



Town of Wheatland Board of Adjustment

Minutes – November 21st, 2023

Call to Order – Roll Call

The Town of Wheatland Board of Adjustment meeting was called to order at 7:00 p.m. on Tuesday, November 21st, 2023, by Chairman Daryl Tiltrum in the Town Hall Council Chambers.

Members Present: Chairman Daryl Tiltrum, Vice Chairman Clinton Butler, Member Jill Zimmerschied, and Member Deb Banish

Members Absent: Member Justin Brennen

Staff Present: Planner Douglas Dumont and Clerk Candy Wright

General Citizen Comments

No citizen comments were taken.

Declaration of Conflicts of Interest

Chairman Tiltrum asked if there were any conflicts of interest in the matters to come before the Board, none were noted.

New Business

Application by 3 Lakes Storage, LLC to reduce a side yard setback from twenty-five feet to ten feet in and Industrial District, located at 1356 Sherard Road.

Planner Dumont went over the application as presented in the meeting packet. Planner Dumont asked the Board of Adjustment if they had any questions concerning the meeting packet. Planner Dumont clarified where the requested setback would be, and stipulation #1 in the meeting packet to the Board. Richard Oates Jr., representing 3 Lakes Storage, went over the details of the request. Chairman Tiltrum asked if there was any further discussion, and if none would entertain a motion.

Member Zimmerschied motioned, with a second by Member Banish, to approve the request with stipulation #1 – all easements requested by the Town of Wheatland utility Departments be granted for continued proper care of town infrastructure.

Upon roll call the vote on the MOTION was:

YES: Vice Chairman Butler, Member Zimmerschied, and Member Banish

NO: None

MOTION DECLARED CARRIED

Application by Capstone Industries, representing Laramie Peak Museum, to reduce a south side yard setback to forty-four inches in a General Business District, located at 1601 16th Street.

Planner Dumont stated for this request the agenda reads the location as a Highway Business District, which is an error on his part, and this request is in a General Business District. Planner Dumont went over the application as presented in the meeting packet. Planner Dumont asked the Board if they had any questions concerning the meeting packet. KC Murphy with Capstone Industries spoke about the details of the request. The Board discussed if they should add the stipulation requested by a neighboring property owner, that Laramie Peak Museum would be

responsible for the removal of any trees this new construction might kill. KC stated Laramie Peak Museum would honor that stipulation, should that condition transpire. Chairman Tiltrum asked if there was any further discussion, and if none would entertain a motion.

Vice Chairman Butler motioned, with a second by Member Zimmerschied, to approve the request with the stipulation of – should any tree die from the new construction it will be the responsibility of Laramie Peak Museum to have the dead tree removed.

Upon roll call the vote on the MOTION was:

YES: Vice Chairman Butler, Member Zimmerschied, and Member Banish

NO: None

MOTION DECLARED CARRIED

Application by Wheatland Landholding, LLC, represented by Amy Clark, for a parking variance in a Conservancy District, which has passed a second reading to become a General Business District, located at 1251 Cole Street.

Planner Dumont went over the application as prepared in the meeting packet. Planner Dumont asked the Board if they had any questions concerning the meeting packet. Planner Dumont explained that according to Wheatland Municipal Code, a restaurant is required to have one off-street parking space for every three seats. Amy stated we don't know how many seats will be there and it's possible the location could be more than a restaurant. Amy stated all the documents have been signed for Wheatland Landholding to become the new company name for the property, but it has not been recorded at the courthouse. Amy stated she only has an email from the company's attorney's office stating the documents have been signed. Amy explained the location would be fully rezoned to a General Business District in a month's time, they share the current parking lot with the golf course, and they will need considerably more parking. Amy stated the company has requested they get a permanent parking variance. The Board discussed possible solutions to increase the parking for the business. The Board felt they didn't have enough information to grant a variance because the business is not even sure how many seats will be in the establishment or how many floors it will have, and if it will only be a restaurant. A member of the public was concerned about the increased foot traffic by their house when the restaurant does open, allowing people to park on Town property at the corner of 12th Street and Cole Street could cause littering issues. The Board discussed the possible motions.

Vice Chairman Butler motioned, with a second by Member Banish, to postpone this application indefinitely until more information can be given, applicant would need to reapply, pay a new application fee, public notice fee, and certified mail fee.

Upon roll call the vote on the MOTION was:

YES: Vice Chairman Butler, Member Zimmerschied, and Member Banish

NO: None

MOTION DECLARED CARRIED

Approval of Minutes

Approval of Minutes – September 19th, 2023, Regular Meeting

Chairman Tiltrum motioned, with a second by Member Banish, to approve the minutes.

Upon roll call the vote on the MOTION was:

YES: Vice Chairman Butler, Member Zimmerschied, and Member Banish

NO: None
MOTION DECLARED CARRIED

Board Discussion

Planner Dumont informed the Board we have no applications for December so this will be the last meeting of the year. Planner Dumont stated Member Zimmerschied and Member Banish both had fulfilled their terms at the end of the year, and asked if either would like to be considered for reappointment by the Wheatland Town Council. Member Banish stated she would not be seeking reappointment. Member Zimmerschied stated she would not be seeking reappointment. The Board, Planner Dumont, and Clerk Wright thanked both Member Banish and Member Zimmerschied for their time on the Board.

Adjournment

The meeting was adjourned at 7:52 p.m.

Approve:

Attest:

Board of Adjustment Chairman

Town of Wheatland Planner