

BOARD OF ADJUSTMENTS & PLANNING COMMISSION

Regular Meeting

January 10, 2008

The Worland Board of Adjustments & Planning Commission met on Thursday, January 10, 2008, at the Little Chicago Restaurant. Chairman Herm Emmett presided with the following members in attendance: Tom Harrington, Bob Michaels and Dave Duffy.

Also in attendance were Building Official Heath Overfield, City Clerk/Treasurer Tracy Glanz, City Engineer Mike Donnell and 3 visitors.

Chairman Emmett called the meeting to order at 12:00p.m. and moved to the first item on the agenda being the approval of minutes from the January 3, 2008, Special Meeting to elect officers. Member Michaels moved to approve the minutes from the Special Meeting and Member Harrington seconded the motion. The motion passed unanimously. The minutes will stand as written.

Chairman Emmett moved to the next item on the agenda being a Variance request from Blairs Supermarket to install an illuminated LED digital display w/ auto dimming photo cell sign. The section of Worland City Code which the variance is requested is 18A-6: Prohibited Signs. Chris Wray with Signs of Sutherland was in attendance to represent Blairs Supermarket. Discussion on updating the current Sign Code followed. Member Harrington moved to grant the variance to Blairs Supermarket for the sign as it is today with no additional features added to it until the City Ordinance Sign Code is amended and then at that time, the sign must comply with the current Sign Ordinance. Member Duffy seconded the motion. The motion passed unanimously.

Chairman Emmett moved to the next item on the agenda being a Public Hearing for a Subdivision by Northern Lights Investments, LLC. David Anderson with Donnell & Allred was representing Northern Lights Development, LLC. Chairman Emmett asked Building Official Heath Overfield if the proposed preliminary plat had all requirements on it. Building Official Heath Overfield stated that since this is an existing structure, existing pavement, we will need to look at it differently than if it were a new subdivision. Building Official Heath Overfield asked David Anderson what the intended use of Lot 4 was going to be. David Anderson stated that it would be a 4-plex if a 4-plex would fit on the lot with the required set-backs. Building Official Heath Overfield asked if there was another access other than off of the canal. David Anderson stated that the access off of the canal is a platted alley and that there would also be access off of the front. Building Official Heath Overfield further asked if there was a Subdivision Agreement drafted. David Anderson stated that there was not until they get the initial plat approved. Building Official Heath Overfield stated that since we do not know where the local water and sewer services are located then it should be noted that if one of these services needs repaired/replaced then it needs to go across the easement and not through another lot. City Engineer Mike Donnell added that he would recommend that if in the future you were to go in and do water or sewer services to one of these lots then it be a requirement that it is brought up to code. Member Duffy stated that the owner of the lot would be responsible for bringing these utilities up to code. Member Duffy further asked if this would be applied to all utilities or just water and sewer. David Anderson stated that that is why on the plat they made the access and utilities easement not just an access easement so that in the future it can all be cleaned-up. At this time Chairman Emmett opened the Public Hearing. Chairman Emmett asked if proper notification procedures had been adhered to. Recording Secretary Wendi Dickerson

stated that they had been. Chairman Emmett asked if anyone from the public had any comments regarding this subdivision. Lorraine Keller stated that Tom McKinnon had been to her house and explained everything about the subdivision and was attending the meeting to get a better understanding of it. Ms. Keller stated that she did question Mr. McKinnon on how or if this subdivision would affect her. Building Official Heath Overfield stated that it shouldn't change anything other than the proposed 4-plex and a possibility of more traffic. Chairman Emmett asked if there was anyone else from the public that would like to make a comment. With no further comments, Chairman Emmett closed the Public Hearing. Chairman Emmett further asked if any member of the commission had any further questions. City Engineer Mike Donnell asked if anyone knew how the garbage was picked-up in that area. City Engineer Donnell further asked if this 25ft. access/utility easement was private or public. With this being a private easement, Commission members expressed concerns with access and garbage pickup if a 4-plex is built. Chairman Emmett asked if there were any further questions regarding the subdivision. Member Duffy expressed concerns with the zone change and questioned if that was going to be handled as a separate issue. Chairman Emmett stated that the zone change request would be handled as a separate issue. Member Duffy stated that as Tom has presented the plat it does clarify where the easements are. Member Duffy questioned the access easement and how that will be treated in the future. Member Duffy stated that it was necessary to establish what the procedure would be if the utilities were relocated and should be a part of any recommendation made. Member Duffy further stated that if this was a private access then an outside garbage pick-up would have to be established. David Anderson stated that he believed that an outside garbage pick-up point already exists. Chairman Emmett stated that he feels the easement was established as a utility easement and to gain access to Lot 4 and not a vehicular easement which David Anderson agreed with. Member Michaels made a motion to approve the Northern Lights Subdivision with the exception of the zone change, contingent upon addressing the garbage pick-up, the access easement to include all lots, and the utility easement to include the replacement/repair of all existing service lines to be relocated into the newly created easement, prior to final subdivision approval. Member Duffy seconded the motion. The motion passed unanimously.

Chairman Emmett moved to the last item on the agenda being a zone change request by Tom McKinnon for the property described as Lot 1, Block 9 of the Evans Addition. The current zone is a B-1 and the proposed zone is a B-2. Chairman Emmett opened the Public Hearing for comment. With no one from the public to comment, Chairman Emmett closed the Public Hearing. Member Duffy stated concerns with the businesses that are allowed in a B-2 Zone and the set-back requirements in a B-2. David Anderson gave a brief history of the area. After some discussion Building Official Heath Overfield stated that he would look into potential businesses that could possibly fit into a B-1 Zoning District for the Planning Commission to review. Member Duffy made a motion to deny the request of re-zoning this area. Member Michaels seconded the motion. The motion passed unanimously.

With no further business, the meeting adjourned at 1:00

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Chairman Herm Emmett

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Recording Secretary Wendi Dickerson