



# BOARD OF ADJUSTMENT MEETING MINUTES

MAY 20, 2021  
6:00 P.M.

- MEMBERS PRESENT:** Tony Laird (Chair), Swede Nelson (Vice Chair), Michelle Garcia (Secretary), Dustin Brown, Ben Moritz, Jeffrey Boldt (Board Attorney)
- MEMBER ABSENT:** Richard Maxted, Trent Carroll
- QUORUM PRESENT:** Tony Laird (Chair) called the meeting to order at 6:20 pm. Roll Call was taken; a quorum was present with five members in attendance
- CITY STAFF PRESENT:** Lisa Pafford (Deputy Director), Connor White (Planner), Erin Fagan (Planner) Alessandra Fakelman (Staff Attorney)
- OTHERS PRESENT:** Casey Palma, Sheri Fluellen, Brad Buchmeier, Michelle Pixley, Mark Adams
- APPROVAL OF MINUTES:** April 15, 2021

Swede Nelson made a motion to approve the minutes and Ben Moritz seconded the motion. Mr. Laird stated corrections that needed to be made to the minutes. The minutes were approved unanimously.

---

Lisa Pafford read Item A into the record.

- ITEM A:      REQUEST:**     [UDC-21-00134: Variance request to UDC Section 5.7.1.b, Accessory buildings on through lots in the MR Medium-density Residential zone.](#)  
Applicant: Bradley Buchmeier  
Case Planner: Connor White, Planner II

Connor White, Planner, presented the staff report.

Tony Laird, Chair, asked for questions from the Board.

Mr. Laird asked if all the property surrounding the lot was in the City.

Mr. White stated there is a small County pocket to the south of the property.

Mr. Laird asked for questions from the Board. Hearing none, he asked for the applicant to give a description of the project.

Bradley Buchmeier, applicant, provided a description of the project.

Mr. Laird asked for questions from the Board. Hearing none, he opened public comment. Hearing none, public comment was closed.

Swede Nelson made a motion to approve to approve the requested variance to UDC 5.7.1.b, reducing

the required rear setback on a through-lot from 25-feet to 5-feet subject to staff's recommended conditions at 4771 Hilltop Avenue, legally known as Lot7, Block 1, Frontier Gardens, Cheyenne, Wyoming. Dustin Brown seconded the motion.

Mr. Laird stated the staff recommends a site plan or building permit shall be approved within 12 months of approval of the variance.

Mr. Laird said he was in support of the variance due to the unusual orientation of the house on the lot.

**RESULT:** The motion passed by a unanimous vote of 5-0.

**ITEM B:**       **REQUEST:**    [UDC-21-00136: Conditional use request to allow Lot Type AD3 lots within the proposed NR-2 zone district.](#)  
Applicant: Casey Palma  
Case Planner: Connor White, Planner II

Lisa Pafford read Item B into the record.

Connor White, Planner, stated the applicant asked for postponement of the item.

Dustin Brown made a motion to postpone the item to the June 17, 2021 Board of Adjustment meeting. Swede Nelson seconded the motion.

**RESULT:** The motion passed by a unanimous vote of 5-0.

**ITEM C:**    **REQUEST:** [UDC-21-00137: Conditional use request to allow expansion of a non-conforming use for multi-family residential in the CB Community Business zone.](#)  
Applicant: Sheri Fluellen  
Case Planner: Connor White, Planner II

Lisa Pafford read Item C into the record.

Connor White, Planner, presented the staff report.

Tony Laird, Chair, asked for questions from the Board. Mr. Laird asked if the Board did not include condition #4 would the applicant have to provide detailed parking at a later stage.

Mr. White stated the applicant would need to provide it with the site plan but to meet the conditional use criteria, the applicant needs to show how they can provide 8 parking spaces with the site plan.

Swede Nelson asked if there was a time frame to show they can provide the parking spaces.

Mr. White said the applicant will need to provide a site plan to show how they are providing parking.

Mr. Laird asked if they would need a variance if they couldn't provide parking.

Mr. Connor stated the applicant can get a variance, an administrative adjustment or a parking agreement with another property.

Michelle Garcia asked if they would be able to count on street parking.

Mr. White said the parking would need to be provided on their property or on another adjacent property. He stated they could count one parking space on E. 22<sup>nd</sup> Street towards their total.

Mr. Laird asked if parking was prohibited on Logan.

Mr. White stated the City Traffic Engineer deemed it unsafe to park on Logan Avenue.

Mr. Laird asked for questions from the Board. Hearing none, he asked for the applicant to provide a description of the project.

Sheri Fluellen, applicant, provided a description of the project.

Ms. Garcia asked for the applicants plan for the parking.

Mrs. Fluellen stated there is one space on 22<sup>nd</sup> Street, 2 spaces in the garage and 5 on the property near the garage. She stated there are also opportunities for reductions of parking per the UDC and is confident that the parking requirements can be met.

Mr. Laird asked where the garage doors face.

Mrs. Fluellen stated the doors face Logan Avenue.

Mr. Laird stated the parking spaces in front of the garage would not allow for cars to be parked in the garage.

Mrs. Fluellen stated if the two spaces could not be used inside the garage then they would need to ask for a variance or a parking agreement from the church.

Mr. Laird asked about the lease agreement within the paperwork.

Mrs. Fluellen stated the lease agreement was provided to prove the apartments were recently leased and occupied.

Dustin Brown asked how many units were proposed.

Mrs. Fluellen stated there would be 5 living units.

Mr. Laird asked for questions from the public.

Michelle Pixley stated she is a neighbor and stated she is opposed to 5 units on the property. She stated there are already parking issues in the area. She stated she was concerned about noise from the property. She stated there would be 8 to 10 cars for the 5 living units.

Mr. Nelson asked how she got to 10 cars.

Ms. Pixley stated 5 units would end up having 10 cars parked due to 2 people per unit.

Mr. Nelson stated there would be less cars than when a dentist office was existing.

Ms. Pixley stated the cars parked would be on nights and weekends and when the dentist office existed, it was during the daytime hours during the week.

Darlene Tucker stated she was a neighbor. She stated she was concerned about her property value and the parking issues in the area.

Mr. Nelson asked if there was existing multi-family at the location.

Ms. Tucker stated it would only be multi-family and no longer a combined use. She stated tenants have parked in front of her house. She stated when the dental office existed, there were only 1 or 2 cars parked there at a time.

Ms. Garcia asked about the interactions with the existing tenants.

Ms. Tucker said she has spoken to tenants about not parking in front of her house. She stated it has been about 6 months since she has seen tenants.

Ms. Garcia stated she didn't think the property values would decrease.

Mark Adams stated he is a neighbor. He stated he was opposed to the increase in density due to parking issues in the area. He stated there are issues with litter and noise with rental properties.

Mr. Laird asked if the parking lot at the church was often occupied.

Mr. Adams said he was unsure.

Brandon Swain stated he owned a vacant lot in the area. He stated he was concerned about parking issues. He stated the best use for this property was multi-family residential.

Mr. Laird asked for questions from the public. Hearing none, he closed the public comment.

Mr. Nelson made a motion to approve the conditional use request to allow expansion of a non-conforming use for the purpose of converting the medical office into two additional residential units subject to staff's recommended conditions at 2200 Logan Avenue, legally known as the East 44-foot of Lot 8, Block 187, Original City, Cheyenne, Wyoming. Ben Moritz seconded the motion.

Dustin Brown stated he was concerned about parking in the area.

**RESULT:** The motion was denied by a vote of 2-3.

**OTHER BUSINESS:**


- New UDC with change to encroachment section
- Board members need to be in attendance to meetings
- More revisions in the UDC including the Westedge Overlay District
- 7 projects for the next meeting
- New members needed for the Board
- The next two meetings will be on Zoom and in person meetings will be reevaluated at the July meeting

**ADJOURNED:** 7:32 p.m.



---

Produced by City Staff



---

Board Official

*\* Minutes are meant to provide a brief summary of the meeting's action items, discussions, and decisions made. For more detailed information, please refer to the audio recording found on the City of Cheyenne's website.*