



BOARD OF ADJUSTMENT MEETING MINUTES

APRIL 20, 2023
6:00 P.M.

- MEMBERS PRESENT:** Trent Carroll (Chair), Dustin Brown (Vice Chair), Tony Laird, Curtis Clabaugh, Markese Green, Erin LeBlanc, Jeffrey Boldt (Board Attorney)
- MEMBER ABSENT:** Linda Burt (Secretary)
- QUORUM PRESENT:** Trent Carroll (Chair) called the meeting to order at 6:02 pm. Roll Call was taken; a quorum was present with six members in attendance.
- CITY STAFF PRESENT:** Connor White (Planner), Charles Bloom, AICP (Planning and Development Director), Valerie Pickard (Planning & Development Office Manager), Lonnie Olson (Planner), Stefanie Boster (Staff Attorney)
- OTHERS PRESENT:**
- APPROVAL OF MINUTES:** March 16, 2023

Curtis Clabaugh made a motion to approve the minutes and Tony Laird seconded the motion. Mr. Laird asked to amend the minutes to include the sharing of email from Chad Whitley. The minutes were approved as amended unanimously.

ITEM A: REQUEST: [Reconsideration of UDC-23-00032 variance request.](#)

Conner White, Planner II, read Item A into the record.

Conner White, Planner II, stated the applicant has requested the item be withdrawn.

Mr. Laird made a motion to acknowledge the item as withdrawn. Mr. Brown seconded the motion.

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

ITEM B: REQUEST: (If the vote to reconsider Item A passes) [UDC-23-00032: Variance request to UDC 6.7.5.b Façade Openings within the MUB Mixed-use Business zone.](#)

Location: Northwest intersection of N College Drive and Rawlins St.

Applicant: Christofer Lovas

Case Planner: Connor White, Planner II

Conner White, Planner II, stated the applicant has requested the item be withdrawn.

Mr. Laird made a motion to acknowledge the item as withdrawn. Mr. Brown seconded the motion.

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

ITEM C: **REQUEST:** [UDC-23-00043: Conditional use request to allow an Automobile Service Station – Large scale within the CB Community Business zone.](#)

Location: Northeast corner of Campstool Road and Hutchins Drive

Applicant: Jana Ward
Case Planner: Lonnie Olson

Connor White, Planner II, read Item A into the record.

Lonnie Olson, Planner I, read the staff report.

Trent Carroll, Chair, asked for questions from the Board.

Mr. Carroll asked the agent to present the item.

Jana Ward, agent, presented the item.

Ms. Ward presented the project.

Mr. Carroll asked for questions from the Board.

Mr. Carroll asked for public comment.

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

Mr. Laird made a motion to approve a Conditional Use request for operation of an Automobile Service Station – Large Scale within the CB Community Business zone on land currently platted as lots 1, 2, and 5, Block 3, Campstool Addition, 3rd Filing, Cheyenne, Wyoming, noting that the application meets all the review criteria for approval. Mr. Brown seconded the motion.

RESULT: The motion passed unanimously by a vote of 6-0.

ITEM D: [UDC-23-00060: Variance request to UDC 5.8.8.b triple-frontage lot setbacks within the MR Medium-density Residential zone.](#)

Location: 3601 Carey Avenue

Applicant: Shane Hansen
Owner: Gary Kayser
Case Planner: Connor White

Connor White, Planner II, read Item A into the record.

Connor White, Planner II, read the staff report.

Trent Carroll, Chair, asked for questions from the Board.

Mr. Laird had a concern about having a requirement to never enclose the structure.

Mr. White clarified staff's requirements on whether the structure is open or enclosed.

Mr. Bloom shared further information that in the future they could seek relief in the future, but there are other issues with enclosing the structure.

Mr. Carroll asked the agent to present the item.

Shane Hansen, agent, presented the item.

Mr. Carroll asked for questions from the Board.

Mr. Carroll asked for public comment.

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

Ms. Brown made a motion to approve the requested variance to UDC 5.8.8.b to reduce the required setback for a triple frontage lot from 12.5-feet to 0.6-feet, subject to staffs recommended conditions located at 3601 Carey Avenue, legally known as a fraction of Lots 20 and 21, Lot 22, Block 25, Moore-Haven Heights, 2nd Filing, Cheyenne, Wyoming noting that the application as conditioned meets all of the review criteria for approval. Mr. Green seconded the motion.

RESULT: The motion passed unanimously by a vote of 6-0.

ITEM E: **REQUEST:** [UDC-23-00073: Conditional use request to allow a Liquor Store and Bar within the CB Community Business zone.](#)

Location: Lot 1, Block 1, Swan Ranch Rail Park, 16th Filing

Applicant: Rande Pouppirt
Case Planner: Connor White

Connor White, Planner II, read Item A into the record.

Connor White, Planner II, read the staff report.

Trent Carroll, Chair, asked for questions from the Board.

Mr. Carroll asked the agent to present the item.

Steve Jimenez, agent, presented the item.

Mr. Carroll asked for questions from the Board.

Mr. Clabaugh asked the application says liquor store and bar, and I think you said bar and grill?

Mr. Laird asked if they plan on having a retail liquor store.

Mr. Jimenez, no there is no plan for a retail liquor store.

Mr. White clarified that it is both a bar & grill and package liquor license. But if they add a drive-up lane they will need to come back to the City for approval.

Mr. Carroll asked for public comment.

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

Ms. LeBlanc made a motion to approve the Conditional Use request to allow a bar and liquor sales located on

Lot 1, Block 1, Swan Ranch Rail Park, 16th Filing, Cheyenne, Wyoming, noting that this application meets all the review criteria for approval. Mr. Laird seconded the motion.

RESULT: The motion passed unanimously by a vote of 6-0.

ITEM F: REQUEST: [UDC-23-00077: Conditional use request to allow expansion of a non-conforming use, Outdoor Sales, within the MUB Mixed-use Business zone with the UU Urban Use overlay district.](#)

Location: 1001 W 16th St.

Applicant: Jeff Wilts
Case Planner: Connor White

Connor White, Planner II, read Item A into the record.

Connor White, Planner II, read the staff report.

Trent Carroll, Chair, asked for questions from the Board.

Mr. Laird asked Mr. White a question about the fence on the south side of the property.

Mr. Bloom explains Appendix E, Environmental Design. We are concerned regarding safety in the area with the solid fence. The visual barrier could add to safety concerns.

Mr. Laird, would a chain-link fence be acceptable?

Mr. Bloom said that he believes this applies to a site obscuring fence.

Mr. Laird said that he was surprised with this being part of the West Edge area, and this is a grandfathered use, but is doubling a non-conforming use.

Mr. White explains why staff is in support of expanding the non-conforming use.

Mr. Carroll asked the agent to present the item.

Jeff Wilts, agent, presented the item.

Mr. Carroll asked for questions from the Board.

Mr. Carroll asked for public comment.

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

Mr. Green made a motion to approve Conditional Use request to allow expansion of a non-conforming use, expansion of outdoor sales, at 1001 W 16th St., legally known as Lots 1-7, East 16' Lot 8, Block 409, South Cheyenne, Cheyenne, Wyoming. Ms. LeBlanc seconded the motion.

Mr. Laird commented that he was impressed with how well the landscaping currently looks.

RESULT: The motion passed unanimously by a vote of 6-0.

OTHER BUSINESS: Mr. White presented Mr. Olson and shared that the Planning & Development is looking

to hire additional staff, with one that will be helping more with BOA. The Charter School has withdrawn its applications on Ridge Rd and will be occupying the eastern half of the Eastridge facility.

Mr. Bloom shared an update on County Pocket Annexation. We are currently working on our budget to present to the Council on May 10th. We have a training opportunity through the Wyoming Planning Association for Boards and Commission members.


Mr. Laird, question for Director Bloom. Regarding County Pocket Annexations that the City was going to proceed with no overlap in the process.

Mr. Bloom responded that he would like to have them run concurrently, there have been a few delays in getting this one started, but we should be able to wrap up all the annexations up by next year.

ADJOURNED: 6:50 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.*