

MINUTES FROM THE AFTON PLANNING AND ZONING MEETING
November 6th, 2023
7:00 P.M.
AFTON TOWN HALL

Chairman Mr. Justin Day called the Afton Planning and Zoning Board meeting to order. Mr. Day introduced the Planning and Zoning Board Members present: Mike Hunsaker, Blake Nield, Justin Hurst, Lee Schwab and Justin Day. Others present were: Council Member Michael Butler, Town Administrator Violet Sanderson, and Town Employee Sadie Phillips. Others present; Marlowe Scherbel, Nancy Cranney, Walter Bryan, Sherman Seelinger, Michelle Guzdek, and Tom Peavler.

The meeting was called to order by Chairman Mr. Justin Day at 7:00 p.m.

At the call of Chairman, Mr. Justin Day, Mr. Mike Hunsaker motioned to accept the minutes from the October 2nd, 2023 Planning and Zoning Meeting. Seconded by Mr. Lee Schwab. Motion carried.

VARIANCE, MOUNTAIN STAR PRODUCTS, LLC/GRETAJEAN LIND

The applicant requests a variance for 50 & 36 Rocky Road, Afton, Wyoming property. The variance request is for a change of usage of the property. The property owner would like to offer RV space hookups to customers who have homesites being built/repaired and need a place to stay temporarily. The owner would also like to offer RV spaces for employees if needed. The property owner would like to provide the RV spaces month-to-month (30 days or more) and intends only to rent the spaces during April-December.

Mr. Tom Peavler presented the application. Mr. Peavler was asked how many RV spaces he intends to have on the property. Mr. Peavler stated they would like to have four (4) RV spaces for rent and that two (2) are currently on the property at 50 Rocky Road, and two additional RV pads at 36 Rocky Road. Mr. Peavler stated the RV pads will not be used over the winter due to the water lines not being very deep and potentially freezing.

Chairman Mr. Justin Day stated that if Mountain Star became an RV Park and properly registered with the Wyoming Department of Revenue as a lodging facility, they wouldn't have to have a variance as this would make them compliant. Information was offered on the process and procedures for registering as a lodging facility with the Department of Revenue and becoming compliant without a variance.

Mr. Tom Peavler said he would return this information to Mrs. Gretajean Lind. Mrs. Violet Sanderson stated the Utility board had previously met and decided that this property would need to install a meter at each address, both properties currently share one water meter which is not permitted within the Title 8 of the Town Code. The property at 36 Rocky Road will need a meter installed. There is septic at this location. Mr. Peavler stated he did not want to pay for another water hookup. It was mentioned that the property owners could do a simple subdivision and combine the two lots under one parcel. This would bring both lots under compliance for the water.

Motion:

At the call of Chairman Mr. Justin Day, Mr. Blake Nield made a motion to table the variance until the December meeting to provide time for Mountain Star Products, LLC/GreatJean Lind to research and look into other options. Mr. Justin Hurst seconded the recommendation. Motion carries.

VARIANCE – SHERMAN SEELINGER & MICHELLE GUZDEK

The applicant requests a variance for street light spacing within the Property of Lot 3 of the Cranney Addition to the Town of Afton. Lighting is to be placed on the intersection of Papworth and the proposed roadway to be taken on by the Town of Afton when brought up to specifications. Section 17-5-2.8(e)(1) states that Streets in subdivisions shall have at least one light at each intersection. If the spacing between the intersection lights exceeds 320 feet on a straight street, mid-block lights shall be added to maintain spacing less than or equal to 320 feet. If the street has a curve, judgment shall be used by Afton Town to reduce the spacing to less than 320 feet. Lights shall be placed at intervals not to exceed 320 feet along straight streets. The applicants request to install lighting only on the buildings proposed to be constructed for Mixed Commercial Industrial use and not installed along the proposed roadway at 320 ft intervals. This minimizes over lighting, energy waste, glare, light trespass, and sky glow per Section 17-5-2.8 of Title 17. Also, Section 17-4-2.1(e)(1)(bb) states that lighting that makes it difficult for pilots to distinguish between airport lights and other lights is prohibited in the Airport safety zone overlay, which encompasses a portion of the property within the application.

Mr. Sherman Seelinger and Ms. Michelle Guzdek presented the application to the board. Mrs. Michelle Guzdek stated they are not on a through street; this is only a commercial building and not creating any residential subdivision. Mrs. Violet Sanderson questioned if the applicants needed a variance because it is not a subdivision, the development will be located within the Mixed Commercial Industrial Zone.

Motion:

At the call of Chairman Mr. Justin Day, Mr. Blake Nield made a motion to negate the variance submitted by Sherman Seelinger & Michelle Guzdek, the Town will not require a variance according to Title 17 code section 17-5-2.8 (e)(1) only requiring lighting at intervals of 320 feet for Residential Subdivisions. Mr. Justin Hurst seconded the motion. Motion Carries.

DE-ANNEXATION – AL LAMPE

Petition for the de-annexation for the Lampe property. Applicant would like to de-annex lots 41 and 42 of Estates at Valli-Vu, in addition to the Town of Afton and Lot #59 of Estates at Valli-Vu Sixth Addition to the Town of Afton, all three lots are contiguous to Mr. Lampe's County parcel of land. Mr. Marlowe Scherbel presented the application. Mr. Scherbel stated Mr. Lampe would like to de-annex to the properties in the county and is creating one parcel in the county rather than one parcel in the county and three lots in the Town. This property does not have utilities with the Town.

Mr. Mike Hunsaker asked what street Mr. Lampe uses to access his home. Mr. Scherbel stated it is the private road Valli Vu Drive which a section of has been dedicated to the Town of Afton.

Discussion on de-annexation.

Motion:

At the call of Chairman Mr. Justin Day, Mr. Lee Schwab made a motion to recommend approval of the de-annexation submitted by Mr. Al Lampe. Mr. Justin Hurst seconded the motion. Motion Carries.

DISCUSSION ON DECORATIVE ELEMENTS – WALTER BRYAN

Mr. Walter Bryan, property located at 176 East 2nd Ave in Afton, addressed the board for discussion on decorative elements he has placed within the right-of-way. Mr. Bryan explained that when replacing water lines on his property earlier this year he decided to replace his lawn and put a fence up with a lighted address number attached to the fence structure. Mr. Bryan stated he was told by a surveyor that his property line does not start until his driveway cement pad begins and the Town

right-of-way is a 99-foot easement on Second street, which the boundary is at his driveway which will leave very little front yard. Mr. Bryan explained he removed a lilac bush and grass and replaced it with a decorative redwood fence, none of which has been set with concrete. However, he did so without a permit to build a Fence, and Mrs. Sanderson ordered him to cease and desist on his fence build until he had a valid permit and instructed that fence cannot be permitted outside of his property line. Mr. Bryan asked for the Planning & Zoning board to think about granting him the ability to build in the right of way and to do so without requiring a Variance Application.

Discussion on what to do moving forward.

Motion:

At the call of Chairman Mr. Justin Day, Mr. Mike Hunsaker made a motion to recommend the Town Administrator contact the Town lawyer to get a legal opinion on the allowability of decorative elements in the right of way. Mr. Justin Hurst seconded the motion. Motion Carries.

OTHER PLANNING BUSINESS

The next planning and zoning meeting is scheduled for Monday, December 4th, 2023.

Motion:

At the call of Chairman Mr. Justin Day, Mr. Lee Schwab made a motion to adjourn the planning and zoning meeting. Mr. Mike Hunsaker seconded the motion. Motion Carries.

Minutes Approved By: Justin Day

Date: 4 DEC 23

/s/ Sadie Phillips, Treasurer