



BOARD OF ADJUSTMENT MEETING MINUTES

JULY 21, 2022
6:00 P.M.

- MEMBERS PRESENT:** Tony Laird (Chair), Erin LeBlanc, Curtis Clabaugh, Trent Carroll (on Zoom), Dustin Brown, Linda Burt, Jeffrey Boldt (Board Attorney)
- MEMBER ABSENT:** Milo Vigil
- QUORUM PRESENT:** Tony Laird called the meeting to order at 6:00 pm. Roll Call was taken; a quorum was present with 6 members in attendance
- CITY STAFF PRESENT:** Connor White (Planner), Erin Fagan (Planner), Valerie Pickard (Planning & Development Office Manager), Charles Bloom, AICP, Planning & Development Director
- OTHERS PRESENT:** Jason Aguir, Barbara Harris, Paul Lucero
- APPROVAL OF MINUTES:** June 16, 2022

Linda Burt made a motion to approve the minutes and Dustin Brown seconded the motion. Tony Laird stated a correction needed on page 2 for Item B. The minutes were approved unanimously.

ITEM A: [\(Postponed from 6/16/2022\) UDC-22-00114: Conditional use request for expansion of a non-conforming use, expansion of a single-family home, located in the LI Light Industrial zone.](#)

Location: 109 Pebrican Avenue

Applicant: Paul Lucero
Case Planner: Connor White, Planner II

Valerie Pickard, Planning & Development Office Manager, read Item A into the record.

Connor White, Planner II, presented the staff report.

Tony Laird asked for questions from the Board. Hearing none, he asked the applicant to present the item.

Paul Lucero, applicant, presented the item.

Linda Burt asked if there was a change in the use.

Mr. Lucero stated it would be continued to be used as residential.

Mr. Laird asked if he minded living in an industrial area.

Mr. Lucero stated he didn't mind as he works construction. He stated he would like to add on to his home so he could clean up his lot.

Mr. Laird stated it would be more of a concern if an industrial site wanted to go into a residential area.

Mr. Lucero stated he had some neighbors but he liked not having many neighbors.

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

Dustin Brown made a motion to approve a Conditional Use request to allow expansion of a non-conforming use, expansion of the existing residence, at 109 Pebrican Avenue, legally known as the N1/2 Lots 12 & 13, Block 788, South Cheyenne, Cheyenne, Wyoming. Erin LeBlanc seconded the motion.

Mr. Laird stated criteria number 6 indicates it needs to conform to the long-range plans. He stated the area is intended to be industrial. He stated he was in support of the item.

RESULT: The motion to approve the item passed by a unanimous vote of 6-0.

ITEM B: [\(Postponed from 6/16/2022\) UDC-22-00174: Conditional use request to allow drive-through signs in the Planned Unit Development Ordinance #3724.](#)

Location: 1508 Dell Range Blvd.

Applicant: William Roberts
Case Planner: Connor White, Planner II

Valerie Pickard, Planning & Development Office Manager, read Item B into the record.

Connor White, Planner II, stated the applicant was not present.

Tony Laird, Chair, asked if the item was postponed once before.

Mr. White stated it was postponed from the last meeting.

Trent Carroll made a motion to table the item until later in the meeting. Linda Burt seconded the motion.

RESULT: The motion to table the item was passed by a unanimous vote of 6-0

ITEM C: [UDC-22-00209: Variance request to reduce the required parking for an automobile service repair facility located in the LI Light Industrial zone.](#)

Location: 1012 W 19th Street

Applicant: Jason Aguiar
Case Planner: Connor White, Planner II

Valerie Pickard, Planning & Development Office Manager, read Item C into the record.

Connor White, Planner II, presented the staff report.

Tony Laird, Chair, stated if the application came in today, the current zoning doesn't require parking but the applicant would have to apply for a conditional use.

Mr. White stated Automobile Repair is a prohibited use within the new zone.

Mr. Laird stated the application was accepted prior to the zone change approval and so the use is allowed.

Mr. White agreed.

Mr. Laird asked for the applicant to speak about the item.

Jason Aguiar, applicant, gave a description of the project.

Mr. Laird asked for questions from the Board. He asked if the applicant anticipated only one customer per day.

Mr. Aguiar stated that everything would be by appointment only and most of his services were done on other sites. He stated he stores his supplies at this location.

Linda Burt asked if there was a need for parking for his own vehicle.

Mr. Aguiar stated he could park in the garage, in the driveway or on the street.

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

Erin LeBlanc made a motion to approve the requested variance to UDC 6.2.4 to reduce the required parking for an automobile service repair facility subject to staff's recommendation located at 1012 W 19th Street, legally known as the West 44' of Lot 7, Block 285, Original City, Cheyenne, Wyoming. Mrs. Burt seconded the motion.

RESULT: The motion to approve the item passed by a unanimous vote of 6-0.

ITEM D: [UDC-22-00222: Variance request to UDC 6.6.4.a., Streetscape and Lot Frontage and to UDC 6.6.4.a.4.e in the NR-2 Neighborhood Residential - Medium-density zone district.](#)

Location: North of Country Club Avenue and west of and adjacent to Snyder Avenue

Applicant: Casey Palma
Case Planner: Connor White, Planner II

Valerie Pickard, Planning & Development Office Manager, read Item D into the record.

Connor White, Planner II, stated the applicant has requested to postpone the item to the August 18th meeting.

The applicant was not present.

Dustin Brown made a motion to postpone the item to the August 18, 2022 Board of Adjustment meeting. Erin LeBlanc seconded the motion.

RESULT: The motion to postpone the item passed by a unanimous vote of 6-0.

TABLED ITEM B:

Dustin Brown asked if the item was denied would it generate more work.

Connor White stated he was not sure. He stated a site plan has been approved. He stated he hasn't

heard from the applicant. He stated if the item was denied they could not reapply for a conditional use within a year.

Tony Laird, Chair, asked if that was true for Conditional uses and Variances.

Mr. White stated it was true for both.

Trent Carroll asked if they can consider the item without the applicant present.

Jeffrey Boldt stated he didn't know from the legal point of view.

Mr. Laird stated it has been Board tradition to have the applicant be present. He stated if the Board members didn't have questions for the applicant they could vote on the item.

Charles Bloom, AICP, Planning & Development Director stated the applicant did not need to be present. He stated Section 3 of Chapter 8 states the applicant can have the opportunity to speak but it is not mandatory for them to speak. He stated they could recommend approval, denial or postponement.

Mr. Carroll made a motion to proceed with the item. Mr. Brown seconded the motion.

RESULT: The motion to proceed with the item passed by a vote of 4-2.

Valerie Pickard, Planning & Development Office Manager, read Tabled Item B into the record.

Connor White, Planner II, presented the staff report.

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

Linda Burt made a motion to deny the item for a Conditional Use request to allow drive-through signage at 1508 Dell Range Blvd. legally known as Lot 1, Block 1, Frontier Mall, 4th Filing, Cheyenne, Wyoming, noting that this application meets the review criteria for approval but the applicant has not responded to requests for information on the project. Curtis Clabaugh seconded the motion.

Mr. Carroll stated he had all the information he needed and didn't have questions for the applicant.

Dustin Brown stated the Board should be able to question the applicant but he felt he had enough information to make a vote.

RESULT: The motion to deny the item failed by a vote of 4-2.

Mr. Carroll made a motion to approve a Conditional Use request to allow signage at 1508 Dell Range Blvd. legally known as Lot 1, Block 1, Frontier Mall, 4th Filing, Cheyenne, Wyoming, noting that this application meets all the review criteria for approval. Erin LeBlanc seconded the motion.

Mr. Carroll stated he would vote yes based on the staff report and the application meets review criteria. He stated applicants should attend meetings but he did not have any questions.

Mr. Laird stated he agree with Mr. Carroll. He stated he would vote to support the motion

RESULT: The motion to approve the item passed by a vote of 5-1.

OTHER BUSINESS:

- Procedure review

ADJOURNED: 6:48 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.*

