



BOARD OF ADJUSTMENT MEETING MINUTES

FEBRUARY 21, 2019
6:00 P.M.

MEMBERS PRESENT: Stefanie Boster, (Chair) Jody Shields (Vice-Chair), Kevin Schwaiger, Chuck West, Tony Laird, Michelle Garcia, Swede Nelson

MEMBERS ABSENT: None (Ms. Garcia arrived after the minutes were approved and before Item No. 2 was read into the record)

QUORUM PRESENT

CITY STAFF PRESENT: Charles Bloom, Planning & Development Department Director, Lisa Pafford (Deputy Director), Susana Montana (Senior Planner), Scott Roberts (Planner), Tawn Hillenbrand (Planner), Alessandra McCoy Fakelman (Assistant City Attorney), Anissa Gerard (City Traffic Engineer)

OTHERS PRESENT: Jeffrey Boldt, Board Attorney
Applicants: Dru Burr for Item 2
Rolinda Sample, Dustin Mcken, and Casey Palma for Item 3
Preston Duran for Item 4
Members of the public: Richard O'Black and Rachel Mcken

Stefanie Boster (Chair) called the meeting to order at 6:00 p.m.

Roll Call was taken. A quorum was present with six of the seven members in attendance. A few minutes later the seventh member arrived.

ITEM 1, APPROVAL OF MINUTES: January 17, 2019

A motion to approve the minutes was made by Ms. Shields and seconded by Mr. West and the January 17, 2019 minutes were approved unanimously 6 to 0 (Ms. Garcia was absent during this vote).

Deputy Director Lisa Pafford read Item 2 into the record.

ITEM 2: UDC-18-00406 – Conditional Use approval request to allow outdoor sales large for large equipment on a currently undeveloped property in the LI zone, pursuant to Section 5.1.4 Table 5-1: Zoning District Uses of the Cheyenne UDC for Lots 4 & 5, Block 1, Hutchins Corner 2nd Filing, Cheyenne, Wyoming 82007

LOCATION: Lots 4 & 5, Block 1, Hutchins Corner 2nd Filing
(located at the southwest corner of the intersection of Campstool Rd. and Hutchins Dr).

Applicant: Mark Honnen, Honnen Ventures of Wyoming, LLC
Agent: Ginger Brown, Coffey Engineering & Surveying

Tawn Hillenbrand presented the staff report. Mr. Drew Burr, representing the Applicant and Coffey

Engineering, described the proposed project, stated that the Applicant would sell John Deere vehicles and equipment, and would operate weekdays from 7 AM to 5 PM.

Mr. West asked if the zone change to LI is in process and if the Applicant would continue with the project if the zone change does not get approved?

Mr. Burr responded that the Applicant would continue with the project but that the rezoning was needed to allow wider vehicular access to the site due to the large vehicles for sale and because the design regulations for the LI zone are less costly.

Ms. Boster (Chair) asked for public comment and there was none.

Mr. Schwaiger moved to approve the conditional use and Mr. West seconded the Motion. Mr. West stated that this request seems to be a straightforward matter and that staff supports the use, so he is in favor of approval. Ms. Boster agreed with Mr. West's comments and noted that the staff report was comprehensive, so she felt comfortable approving the use.

The Board voted unanimously, 7 to 0, to grant the conditional use for outdoor sales at the subject property.

Deputy Director Lisa Pafford read the next item into the record.

ITEM 3: UDC-18-00397 – Variance request to reduce the required building design standards for an accessory structure in a CB Community Business zone, pursuant to Section 6.9.4 of the Cheyenne Unified Development Code (UDC) on Lot 2, Block 2, Gateway South, 2nd Filing, Cheyenne, Wyoming 82007

LOCATION: 515 W. Jefferson Road

Applicant: Boys and Girls Club of Cheyenne (Representative: Rolinda Sample, CPO)
Agent: Casey Palma, Steil Surveying Services, LLC

Scott Roberts presented the staff report. Mr. West asked if the administrative plat to extinguish the drainage easement where the building would be located is something the Director can approve. He asked staff to confirm that if the plat is not approved, the building could not be approved.

Mr. Roberts confirmed this was correct. The Director can approve the Administrative Plat to extinguish the drainage easement where the structure is proposed and if the plat is not approved, the building would need to be relocated.

Mr. West noted that with a variance application, the code requires that *all* six criteria must be met in order to qualify for Board approval. Ms. Boster asked staff if there was any middle-ground if not all criteria are met.

Director Charles Bloom noted that if the Board does not agree with the staff evaluation, they have the ability to make their own evaluation of the criteria which may justify approval of the application.

Mr. Schwaiger noted his concern with criterion 2, inquiring whether the structure could not be relocated on the site.

The Applicant's representative, Mr. Dustin McKen, Board President of the Boys and Girls Club of Cheyenne, presented the case for the proposed storage building. He first summarized the purpose of the Boys & Girls Club and the number of persons served by the club. He described topographic and drainage

constraints of the 12-acre site. He mentioned the need to make the structure "waterproof". He explained that Lowes corporation granted the club funds to build the "outbuilding." However, there is a timeline associated with the grant. The Club has received two extensions and the window of eligibility will soon close.

Mr. Laird asked if the City's design standards were not sufficiently waterproof for the proposed building. Mr. McKen responded that they are concerned with waterproofing the building due to underground water issues and are also concerned with security because of the UDC window requirements.

Mr. West asked if the Board could not approve the variance due to the limitation of the code, would the Applicant work with staff to address the 3 criteria that are not met?

Ms. Rolinda Sample, Boys and Girls Club Chief Professional Office, stated that the location for this building is needed because of slopes and ground water on the east side of the property. Its proposed location next to the alley is ideal because of the slope of that alley; deliveries are limited to the west side of that alley.

Ms. Shields asked staff to put on the monitor the slide image showing the alley to which Ms. Sample referred. Ms. Sample showed how deliveries can be made from Allison Street to the building through the alley access road.

Mr. Laird asked about the Applicant's concerns with waterproofing the building, the timeline of the grant extension, and security concerns with the design of the building meeting code.

Ms. Sample stated that due to stormwater runoff and high groundwater, the building must have a concrete floor and waterproofing to protect maintenance equipment and fertilizer stored therein.

Mr. Schwaiger asked the Applicant if the primary materials required by code did not provide sufficient waterproofing. He asked if the 70% secondary materials were applied to the top portion of the building and the primary material were placed at its base, would that be sufficient waterproofing or is their issue with the primary materials due to costs?

Ms. Sample noted that the materials required by code are too costly for the grant they received.

Mr. Schwaiger asked if the roof pitch required by code were waived, would that adequately save costs.

Ms. Sample stated that the Club searched on-line for a prefabricated building that they could afford and install within the grant timeline and only one product met that criteria that had the required roof pitch.

Casey Palma, representing the Applicant for the plat amendment, addressed the criteria for the variance evaluation citing the unique location of the Club and unique location of the proposed building and described how the code design requirements could be met with faux windows, vertical color changes, and primary materials on the base of the building only. He suggested that a postponement of the Board's decision would give the Applicant and Staff time to try to come up with a design that can meet the variance criteria to achieve compliance.

Ms. Garcia asked if the grant to build the building was from Lowes or Menards since the prefabricated building was being purchased from Menards. Mr. Palma responded that the grant was from Lowes but that they do not offer the product the Applicant desires and Lowes has no problem with the Applicant purchasing the building from Menards, which does have the desired building.

Mr. Laird asked about the waterproofing needs of the building. Is it from surface water or from rain and snow? Ms. Boster noted that it is typically cost-prohibitive to hire a licensed contractor to build a building

rather than purchase and install a prefabricated building. Ms. Sample stated that the grant from Lowes was through the national Boys & Girls Club organization, of which Lowes is a sponsor. The site has underground springs year-round plus rain and snow and the prefabricated building is a cost and time savings.

With no further public comment, Ms. Boster (Chair) closed the public comment period and asked the Board for a Motion. Mr. Laird moved to approve the variance from the CB zone design standards and Mr. Schwaiger seconded the Motion.

Mr. Schwaiger stated that the unique site of the club and building and the unique use and function of the structure warranted this variance approval. He stated that the Board frequently hears requests for design variances for fourplex developments which do not qualify for variance consideration. This request is just for an outbuilding which will not be visible from the street. He believes the variance request complies with criterion 1 because of security concerns and the roof pitch of the building design.

Ms. Shields stated that she supports the variance due to the location of the building in the area and on the site and the proposed use of the building represents a unique situation.

Mr. Laird echoed the comments of both Mr. Schwaiger and Ms. Shields. He stated that the location of the proposed building would not be visible from the street. He has a "pet peeve" for applicants complaining that windows in a building are a security concern, as there are other ways to protect the security of a building.

Mr. West stated he is a strict supporter of the UDC standards. He thinks these types of ancillary buildings should be exempt from design standards. He asked the Director to move forward with a UDC amendment that would allow that exemption. He asked to continue this variance consideration for one month.

Ms. Boster stated that this request has three unique factors: the slope of the site; the ground water springs on the site; and the size and requirements of the prefabricated building. All these factors support the granting of this variance. She also stated that she supports the hard work by Staff on this project.

Hearing no further discussion by Board Members, the Ms. Boster (Chair) called for a vote. The Board voted in favor of granting the variance, 5 to 2, with Ms. Garcia and Mr. West voting no.

Deputy Director Lisa Pafford read the item into the record.

ITEM 4: UDC-19-00073 – Appeal of Administrative Zoning Decision UDC-18-00383, denying the continued allowance of a 6' high fence in a P.U.D. zone, pursuant to Section 10 of Ordinances 3733 & 3835 as amended, constituting the guidelines of the JL Ranch Planned United Development District on Lot 16, Block 2, JL Ranch Subdivision, Cheyenne, Wyoming 82007

LOCATION: 5528 Liz Ranch Road

Appellant: Preston Duran

Board Member Nelson asked to be recused from consideration of this case due to a conflict of interest as he is an acquaintance of the Appellant. The Board voted 6 to 0 to recuse him.

Scott Roberts presented the staff report.

Mr. West asked staff to cite the addresses of the 5 previously approved administrative adjustments granting a 6' tall fence within this PUD. Mr. Roberts cited the street names of the previously-approved administrative adjustments granting 6' tall fences within the JL Ranch subdivision.

Mr. West noted he conducted a site visit of the subject property and neighborhood and asked why the Director approved an administrative adjustment of a 6' tall fence for the property across the street from the Appellant's property and did not approve the Appellant's request since it appeared to him to have the same issues (alley, corner lot, 6' tall fence) with the exception that there is no stop sign at the Appellant's intersection. He suggested that a stop sign be placed there.

Director Bloom stated that in this subdivision there are violations of the UDC and PUD fence requirements. Two fence variances were denied due to vehicle sight visibility safety concerns with 6' tall fences placed at the corner of an intersection of an alley and a local street.

Mr. West stated he observed properties with 6' fences that were not listed by staff and asked if those fences are in violation. He has a concern with the safety of uncontrolled intersections, but perhaps placing a stop sign or a yield sign could address this safety concern. Based on his observation of the site, he believes visibility is fine from the intersection at the alley and Judy Lee Drive. Mr. West reiterated that the lot across the street with a 6' approved fence looks equal to the Appellant's lot that was denied.

Ms. Boster asked that Staff respond to those issues later in the meeting.

Mr. Laird asked if the PUD fence rules supersede the UDC fence rules regarding sight triangle visibility standards for controlled intersections versus uncontrolled intersections. Mr. Roberts said that was correct; that the 4' fence requirement addressed sight visibility concerns. He said the City Traffic Engineer can answer that question more definitively. Mr. Laird asked about other places in the UDC that limited building or fence heights to 1.5' and 3.5' in height in the visibility triangle. He cited the staff report on page 4, second paragraph that discussed controlled versus uncontrolled intersections. He said that staff concluded that the fence would not obstruct the sight triangle. On page 5, the traffic engineering comment discussed moving the fence back 6' from the property line for a distance 50' for a stop-controlled intersection. There is an inconsistency between staff conclusions.

Mr. Roberts agreed that there is some ambiguity in the report.

Mr. West noted that page 2 of the staff report described the ability of the Director to approve administrative adjustments for up to 50% additional height when that height meets sight visibility requirements. He asked if that was correct.

Director Bloom stated that the administrative adjustments are limited to quantitative standards such as fence height, but the clear vision requirement cannot be waived or varied because it is a safety issue.

Dr. Anissa Gerard, City Traffic Engineer, noted that for the subject site, the intersection of the alley and local street is at the edge of the "gore area" of the roundabout where sight distance is critical. Fences within the sight visibility triangle create a safety hazard, especially for motorists in the alley trying to turn left onto the street through oncoming traffic. She cited the AASHTO Green Book requirements for sight visibility for uncontrolled intersections which the subject intersection is, since it was approved for construction without a stop sign. The UDC does not get into specifics regarding this particular intersection sight distance if it is viewed as a "must stop" per Wyoming State statute. The controlled intersection standard for this property would be the 6' back from sidewalk for a distance of 50'. The no-control intersection would require a setback of 17.5' on both sides of the corner from the property line. From either perspective, there would be a removal of the fence in some fashion.

Mr. West noted that on page 4 of the staff report it states that the fence "would not obstruct" the sight triangle based on information given to the Applicant by Staff in June 2018. Ms. Gerrard said that statement is an error or typo, Furthermore, she cannot verify what staff said to the Appellant in June 2018 because she was not employed by the City at that time.

Mr. Schwaiger asked if the subject intersection is a controlled or uncontrolled intersection regarding sight visibility distance. It seems that in both situations, the current fence does not meet the sight visibility requirement of either classification.

Assistant City Attorney Alessandra McCoy Fakelman came to the podium and described the inconsistencies between the State statute described by the Appellant and the PUD standards and noted that the Board should not be discussing past staff determinations which may vary from the current staff determination on this case. The past determinations were made by a Director and staff that no longer are employed with the City. The PUD fence regulations are unmanageable and are very restrictive and there are inconsistencies where the UDC and PUD interact. She noted that the Board is acting in an appellate function. The Board's duty in this case is to determine whether there is substantial evidence that the Director made a "clear error" in his denial of the Applicant's administrative adjustment request. If it is not a clear error, then the decision of the Director should be upheld. Ms. Fakelman suggested that the Board may want to postpone its decision on the appeal to allow staff to provide additional information to the Board in order to respond to its inquiries from this meeting. Unlike a variance or a conditional use, this is an appeal decision to determine whether the Director made a clear error in denying the application.

Director Bloom noted that the property to the south that was granted an administrative adjustment for the 6' tall fence is located further from the roundabout than the Appellant's fence at the alley. He spoke of the concern that if this fence is approved, nearby lots, when developed, may also build fences to the property line which would block visibility of motorists entering traffic near the roundabout.

Mr. Schwaiger asked why those previous administrative adjustments were approved and allowed.

Mr. Roberts stated that those previous applications met the 8 review criteria for administrative adjustment approval and read each of those criteria for the Board.

Mr. Schwaiger stated outside of sight distance issues, which he stated he finds very relevant, would the 6' fence be approved?

Director Bloom stated that is an accurate statement.

Assistant City Attorney Fakelman approached the podium again and stated that the Board may only address *this* property, *this* fence, and the determination the Director made regarding *this* fence for *this* Appeal decision. Comparing properties A, B, C and D is not proper for this appeal because each property is evaluated on its own criteria. Past decisions by other Directors is not relevant to this appeal.

Mr. Laird noted that the denial of a 6' tall fence was due to sight visibility impairment. He asked if the fence was setback 6' for a distance of 17.5', would that be approved? This intersection is considered an uncontrolled intersection. The issue is a controlled versus an uncontrolled intersection, although he stated that he understands that under either circumstance the existing 6' tall fence would not meet sight visibility standards.

Mr. West asked if we can make an uncontrolled intersection into a controlled intersection by putting a stop sign there.

Traffic Engineer Gerard stated that the City can put up a stop sign but cautioned that we do not want to do so because of the numerous alleys throughout the City without stop signs; the City would have to

install them everywhere. She stated that in her opinion, based on engineering criteria, the subject intersection does not warrant a stop sign.

Mr. West noted that the Applicant should have sought the administrative adjustment approval before building the fence. He asked if there a remedy for the violation without tearing down the fence. He asked if the remedy could be putting up a stop sign at the intersection.

Traffic Engineer Gerard said that the information the Appellant stated was given to him last summer was incorrect.

The Appellant, Mr. Preston Duran, approached the podium and presented ten slides of documents and images to the Board supporting his appeal. This information was in addition to the material submitted with his Appeal letter. This material included reference maps, citations of the administrative adjustment review criteria, State Statute § 31-5-506, a quote from Traffic Sgt. Gay, UDC images of sight visibility triangle requirements, sight distance images, and a photo of the intersection taken from within his vehicle.

Mr. Duran stated that he is appealing the denial of his 6' tall fence because he needs privacy in his yard and safety from passersby. He notes that although the covenants of his subdivision limits fences to 4', there are seven lots therein that have 6' fences, including a property across the street from his lot.

He believes the Director made a clear error in denying the application due to his opinion that the fence causes sight visibility impairment at the intersection of the alley and Judy Lee Drive. Mr. Duran went over the review criteria that the staff report cites as being reasons for denying the 6' tall fence. He said that this determination was an accurate depiction of the intersection of Judy Lee Drive and Liz Ranch Road in *front* of his home but is not accurate for the intersection *behind* his home. He believes this is a *controlled* intersection based on State Statute § 31-5-506 requiring motorists to stop at alley intersections. He also cited a conversation he had with Cheyenne Police Department Traffic Sargent John Gay in which Mr. Gay told him that because motorists are required by State Statute to stop at an alley intersection that it is, therefore, in his opinion a *controlled* intersection for the purposes of sight visibility. Mr. Duran cited the UDC definition of a controlled intersection which he believes applies to his alley intersection. The proper sight distance should be as shown in Figure 4-18 of the UDC labeled corner sight distance for controlled intersections with on-street parking. Mr. Duran stated that if the City feels that a stop sign is warranted at this intersection to make it an official controlled intersection, he would be willing to share the cost of installing the stop sign.

Mr. Duran noted that the staff report for this appeal conceded that if the Board agrees that the State Statute applies, then the corner sight distance for a controlled intersection with on-street parking would apply. In this case the Applicant's fence would not obstruct the sight visibility triangle. Mr. Duran noted that the staff report for this appeal also cites the Traffic Engineer as stating that the regulations in the UDC governing sight visibility are error-ridden and the sight visibility standards should be brought into conformity with national engineering guidelines. Mr. Duran stated that this admission from the Traffic Engineer infers that errors have been made in the denial of his administrative adjustment application. Mr. Duran showed the Board a photo of the intersection taken from within his vehicle when it was stopped at the alley intersection with Judy Lee Drive and the image demonstrates that the fence does not obscure oncoming motorists.

Mr. Duran stated that he had asked the realtor who sold him the house how he could contact the JL Ranch Architectural Control Committee to get approval of a 6' fence. The realtor told him that the committee had been disbanded and she suggested he go ahead and build the fence. He stated that he thought better of that suggestion, and he subsequently spoke with a member of Development Staff. He stated that Staff advised him that the correct sight visibility area was that of a controlled intersection, based on the State Statute requirement for motorists to stop at alley intersections. Based on that

information, Mr. Duran constructed his 6' fence. Mr. Duran asked the Board to overturn the denial of this administrative adjustment and allow the 6' tall fence.

Mr. Laird asked Mr. Duran about his statement that he tried to contact the Architectural Control Committee and was not able to contact it. Mr. Laird stated that whether Mr. Duran did or did not get approval from the Architectural Control Committee, there is still a 4' fence limit that was adopted by City ordinance. He noted that Mr. Duran did not get the administrative adjustment approval before he built the fence. He asked if Mr. Duran decided that he had "done enough" by simply asking for approval from the Architectural Control Committee, to no avail, and did not want to get the administrative approval.

Mr. Duran said that Development Staff suggested he go ahead and build the fence and get the administrative adjustment approval later because that is how all the fences had been approved in this area. He built the 6' fence upon the reliance of that staff recommendation.

Ms. Boster (Chair) opened the floor to Public Comment.

Mr. Richard O'Black stated that Mr. Duran admitted that he tried to contact the Architectural Control Committee and, there not being one, he ran into a big stone wall. Mr. O'Black stated that the absence of this committee has caused problems because homeowners have ignored the fence rules. Mr. O'Black stated that, in addition to trying to contact the committee, Mr. Duran went door-to-door on the subject block and asked homeowners if there would be a problem with his building a fence. Mr. O'Black stated that he drives a F-250 truck and must drive "the other way" due to the angle of his driveway. He stated that he stops at the subject alley intersection all the time and has no problem seeing on-coming traffic from the roundabout direction. He thinks the speed limit in the alleyways is 10 to 15 miles per hour. He believes that visibility is good. He stated that when Mr. Duran was building the fence, he asked him what he was doing and how he was building a 6' tall fence and Mr. Duran told him the City said he could do it.

Hearing no further requests for public comment, Ms. Boster (Chair) closed the Public Comment period.

Mr. Schwaiger asked for clarification from the Traffic Engineer about the sight distance from the alley to Judy Lee Drive. He stated that the sight distance is equally important from Judy Lee onto the alley.

Ms. Gerard stated that visibility from Judy Lee Drive to the alley would be an issue of *stop distance* which is also a concern with the speed of the roundabout.

Ms. Boster (Chair) again closed the Public Comment period and asked for a Motion to initiate Board Member discussion. Ms. Shields moved to reverse the Zoning Administrators decision, dated February 8, 2019, entered by Charles Bloom, Cheyenne Planning & Development Director, appealed by Mr. Preston Duran, related to the denial of an Administrative Adjustment application dated November 9, 2018, submitted by Mr. Duran for Lot 16, Block 2 of JL Ranch Subdivision, 5528 Liz Ranch Road. Mr. West seconded the Motion.

Ms. Boster opened discussion by the Board and reminded the Board that the City Attorney suggested the Board postpone the case until the next Board meeting to get more information from Staff to determine whether the Director made a clear error.

Mr. West supported a continuance. If the case is continued, he suggested that Board members conduct a site visit to see if they feel the intersection has adequate visibility of on-coming traffic. He asked the City Traffic Engineer to clarify whether this is a controlled intersection. He asked Staff to correct, if necessary, the statement on page 4 that the fence would not obstruct the resulting sight triangle.

Mr. Laird stated that he mirrors the comments of Mr. West and supports a postponement. He noted that if he had to vote today, he would vote in favor of the motion because he is persuaded by the Appellant's

point that this is a controlled intersection per State Statute, with or without a stop sign, which requires motorists to stop at alley intersections. He stated that he also drove around that alley and street. He stated that even with a controlled intersection, the sight visibility triangle should be made clearer and should be determined by the AASHTO Greenbook requirements to know if 50' of the fence should be removed. He stated that the Board needs clarity on the setback requirements for controlled or uncontrolled intersections and, therefore, supports the postponement.

Ms. Shields reiterated what Mr. Laird stated and would be in support of the motion as is. She believes the staff report is very confusing and that Staff turnover is problematic. There are several things with this project that she could not agree with and, therefore, supports a postponement.

Mr. Schwaiger stated that the Board needs to be careful with cases that have safety concerns. He would hate for the Board to make a decision that leads to injury or death. He questioned whether the Director made a "clear error," which is the main criterion for reversing this decision. The staff report is confusing, and a certified, licensed Traffic Engineer denied the application based on the AASHTO criteria. He stated that he needs more information to lead him to believe the Traffic Engineer's decision is a clear error and, therefore, he would not support the current motion to overturn the denial. He does not believe the decision was made in clear error.

Ms. Garcia stated she is in favor of a postponement as the Board needs all the information requested.

Ms. Boster (Chair) asked for a motion to postpone the item to collect additional information. Mr. West motioned, and Ms. Shields seconded. The Board voted unanimously, 6 to 0, with Mr. Nelson recusing, in favor of the Motion to postpone the item. The Chair stated that this matter is continued to the next meeting in March and she hoped that the Appellant and the City would meet to discuss this case before the next meeting. She expects that both the Appellant and the City would provide more information to the Board for the next meeting.

Ms. Boster (Chair) asked the Board members to give Staff and the Appellant direction on what additional information the Board needs to make a decision on this appeal:

Mr. Schwaiger stated that he wants to see an analysis from another traffic engineer disputing what the City Traffic Engineer says in order to make a determination that the denial decision was made in clear error.

Ms. Boster stated that she expects the City Staff at the next meeting to walk the Board members through the applicable City Codes and State Statutes and explain why the Traffic Engineer and Director came up with their decision.

Mr. West asked the Director to try to contact the former Staff person that the Appellant said he spoke with prior to building the fence to determine what she said to the Appellant in July 2018.

Mr. Laird would like clarification on whether this is a controlled or uncontrolled intersection as he believes this is a critical difference in determining the sight visibility triangle that applies to the placement of the Appellant's fence.

Mr. Schwaiger stated he would like to rephrase his previous statement asking for a second traffic engineer evaluation as to whether the City Traffic Engineer's determination is incorrect. Rather, he would like more information as to why the City's Traffic Engineer's evaluation is or is not correct.

Ms. Garcia asked if this appeal is granted would the undeveloped lots located next to the traffic circle be allowed a 6' tall fence when they are developed and can Staff clarify that?

OTHER BUSINESS

Mr. West asked the Director to move forward on a UDC amendment that would exempt accessory structures from meeting building façade design standards. He asked if the Board needed to make a motion to that effect. Director Bloom stated that it would not be necessary as he had already started on such an amendment.

ADJOURNED: 8:25 p.m.



Minutes: Susana Montana



Chair: Stephanie Boster

** 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.*