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DEPARTMENT OF PUBLIC WORKS
November 17th, 2022
PRE-MEETING WORKSHOP
CAMPBELL COUNTY PLANNING COMMISSION

The November 17th, 2022, pre-meeting workshop of the Campbell County Planning Commission came to order at 6:05 p.m.

Planning Commission Members in attendance: Chairman Todd Hildebrand, Harry Averett, Bob Jordan, and Vice-chairman Kurt Siebenaler. Commissioner Anna Land was absent. Staff present were Sam Proffer, Planner and Zoning Administrator, and Clark Melinkovich, Senior Engineer & County Recorder.

Mr. Proffer started the meeting with an update on the status of the Hildreth Simple Subdivision request. Mr. Proffer noted that at the time of submittal the Hildreth's were still working with WYDOT to secure a highway access permit. Mr. Proffer presented correspondence from WYDOT showing that a decision had been made on granting an access permit, but without specific details for installation requirements, etc.

Mr. Proffer then referred the Commissioners to the Coulter Temporary Use Permit request. Mr. Proffer explained that the applicant was in the process of cleaning up his property as directed by staff stemming from a zoning/nuisance violation notice and that was why he was asking for the TUP. Mr. Proffer explained that the applicant was experiencing legal issues preventing him from completing some of the work as directed. It was noted that staff was in the process of working with the applicant to achieve compliance.

Mr. Proffer then went over parliamentary procedure options available to them when reviewing the Brown Zoning Deviation and TUP requests on the evening's Old Business agenda.

There was general discussion on future zoning and development issues.

No decisions on any agenda items were made. No official action was taken.

The workshop adjourned at 6:50 P.M.

Sam Proffer
Planner and Zoning Administrator

MEMBERS PRESENT

Todd Hildebrand, Chairman
Kurt Siebenaler, Vice Chairman
Bob Jordan, Member
Harry Averett, Member

MEMBERS ABSENT

Anna Land, Member

STAFF MEMBERS PRESENT

Sam Proffer, Planner and Zoning Administrator
Clark Melinkovich, Senior Engineer & County Recorder

The meeting was brought to order at 7:00 p.m. by Chairman Hildebrand. Chairman Hildebrand welcomed those in attendance of the night's meeting.

Roll Call:

Chairman Hildebrand asked Senior Engineer Melinkovich to note for the record that Commissioner Anna Land was absent for the night's meeting.

Approval of Minutes:

Chairman Hildebrand asked if the Commissioners had read the September 15th, 2022, meeting minutes and asked if there were any changes or corrections that needed to be made. All affirmed that they had read the minutes. Vice-chairman Siebenaler noted two errors. The September minutes correctly recorded that Vice-chairman Siebenaler was absent, but then later incorrectly attributed him to seconding a motion. The second was a typographical error.

Chairman Hildebrand asked for a motion to approve the September 15th, 2022, minutes as amended. Commissioner Jordan moved to approve, and Commissioner Averett seconded.

All voted aye. Motion carried.

Public Hearings:

Case No. 22.05.CRSD

Hildreth Simple Subdivision

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer presented the case by explaining that the proposed Hildreth Simple Subdivision is located approximately 11 miles south of town on Highway 50 adjacent to

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the Country Living Subdivision. The proposed subdivision consists of a 35-acre parcel to be subdivided into a 10.09-acre parcel and a 24.91-acre parcel.

Mr. Proffer briefly reviewed the findings of fact for the request and noted that there were no zoning requirements, the lot sizes met the minimum requirements, it was compatible with the surrounding area, was in compliance with the Comprehensive Plan, public notice had been given, etc. Mr. Proffer also noted that the applicant had secured a WYDOT approach permit to access Highway 50. After some discussion it was discovered that the one approach would have to serve both parcels, and that a separate easement would have to be created.

Mr. Proffer stated that the easement could be created and recorded before taking to the Board of Commissioners as a Planning Consideration, and recommended the Commission approve the subdivision as presented.

Chairman Hildebrand then as if the Commissioners had any questions for staff, and with none opened the floor for public comment.

The applicant Mr. Brandon Hildreth, 4707 S Douglas Hwy site 9, and Mr. Cevin Imus, Land Surveying Inc. addressed the Commission and clarified that the intent was that access to parcel 2 be provided via a 40' access easement across parcel 1 to a WYDOT permitted approach to the highway located on parcel 1. Mr. Hildreth stated that he did not intend to subdivide further, and it was his preference not to zone the property.

Mr. Mike Morgan of 22 Hereford Drive, Mr. Greg Thomas of 49 Hereford Drive, Mr. Mike Pilcher of 33 Hereford Drive, and Mr. Tim Norton of 42 Hereford Drive each approached the Commission and commented that they would like to see the property zoned as a housing district so that it preserved the character of the existing neighborhood and did not become a business or industrial use area.

There was some general discussion on the pros and cons of requiring the developer to zone the property, and the Chairman Hildebrand called for a motion.

Vice-chairman Siebenaler made a motion to approve the subdivision plat as presented with the single Planning Consideration, and Commissioner Averett seconded the motion.

Chairman Hildebrand asked Senior Engineer Melinkovich to poll the Commissioners.

Voting was as follows:

Commissioner Averett:	Yes
Commissioner Jordan:	Recused
Vice-chairman Siebenaler:	Yes
Chairman Hildebrand:	Yes

Motion passed 3-0.

Case No. 22.03.SUTUP

Coulter Temporary Use Permit Request

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer presented the case by explaining that the TUP request stemmed from a zoning and nuisance violation that had been issued to the applicants back in August of this year. Mr. Proffer explained that the Planning and Zoning office issued the notice based on a complaint from the Carefree Estates Homeowner's Association about multiple trailers being used as residences at the property along with junk, trash, etc.

Mr. Proffer went on to explain that the Coulter's had responded to the notice by meeting with staff to discuss options which included the possibility of being granted a TUP to live in a trailer while they installed a manufactured home and cleaned up the property.

It was also noted that the Coulter's were having difficulty in complying with all the requirements because some of the items that were in non-compliance belonged to Mr. Jim Carson, the former owner of the land. Some of those items included an uninhabited manufactured home, a large truck, a trailer, and other items. Staff confirmed that the manufactured home was registered to Mr. Carson.

Mr. Proffer went on to explain that because the Coulter's had since moved in a manufactured home and had the appropriate permits, that they had reduced the number of RV's being lived in down to one, and that they had made progress on cleaning up the property it was staff's recommendation to grant the TUP which it was noted would be valid for one year from approval.

There was some minor discussion between the Commission members about some of what Mr. Proffer had spoken about and Mr. Proffer advised the Commission that the affected parties were in the room and that he would defer to them and give them opportunity to speak on their own behalf. Chairman Hildebrand then opened the floor for public comment by first inviting the Coulter's to speak.

Mr. Coulter explained the items that he owned and which items were owned by Mr. Carson. He explained that he was having trouble removing the items owned by Mr. Carson and had retained the services of a lawyer to direct how he might have the items legally removed. He also noted that once that process was completed, he would be removing the items as winter weather allowed.

The Commission had general questions for the Coulter's on overall plans for the property. After clarification the Commissioner's invited Mr. Jim Carson to approach the Commission.

Mr. Carson approached the Commission and began with a lengthy explanation of how he obtained the property, what he had used it for, etc. Mr. Carson went on to confirm that

the personal property in question that Mr. Coulter had listed was his (Mr. Carson's) property and that there was a dispute on how to resolve removal of the property from the land now owned by the Coulters.

There was some discussion between Mr. Carson and the Commissioner's on the purpose of the meeting because it was apparent that Mr. Carson was under the impression that the purpose of the meeting was to resolve the dispute between the two parties. Chairman Hildebrand explained that the purpose of the hearing was only to decide if granting the TUP was appropriate.

Chairman Hildebrand then opened the floor for public comment and Ms. Diane Hardesty, owner of 26 and 28 Daisy Street approached the Commission.

Ms. Hardesty stated that she had lived in the area for over 32 years. Ms. Hardesty went on to explain that she and her neighbors keep up their property and was concerned for the value of those properties going down because of the condition of the Coulter's property.

Ms. Hardesty disputed the testimony of the Coulter's and asserted that the Coulter's had made the property worse since they purchased it from Mr. Carson rather than better. Ms. Hardesty stated that she had concerns about the number of sewer hook-ups and what the Coulter's were doing with the property. She then stated that she was in opposition to granting the TUP because she felt that the Coulter's had not demonstrated good faith in the past.

Ms. Hardesty then provided photos of the view from her and her mother's property. Ms. Hardesty also explained that she was concerned about the sewage hookups and was wondering where the sewage from the trailers were going to. Mr. Proffer informed the Commission that the Coulter's had the appropriate permits and that County staff had inspected and approved the system that was currently in place that served both the RV and the manufactured home. Mr. Proffer explained that since only the RV was being lived in the system was adequate.

After additional general discussion over the condition of the Coulter's property and who owned what, the Commission thanked Ms. Hardesty for her comments and opened the floor for others to speak.

Ms. Bonnie Lewis-Noble of 6 Astor Lane, board member of the local HOA, then approached the Commission and asked if the TUP were approved, would the Coulter's be allowed to bring in more stuff. Ms. Lewis-Noble was concerned that the property would continue to decline if it was approved. There was discussion about semi-trailers being used as storage trailers, and the Commission asked Mr. Proffer if that were allowed in this zoning district. Mr. Proffer responded by saying that there were no prohibitions other than any trailers would have to be licensed and operable.

Ms. Lewis-Noble was concerned about the Coulter's letting other people park trailers, etc. on his property. She then asked for clarification on the stipulations attached to

granting the TUP and what would happen if the property wasn't cleaned up in the time allotted. Mr. Proffer responded by stating that the County would respond based on whatever the facts were at that time.

Ms. Lewis-Noble then stated that at the request of the Coulter's prior to them purchasing the property that she had given them a copy of the covenants and explained the rules and regulations. She voiced her concerns that she did not feel that the Coulter's had acted in good faith. Ms. Lewis-Noble then asked if the old mobile home still owned by Mr. Carson was still hooked up to sewer. It was agreed that the mobile home was uninhabitable, and the sewer was not in use.

Ms. Carol Maras, 26 Daisy Street, then approached the Commissioners. Ms. Maras then voiced her concerns regarding the Coulter's property and what she felt was the deteriorating condition of the properties around her. Ms. Maras then asked the Commission to give the respect to the surrounding property owners for keeping their properties in good condition.

There was additional discussion amongst the Commission and some of the audience members. Chairman Hildebrand interjected and stated that he wanted to get the conversation back on track but made the comment that if the neighbor's had put as much effort into helping each other rather than complaining about one another then they probably wouldn't be before the Commission. There was some additional discussion about the intent and purposes of both the Coulter's and Mr. Carson.

Chairman Hildebrand then said that he would entertain a motion. Commissioner Jordan moved to approve the Coulter TUP request. Vice-chairman Siebenaler seconded.

Chairman Hildebrand asked Senior Engineer Melinkovich to poll the Commissioners.

Voting was as follows:

Commissioner Averett:	Yes
Commissioner Jordan:	Yes
Vice-chairman Siebenaler:	Yes
Chairman Hildebrand:	Yes

Motion passed 4-0.

Chairman Hildebrand noted that there was no New Business and stated that they would move on to Old Business.

Old Business:

Case No. 22.03.SUDEV, Brown Zoning Deviation Request & Case No. 22.03.SUDEV Brown Temporary Use Permit Request

Chairman Hildebrand asked Mr. Proffer to review the cases for Commission.

Mr. Proffer gave a brief overview of both the Brown Zoning Deviation Request and the Brown Temporary Use Permit request. He reminded the Commissioners that the Deviation Request was to build a shop before the principal structure and that the Temporary Use Permit Request was to live in an RV in the shop while building their home.

He also informed the Commission that he had contacted the Red Hills Homeowner's Association as directed from the September 15th Planning Commission meeting. Mr. Proffer directed their attention to the written response provided by Ms. Brenda Cowan, representative for the HOA.

Ms. Cowan was in the audience and approached the Commission and elaborated on her written response and stated that the HOA was still opposed to granting the request. There was general discussion between Ms. Cowan and the Commission regarding the requests and the requirements of the HOA and the merits and/or problems with granting or denying the requests.

Mr. Proffer advised the Commission of their options on how to respond. This included voting up or down on both requests, tabling one or both requests indefinitely which would kill the requests, tabling one or both requests until a future meeting, or voting on one or both request with conditions attached.

After additional discussion there was a motion by Commissioner Averett to table both the Brown Zoning Deviation and Temporary Use Permit requests until the April 2023 meeting. Commissioner Jordan seconded the motion.

Chairman Hildebrand asked Senior Engineer Melinkovich to poll the Commissioners.

Voting was as follows:

Commissioner Averett:	No
Commissioner Jordan:	No
Vice-chairman Siebenaler:	No
Chairman Hildebrand:	No

Motion failed 4-0.

Mr. Proffer then went over the Commissioners options which included voting up or down on the requests with or without conditions.

There was additional discussion on the merits of each possibility and then Vice-chairman Siebenaler moved to approve the Brown Zoning Deviation request. The motion was seconded by Commissioner Averett with the amendment that the Deviation would not go into effect until the subfloor of the home had been installed.

Chairman Hildebrand asked Senior Engineer Melinkovich to poll the Commissioners.

Voting was as follows:

Commissioner Averett:	Yes
Commissioner Jordan:	Yes
Vice-chairman Siebenaler:	No
Chairman Hildebrand:	Yes

Motion carried 3-1.

The Zoning Deviation Request was approved with the stipulation that it would not go into effect until the sub-floor of the principal residence was installed.

Case No. 22.03.SUDEV Brown Temporary Use Permit Request

Chairman Hildebrand then moved on to the Brown TUP Request. There was additional discussion about the merits of approving or denying the TUP request. Commissioner Averett pointed out that once a shop is built and an RV moved into it for habitation it was difficult to monitor. All the Commissioners gave anecdotal incidents where they knew where that had happened around the county.

Chairman Hildebrand then asked for a motion. Commissioner Jordan made a motion to approve the Brown TUP request and the motion was seconded by Vice-chairman Siebenaler.

Chairman Hildebrand asked Senior Engineer Melinkovich to poll the Commissioners.

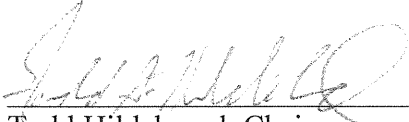
Voting was as follows:

Commissioner Averett:	Yes
Commissioner Jordan:	No
Commissioner Siebenaler:	No
Chairman Hildebrand:	No

Motion failed 3-1.

With no other comments, Chairman Hildebrand adjourned the meeting.

Adjournment: Meeting was adjourned at 9:23 pm



Todd Hildebrand, Chairman

NOTE: Campbell County Planning Commission meeting minutes contain a summary of discussions and are not intended to be verbatim.