



# BOARD OF ADJUSTMENT MEETING MINUTES

APRIL 18, 2024  
6:00 P.M.

- MEMBERS PRESENT:** Markese Green, Linda Bird, Dustin Brown, Trent Carroll (Chair), Erin LeBlanc, Jeffery Boldt (Board Attorney)
- MEMBER ABSENT:** Curtis Clabaugh,
- QUORUM PRESENT:** Trent Carroll (Chair) called the meeting to order at 6:00 pm. Roll Call was taken; a quorum was present with five members in attendance.
- CITY STAFF PRESENT:** Valerie Pickard (Planning & Development Office Manager), Stefanie Boster (Staff Attorney), Athen Mores (Planner), AJ Swain (Planner), Erin Fagan (Planner), Charles Bloom (Director of Planning)
- OTHERS PRESENT:** Cooper Overstreet, Mark Christensen, Dixie Roberts, Thomas Roberts, Douglas Parks, Seth Sherman, Kathi Zubrod, Richard Runyan, Sharon Jenkins, Richard Gutierrez, Jeanne Van Howten, John Rodgers
- APPROVAL OF MINUTES:** [February 15, 2024](#)

Mr. Carroll made a motion to second the minutes from February 15 which was seconded by Mrs. LeBlanc

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**ITEM A: REQUEST:** [PUDC-24-48: Conditional Use request to allow Outdoor Sales within the CB Community Business zone.](#)

Location: 1822 Logan Avenue

Agent: Jorge Gutierrez  
Case Planner: Erin Fagan, Planner II

Mrs. Pickard, read Item A into the record.

Mrs. Fagan read the staff report for the conditional use for automobile repair and sales in the CB zone.

Mr. Carroll, chair asked staff for any questions.

No Staff Questions were asked

George Gutierrez the owner called in and verified the sales of automobiles and repairs. Stated this is the perfect place for the project. Willing to meet every condition to meet the conditional use for the city.

Mr. Carroll asked for any questions to the applicant.

Mr. Green asked how many vehicles will be on the premises.

Mr. Gutierrez stated it was a start up dealership, and would only have about 10 at first, but will know more when the business opens.

Mr. Carroll asked for any public question.

Public comment asked about restricting access to the shared alley.

Mr. Guiterez answered that they are leaving the alley alone.

Mr. Carroll asked for anymore public comment.

No comments were received.

Chair entertained motion.

Mr. Green moved to approve item A with conditions.

Mrs. LeBlanc seconded.

**RESULT: The motion passed with all members present voting yes**

**ITEM B:**      **REQUEST:**    [PUDC-24-49: Conditional Use request to allow Multi-Dwelling Building "Apartment" within the CB Community Business Zone.](#)

Location: 6102 US Highway 30

Agent: Mark Christensen, AICP  
Case Planner: AJ Swain, Planner I

Mrs. Pickard read item B into the record.

Mr. Swain read the staff report on the conditional use in the CB zone for apartment complexes.

Mr. Carroll asked for any questions from the board.

No questions were asked.

Mr. Christensen, the applicant, explained to the board an apartment complex for a conditional use. The community needs housing, and this would help solve that crisis. Mr. Christensen stated the use of this would be compatible and not have any issues with lights or noise late in the night and falls within the neighborhood characteristics.

Mr. Carroll asked for any questions for Mr. Christensen.

No Comments were received.

Mr. Carroll asked for public comment.

Mr. Douglas Parks went to the podium and voiced his concern that while it is in the county they do not operate on the same setbacks and landscape requirements, and that he would like to be included in those landscape requirements and setbacks. He is also concerned that lights will be shining in his house.

Mrs. Kathi Zubrod went to the podium and was concerned about a complex that large in her backyard, and voiced her concern for traffic stating that it was a mess. She believes traffic will increase in this area. Is also concerned about a building that is 4 stories. Does not think it is compatible with the rest of the neighborhood. She wants to know if any negotiation with the developer is possible.

Mr. Carroll asked for any other public comment.

No other comments were received.

Mr. Christensen was called back to the podium to answer questions regarding landscaping and setbacks.

Mr. Christensen stated the siding will be limited to the way the site drains, and where the utility lines are. In the site plan process they are hoping to move utility lines. Spoke with applicant who is willing to do landscape requirements in the back buffering to the rest of the neighborhood. The lights were also a buffer for the neighborhood. He is open to what all this will entail, but we need to get to the site plan first where he will address the traffic study.

Mrs. LeBlanc asked how big the apartments will be.

Mr. Christensen answered with 1–2-bedroom units

Mr. Brown asked, if headlights and landscaping will be a commitment to the neighborhood to void that piece.

Mr. Nate Stencil got online and stated they want to be good neighbors and follow the correct process to the existing homes. They want to provide a nice landscape buffer between the developments and will look more into the light pollution. It will be underground parking and studio to two bedroom apartments. He is working to minimize traffic through parking.

Mr. Carroll asked for any other public comment.

There was none.

Mr. Carroll asked Mr. Bloom about the traffic study.

Mr. Bloom stated that a traffic study will be provided to see if there are any problems with the site, and will try to provide solutions if problems exist.

Mr. Carroll asked for questions to staff.

There were no questions.

Chair entertained motion.

Mrs. LeBlanc moved to approve the request for item B.

Mrs. Wood seconded the motion.

Mr. Carroll asked for any discussion, and thanked the public comments.

There was none.

**RESULT: The motion passed with all members present voting yes.**

**ITEM C:      REQUEST:**    [PUDC-24-50: Conditional Use request to allow Office within the MR Medium-Density Residential Zone.](#)

Location: 2922 Central Ave

Agent: L Cooper Overstreet  
Case Planner: Athen Mores, Planner I

Mrs. Pickard read item C into the record.

Mr. Mores gave the staff report for conditional use a law office at 2922 central Ave.

Mr. Carroll asked for any question or comment.

Mr. Overstreet, the owner went to the podium and addressed wanting to be closer in the community and that parking has been a concern. He addressed the adequate parking spaces for the site and believes they will not cause an issues.

Mr. Carroll asked for public comment.

Mrs. Jeane Van Howten went to the podium and stated that there is a need for housing. She stated she was going to purchase the property and put the money down. During this she got ill and almost went blind. The purchase was then delayed, she was never refunded, and she wants the board to understand that even if people who own it now would take a higher payment, she would continue to purchase it and use it as a home. She also doesn't want to see businesses and traffic in the location.

Mr. Carroll Explained that she was off topic and needed to move on.

Mr. Carroll asked for other public comment.

Mrs. Dixie Roberts went to the podium, she lives at 3000 Central across the street, she believes the neighborhood is sensitive about the business being there. It causes conflict due to parking and traffic. She is concerned about the business parking on Central Ave and that there is not enough. She is also concerned with how busy Central is and that it is a challenging corner due to accidents. She kept emphasizing how parking is bad on 30<sup>th</sup> Street as well, and that she bought the house next door and rents it. She is making renters park in the back, which has helped with parking along 30<sup>th</sup>. Believes it is dangerous to park on 30<sup>th</sup> street due to how busy it is. She is concerned that having an additional business in the neighborhood will have a negative impact on the neighborhood and her business. Lastly emphasized safety in the area as her biggest concern.

Mr. Carroll asked her when parking and traffic is the worst.

Mrs. Roberts answered after 9:00 is when she notices the issues.

Mr. Carroll asked for any questions.

Mr. Green asked her location.

Mrs. Roberts answered 30<sup>th</sup> street.

Mr. Carroll asked for any public comment.

Mr. John Rodgers went to the podium and stated he lives on the southwest corner of the subject property sharing the alley. He has mixed feelings on the application because he knows what goes on in a law office and isn't sure about this law office. He believes it is a residential neighborhood and a quality one and doesn't think businesses should be in the neighborhood. He believes it is an encroachment on the historical capital north neighborhood. He would like to preserve the neighborhood as residential only except for the existing business Mrs. Roberts owns. Believes it is an encroachment and the neighborhood is in danger. States one business will lead to another and so on. He would like the board to please take the nature of the neighborhood into consideration, not just the review criteria.

Mr. Carroll asked for any questions and public comment.

There were no comments.

Mr. Overstreet went back to the podium to address parking. He understands the parking concerns and spoke to some neighbors. He wants to be a good neighbor and encourages the public and street parking. He stated with the requirements, there will be no changes to the aesthetics of the building, and he would like to preserve it.

Mr. Carroll asked for hours of operation.

Mr. Overstreet said there will be 6 employees, 5 full time, and will be working from 8:00am to 5:00pm

Mr. Carroll asked for any questions or comments.

Mr. Bloom Answered that the property does not fall in the historic district due to the nature of the side of the alley it is on. 29<sup>th</sup> street was excluded from the district boundaries.

Mr. Carroll asked for any other questions.

There was none.

Mr. Carroll asked some more questions.

Mrs. LeBlanc asked Mr. mores to go over parking one more time.

Mr. Mores answered the parking requirements by stating that there is more than enough with roughly 14 spots.

Mr. Carroll asked for anymore questions.

There were none.

Chair entertained motion.

Motion was seconded by Mr. Green.

Mr. Carroll asked for any public comments and there were none.

Mr. Carroll asked for the meeting to be adjourned.

**RESULT: The motion was passed with all members voting yes**


**OTHER BUSINESS:**

Mr. Bloom wanted to note that the DDA is planning on updating the development goals. There is questionnaire #2 that will be closed this week. Has received lots of community feedback, has no more additional announcements. There will be items at the next meeting in May.

**ADJOURNED: 7:02**



Produced by City Staff



Board Official

*\* 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.*