



# BOARD OF ADJUSTMENT MEETING MINUTES

JUNE 17, 2021  
6:00 P.M.

- MEMBERS PRESENT:** Tony Laird (Chair), Swede Nelson (Vice Chair), Michelle Garcia (Secretary), Dustin Brown, Trent Carroll, Jeffrey Boldt (Board Attorney)
- MEMBER ABSENT:** Richard Maxted, Ben Mortiz
- QUORUM PRESENT:** Tony Laird (Chair) called the meeting to order at 6:00 pm. Roll Call was taken; a quorum was present with five members in attendance
- CITY STAFF PRESENT:** Charles Bloom (Planning and Development Director), Connor White (Planner), Erin Fagan (Planner)
- OTHERS PRESENT:** Casey Palma, Mark Parsons, Pat Rudd, Gabriel Velasquez, Larry Gallagher, Jason Stephen, Eric Dalton, Nick Briskey, Barb Harris, Christy Johnson, Ashley Sondag
- APPROVAL OF MINUTES:** May 20, 2021

Swede Nelson made a motion to approve the minutes from the May 20<sup>th</sup> meeting and Michelle Garcia seconded the motion. The minutes were approved unanimously by 5 to 0.

- 
- ITEM A:**      **REQUEST:**    [UDC-21-00184: Conditional use request to allow a new deck in the MR Medium-density Residential zone.](#)  
Applicant: Gabriel Velasquez  
Case Planner: Connor White, Planner II

Connor White read Item A into the record. He presented the staff report.

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

Mr. Laird asked for clarification about the text amendment for encroachments and decks.

Mr. White stated the text amendment was added to allow for an uncovered, rear deck to encroach up to 50% into a rear or side yard setback. He stated the text amendment also allowed property owners to have alternative designs to go to the Board for a conditional use request instead of a variance.

Mr. Laird asked if the landing on the deck needed to be 3' x 3' if a building permit was required.

Mr. White stated he would need to check with the Building Official or that the Board could condition the approval of the item.

Charles Bloom, Planning and Development Director, stated if it was made a condition of approval that it would be stated "if it was required by the Building Official".

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

Gabriel Velasquez, applicant, provided a description of the project.

Mr. Laird asked for questions from the Board. Mr. Laird asked if there is a 3' x 3' landing.

Mr. Velasquez stated there is a 3' x 3' landing.

Mr. Laird opened public comment.

Ashley Sondag stated she was a neighbor and she was in support of the conditional use for the deck.

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 the conditional use request to allow a new deck located at 605 E. 23<sup>rd</sup> Street, legally known as a portion of Lot 3, Block 197, Original City, Cheyenne, Wyoming. Dustin Brown seconded the motion.

Michelle Garcia stated she was in support of the motion.

Trent Carroll stated he was in support of the motion.

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

**ITEM B:**        **REQUEST:**    [UDC-21-00185: Conditional use request to allow Multi-family Residential within the MR Medium-density Residential zone.](#)  
Applicant: Brad Emmons  
Case Planner: Connor White, Planner II

Connor White read Item B into the record. He presented the staff report.

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

Jason Stephen, agent, provided a description of the project.

Mr. Laird asked for questions from the Board. Hearing none, he asked for comments from the applicant.

Mark Parsons, owner, gave a description of the project.

Mr. Laird asked for questions for the Board.

Michelle Garcia asked what is AVI.

Mr. Parsons stated AVI is an engineering firm in Cheyenne.

Mr. Laird asked for further questions.

Christy Johnson, agent, stated AVI is an Engineering company that is working on the project.

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

Swede Nelson made a motion to approve a Conditional Use request to allow four 4-plex Multi-family Residential buildings on Lots 1-5, Block 1, Early Addition, Cheyenne, Wyoming. Trent Carroll seconded the motion.

Mr. Laird said he is in support of the project.

Mr. Carroll stated he is in support of the project.

Mr. Nelson said there isn't opposition from the neighbors and he supported the request.

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

**ITEM C:**       **REQUEST:**    [UDC-21-00188: Conditional use request to allow expansion of a non-conforming use for a campground in the HI Heavy Industrial zone.](#)  
Applicant: Larry Gallagher  
Case Planner: Connor White, Planner II

Connor White, Planner, read Item C into the record and presented the staff report.

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

Larry Gallagher, agent, gave a description of the project.

Mr. Laird asked for questions from the Board.

Swede Nelson asked who the owners are of the property.

Mr. Gallagher stated the owners are listed on the application and Mr. Briskey is an employee of the owners.

Nick Briskey, applicant, gave a description of the property.

Mr. Laird asked for questions from the Board.

Michelle Garcia asked the length of time for the rental spots.

Mr. Briskey stated they are mostly overnight guests but they sometimes rent for a week.

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

Ms. Garcia made a motion to approve the Conditional Use request to allow expansion of a non-conforming use for the purpose of expanding an existing campground at 8800 Archer Frontage Road,

legally known as South 735-feet of Lot 1, Block 1, Campstool Addition, 1<sup>st</sup> Filing, Cheyenne, Wyoming.  
Mr. Nelson seconded the motion.

Trent Carroll said he was in support of the conditional use expansion.

Mr. Nelson stated the property is well maintained and he is in support of the request.

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

**ITEM D:**       **REQUEST:** [UDC-21-00190: Variance request to UDC 6.2.8.c, Grading and Surfacing in the HI Heavy Industrial zone.](#)

Applicant: Larry Gallagher

Case Planner: Connor White, Planner II

Connor White, Planner, read Item D into the record and presented the staff report.

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

Larry Gallagher, agent, gave a description of the project.

Nick Briskey, applicant, gave a description of the project.

Mr. Gallagher stated paving the site would be a safety risk and it wouldn't be consistent with a camping site.

Mr. Laird asked for questions from the Board.

Swede Nelson made a motion to approve the variance request to UDC 6.2.8.c, Grading and Surfacing to allow the circulation through the site to remain as gravel after a 700-foot paved access and parking area at 8800 Archer Frontage Road, legally known as South 735-feet Lot 1, Block 1, Campstool Addition, 1<sup>st</sup> Filing. Dustin Brown seconded the motion.

Michelle Garcia said she was not in support of the motion due to criteria not being met.

Mr. Laird stated he was not in support of the motion.

Mr. Nelson stated he was not support of the motion.

Mr. Brown stated the Board members have made valid points.

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

Ms. Garcia made a motion to deny the variance to UDC 6.2.8.c. Grading and Surfacing to allow the circulation through the site to remain as gravel after a 700-foot paved access and parking area at 8800 Archer Frontage Road, legally known as the South 735-feet Lot 1, Block 1, Campstool Addition, 1<sup>st</sup> Filing, Cheyenne, Wyoming due to not meeting all of the review criteria. Mr. Nelson seconded the motion.

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

**ITEM E:**       **REQUEST 1:** [UDC-21-00199: Conditional use request to allow Liquor Sales within the CB Community Business zone.](#)

Applicant: Clyde Mead

Case Planner: Connor White, Planner II

Connor White, Planner, read Item E – Request 1 into the record and recommend the Item be postponed to the July 15, 2021 Board of Adjustment meeting due to failure to provide proof of posted notice.

Tony Laird, Chair, asked for questions from the Board. Hearing none, he asked for a motion.

Trent Carroll made a motion to postpone Item E – Request 1 UDC-21-00199, to the July 15<sup>th</sup>, 2021, Board of Adjustment meeting. Dustin Brown seconded the motion.

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

**ITEM F:**        **REQUEST 2:**    [UDC-21-00191: Variance request UDC 6.2.4, Required Parking in the MR Medium-density Residential zone.](#)

Applicant: Casey Palma

Case Planner: Connor White, Planner II

Connor White, Planner, read Item F – Request 2 into the record and stated the agent has requested the Item be postponed to the July 15, 2021 Board of Adjustment meeting due to the applicant wanting to gather more information to present to the Board.

Tony Laird, Chair, asked for questions from the Board. Hearing none, he asked for a motion.

Swede Nelson made a motion to postpone Item F, Request 2, UDC-21-00191, to the July 15, 2021, Board of Adjustment meeting. Dustin Brown seconded the motion.

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

**ITEM G:**        **REQUEST:**        [\(Postponed from May 20, 2021\) 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

Connor White, Planner, read Item G into the record and stated the agent has requested the item be postponed to the July 15, 2021 Board of Adjustment meeting so it can run concurrently with the proposed variance request.

Tony Laird, Chair, stated there is a zone change request going before the Planning Commission and asked if it was approved.

Mr. White stated the zone change went to the Planning Commission on June 6<sup>th</sup> and was recommended for approval.

Mr. Laird asked when the zone change will be completed.

Mr. White stated the zone change has been postponed from being submitted to City Council due to other applications for the same project. He stated the zone change is supported by staff and allows for other uses even if the other applications are not approved and the applicant will have other options with the requested zone district.

Mr. Laird asked for questions from the staff.

Dustin Brown asked if the zone change would be affected with the postponement of the associated items

from this meeting.

Mr. White stated the zone district allows for other uses and the variances and conditional use applications will not affect the applicant from building other residential uses if it is approved.

Swede Nelson made a motion to postpone Item G, UDC-21-00136, to the July 15, 2021, Board of Adjustment meeting. Michelle Garcia seconded the motion.

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

**OTHER BUSINESS:**

- Lisa Pafford Deputy Director is retiring on August 4, 2021
- Planning and Development will be hiring an Office Manager and who would be starting on July 1<sup>st</sup>
- In-person meetings vs Zoom – Zoom meeting for July
- Greenway Store has t-shirts, coffee cups and tumblers
- National Veterans Cemetery

**ADJOURNED:** 7:24 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.*