



# BOARD OF ADJUSTMENT MEETING MINUTES

DECEMBER 18, 2019  
6:00 P.M.

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

**MEMBERS ABSENT:** Jeffrey Boldt (Board Attorney)

## QUORUM PRESENT

**CITY STAFF PRESENT:** Charles Bloom (Planning and Development Director), Lisa Pafford (Deputy Director), Susana Montana (Senior Planner), Tawn Hillenbrand (Planner), Connor White (Planner), Anissa Gerard (Traffic Engineer)

**OTHERS PRESENT:** Casey Palma, Kelly Hafner, John Edwards, William Carey, Mark Carey, Rhonda Carey, Blake Wilson, Wesley Taylor

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

Roll Call was taken.

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## APPROVAL OF MINUTES: November 21, 2019

Jody Shields made a motion to approve the minutes. Michelle Garcia seconded. Tony Laird notified the board that a correction was needed to item 2, as it was Swede Nelson who seconded and not Mr. Laird.

The amended November 21, 2019 minutes were approved unanimously 7 to 0.

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Planning and Development Director Charles Bloom presented the plaques to Jody Shields (Vice Chair) and Chuck West.

Mr. Bloom informed the board that Item 8, the Nuisance Appeal is dismissed.

Deputy Director Lisa Pafford read Item 2 into the record.

**ITEM 2:** UDC-19-00650: Variance requests to waive the paving requirement of parking and circulation area for CH Yarber Industrial Fabrication and equipment storage in LI Light Industrial zone pursuant to Section 6.2.8.c of the Cheyenne Unified Development Code (UDC) for Southwest Industrial Park, 2<sup>nd</sup> Filing, Cheyenne, WY.

**LOCATION:** 112 Southwest Drive

Applicant-Owner: CH Yarber Crane Service, Inc.  
Agent: Kurt Sultzman. CH Yarber

Senior Planner Susana Montana presented the staff report. Staff recommended denial of the Variance

request.

Kevin Schwaiger inquired if there were any comments from the engineering department. Ms. Montana provided additional information. Mr. Schwaiger followed up by asking if the Fire department had been to the site. Ms. Montana provided additional information.

Mr. Laird inquired as to what the 75,000 lbs meant. Ms. Montana explained the meaning to the board.

Blake Wilson, Owner, provided a description of the project and the Variances requested.

Mr. Laird inquired about the type of fill, the drainage, dust from the material, and if the parking area would be paved. Mr. Wilson provided additional information for all questions asked.

Ms. Garcia inquired if the public would be visiting the site and the type of meetings being held on site. Mr. Wilson explained that mainly internal meetings happen on site.

Mr. Schwaiger asked Mr. Wilson about what alternatives were looked at and if this was the value engineering solution. Mr. Wilson provided additional information. Mr. Schwaiger followed up by asking if this is the industry standard. Mr. Wilson explained that it is.

Mr. Laird inquired about tracked equipment. Mr. Wilson explained that there will be none.

Ms. Boster allowed the applicant to address topics that were brought up earlier during staff's report, such as, the Fire Department visiting the site, the apron required by engineering, and the landscaping bond. Mr. Wilson provided additional information addressing all topics.

Ms. Boster asked if there are any further comments. Hearing none, public comment was closed.

Ms. Shields made a motion to approve the variances requested; Mr. Nelson seconded. Ms. Garcia expressed support, Mr. Laird, Mr. Schwaiger, and Ms. Shields spoke in favor for the reason of maintenance rather than money. Mr. West spoke against the variance.

**RESULT:** The motion passed 6-1.

Ms. Pafford read Item 3 into the record.

**ITEM 3:** UDC-19-00668: Conditional use approval request to allow Outdoor Sales of granite, marble and bronze monuments in a MUB Mixed Use Business Emphasis zone, pursuant to Section 5.1.4 Table 5-1: Zoning District Uses of the UDC for North 46' of Lots 1 & 2, Block 135, Original City, Cheyenne, WY.

**LOCATION:** 2420 and 2422 Seymour Avenue

Applicant and Owner: Rhonda Carey, Landmark Monuments  
Agent: Mark Carey, Landmark Monuments

Tawn Hillenbrand presented the staff report. Staff recommended approval of Outdoor Sales of granite, marble and bronze monuments Conditional use request.

Mark Carey, Agent, provided a description of the project and the Conditional use request.

Ms. Boster inquired about the fenced in area and what had previously been the use of the location. Mr. Carey provided an explanation.

Ms. Boster opened the floor to public comment. Hearing none, public comment was closed.

Mr. Laird made a motion to approve the Conditional use approval; Ms. Garcia seconded.

**RESULT:** The Motion passed 7-0.

Ms. Pafford read Item 4 into the record.

**ITEM 4:** UDC-19-00669-01: Conditional use approval request to allow Wireless Telecommunications Antennas on an existing billboard in a CB Community Business zone, pursuant to Section 5.8.1.d.2.(b)(2) of the UDC for Lots 1 & 2, East 4' Lot 3, Block 1, Lake Minnehaha Addition, Cheyenne, WY.

**LOCATION:** 2543 E. Lincolnway

Owner: Youngkee Hong

Applicant-Agent: Irene Cooke, agent on behalf of Verizon Wireless

Connor White updated the board of the applicants request to postpone their application to the March 19<sup>th</sup>, 2020 meeting.

Mr. West made the motion to approve the postponement; Mr. Nelson seconded.

**RESULT:** Postponed till March 19th, 2020 Board of Adjustment Meeting unanimously 7-0.

Ms. Pafford read Item 5 into the record.

**ITEM 5:** UDC-19-00671: Conditional use approval request to allow Oil & Gas Exploration and Extraction in a HI Heavy Industrial zone, pursuant to Section 5.1.4 Table 5-1: Zoning District Uses of the UDC for Lot 1, Block 1, Plains Industrial Park, 2<sup>nd</sup> Filing, Cheyenne, WY.

**LOCATION:** South of and adjacent to HR Ranch Road, west of Campstool Rd.

Applicant and Owner: Wesley Taylor, Samson Energy

Agent: Casey Palma, Steil Surveying Services, LLC

Ms. Montana presented the staff report. Staff recommended approval of the Oil & Gas Exploration Conditional use request with a condition.

Mr. Laird inquired about the Future Land Use plan. Ms. Montana provided additional information.

Casey Palma, Agent, provided a description of the project and the Conditional use request.

Mr. Laird inquired about the other regulating agencies that would be looking at the site and its operation, the range of use on the land, and the flaring of gas. Mr. Palma explained that his client would be better off answering those questions.

Wesley Taylor, Owner, provided additional information to answer all of Mr. Lairds questions.

Ms. Garcia in quired about where Mr. Taylor's operations were based out of. Mr. Taylor provided additional information.

Ms. Boster opened the floor to public comment. Hearing none, public comment was closed.

Ms. Shields made a motion to approve the Conditional use approval; Mr. Nelson seconded. Ms. Boster spoke in favor of the use.

**RESULT:** The Motion passed 6-1.

Ms. Pafford read Item 6 into the record.

**ITEM 6:** UDC-19-00674: Conditional use approval request to allow Outdoor Recreation (volleyball court and bean bag toss) in a CB Community Business zone, pursuant to Section 5.1.4 Table 5-1: Zoning District Uses of the UDC for a portion of Block 1, Eastwood Addition, Cheyenne, WY.

**LOCATION:** 3307 Nationway

Applicant and Owner: WYO Bar LLC  
Agent: Michael E. Potter, Potter Architecture, LLC

Ms. Montana updated the board that the applicant and agent failed to mail public notice and requested a postponement to the January 16<sup>th</sup>, 2020 board meeting.

Mr. Laird made the motion to approve the postponement; Mr. Nelson seconded.

**RESULT:** Postponed till January 16<sup>th</sup>, 2020 Board of Adjustment Meeting unanimously 7-0.

Ms. Pafford read Item 7 into the record.

**ITEM 7:** (Postponed from November 21, 2019) UDC-19-00626: Variance request to allow a larger freestanding sign greater in height and area and with a lesser setback from the property line and with an illuminated sign with a white background for a large gas station abutting highway US 30 in a CB, Community Business zone, pursuant to Section 6.5 of the Cheyenne UDC for Lot 1 and a large portion of Lot 3, Block 1, US 30 Business Plaza Subdivision, Cheyenne, Wyoming.

**LOCATION:** West of Whitney Road and South of US 30 Highway

Applicant-Owner: William Edwards, US 30 BP LLC  
Agent: Kelly Hafner, CivilWorx LLC

Ms. Montana presented the staff report. Staff recommended approval of the compromised proposal Variance request.

Mr. Laird notified the board of possible conflict due to his background with WYDOT and this area. No conflict was seen.

Ms. Shields inquires about the white background being illuminated at night. Ms. Montana provided additional information.

Mr. West compliments staff on the work done and the result of the compromise.

Kelly Hafner, Agent, thanks the board and staff for the additional time to come to this compromised proposal.

Ms. Boster inquired if the if the new compromise would limit tenant name visibility. Mr. Hafner provided additional information.

Ms. Boster opened the floor to public comment.

John Edwards, developer for US 30 Business Plaza, expresses gratitude for the extended time to work with staff and come to a compromise.

Ms. Boster asked if there are any further comments. Hearing none, public comment was closed.

Mr. Nelson made a motion to approve the variances requested. Mr. West seconded. The board complimented staff on their work and the compromise that was achieved.


**RESULT:** The Motion passed 7-0.

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**OTHER BUSINESS:** None

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**ADJOURNED:** 7:35 p.m.

  
Transcribed by: Connor White

  
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.*