



## **PARKING RESTRICTIONS & COVENANTS**

Robert L. Bernard and Beverly D. Bernard (the "Owners") for the operation of their residence located at 450 South Thurmond, Sheridan, Wyoming ("450 Thurmond"), on the East 129 feet of Lot 6, Block 9, Residence Hill Addition to the Town, now City of Sheridan, Wyoming do hereby covenant and agreed to the following restrictions as a method to mitigate any perceived parking issues associated with the use of 450 Thurmond as a bed and breakfast, as follows:

1. If the City of Sheridan Board of Adjustment grants a special exemption for 450 Thurmond for use as a bed and breakfast (herein "B&B"), this Agreement shall become effective and be binding upon 450 Thurmond for so long as a B&B operates at the property.
2. The Owners' parking configuration at 450 Thurmond shall be as set forth in that Application submitted to the Sheridan Board of Adjustment on January 25, 2012, which is attached hereto and incorporated herein by reference as Exhibits A, B, C & D (the "Parking Plan").
3. The Owners acknowledge the following relevant facts regarding 450 Thurmond:
  - a. 450 Thurmond is in an R-1 Residence District. For single family residences in an R-1 zoning district, the City has historically required two (2) off-street parking spaces for the home. See Sheridan City Code, Appendix A, Section 10, Subsection 16.
  - b. The Owners shall occupy their existing single family residence in an R-1 District which has been granted a special exemption for use as a B&B pursuant to City Code and which has a total of five (5) sleeping units available to B&B guests.
  - c. City Code does not, as of this date, expressly require a single family home in an R-1 District being used as a "Bed and Breakfast" to have additional parking. See Sheridan City Code, Appendix A, Section 10.16.
  - d. The Parking Plan, versions #1 and #2, show that the B&B can accommodate four (4) to five (5) off-street parking spaces and in a configuration that would allow vehicles to not back out into the public street.
  - e. The Parking Plan, versions #3 and #4, show that the B&B could accommodate six (6) to nine (9) off-street parking spaces in configurations and sizes that do not meet commercial standards but may provide opportunities for the B&B to meet the conditions of this approval.
4. The Owners specifically place the following restrictions and covenants as a burden on 450 Thurmond for so long as it is used as a bed and breakfast:

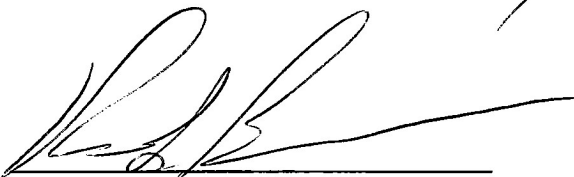
- a. Owners shall not allow the occupancy of its B&B to result in their guests having a total of more than five (5) vehicles which need to be parked at any one time, whether on-street or off-street. Owners voluntarily accept this condition to mitigate the possibility that their B&B operation could bring more than 5 vehicles to the neighborhood during those guests' overnight stays.
- b. Owners shall not park their own vehicles anywhere on Kilbourne Street. Owners shall further not park their own vehicles anywhere other than in the garage designated on their Parking Plan unless they do not have guests' vehicles occupying the parking pad spaces shown on the Parking Plan. Owners voluntarily accept this condition to mitigate the possibility that their own vehicles result in vehicles parking on the public streets surrounding their property.
- c. Owners shall not park, or allow its B&B guests to park, any vehicle or trailer on on Kilbourne Street between Thurmond Street and South Jefferson at any time. Owners voluntarily accept this on-street parking restriction as part of the City's approval of their Parking Plan as a means of mitigating the neighborhood concern over the narrow nature of Kilbourne Street.
- d. The Owners confess and agree that the City retains the right, should the need arise in its discretion, to designate and mark that portion of Kilbourne Street along the south boundary of 450 Thurmond as a "no-parking" zone. This designation is intended to mitigate the possibility of vehicles backing out of the parking pads at 450 Thurmond on to Kilbourne and will create a safer condition and better visibility for all traffic on Kilbourne. Owners consent to such designation and marking the curb as a no-parking zone.
- e. For so long as this approval is in effect, the front yard (east side of home facing Thurmond Street) has an area which would permit Owners to construct parking in addition to those spaces shown on the Parking Plan. However, given the historic "Residence Hill" neighborhood in which the B&B is located, the neighbors have expressed concern over the front landscaped yard being converted to paved parking. Owners have agreed that the front yard landscaping shall be maintained in a manner comparable to the properties surrounding 450 Thurmond as a way to mitigate any visual impacts that the B&B, and the parking required for it, might have on the residential character of the neighborhood, if any.


The Owners agree that the restrictions and covenants herein shall be specifically enforceable by the City of Sheridan and/or the Sheridan Board of Adjustments. In the event the Owners materially breach the restrictions set forth above, Owners consent that any special exemption permitting the operation of a bed and breakfast on 450 Thurmond may be terminated by the Sheridan Board of Adjustments and/or the City of Sheridan after notice of such breach, and the City of Sheridan shall have the right to enforce the restrictions herein.



If Sheridan City Code is amended so that the parking requirements of a "Bed and Breakfast" are expressly established then these restrictions and covenants may be terminated of record upon approval of the City of Sheridan and the then-applicable City Code shall control.

Dated the 16 day of May, 2012.

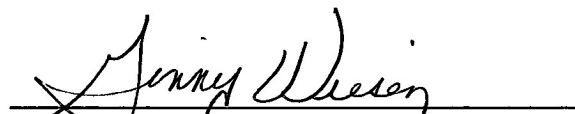
  
Robert L. Bernard

  
Beverly D. Bernard

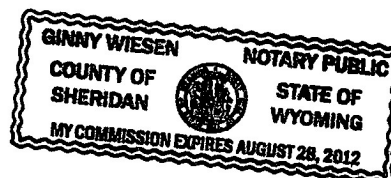
STATE OF WYOMING     )  
                                      )ss.  
COUNTY OF SHERIDAN    )

This instrument was acknowledged before me by Robert L. Bernard and Beverly D. Bernard on the 16th day of May, 2012.

WITNESS my hand and official seal.

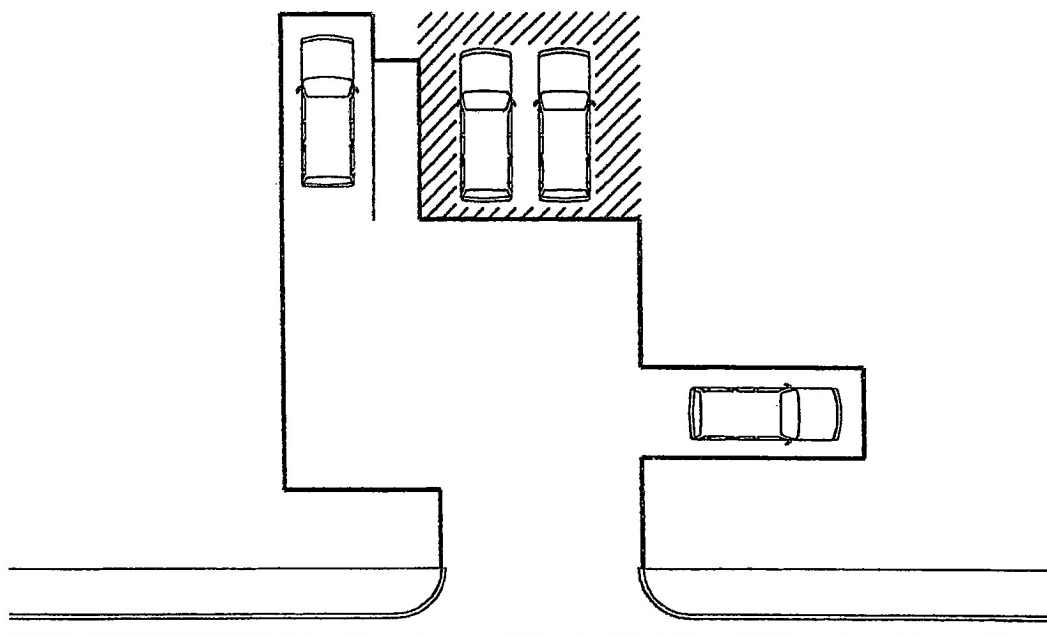
  
Signature of Notarial Officer  
Title: Notary Public

My Commission expires August 28, 2012





# OFF STREET PARKING FOR 450 S. THURMOND EXHIBIT A



## PARKING PLAN #1

### REQUIRED SPACES PER CODE

- 2 RESIDENTIAL SPACES IN GARAGE
- 2 OFF-STREET PARKING SPACES FOR BED & BREAKFAST  
THAT MEET CITY SPECIFICATIONS

TOTAL OF 4 PARKING SPACES



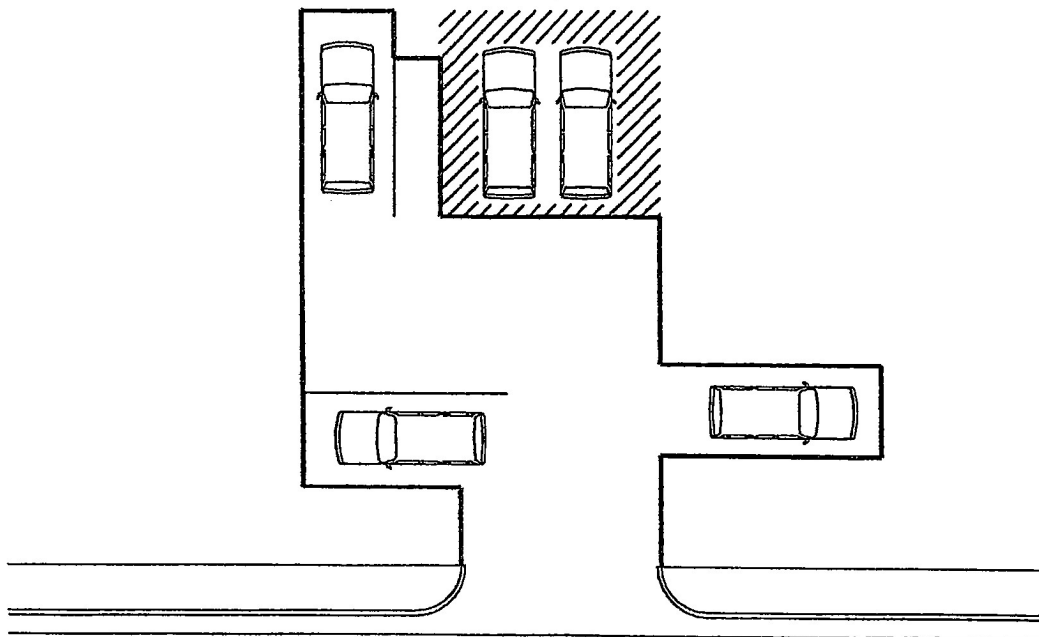
SCALE:  
1"=20'

**MC<sup>2</sup>**

ENGINEERING, P.C.

1101 Sugarview Drive, Ste. 201  
Sheridan, Wyoming 82801  
Office: 307.673.7350 Fax: 307.673.5456  
mc2eng@msn.com

# OFF STREET PARKING FOR 450 S. THURMOND EXHIBIT B



## PARKING PLAN #2

### OFF-STREET PARKING PROVIDED

- 2 RESIDENTIAL SPACES IN GARAGE
- 3 10'X22' OFF-STREET PARKING SPACES FOR BED & BREAKFAST  
WITH ADEQUATE DRIVE LANES AND TURNAROUND

TOTAL OF 5 PARKING SPACES

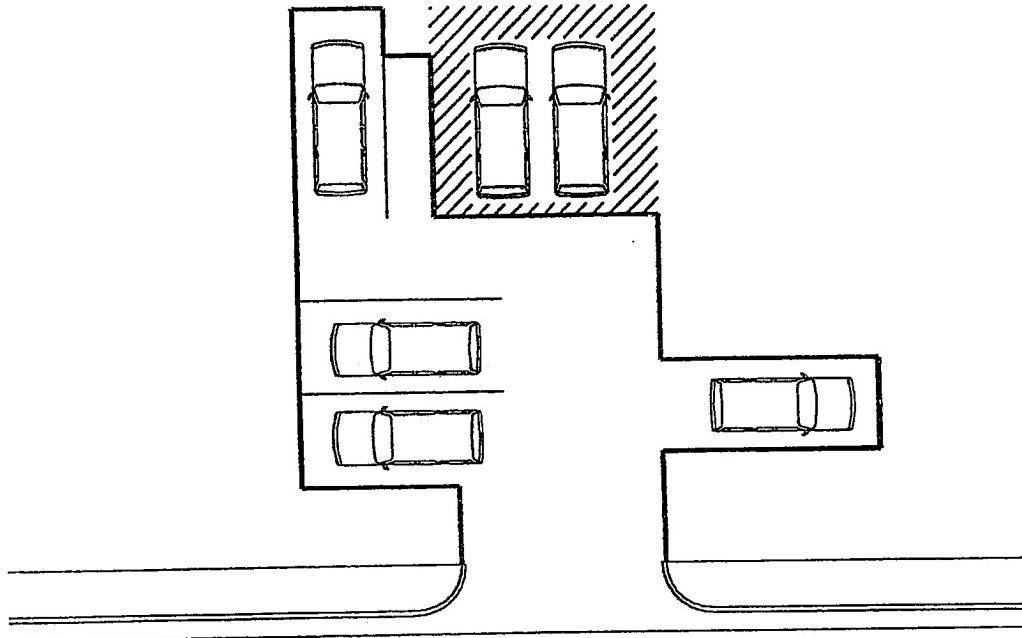


SCALE:  
1"=20'

**MC<sup>2</sup>**  
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# OFF STREET PARKING FOR 450 S. THURMOND EXHIBIT C



- PARKING PLAN #3  
OFF-STREET PARKING PROVIDED
- 2 RESIDENTIAL SPACES IN GARAGE
  - 4 10'X22' OFF-STREET PARKING SPACES FOR BED & BREAKFAST

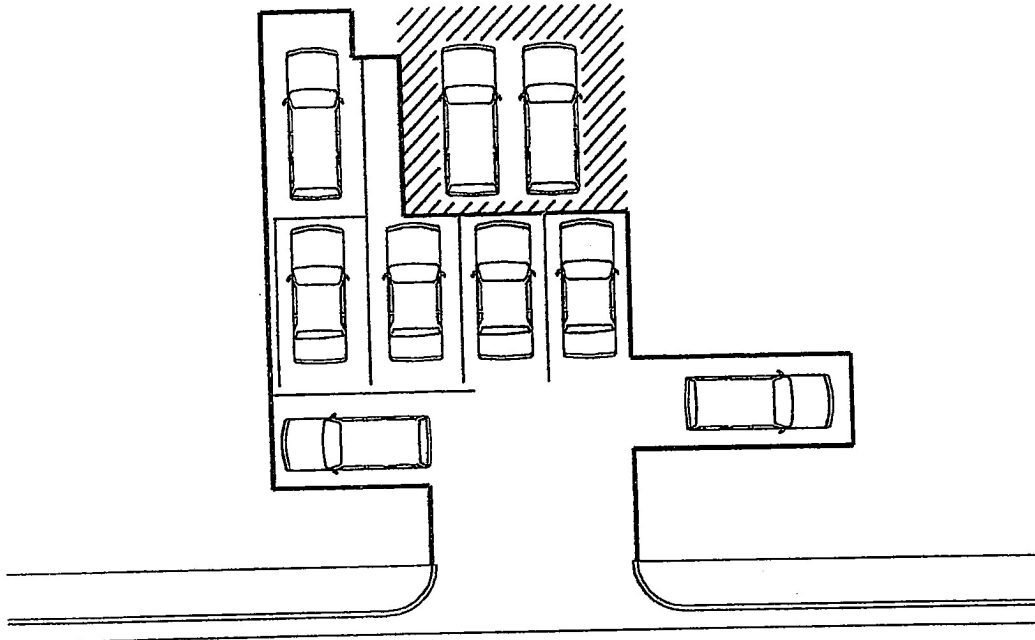


SCALE:  
1"=20'

**MC<sup>2</sup>**  
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# OFF STREET PARKING FOR 450 S. THURMOND EXHIBIT D



## PARKING PLAN #4 VALET PARKING

- 2 RESIDENTIAL SPACES IN GARAGE
- 3 OFF-STREET PARKING SPACES 10'X22' (TRUCKS)
- 4 OFF-STREET PARKING SPACE 9'X18' (CARS)

TOTAL OF 9 PARKING SPACES

**NO. 2012-697020 DECLARATION OF COVENANTS**  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
CITY OF SHERIDAN - PLANNING P O BOX 848  
SHERIDAN WY 82801

SCALE:  
1"=20'

**MC<sup>2</sup>**

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