change	Not allowed	No change	Allowed	No change	Not Allowed	No change	Not Allowed	No change	Not Allowed	No Change	Not Allowed	No Change	Not allowed	No Change
Short-term Rentals	Allowed by permit only	No change	Allowed by permit only	No change	Allowed by permit only	No change	Allowed by permit only	No change	Not Allowed	Allowed by permit	Not Allowed	Allowed by permit	Allowed without permit	Allowed by permit only	Not allowed	No Change
Licensed child/foster care facilities	Allowed by permit only	No change	Allowed by permit only	No change	Allowed by permit only	No change	Allowed	Allowed by permit only	Allowed by permit only	No change	Not Allowed	Allowed by permit	Allowed by permit only	No Change	Allowed by permit only	No Change
Professional structures	Allowed by permit only	No change	Allowed by permit only	No change	Allowed by permit only	No change	Allowed	No change	Not Allowed	Not allowed unless permitted	Allowed	No Change	Allowed	No Change	Not allowed	No Change
Assisted living facilities	Not allowed	No change	Not allowed	No change	Not allowed	No change	Allowed	No change	Allowed	No change	Not Allowed	No Change	Allowed	No Change	Allowed	No Change
Clinics, Nursing homes	Not allowed	No change	Not allowed	No change	Not allowed	No change	Allowed	No change	Allowed	No change	Not Allowed	No Change	Allowed	No Change	Allowed	No Change
Hospitals	Not allowed	No change	Not allowed	No change	Not allowed	No change	Not allowed	No change	Allowed	No change	Not Allowed	No Change	Allowed	No Change	Allowed	No Change
Motel/Hotel	Not allowed	No change	Not allowed	No change	Not allowed	No change	Allowed	No change	Not Allowed	No change	Not Allowed	No Change	Allowed	No Change	Not allowed	No Change
RV campground district	Not allowed	No change	Not allowed	No change	Allowed by permit only	No change	Allowed	No change	Not Allowed	No change	Not Allowed	Allowed by permit	Allowed by permit only	No Change	Not allowed	No Change
Home Businesses	Allowed by permit only	No change	Allowed by permit only	No change	Allowed by permit only	No change	Allowed by permit only	No change	Not Allowed	No change	Not Allowed	No Change	Allowed	No Change	N/A	
Civic/Community Centers	Not Allowed	No change	Not Allowed	No change	Not Allowed	No change	Allowed	No change	Not Allowed	No change	Not Allowed	No Change	Allowed	No Change	Only if governmental facility	No Change
Permanent STORAGE Structure (garage, storage sheds on a slab or foundation)	Allowed	Allowed up to 2 units	Allowed	Allowed up to 2 units	Allowed	No change	Allowed	No change	Allowed	No change	Allowed up to 3 outbuildings	No Change	No restrictions	No Change	No Restrictions	No Change
Temporary STORAGE Structure (skid structures, canisters NOT on a foundation)	Allowed	Allowed up to 2 units	Allowed	Allowed up to 2 units	Allowed	No change	Allowed	No change	Allowed	No change	Allowed	No Change	No restrictions	No Change	No Restrictions	No Change
Lot size	7,500 sq ft	No change	3750 sqft	No change	3750 sqft	No change	3750 sqft	No change	6000 sqft	3750 sq ft	1 acre	No Change	No restrictions	No Change	No Restrictions	No Change
Lot Width	50 ft	No change	50-ft	40 ft	50-ft	40 ft	50-ft	40 ft	50-ft	40 ft	100 ft	No Change	30-ft	25 ft	No Restrictions	No Change
Front Setback	33-ft	28 ft	28-ft	23 ft	20-ft	15 ft	12 ft	No change	28-ft	23 ft	33 ft	No Change	8-ft	not required	8 ft	No Change

Description	R-1 Single Family		R-2 Low Density		R-3 Medium Density		R-5 High Density		R - Med		Agricultural		Commercial		Public Lands (new)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Side Setback	12 ft	10ft	10 ft	5 ft, 10 ft if existing underground utilities	10 ft	5 ft, 10 ft if existing underground utilities	5 ft	5 ft, 10 ft if existing underground utilities	10 ft	5 ft, 10 ft if existing underground utilities	12 ft	No Change	No restrictions unless adjoining a residential district	No Change	No restrictions unless adjoining a residential district	No Change
Side Setback on a corner lot	28 ft	No change	23 ft	No change	23 ft	15 ft	12 ft	No change	28 ft	23 ft	28 ft	No Change	8 ft	not required	8 ft	No Change
Rear Setback without Alley access	20 ft or 20% lot depth	No Change	20 ft or 20% lot depth	lesser of 15 ft or 20% lot depth	20 ft or 20% lot depth	lesser of 15 ft or 20% lot depth	10 feet or 20% lot depth	No change	20 ft or 20% lot depth	lesser of 15 ft or 20% lot depth	20 ft	No Change	No restrictions unless adjoining a residential district	No Change	No Restrictions	No Change
Rear Setback with Alley access	20 ft or 20% lot depth	Lesser of 15 ft or 20% lot depth	20 ft or 20% lot depth	5 ft, 10ft if there are utilities	20 ft or 20% lot depth	5 ft, 10ft if there are utilities	10 feet or 20% lot depth	5 ft, 10ft if there are utilities	20 ft or 20% lot depth	5 ft, 10ft if there are utilities	20 ft	No Change	No restrictions unless adjoining a residential district	No Change	No Restrictions	No Change
Number of Residential structures allowed	1 per lot	no change	1 per lot	2 per lot	2 per lot	3 per lot	Two	Unlimited	One	2 per lot	2 per lot	No Change	no restrictions	No Change	No Restrictions	No Change
Maximum height of Structure	30 ft	35 ft	30 ft	45 ft	30 ft	45 ft	Three stories	45 ft	30 ft	40 ft	30 ft	45 ft	45 ft	55 ft structural, 60ft mechanical	No Restrictions	No Change
Maximum height of Assessorly Structure	20 ft	30 ft	20 ft	30 ft	20 ft	30 ft	20 ft	30 ft	20 ft	30 ft	20 ft	30 ft	45 ft	No Change	No Restrictions	No Change
Maximum lot coverage	40%	No maximum - as determined by setbacks	40%	No maximum - as determined by setbacks	40%	No maximum - as determined by setbacks	60%	No maximum - as determined by setbacks	40%	No maximum - as determined by setbacks	No restrictions	No Change	No Restrictions	No Change	No Restrictions	No Change