

**⌘ Minutes ⌘**  
**Regular Meeting**  
**Albany County Planning and Zoning Commission**  
**September 9, 2015**

**Albany County Commissioner's Room**

A regular meeting of the Albany County Planning and Zoning Commission was held on September 9, 2015, at 7:00 p.m. in the Albany County Board of County Commissioner's Meeting Room in the Albany County Courthouse.

**I. PLEDGE OF ALLEGIANCE**

**II. CALL TO ORDER/ROLL CALL**

**Members present:** David Cunningham, Carl Miller, Shaun Moore and John Spiegelberg

**Staff present:** David Gertsch, Susan Adler

**County Engineer:** None

**Albany County Attorney Liaison:** Peggy Trent

**Board of County Commissioners' Liaison:** None

**Public Present:** Bill Gorman, Brandon Markle, Shelby Dietzel, Mitch Edwards, and Mike and Zondra Markle

**III. EXCUSE ABSENT MEMBERS** - Vice-Chairman Cunningham stated he would entertain a motion to excuse absent member Brett Moline. **Mr. Moore made a motion to excuse absent member Brett Moline of the Commission from the Planning and Zoning Commission Meeting. Mr. Miller seconded the motion. Motion carried on voice vote.**

**IV. APPROVAL OF AGENDA** – Vice-Chairman Cunningham indicated he would entertain a motion to accept the agenda as presented. **Mr. Miller made a motion to approve the August 12, 2015, Planning and Zoning Commission Meeting agenda as presented. Mr. Moore seconded the motion. Motion carried on voice vote.**

**V. APPROVAL OF MINUTES** – Vice-Chairman Cunningham asked if there were any corrections to the meeting minutes for the August 12, 2015, Regular Meeting and the August 19, 2015, Special Meeting. **Mr. Moore made a motion to approve the minutes for the August 12, 2015, Regular Meeting and the August 19, 2015, Special Meeting as presented. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

**VI. DISCLOSURES** – None

## VII. PUBLIC APPLICATIONS

- A. Markle Land Use Change Application (LUC-05-15) – Staff Report – David Gertsch, Planning Director, gave the staff report. The applicant is Brandon Markle; already did a land use change changing the north half to commercial and the south half to residential. This land use change proposes to move the boundary between the two zones. Mr. Gertsch recommended the Planning and Zoning Commission approve LUC- 05-15.

The Vice-Chairman announced that the public hearing was open for anyone wishing to speak for or against the Markle Land Use Change. There were no public comments and the Vice-Chairman closed the public hearing. After discussion, **Mr. Miller made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Markle Land Use Change, LUC-05-15, based upon and incorporating the Finding of Facts and Conclusions of Law listed in the Staff report. Mr. Moore seconded the motion. Motion carried on voice vote.**

After further discussion, **Mr. Moore made a motion to recommend to the Board of County Commissioners to refund the fees associated with the Land Use Change Application, LUC-05-15, to the applicant. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

- B. **Vista Buttes Subdivision Final Plat (SD-01-15)** – David Gertsch, Planning Director, noted the changes since the application was reviewed at the last Planning and Zoning Commission meeting. Staff received notification from Wyoming Department of Environmental Quality of a non-adverse recommendation. The Wyoming State Engineers Office requested the applicant have the old, unpermitted well permitted. Staff recommends approval of the subdivision based upon and incorporating the Finding of Facts and Conclusions of Law listed in the Staff report along with the condition requiring the formation of a home owners association and covenants filed within 60 days of final approval.

The Vice-Chair opened the public hearing. Hearing no public comments the Vice-Chair closed the public hearing. After discussion, **Mr. Moore made a motion to certify a recommendation of approval of the Vista Buttes Subdivision Final Plat Application based upon and incorporating the Finding of Facts and Conclusions of Law listed in the Staff report with the condition that a homeowners association is formed and covenants filed**

**within 60 days of approval of the Final Plat that address the maintenance of all privately maintained roads and the fire protection cistern. Mr. Miller seconded the motion. Motion carried on voice vote.**

**VII. CURRENT PLANNING PROJECTS**

- A. Discussion on Platting and Subdivision update of Fire Safety Sections -** David Gertsch, Planning Director, indicated staff has drafted revision to the fire safety section of the Platting and Subdivision regulations. After review and discussion, **Mr. Miller made a motion to forward to the Board of County Commissioners a recommendation for adoption of the Fire Safety Section Amendments to the Albany County Platting and Subdivision Resolution as presented. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

**VIII. OTHER ITEMS/ANNOUNCEMENTS**

**IX. PUBLIC COMMENT**

**X. ADJOURNMENT**

Vice-Chairman Cunningham adjourned the meeting at 7:31 p.m.

Minutes taken by Susan Adler, Administrative Assistant/Assistant Planner