

**MINUTES  
PLANNING COMMISSION  
TETON COUNTY, WYOMING  
March 8, 2021**

The regular meeting of the Planning Commission meeting was called to order at 6:00 PM in the Board of County Commission Chambers with Kasey Mateosky, Chair, presiding.

**ROLL CALL**

Planning Commission: Kasey Mateosky, Karen Rockey, Sue Lurie, Alex Muromcew, Devon Viehman.

**STAFF:** Planning Director Chris Neubecker, Associate Planner Chandler Windom, and Chief Deputy Attorney Keith Gingery.

**MINUTES**

A motion to approve the February 8, 2021 minutes was made by Commissioner Rockey and seconded by Commissioner Lurie. There was no further discussion. Motion carried 5-0.

**ADOPTION OF AGENDA**

A motion to adopt the March 8, 2021 agenda was made by Commissioner Lurie and seconded by Commissioner Muromcew. There was no further discussion. Motion carried 5-0.

**MATTERS FROM THE PUBLIC**

There were no matters from public.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS:**

- 1. Permit:** VAR2020-0003
  - Applicant:** Brian & Joan Francis
  - Presenter:** Chandler Windom
  - Request:** Variance pursuant to Section 8.8.2 of the Teton County Land Development Regulations to vary Section 5.1.1.D.2.a for the 150 ft river setback for a future building addition/remodel.
  - Location:** The property 1675 E River Drive is south of Hoback Junction. The lot overlooks the confluence of the Hoback and Snake Rivers. The property is zoned Neighborhood Conservation and is within the Natural Resources Overlay.

**STAFF PRESENTATION:**

Chandler Windom introduced the application. This application was remanded to staff and the Planning Commission from the Board of County Commissioners on September 15, 2020. She described the location of the property in Hoback Junction subarea. Property is 1.01 acres, with an existing single-family home and cabin. The site is in the Natural Resources Overlay (NRO). Existing cabin and addition are about 90 feet from the Hoback River, with steep slopes from site down to the river, with about a 40-foot drop-off. The cabin attached to the home is considered beyond its useful life. Applicant proposes to remove addition and add new addition. Miss Windom showed photos of the existing site and buildings. She described the six findings, and how they

relate to this application. Staff cannot find special circumstances for the relocation of the cabin or rebuilding the guest cabin outside the setback. Staff also does not find that the staircase meets variance criteria. The proposed addition is the minimum setback necessary for the addition, but the proposed staircase does not meet variance criteria. With the conditions proposed by staff, the application will meet the required findings. The proposed addition will be no closer to the river than the existing setbacks, but the staircase does have potential negative impacts, and is not included with staff's recommended approval.

Recommendation of approval with 2 conditions:

1. Staircase not approved.
2. Relocated cabin shall meet required setbacks.

Commission Muromcew – Is staff aware of any other property owners having applied for a staircase setback variance?

Miss Windom – Unaware of any applications or approvals for such a staircase variance.

Commissioner Mateosky – Unlikely the stairs could meet building code for stair grades.

**APPLICANT PRESENTATION:**

Brian Francis, owner – There are several staircases, but they were likely built long ago and probably did not require a river setback or variance at the time. Goal for the cabin is to provide enough space for family and visitors. Other properties in the neighborhood are also within the river setback, and setback from the street and power lines.

**PUBLIC COMMENT:**

There was no public comment.

**PC DISCUSSION:**

Commissioner Muromcew – Staff recommendation is that the guest cabin be setback outside of the river setback.

Brian Francis – We are not as comfortable putting the cabin closer to the street and power lines.

Commissioner Rockey – Asked staff to review conditions for granting a variance from the setback.

Miss Windom – There did not appear to be a special circumstance relating to the setback for the cabin, but there is an existing condition for the house, and thus the addition to the house. The cabin relocation can achieve the required setbacks based on the site plan the applicant submitted. She showed a site plan that described a location where the cabin could be built that meets both setbacks from property lines and from the river.

Commissioner Rockey – Is there an ability to add 1,000 sq. ft ARU based on size of existing development?

Miss Windom – Yes, I believe there is.

Commissioner Rockey – When you have a non-conforming situation, new development needs to be brought into conformance unless there is a hardship, is that right?

Miss Windom – Yes, that is right. Hence the recommended condition.

Commissioner Mateosky – Asked about the Hardeman cabin, and a similar situation to this application.

Miss Windom – If there is willful demolition of structural elements, then new structure needs to meet requirements and be conforming.

Commissioner Mateosky – Are ARUs limited to 1,000 sq. ft. or 800 sq. ft?

Miss Windom – Yes, guest cabin could be up to 1,000 sq. ft.

Commissioner Rockey – Comfortable with staff findings.

Commissioner Muromcew – I agree with staff, especially on the staircase.

Commissioner Mateosky – I will entertain a motion.

Commissioner Viehman - recommendation of approval.

**MOTION:**

**Commissioner Viehman moved to recommend APPROVAL of VAR2020-0003, updated January 26, 2021, to vary the 150 ft River Setback for the proposed improvements at 1675 E River Drive, with two conditions, being able to make the six (6) findings of Section 8.8.2 as recommended by staff.**

- 1. Approval of this variance does not approve the staircase to the riverbank as illustrated on the plans.**
- 2. If the guest cabin is to be relocated or rebuilt elsewhere on the property, it shall be outside of the Hoback River setback.**

The motion was seconded by Commissioner Muromcew. There was no further discussion. Motion carried 5-0.

**MATTERS FROM COMMISSION:**

Commissioner Muromcew – I am concerned about officials in Cheyenne that are chipping away at local control.

**AGENDA FOLLOWUP:**

None.

**MATTERS FROM STAFF:**

Chris Neubecker announced that Chandler Windom had been promoted to Senior Planner.

**ADJOURN**

Commissioner Viehman moved to adjourn at 6:43 PM. Commissioner Rockey seconded, and the motion passed unanimously.

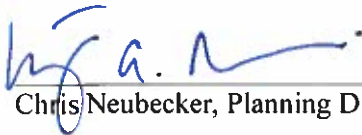
Respectfully submitted: kr



---

Kasey Mateosky, Chair

ATTEST:



---

Chris Neubecker, Planning Director

- Digital recording on file-