



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, May 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. 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 and PLANNING COMMISSION MINUTES of April 4, 2024

3. BOARD OF ADJUSTMENT - NEW BUSINESS

4. BOARD OF ADJUSTMENT - OLD BUSINESS

A. Take off the table NCU 23.23 690 Evergreen

B. NCU 23.23, 690 Evergreen, Zerga

5. PLANNING COMMISSION - NEW BUSINESS

6. PLANNING COMMISSION - OLD BUSINESS

A. Title 4 changes, graphics review

7. ADJOURNMENT



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, April 04, 2024 at 6:00 PM
City Council Chambers, 240 Lincoln Street

MINUTES

Join Zoom Meeting

<Insert Zoom Link>

Attendance: Chair Zach Mahlum, Members, Tom Russell, Kara Colovich, Kristin Yannone, Dave Fehringer. Members Rob Newsom and Joe Henry were absent. 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 21, 2024

Kristin moved to accept the minutes of March 21 as modified from previous comments, seconded by Dave. Motion passed.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

A. CU 24.03 Short-term rental, 965 Dabich, Titzer

Michael Titzer took the oath and described that this request is for the house he lives in. He would like to take advantage of the summer vacation season and when he is on travel.

Zach verified that the number of bedrooms is 5 for a maximum of 10 persons. The owner verified that there are two off street parking areas plus a garage. There is alley access but he has never used it.

RaJean read the City Staff comments which recognized that there are some nonconforming setbacks which existed prior to the adoption of City Codes. The owner is eligible for a nonconforming setback registration which should be completed through the City. City recommends approval contingent of proof of ability to collect lodging tax, and having the annual fire inspections. There were no written comments.

Kristin verified is all the bedrooms had fire exits. The owner replied that the two basement bedrooms have egress windows.

Kristin moved to approve CU 24.03 as submitted. Tom Seconded. Motion passed.

The owner was notified that he will be contacted by the Fire administrator for an inspection. The nonconforming registration can be found on the City Website.

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

A. CS 24.02 Sunflower Subdivision, White Diamond Drive

Dave F recused himself from the vote as he is the surveyor of record for this request. Dave represented his clients Clint and Tory Guymon.

The property is currently used as an RV park in the County with one residence. The owner is splitting the property into 5 lots as a county subdivision for future opportunities. This abuts the city boundary on the easternmost lot line.

Kristin wanted clarification on why we look at this if it is in the County. RaJean read the city comment letter which cites the authority to review county subdivisions within one mile of the City limits to assure adjacent developments are consistent with our adopted master plans.

This Subdivision is recommended for approval by the City Staff contingent on the owner's willingness to add a 10' utility easement on the south boundary of the property. This easement is in accordance with the City adopted Water Master Plan.

Dave said the owner agrees to the addition of this easement.

Kristin moved to approve CS 24.02 and recommend the matter to City Council for final approval contingent on adding the 10' easement. Tom seconded. Motion carried.

B. S 24.01 Original Town of Lander, Blk 35, LK&J Properties, 644 Popo Agie Ave

Curt Taufen, agent for the owner LK&J Properties took the oath and explained their development proposal for multifamily housing. The owner is asking that the lot be subdivided into two lots to increase housing opportunity with some multifamily housing.

Zach verified that 2-triplexes are currently being planned. This is allowed in this R-3 zone. RaJean reported that the public notice that went out erroneously states this was an R-2 district. Kara noted that there were other items in the packet that were in error.

Dave F recused himself from the vote as he is the surveyor of record for this request. Dave explained that at the original plat shows Popo Agie Street in a different area than is currently built. The owner is dedicating the existing street to the City to correct that error. This act also helps them meet the 50' lot width at the setback line as required in an R-3 zone.

Kristin asked if the units will be stacked to which the owner confirmed that they will be multi story structures.

Tom asked for clarification on the configuration of the old and new lots. Tom verified that the existing street location issue is common to that entire block of the street.

Robin Griffin took the oath - she is the daughter in law of the homeowners north across the alley. She recognized that two triplexes are allowed but wonders about meeting the off-street parking requirements. She feels that with 6 total units, there may be a maximum of 12 cars causing congestion in a dead-end alley and a school zone. She suggested the owner consider a single 4-plex which could be accommodated on the existing City lot.

Kristin verified that the congestion of extra traffic is Ms. Griffins main issue. She also stated that she has an issue with the publication as an R-2 zone and mentioned that the matter may need to be republished.

Zach clarified that the planning commission cannot make a determination considering the off-street parking requirements as that is the building department's job. Zach verified that he understands the congestion concerns especially during school drop-off times.

Curt reported that they are working on a parking plan with Dave to include the code requirements on both the front and back of the property.

RaJean read the City Staff comments recommending approval of the plat with a few minor drawing changes. The City, owner, and agent have had many communications prior to the presentation of the final plat and all City zoning and building recommendations have been met.

Kristin moved to approve S 24.01, in accordance with the staff comments and recommend approval to City Council Tom seconded. Motion carried.

The agent was notified that the matter would be on the April 9, 2024, City Council meeting for final approval after which the final plat mylar would be prepared and recorded at the County Courthouse. No permits will be issued until the new subdivision is duly recorded.

Kristin made a public comment that the City Council has asked the Planning Commission to keep in mind the need for additional housing opportunities. She appreciates the comments and agrees that there is reason for concern because the changes may cause more traffic and more people in current zones.

6. PLANNING COMMISSION - OLD BUSINESS

A. Proposed Changes to Title 4 Building Department Discussion

Kara would like the building department to comment on setbacks and heights.

Hunter and the PW department have discussed setbacks in regard to fixing utilities in narrow setbacks. There have been no formal recommendations. Kara noted that the 5' is proposed only if there are no utilities. Hunter discussed that there is then an onus on someone to verify utilities. Hunter will get with staff tomorrow morning and report back to RaJean who can share

their thoughts. Hunter suggests using the setbacks as proposed for the public facing documents so we can proceed.

The members revisited the height restrictions at the last meeting but went over it to update Tom. There were no more discussions.

RaJean updated the members on administrative changes. RaJean will make a short list of those changes and then re-share the full markup document.

Tom asked about annexation, and planned utility development. Members think we should look at that next.

Zach has an enforcement issue brought to him regarding Precision. Should this commission look into the commercial and MI permitted uses or should we be specific or broad strokes. Are there better definitions to the code that will recognize what is really happening?

We recognize that the current round but there is a lot more to do.

7. ADJOURNMENT

Adjournment at 7:05 pm.

690 Evergreen NCU 23.23



Section 4, Item B.

CITY OF LANDER

BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, March 07, 2024 at 6:00 PM

City Council Chambers, 240 Lincoln Street

MINUTES



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

Dave Fehringer is excused for travel. Tom Russell was absent.

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 and PLANNING MINUTES of February 15, 2024

Kristin moved to accept minutes as presented. Seconded by Rob. Motion carried.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

4. BOARD OF ADJUSTMENT - OLD BUSINESS

A. Take off the table NCU 23.23 690 Evergreen, Zerga

Kristin moved to take NCU 23.23 off the table. Seconded by Kara. Motion carried.

B. Approve NCU 23.23 690 Evergreen, Zerga

Attorney Phillips clarified the table of the motion made at the last meeting according to Robert's rules. The Board must make motions for a combination or consider each independent structure of 1&2, 3,4,5, or 6. Rob asked for clarification if a property could have 5 nonconforming uses and Adam confirmed that is allowed.

The Chair opened the matter by having the City read their additional Staff comments dated March 2, 2024, into the record.

Mr. Schumacher took the oath. John presented supplemental exhibits 28 - M Frey public comment, exhibit 29 - complete record of email exchange between city client and realtor, and exhibit 30 - affidavit of Liz Zerga. Supplemental proposed motions were submitted to City

Administration and not distributed in the members packets. Subsequently Adam allowed the motions as drafted and they were printed and handed out to the members.

John contends that the City has not agreed to their requests for the existing structures to have a Certificate of Zoning Compliance. All structures existed in 1977 and therefore must be determined to be abandoned to address them as a nonconforming use. The owner still contends that the structures have not been abandoned and therefore a nonconforming permit is not the appropriate mechanism for their request.

John handed out printed City code sections for the Board's use. On page 10 Item F, to illustrate where he interprets that our code allows this specific nonconforming use to continue as they exist now just as they did in 1977, and again on Page 23 of his printed code handout, he interprets that nonconforming use can continue as is.

Page 8 of the printed Code handout is where John illustrated that the responsibility of City is and was to record all nonconforming uses at time of code adoption in 1977. John contends that the City has not generally performed this task and when asked there was no evidence from the City that this was ever done.

Zach clarified that John believes section 4-4-1 of the City Code is interpreted to mean that the City is responsible for defining nonconforming uses at that time.

Zach believes that the Zerga's were aware of the nonconforming use requirement because they followed the nonconforming use permit rules for the home business in 1980. John stated he does not know the full facts of the 1980 certificate.

John represented that his draft for the proposed motions include all issues so that going forward there is no confusion as to what is agreed on.

John referred to Exhibit 2 from the previous meeting to show where he believes that the Building Inspector is responsible for issuing zoning compliance certificates. He believes that proper procedure was not followed by the City for the certificate request, and this should not be in front of this Board. He says the City declared that all 6 structures are inhabitable and that was inappropriate. John referred to the definition of the code for both a dwelling and a structure. He reaffirmed that each structure on the property meets our definition of dwelling with full residential use. John wants the board to clarify that the existing home business be retained as an existing nonconforming use.

John presented Exhibit 2 page 8 from the previous meeting stating there are 3 forms of nonconforming use being lots, structures, and uses. He believes their application is for nonconforming structures and not use or lot.

John referred to Exhibit 3 - the City's December response to the original application. He states that the owner directed the application to the Building Inspector and got a letter from the Assistant Mayor that all structures are abandoned, and a meeting was set to appear before this Board. He reported that the balance of the letter describes how many issues are noncompliant base solely because of the City's interpretation that the structures are abandoned. The owner contends that this is a lot by definition. Now John stated he believes that this really is a nonconforming lot or not a lot at all but just a parcel of land within the City. Zach clarified that John thinks this land is exempt from the code because this is not a lot and if the owner is seeking a nonconforming permit for the lot. John stated that is a possibility.

John presented more testimony about his interpretation that the City Inspector should have identified all the noncompliance when the code was adopted. John restated that the City could not provide documentation that identification ever happened when the code was adopted nor since.

John contends that the Undeveloped Checklist that was presented in the City's original communication is not valid nor allowed in the City Code and the owner wants clarification on how to get a building permit. He does not believe that the code section for R-2 residences requires separate water and sewer service is necessary for all structures and thinks it only relates to a duplex being sold separately. John believes the City is inconsistently and erroneously applying the code and his draft motions are aimed at making everything on common ground and agreed to by both parties.

John reports that the City original letter talks about fire flow and contends that since they don't have a subdivision that requirement should not apply.

Kristen asked for clarification of what the owner wants. John started to explain his draft motions for each individual structure. Kristin stopped John to say she believes that the drafted motions ask the Board to determine permissions on items that are not part of the application and may not be under the purview of this Board. Adam clarified that the board can make any motion, however, it may be contested if it is not appropriate.

Zach clarified that the the owner thinks the City erroneously denied a Zoning Compliance Certificate and that the Board would only be involved if there was an owner's appeal of that zoning compliance decision. John agrees that the Board should act only if the certificate is not awarded. Adam agreed that what John said is a literal interpretation of the code.

Kristin clarified that John wants to remand the application back to City Staff and then start over. John said this Board has the right to remand matters back to City Staff in accordance with the Boards guiding documents. At that time City staff researched both the online City codes and the Board's bylaws and did not find any reference to this right to remand matters back to City Staff.

Joe asked if the Board remands the matter to Staff, then will the City Staff inspect the property and then report the findings to this board.

John stated that he is still interpreting that our rules put the burden of proof for of abandonment to be determined by the City. There was discussion on our codes because the Board members interpret that the burden of proof of abandonment is on the owner as stated in 4-11-1. 4-11-1 was then displayed on the screen and read to all present.

Adam asked for clarification on what the owner wants to do and what the Board wants to do. He interprets that it is a simple nonconforming use permit to be determined by the Board.

John asked for a short recess so he could call his client (owner Liz Zerga). There was a motion to recess by Kara and seconded by Rob. Motion passed.

Rob moved to come back from recess Kara seconded. Motion passed.

After a consultation with John off the record, Adam stated some options for the Board.

1. approve the nonconforming permit for each structure individually, or 2. the Board can remand the matter back to City Staff even though it is not specifically spelled out in the

rules. Adam also made the point that if the owner chooses to withdraw the application this deliberation ends tonight.

Zach asked if the City could appeal a Board decision. The City has no right to appeal the Board as the Board is a duly designated arm of the City.

John stated that Liz Zerga is not willing to withdraw the application and she requests that it be remanded back to City Staff. Kristin is not comfortable with remanding back to staff as it is not written in any rules and there is no specific purpose with that request. Kristin wonders if tabling the matter and asking for more information is more appropriate. Adam stated if the matter is tabled there must be a specific date or completion of a specific action like pending the completion of further investigation.

Kristin moved to table NCU 23.23 to give staff the additional opportunity to perform an investigation if the owner agrees. Joe seconded.

Hunter Roseberry is not sure what the exact investigation scope is. John posited that the City should direct staff to identify the facts of what is conforming and what is nonconforming about this property. Missy asked how that investigation would be different from what was already done. Adam clarified that the building department would submit findings instead of RaJean.

Kristin amends her motion to include 2 months until the Board meeting on May 2 for the building department investigation and findings. Joe re-seconded. Amendment passed. Kara clarified that both the owner and the building department will be able to submit new information during this process. Amended Motion to table for 2 months passed.

There was no more deliberation on the matter.

5. PLANNING COMMISSION - NEW BUSINESS

6. PLANNING COMMISSION - OLD BUSINESS

A. Review all Title 4 changes proposed to date

Kara has concerns with some of the height restrictions we chose. She believes that 45' allows for a 4-story structure and she wants to confirm with the other members that is what was intended. She showed some illustrations which were discussed briefly. The consensus was to consider the comments as illustrated and Kara will bring suggested wording for next meeting.

Kristin moved to adjourn; Kara seconded.

No further action was taken.

B. Review Council Actions for Z 23.01, Z 23.02, S 24.08, CS 24.01

The meeting was adjourned so no action was taken.

7. ADJOURNMENT

Adjournment at 7:45 Pm



THE CITY OF LANDER

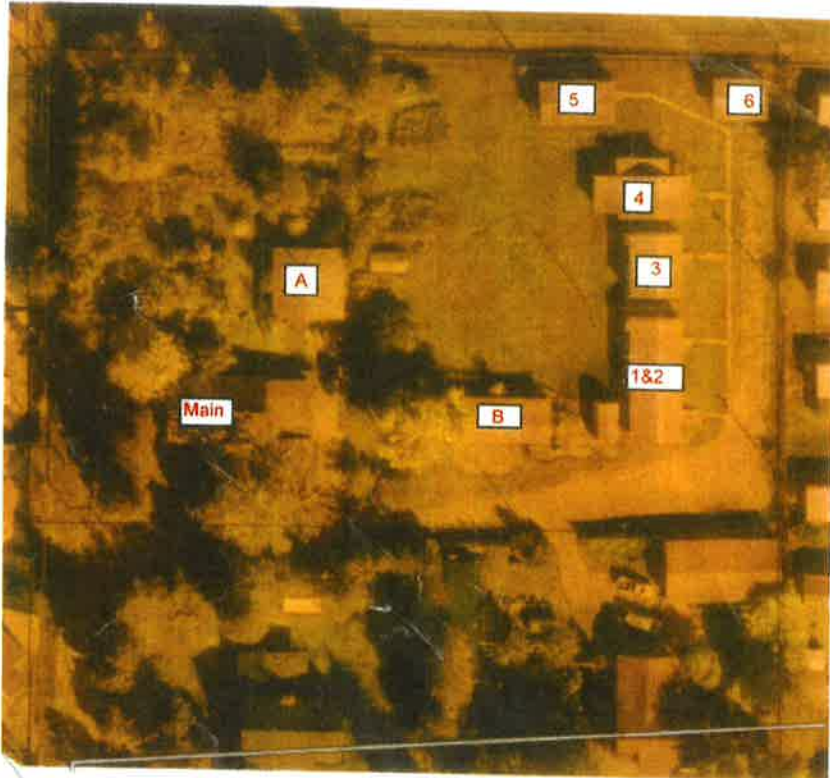
240 LINCOLN STREET, LANDER, WY 82520-2848

TELEPHONE 307-332-2870 FAX 332-4317

<Amendment to 12/7/23 Letter>

To whom it may concern,

The City of Lander Building Department agrees that the buildings Main, A and B as shown on Exhibit "A" are in compliance with the current City Codes and are not a part of the Nonconforming Permit application submitted for 690 Evergreen Lane, Lander Wyoming 82520. The City of Lander Building Department also agrees that the "occupation of" or "sale of" the property would NOT be qualified as a *subdivision* or *change of use* for this address. Future building permits for Structures "Main", "A" and "B" would not be restricted based upon zoning issues as of 4/2/24. My findings within the City of Lander's Municipal Codes show that 690 Evergreen is not an "undeveloped property".



Hunter Roseberry
City of Lander Assistant Public Works Director/Chief Building Official

 4/30/24



THE CITY OF LANDER

240 LINCOLN STREET, LANDER, WY 82520-2848

TELEPHONE 307-332-2870 FAX 332-4317

4/26/24

<Addressing Motions concerning buildings 1-6>

To whom it may concern,

Structure "1&2" Proposed Motion

- Is a structure as defined in current 4-2-3-B (81) *Agreed*
- Is a Dwelling as defined in current 4-2-3-B (29) *Agreed*
- Is a Family unit as defined in current 4-2-3-B (36) *Agreed*
- Is a Permitted Use as a single family detached dwelling under current 4-12-3-B (1) *Building Official take is, structure 1-2 is eligible to be a permitted nonconforming use as a single family detached dwelling as deliberated by BOA.*
- Is in compliance with the minimum area, width, and setback requirements of 4-12-3 E, F, and G *Agreed*
- Is in compliance with the maximum height requirements of 4-12-3-I *Agreed*
- Is in compliance with the maximum coverage requirements 4-12-3-J *Agreed*
- Is in compliance with City code requirements for minimum distance from a fire hydrant *Agreed*
- Is in compliance with City code requirements with respect to number and type of parking surfaces 4-2-3-B *Agreed*

and as to these conforming structures and use is not subject to any zoning or building code requirements other than those required for properties with similar conforming structures and uses.

Building Official Findings: Structure 1&2 had been a duplex at one point, but has been in a single family formation for quite some time. There does appear to have been intention to inhabit this structure and doing so would not take much work. Building Official heard testimony from applicant that it was occupied as recently at Oct 2022

Structure "3" Proposed Motion

Is a structure as defined in current 4-2-3-B (81)

- Is a Dwelling as defined in current 4-2-3-B (29) *Agreed*
- Is a Family unit as defined in current 4-2-3-B (36) *Agreed*
- Is a Permitted Use as a single family detached dwelling under current 4-12-3-B (1) *Building Official take is, structure 3 is eligible to be a permitted nonconforming use as a single family detached dwelling, as deliberated by BOA.*

- Is in compliance with the minimum area, width, and setback requirements of 4-12-3 E, F, and G *Agreed*
- Is in compliance with the maximum height requirements of 4-12-3-I *Agreed*
- Is in compliance with the maximum coverage requirements 4-12-3-J *Agreed*
- Is in compliance with City code requirements for minimum distance from a fire hydrant *Agreed*

and as to these conforming structures and use is not subject to any zoning or building code requirements other than those required for properties with similar conforming structures and uses.

Building Official Findings: Structure 3 does look like it could be habitable with some work. It appears to be mostly structurally sound or the ability to do so with some work. It does appear that there was intention to inhabit this structure at some point in the not so distant past. Building Official heard testimony from applicant that it was occupied prior to 2022

Structure “4” Proposed Motion

- Is a structure as defined in current 4-2-3-B (81) *Agreed*
- Is a Dwelling as defined in current 4-2-3-B (29) *Building Official feels this structure is not a dwelling anymore as it hasn't been lived in or intended to be lived in for many years.*
- Is a Family unit as defined in current 4-2-3-B (36) *Building Official feels this structure is not a dwelling anymore as it hasn't been lived in or intended to be lived in for many years.*
- Is a Permitted Use as a single family detached dwelling under current 4-12-3-B (1) *Building Official feels this is not a PERMITTED use as a single family dwelling with the City of Lander*
- Is in compliance with the minimum area, width, and setback requirements of 4-12-3 E, F, and G *Agreed*
- Is in compliance with the maximum height requirements of 4-12-3-I *Agreed*
- Is in compliance with the maximum coverage requirements 4-12-3-J *Agreed*
- Is in compliance with City code requirements for minimum distance from a fire hydrant *Agreed*

and as to these conforming structures and use is not subject to any zoning or building code requirements other than those required for properties with similar conforming structures and uses.

Building Official Findings: Structure 4 does not appear to have been inhabited in quite some time. Much of the structure is leaning beyond a safe level. There is glazing missing from the door and has been weathered this way for many years. The shower surround has started to fail with

many tiles missing from neglect. The gas service has been disconnected and meter removed at some point previous to this inspection. The siding has been weathered well beyond its expected life. I do not feel there was intent to keep this building habitable, thus deeming this structure abandoned.

Structure "5" Proposed Motion

- Is a structure as defined in current 4-2-3-B (81) *Agreed*
- Is a Dwelling as defined in current 4-2-3-B (29) *Agreed so some extent*
- Is a Family unit as defined in current 4-2-3-B (36) *Agreed so some extent*
- Is a Permitted Use as a single family detached dwelling under current 4-12-3-B (1) *Building Official feels is not a PERMITTED use as a single family dwelling with the City of Lander*
- Is in compliance with the minimum area, width, and setback requirements of 4-12-3 E, F, and G *Agreed*
- Is in compliance with the maximum height requirements of 4-12-3-I *Agreed*
- Is in compliance with the maximum coverage requirements 4-12-3-J *Agreed*
- Is in compliance with City code requirements for minimum distance from a fire hydrant *Agreed*

and as to these conforming structures and use is not subject to any zoning or building code requirements other than those required for properties with similar conforming structures and uses.

Building Official Findings: Structure 5 was used as an accessory use as an art studio. The bathroom has "osb" plywood walls with no waterproof surround suitable for wet locations like shower or bath. Much of the ceiling is starting to come down from lack of habitation. It appears to have functioned as more of an accessory structure than a dwelling unit during its functional lifetime. Much of the structure is leaning and is in significant disrepair. It appears that this structure would qualify as abandoned as a single family dwelling but would be eligible to be permitted as an accessory structure as deliberated by BOA.

Structure "6" Proposed Motion

- Is a structure as defined in current 4-2-3-B (81) *Agreed*
- Is an Accessory Structure as defined in current 4-2-3-B (3) *Agreed*
- Is used for Accessory Use as defined in current 4-2-3-B (4) *Agreed*
- Is a Permitted Accessory Use under 4-12-3-D and 4-11-8 (4) *Building Official feels this was never PERMITTED as an accessory use with the City of Lander.*
- Is in compliance with City code requirements for minimum distance from a fire hydrant *Agreed*

Building Official Findings: Structure 6 has seen much of the roof has blown off and the structure has seen significant weathering due to this. Much of the structure is leaning and is in significant disrepair. It appears that this structure would qualify as abandoned.

and as a conforming structure and use is not subject to any zoning or building code requirements other than those required for properties with similar conforming structures and uses.

Motions Applicable to All Structures

John S requests that the Board find that 690 Evergreen Lane was not as of at least Jan 1, 1977 and is not now in compliance with City of Lander codes that:

- 1. Require frontage on a public street. *Building Official feels an overall property non-conforming permit would be at the discretion of BOA due to the lack of public street frontage. 4-11-6*



Hunter Roseberry
City of Lander Assistant Public Works Director/Chief Building Official

[Handwritten signature] 4/26/24



Rajeau Strube Fossen <rsfossen@landerwyoming.org>

Re: Feb 15th BOA Planning minutes for review

1 message

Kara Colovich <kcolovich@gmail.com>

Sat, Feb 17, 2024 at 8:11 AM

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

Cc: Hunter Roseberry <hroseberry@landerwyoming.org>, Missy White <mwhite@landerwyoming.org>, Tom Russell <tom6g4@gmail.com>, Joe Henry <henryjosephp73@gmail.com>, "Zachary Hamilton Mahlum, Esq." <zach@zhmesq.com>, Rob Newsom <rob.newsom@gmail.com>, Dave Fehringer <fes@wyoming.com>, Kristin Yannone <kristinyannone1@gmail.com>, Lance Hopkin <lhopkin@landerwyoming.org>

Hey folks, here is an update on the public-facing outreach materials. Strap in, it's been a ride.

- Anne and I tried to do it ourselves in Canva but since we only had stock images to go off of, we could not accurately portray certain dimensions of the buildings, such as height. Images from the internet were not available or what we were looking for either.
- Therefore, we reached back out to CBLI who conducted the code audit for Lander. They were interested but did not have the time to contribute. The contractor who worked on our audit expressed some concern over the 45ft. max height across all zones—R5 is 50ft. Reference our excel sheet of code changes below. He said, "...you might reconsider whether it is necessary to increase maximum heights to over 35' in any of the zones except R-5. Anything over that height is likely 4 stories, which requires an elevator. Projects with less than 6 units in one building are very unlikely to have an elevator." When we explained the trend of steep roof pitches in town, he responded, "The increased heights make some more sense with that roof pitch. However, I would think about whether you would be OK with a flat roof or lower pitched roof that is built to max height. One way to thread this needle is to set a lower height for a flat roof and provide a bonus of 5-10 feet for a roof of a certain minimum pitch." I've included screenshots from the CBLI report that help demonstrate his point. I, for one, would not be comfortable proposing codes that allow for a four story structure in R1-R3 & RMED. Closer to the downtown area (R5) I would be fine with.
- CBLI recommended we reach out to a different contractor that specializes in illustrations to help depict what we're wanting for the outreach materials. Their products are spectacular (see last image below) but their services were way out of our price range and would've been duplicating some of the work that CBLI already did for us.
- That leaves us with our most recent quest. We've been talking with a local artist to see if she can illustrate buildings we identify around town with similar heights to the ones we're proposing. She can put her own stylistic alterations on the buildings so that they're not recognizable to the public. She can also help us with the graphic design of the outreach materials. **I want to give our group one last opportunity to revise the proposed code changes before she starts work.**

My concern is with the 45ft height in zones R1-R3 & RMED, even though I'm pretty sure I was initially a proponent of such a height. Seeing these images below helped me contextualize these dimensions.

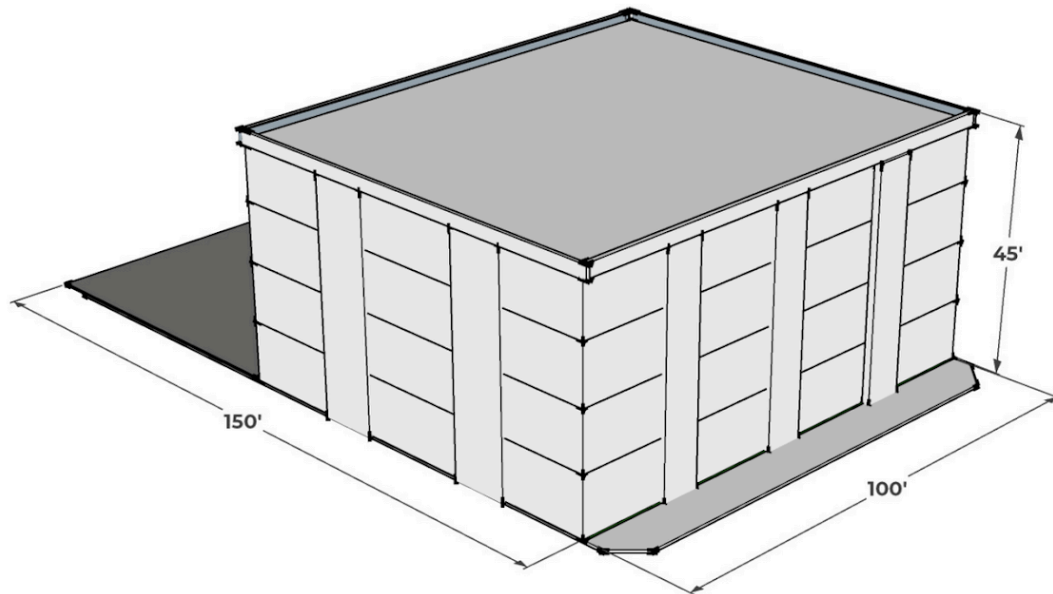
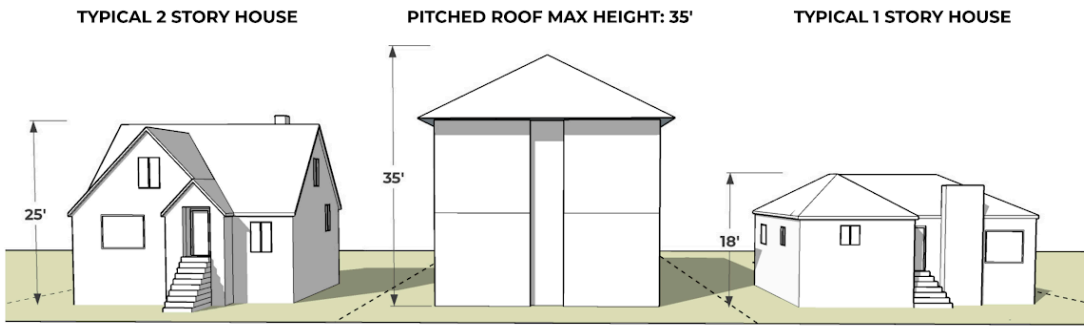
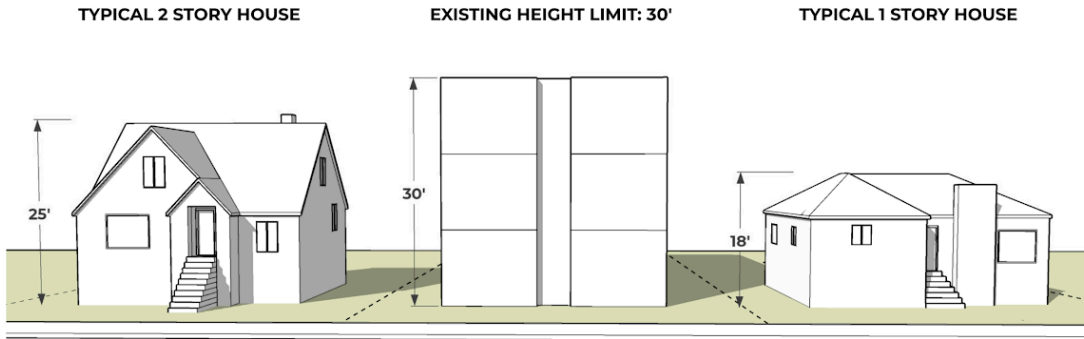
RaJean also mentioned in passing that the Building Department might have issue with the 5ft. side setbacks. We may want to have them at our next meeting to hear any of their hesitations.

I realize that we cannot create an email chain discussion due to public meeting rules, but I would entertain any one-off conversations or you can reach out to RaJean who can arrange the agenda for our next meeting on March 7th.

Thank you all for your patience in this process.

-Kara

Section 6, Item A.





X overview spreadsheet of 2023 proposed changes...

On Fri, Feb 16, 2024 at 11:33 AM Rajean Strube Fossen <rsfossen@landerwyoming.org> wrote:

The minutes and video are on the website at <https://www.landerwyoming.org/meetings/recent>

I've attached the minutes for your convenience. Please review and give me corrections while it is fresh in our minds. We will not meet on this again for 3 weeks.

Thanks for your fortitude when you are up there dealing with difficult agenda items and public comment. Have a great weekend!
RaJean