

**REGULAR MEETING OF THE WALLACE PLANNING, ZONING  
AND HISTORIC PRESERVATION COMMISSION**  
**Wallace City Hall-Council Chambers**  
**September 4, 2024**

**CALL TO ORDER:**

Chairman Marlow called the meeting to order at 6:00 p.m. at Wallace City Hall in the Council Chambers.

**COMMISSIONERS PRESENT:**

Emma Marlow, Chair  
Sarah Murphy, Vice Chair  
Heather Barnhart

**STAFF MEMBERS PRESENT:**

Ben Allen, Legal

**COMMISSIONERS ABSENT:**

Courtney Frieh

**FLAG SALUTE:**

**MOTION TO AMEND: (ACTION ITEM)**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

**APPROVAL OF MINUTES: (ACTION ITEM)**

**Motion by S. Murphy, seconded by H. Barnhart to approve the July 3, 2024 Planning, Zoning, and Historic Preservation regular meeting minutes.**

**ROLL CALL:**

|                       |       |     |
|-----------------------|-------|-----|
| Commissioner Frieh    | Voted |     |
| Commissioner Murphy   | Voted | Yes |
| Chairman Marlow       | Voted | Yes |
| Commissioner Barnhart | Voted | Yes |

Motion carried.

**Motion by H. Barnhart, seconded by S. Murphy to approve the August 7, 2024 Planning, Zoning, and Historic Preservation regular meeting minutes.**

**ROLL CALL:**

|                       |       |     |
|-----------------------|-------|-----|
| Commissioner Frieh    | Voted |     |
| Commissioner Murphy   | Voted | Yes |
| Chairman Marlow       | Voted | Yes |
| Commissioner Barnhart | Voted | Yes |

Motion carried.

**PUBLIC HEARING:**

- 1. Applicant: Jerry Mitchell
- Location: 176 King Street
- Request: COA-½ Bath addition north side of 176 King Street

Jerry Mitchell made the following comments.

- Proposed on the north side of the home
- Will meet setback requirements
- Will add toilet and sink with room dimensions of 3’x10’
- Change exterior window to doorway from bedroom
- Owner will do framing work, contractor Johny Tirabasso will complete all other work

**Commission Comments:**

Mr. Mitchell asked if setback requirements are the same with garages, neighbors' homes, or property boundaries.

Chair Marlow stated she would research WCC for that answer.

S. Murphy wanted clarification on where the bathroom addition was located to neighboring houses and provided an image of a map, which will be added to the official record.

S. Murphy asked Jerry Mitchell to point out the direction of the new proposed ½ bath addition on the image. Discussion was held.

Chair Marlow read WCC, section 156-Zoning Code and Single Family Residential R0 yard regulation for setbacks.

Chair Marlow asked if the roof line would be extended.

Mr. Mitchell stated it would be a little and would use metal as a roofing material.

Chair Marlow reminded Mr. Mitchell that all interior and/or exterior required permitting will need to be obtained for inspection.

**Public Testimony Open:**

None

**Public Testimony Closed:**

**Commission Comments:**

**S. Murphy motioned, seconded by H. Barnhart to approve the ½ bath addition at 176 King Street north of the house, not visible from the street.**

**ROLL CALL:**

|                       |           |
|-----------------------|-----------|
| Commissioner Frieh    | Voted     |
| Commissioner Murphy   | Voted Yes |
| Chairman Marlow       | Voted Yes |
| Commissioner Barnhart | Voted Yes |

Motion carried.

- 2. Applicant: Coco Linden, LLC
- Location: 220 6<sup>th</sup> Street

Request: COA-addition of sign, bicycle rack, the addition of 6<sup>th</sup> Street windows

Owner Ryan Smith made the following comments.

- Proposing the abandonment of the previously approved COA for a single window on the 6<sup>th</sup> street elevation to the addition of two street-front windows on the 6<sup>th</sup> street elevation with a center brick column.
- Will create uniformity and hopefully ease community concerns with the look of the building.
- Propose to add a bike rack on the Pine Street side up against the building as shown in the provided image
- Third request is for the addition of a small exterior sign facing Pine Street on the side of the entrance constructed of flat black metal with white painted lettering.

**Commission Comments:**

Chair Marlow stated that the WCC specifically speaks to the “rhythm” which is what is being presented.

Mr. Smith stated he cited that exact section 155 in his application.

Chair Marlow cited 155.38 E (1) in WCC for reference.

Mr. Smith spoke to an image provided in the application but is unsure if that is the original storefront, possibly could have been a prop image in the 1940s & 1950s. Looked intently at the museum to find out if there were other designs before that image.

Chair Marlow stated because the applicant has three separate requests, the commission would discuss each item separately and motion accordingly.

H. Barnhart asked about the brick being used.

Mr. Smith stated it is harvested from the building which has a little discoloration compared to the weathered exterior. Have options of brick from another business in town if the project requires it.

S. Murphy stated she prefers the new proposed look because of the rhythm and all the sizes are the same on the 6<sup>th</sup> Street side.

H. Barnhart asked about the size of the bike rack.

Mr. Smith stated it is approximately 6’ in length, black in color, and metal construction.

S. Murphy asked if it was powder coated.

Mr. Smith stated yes.

Chair Marlow asked the commission if they knew of any rules regarding anchoring something to the sidewalk.

Discussion was held. Ben Allen, legal counsel stated he would research WCC.

S. Murphy asked about the size of the sign.

Mr. Smith stated it is about 5’ in length would not extend past the door opening and is slightly smaller than shown in the image provided with black metal and white lettering.

S. Murphy confirmed it is flush with the building and is not lit.

Mr. Smith stated that was correct.

Ben Allen, Legal Counsel cited WCC chapter 93 which discusses sidewalks and offers some insight into the public right-of-way and the responsibility of the care, repair, and maintenance. Stated that the commission can render a decision based on the aesthetics of the bike rack, but not the placement and to request the placement of the rack from Wallace City Council.

**Public Testimony Open:**

None

**Public Testimony Closed:**

**Commission Comments:**

**S. Murphy motioned, seconded by H. Barnhart to approve all three requests from the COA application located at 220 6<sup>th</sup> Street for a bike rack, as long as the City Council approves the location of the placement, the exterior sign that reads HOTEL, and the rhythm of the windows on the 6<sup>th</sup> Street side.**

**ROLL CALL:**

|                       |           |
|-----------------------|-----------|
| Commissioner Frieh    | Voted     |
| Commissioner Murphy   | Voted Yes |
| Chairman Marlow       | Voted Yes |
| Commissioner Barnhart | Voted Yes |

Motion carried.

- 3. Applicant: Shoshone County Courthouse  
Location: 700 Bank Street  
Request: COA-restoration of balcony

Colleen Rossen, Grant Administrator for Shoshone County made the following comments.

- Have received final approval of grant and now want to move forward
- Took longer than expected for approval
- The plan is to remove and repair or replace the two balconies on the north and west sides of the building which will be evaluated for structural integrity
- Will be putting the project out to bid
- Referenced some historic photos provided with the application and will try and bring them back to the original as possible

**Commission Comments:**

S. Murphy asked what the balconies were constructed with.  
Colleen stated the assumption is wood and possibly some masonry.  
S. Murphy asked what the process is to find a contractor willing to work on the project.  
Colleen stated that because the project amount is under \$20,000, the procurement process isn't as long, finding a qualified contractor has become challenging, but are working with organizations that could help, along with the City of Wallace approving the final agreement.

**Public Testimony Open:**

Dick Caron asked if the balcony repair was going to be the same as what is there.  
Colleen Rossen stated yes, but structurally sound.  
Dick Caron stated that it was just a replacement.  
Colleen Rossen stated, not a replacement, the intent is to keep everything that can be salvaged and repair all that needs to be repaired, with the possibility of adding a wood and copper element or similar product to the front as shown in the images provided as funds allow.

**Public Testimony Closed:**

**Commission Comments:**

**S. Murphy motioned, seconded by H. Barnhart to approve 700 Bank Street repair and possible replacement of the north and west balconies at the Court House.**

**ROLL CALL:**

|                       |       |     |
|-----------------------|-------|-----|
| Commissioner Frieh    | Voted |     |
| Commissioner Murphy   | Voted | Yes |
| Chairman Marlow       | Voted | Yes |
| Commissioner Barnhart | Voted | Yes |

Motion carried.

**CLOSE OF PUBLIC HEARING**

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**ADMINISTRATIVE/BUSINESS: (ACTION ITEM)**

1. Workshop to review draft Violation Letter by Deputy Minier for complaints or violations

Chair Marlow spoke and gave a brief background of how we have the current revision of the Violation letter from Deputy Minier and what his role would be for potential complaints or violations. In the current revision, Chair Marlow wanted to add "Site Disturbance" applications as well.

Ben Allen, Legal Counsel suggested keeping the language general with just "applications or permits".

S. Murphy wanted clarification of the brackets in the permit.

Discussion was held about the process of how the complaint would be utilized.

All were in agreement with the current revision with the minor changes as discussed.

2. Request by Patricia Anderson for the Commission to answer the questions addressed in the letter submitted by her dated August 26, 2024.

Chair Marlow stated that Patricia Anderson has submitted a new letter dated August 26, 2024, which is included in the commission packet along with the original response made by the Commission to Patricia Anderson back in October of 2023. Chairman Marlow made the following comments.

In March 2023, this commission approved a COA for the building of a carport on the adjoining property to Patricia Anderson which has since been built. In September of 2023, Patricia came before the commission with concerns regarding the property boundaries and alleged damage to her property. At that time per the letter we issued in October of 2024, the Commission cited that the appeal deadline had expired and according to our WCC 155.148, the appeal for a COA issuance is 35 days from the time of the issuance. That deadline had long expired. At that time, the Commission agreed that there was no way to determine the actual property boundary line without a survey. That recommendation was made to Patricia, but to date, the commission has not been provided or is unaware of any survey being done. The purpose of this workshop is to determine if the commission wants to place on the agenda again Patricia Anderson's further questions regarding this issue and the actions of this commission.

Discussion was held. All were in agreement to not place on the October Agenda the letter from Patricia Anderson due to not having any new information or survey for the Commission to review. Chair Marlow stated that the Commission's role and governing purveyance in this issue is limited.

**There being no further business to come before the Commission S. Murphy motioned, seconded by H. Barnhart to adjourn.**

**ROLL CALL:**

|                       |           |
|-----------------------|-----------|
| Commissioner Frieh    | Voted     |
| Commissioner Murphy   | Voted Yes |
| Chairman Marlow       | Voted Yes |
| Commissioner Barnhart | Voted Yes |

Motion carried.

The meeting adjourned at 6:56 pm.



Emma Marlow, Chairman of the Commission

Attest:



Amanda Trogden, Deputy City Clerk