



BOARD OF ADJUSTMENT MEETING MINUTES

AUGUST 18, 2022
6:00 P.M.

- MEMBERS PRESENT:** Tony Laird (Chair), Erin LeBlanc, Curtis Clabaugh, Dustin Brown, Linda Burt, Cooper Overstreet (Board Attorney)
- MEMBER ABSENT:** Milo Vigil, Trent Carroll
- QUORUM PRESENT:** Tony Laird called the meeting to order at 6:00 pm.
Roll Call was taken; a quorum was present with 5 members in attendance
- CITY STAFF PRESENT:** Connor White (Planner), Erin Fagan (Planner), Valerie Pickard (Planning & Development Office Manager), Charles Bloom, AICP, Planning & Development Director (on Zoom)
- OTHERS PRESENT:** Casey Palma, Patrick Rudd, Brandon Swain, Barbara Harris, Kirk Johanson, James Johnson
- APPROVAL OF MINUTES:** July 21, 2022

Linda Burt made a motion to approve the minutes and Curtis Clabaugh seconded the motion. The minutes were approved unanimously.

ITEM A: (Postponed from 7/21/2022) 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 A into the record.

Connor White, Planner II, stated the applicant would like to postpone the item.

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

Casey Palma, applicant, reviewed the reasons for the request for postponement.

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

Patrick Rudd, owner, stated he would like to develop the lot and provide a safe product that the community needs.

James Johnson stated he is a property owner nearby and uses the alley and would like to know the impact

the development would have on the alley.

Mr. White stated the City Engineer is going to require a portion of the alley to be paved.

Mr. Johnson asked if the entire alley would be paved or just to the access to the property being developed.

Mr. White stated the applicant would be required to pave the alley from Snyder Avenue to the end of the property being developed.

Mr. Palma stated they would be redesigning the sidewalk on Snyder Avenue to be a detached sidewalk. He stated they would repair the access to the alley and pave to the western property line.

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

Dustin Brown made a motion to postpone the item to the September 13, 2022 Board of Adjustment meeting. Linda Burt seconded the motion.

RESULT: The motion to postpone the item passed by a unanimous vote of 5-0.

ITEM B: [UDC-22-00248-01: Variance request to UDC 5.1.5.a, Lot Type DD8 Principal Building Setbacks and Lot size within the proposed NR-2 Neighborhood Residential - Medium-density zone district.](#)

Location: 2121 E 12th St.

Applicant: Kirk Johanson
Case Planner: Connor White, Planner II

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

Connor White, Planner II, gave the staff report.

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

Mr. Laird stated this is one single lot with two existing homes. He asked if they need to divide the lot so they can sell the lots separately.

Mr. White stated that was correct.

Mr. Laird asked if they need to condition the variance request based on the approvals for the zone change and the plat.

Mr. White stated the variance would be void if the other applications did not get approved.

Linda Burt asked if both homes were demolished, would there be a change of use for the properties.

Mr. White stated if both homes were demolished, they would need to meet the current UDC and setback standards.

Kirk Johanson, applicant, presented the item.

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

Ms. Burt made a motion to approve the variance requests to UDC 5.1.4.1, Lot Type DD8 Principal Building

Setbacks and Lot Size minimum to reduce the rear setback from 20-feet to 18-feet for proposed Lot 1, reduce the required front setback from 15-feet to 4.1-feet, the side setback from 5-feet to 2-feet, the rear setback from 20-feet to 6.1-feet, the minimum lot size from 3,000 square feet to 2,486 square feet, and allow the existing front-loaded driveway in the proposed NR-2 zone district for proposed Lot 2, subject to staffs recommended condition, for land located at 2121 E 12th Street to be replated as Lots 1 and 2, Block 1, Lake Minnehaha III, Cheyenne, Wyoming noting that the application meets all the review criteria for approval. Erin LeBlanc seconded the motion.

RESULT: The motion to approve the item was passed by a unanimous vote of 5-0

ITEM C: [UDC-22-00257: Conditional Use request to allow multi-family residential within the MR Medium-density Residential zone.](#)

Location: Southeast corner of the intersection of W 5th St. and Snyder Avenue

Applicant: Brandon Swain
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, asked for questions from the Board. He stated this item was a Conditional Use to get approval for a multi-family development.

Mr. White stated that was correct and that all multi-family projects in the MR zone need to come before the Board of Adjustment for approval of the use.

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

Brandon Swain, applicant, gave a description of the project.

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

Erin LeBlanc made a motion to approve the Conditional Use request to allow multi-family residential within the MR Medium-density Residential zone located on Lot 3, Block 13, Roberts Place, Cheyenne, Wyoming noting that the application meets all of the review criteria for approval. Dustin Brown seconded the motion.

Mr. Laird stated he was in favor of the item as it was next to a large multi-family development.

RESULT: The motion to approve the item passed by a unanimous vote of 5-0.

ITEM D: **REQUEST:** [UDC-22-00257-01: Variance request to UDC 5.1.5.a, MD3 Lot Type Principal Building Street side setback within the MR Medium-density Residential zone.](#)

Location: Southeast corner of the intersection of W 5th St. and Snyder Avenue

Applicant: Brandon Swain
Case Planner: Connor White, Planner II

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

Connor White, Planner II, presented the staff report.

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

Brandon Swain, applicant, gave a description of the project.

Mr. Laird asked if there are sidewalks on the property.

Mr. Swain stated there are sidewalks. He stated there is an existing driveway curb cut and they planned to have the garage placed in relation to the curb cut. He stated it is necessary to have the 10' variance to set the garage far enough back for a car to be parked in the driveway.

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

Curtis Clabaugh made a motion to approve the requested variance to UDC 5.1.4, Lot Type MD3 Principal Building Setbacks to reduce the required street side setback from 15' to 5' for land legally known as Lot 3, Block 13, Roberts Place, Cheyenne, Wyoming noting that the application meets all of the review criteria for approval. Erin LeBlanc seconded the motion.

RESULT: The motion to approve the item passed by a unanimous vote of 5-0.

OTHER BUSINESS:

- Next month meeting will be on Tuesday, September 13, 2022

ADJOURNED: 6:43 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.*