

BOARD OF ADJUSTMENTS & PLANNING COMMISSION
Regular Meeting
December 13, 2007

The Worland Board of Adjustments & Planning Commission met on Thursday, December 13, 2007, at the Little Chicago Restaurant. Chairman Duffy presided with the following members in attendance: Tom Harrington, Herm Emmett and Bob Michaels.

Also in attendance were City Clerk/Treasurer Tracy Glanz and 5 visitors. Building Official Heath Overfield was absent.

Chairman Duffy 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 November 20th meeting. Member Michaels made a motion to approve the minutes and Member Emmett seconded the motion. The minutes will stand as written.

Chairman Duffy moved to the second item on the agenda being Mike Montoya inquiring about a zone change. With Mr. Montoya not in attendance, Chairman Duffy moved to the next item on the agenda being the findings of a special exemption request submitted by Bruce & Kim Dworshak. Chairman Duffy referenced the Public Hearing for a Special Exemption at the November 20th meeting and how a clarification of the authority of the BAPC was needed from the City Attorney on whether the BAPC can act on such request. Chairman Duffy read aloud a letter of the findings from Building Official Heath Overfield (see attachment). Kim Dworshak asked if she was supposed to be going on to City Council. Chairman Duffy stated that essentially that is what BI Overfield was suggesting. Chairman Duffy further referenced the City Code and allowed accessory uses that are available in an R-3 zone and the definition of an accessory use. Chairman Duffy also referenced the authority that the BAPC has as per City Code Section 24-27. Member Emmett made a motion to refer this to Worland City Council and reference why the BAPC could not act upon it. Member Harrington seconded the motion. The motion passed unanimously.

Chairman Duffy moved to the next item on the agenda being a preliminary plat submitted by Tom McKinnon of the Northern Lights Subdivision. Chairman Duffy asked if the plat had been distributed to all the required recipients of the plat and if there had been any comments back from them. David Anderson, representing Tom McKinnon, stated that Wyoming Gas had responded and stated that there was a gas line behind the bowling alley. Dave Duffy, representing RT Communications, stated that they had concerns with the location of the existing utilities and what accommodations can be made for them (the utilities) to be where they are. Mr. Duffy further asked if the utilities were going to conflict with future development and how do they (RT Communications) rebuild and at who's expense would it be. Mr. McKinnon stated that the utilities are staying where they are and he is basically cleaning the area up and providing easements in the right places. Member Harrington stated that they (David Anderson & Tom McKinnon) need to find out where the utilities are located and

reference them on the plat. Chairman Duffy asked about the water & sewer that are shown on the plat in the street, but what about water & sewer behind and between the buildings? Mr. McKinnon stated that that is why they put the easements in so that they could move them. Chairman Duffy asked if Mr. McKinnon was sure of the location of the water & sewer. Mr. McKinnon stated that he was not. Chairman Duffy reiterated Member Harrington's comment of locating the existing utilities and referencing them on the plat. David Anderson stated that he wasn't sure that it would be possible to find the location of the utilities. Chairman Duffy suggested that if the location of the utilities is unknown that it should be referenced on the plat. Chairman Duffy reminded Mr. Anderson and Mr. McKinnon of the time frames per Worland City Code between this meeting and the revisions on the plat. Chairman Duffy then noticed that there was a zone change written on the plat. Chairman Duffy further stated that Northern Lights Subdivision would have to follow Worland City Code for the request of a zone change.

Chairman Duffy moved to the next item on the agenda being Mike Montoya inquiring about a zone change for Lot 16, Block 11 of the Pulliam Addition. Mr. Montoya stated that he wants to build a duplex on the lot and currently the lot is zoned an I-1 district which does not allow for a duplex. Mr. Montoya further stated that he and his father would have not purchased the lot had they known it was zoned an I-1. Chairman Duffy referenced the December 14, 2006 BAPC meeting when Harold Dees (previous owner of this lot) attended a BAPC meeting. Due to conflicting information on the zoning maps in the Building Department Office it was once believed that the zone for that lot was a B-2 which after some review has been zoned an I-1 district. Chairman Duffy stated that Mr. Montoya would need to apply for a zone change and follow the requirements for a public hearing.

With no further business, the meeting adjourned at 1:10p.m.

Chairman Dave Duffy

Recording Secretary Wendi Dickerson