

❧ Minutes ❧  
**Regular Meeting**  
**Albany County Planning and Zoning Commission**  
**March 8, 2017**

**Albany County Commissioner's Room**

A regular meeting of the Albany County Planning and Zoning Commission was held on March 8, 2017, at 7:00 p.m. in the Albany County Commissioners meeting room in the Albany County Courthouse.

**I. PLEDGE OF ALLEGIANCE**

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

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

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

**County Engineer:** None

**Albany County Attorney Liaison:** Peggy Trent

**Board of County Commissioners' Liaison:** Heber Richardson

**Public Present:** Lyle and Cheryl Johnston, Bern Hinckley, and Chris Cleven

**III. APPROVAL OF AGENDA** – Chairman Cunningham indicated he would entertain a motion to accept the agenda as presented. **Mr. Kennedy made a motion to approve the March 8, 2017, Planning and Zoning Commission Meeting agenda with the amendment to remove the Election of Officers. Mr. Miller seconded the motion. Motion carried on voice vote.**

**IV. APPROVAL OF MINUTES** – Chairman Cunningham indicated he would entertain a motion to approve the minutes of the Planning and Zoning Commission meeting for February 8, 2017, as presented. **Mr. Miller made a motion to accept the minutes for February 8, 2017, regular meeting as presented. Mr. Moore seconded the motion. Motion carried on voice vote.**

**V. DISCLOSURES** – None

**VI. PUBLIC APPLICATIONS**

**A. Johnston Conditional Use Application (CU-01-17)** – David Gertsch, Planning Director, gave the staff report. The Applicant is requesting approval of a Conditional Use permit to allow for a second dwelling unit on a 42 acre

parcel. The applicants are Lyle and Cheryl Johnston. This parcel is within the Casper Aquifer Protection Zone and will have to comply with the requirements as it addresses wastewater systems. The applicant addressed potential impacts and the application was reviewed by Laramie Rivers Conservation District, the Albany County Fire Warden and the Albany County Fire District #1. The applicant has met the requirements for the conditional use approval. Chairman Cunningham opened the public hearing.

No comments were offered and the Chairman closed the public hearing. After discussion, **Mr. Moore made a motion to certify a recommendation to approve the Johnston Conditional Use Application (CU-01-17), to the Board of County Commissioners based upon and incorporating the Findings of Fact and Conclusions of Law listed in the staff report. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

## **VII. CURRENT PLANNING PROJECTS**

- A. Zoning Resolution Amendment ZA-01-17 – County Right-of-Way – David Gertsch, Planning Director addressed the Commission. The County has been approached by a telecommunication company regarding permitting telecommunication towers in the right-of-way. The informal policy of the County Road and Bridge Department has been to require structures be placed outside the right-of-way. The Zoning Resolution does not address this question. The Board of County Commissioners would like to see this addressed in the Zoning Resolution. Peggy Trent, County Attorney, addressed the Commission and indicated that she would be working on this issue and would have some information in the near future. No action was taken on this item.
- B. Zoning Resolution Amendment ZA-02-17- Annual Update. David Gertsch, Planning Director, gave the staff report. He indicated that it is good practice to look at the zoning codes and address anything that does not seem to be working or items that may need to be changed. These suggested changes involve two properties that were zoned incorrectly on the adopted zoning map. There is one on Howe Road and one on WY Highway 230. The other change is to revisit the second dwelling on a parcel, which would require a conditional use permit and in some cases also a zone change. This item was just for discussion and if the Planning and Zoning Commission indicated they would like to go forward with these amendments, Staff will advertise

and be prepared for the next meeting. The Commissioners indicated they would like to move forward with the amendments. Chris Clevon, owner of property on Pope Springs Road, addressed the Commission with his support of the amendment on the second dwelling on a parcel.

**VIII. PUBLIC COMMENT**

**IX. ADJOURNMENT**

Chairman Cunningham adjourned the meeting at 8:14 p.m.

Minutes taken by Susan Adler, Administrative Assistant/Assistant Planner