



BOARD OF ADJUSTMENT MEETING MINUTES

OCTOBER 19, 2023
6:00 P.M.

- MEMBERS PRESENT:** Trent Carroll (Chair), Linda Burt (Secretary), Tony Laird, Curtis Clabaugh, Erin LeBlanc, Markese Green, Jeffrey Boldt (Board Attorney)
- MEMBER ABSENT:** Dustin Brown (Vice Chair)
- QUORUM PRESENT:** Trent Carroll (Chair) called the meeting to order at 6:00 pm. Roll Call was taken; a quorum was present with six members in attendance.
- CITY STAFF PRESENT:** Seth Lloyd (Senior Planner), Valerie Pickard (Office Manager)
- OTHERS PRESENT:** Shane Hansen, Eli McKervin
- APPROVAL OF MINUTES:** September 21, 2023

Erin LaBlanc made a motion to approve the minutes and Linda Burt seconded the motion. There are some omissions and misspellings and list the other two that were present. The minutes were approved unanimously.

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- ITEM A: REQUEST:** PUDC-23-94: Variance request to UDC 5.8.8.b to reduce the required street side setback for an accessory building in the MR Medium-density Residential zone.
- Location: 3906 E 8th Street
- Applicant: Shane Hansen
- Case Planner: Connor White, Planner II

Seth Lloyd, Planner II, read the item into the record.

Seth Lloyd, Planner II, read the staff report.

Trent Carroll, Chair, asked for questions from the Board. Hearing none, he asked the applicant to present the item.

Seth Lloyd presented the item with addition of electrical information from the Building Department.

Mr. Carroll asked for questions from the Board to staff.

Tony Laird asked if we have the option to set a different setback.

Lloyd: Yes, you do have the option to modify a proposal.

Burt: You are saying that nothing has changed in the application?

Lloyd: No substantive changes have happened.

Shane Hansen, agent for the owner, presented the revised project.

Laird: Could you tell us more about why the cost of the garage is so much higher to turn the garage?

Hansen: If the garage is to be turned it would add an additional 10k.

Burt: Were you aware of these conditions that were going to need to be made?

Hansen: Someone else designed the plans and the 5' setback was requested by Mr. McKervin.

Green: Is the garage facing the street?

Hansen: Yes, it is the side street, and the best and most efficient way to place the garage.

Eli McKervin, owner, stated the cost increases to make this building meet requirements would increase the cost of the project by 50%. This reason is enough to grant this request. This is harmonious with the neighborhood. This allows me to park my vehicles in the garage and not on the street creating a safer line of sight.

Burt: Were you aware of these regulations when you put these plans together?

McKervin: Somewhat, I did not realize it would force me to move the garage further into the yard.

Laird: This is a question for Seth, can he build this garage without a paved driveway?

Lloyd: The UDC says that all access driveways should be paved, but the zoning code does not speak directly to residential lots.

Carroll: Are there any other options regarding the size of the garage?

McKervin: The size doesn't affect the issues we are running into.

Carroll: Public comment is closed.

RESULT: The motion to deny by Burt, seconded by Clabaugh.

Motion to amend from a 5' to 6' setback by Burt, seconded by Clabaugh.

Motion to amend was approved unanimously.

Laird: There is some discussion about precedence. I am almost at the end of a six-year term, and I only recall one variance for something similar to this. The Board did deny that variance.

Motion to deny is unanimous. Motion to deny passes.

Lloyd: We do have a vault full of files that are available to the public through a public records request.

ANNOUNCEMENTS: None

ADJOURNED: 6:30 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.*