

BEFORE THE BOARD OF COUNTY COMMISSIONERS
SHERIDAN COUNTY, WYOMING

IN THE MATTER OF A CONDITIONAL USE PERMIT)
BY RANTEC CORPORATION) CU-12-012

APPROVAL OF CONDITIONAL USE PERMIT

THIS MATTER came before the Board of County Commissioners ("BOCC") for public hearing on November 6, 2012, upon the application of Rantec Corporation ("Applicant") for a conditional use permit ("CUP"). The BOCC heard public comment, considered written submissions, and being fully advised herein, finds as follows:

FINDINGS OF FACT

1. On August 2, 2012, Applicant submitted an application for a conditional use permit ("CUP") on property owned by Applicant. The property is zoned (UR) Urban Residential and consists of approximately a 5.93 acre parcel, with a physical address of 17 Kukuchka Lane. The property is east of and partially adjacent to a dedicated public street and is located in the:

SE¼NE¼, Section 24, T57N, R86W
2. Applicant paid the application fee of \$475.00.
3. Applicant requests the CUP be approved to expand its existing polymer blending, packaging and distribution operation. Development would be accomplished over an anticipated 8 year time frame by the construction of several new production/warehousing/office buildings.
4. Notice of a public hearing before the Planning and Zoning Commission was published in the Sheridan Press on August 31, 2012.
5. Property owners within ½ mile of the above described property were notified of this application for CU-12-012 via letters prepared and mailed by Public Works Department Staff ("Staff") on September 5, 2012.
6. Staff mailed Applicant a copy of the Planning and Zoning Commission Staff Report on September 25, 2012.
7. A public hearing was held before the Planning and Zoning Commission on October 4, 2012, Rick Bilodeau, Applicant's representative, was present and spoke in favor of granting the CUP.
8. The Planning and Zoning Commission recommended that the BOCC **GRANT** the CUP with the following seven (7) conditions:
 - a. That the Applicant apply for and receive Building Permits for all new structures or additions pursuant to Sheridan County's IBC;
 - b. That adequate documentation be provided with each new building permit for any addition/structure demonstrating compliance with Sheridan County regulations, and in particular:
 - Floodplain management
 - Setback standards
 - Parking standards;
 - c. That, in conjunction with the building permit application process for each new structure/addition, a grading plan be submitted that includes a detention structure (or equivalent means) of temporarily holding surface run-off from the building or

parking areas prior to discharging to natural drainage ways;

- d. Only fully shielded cut-off lighting fixtures may be used for new exterior lighting that minimizes glare to passing motorists or neighboring properties;
- e. That parking spaces be appropriately delineated or marked;
- f. That exterior storage of raw materials or manufactured products be fully screened from public view within 300' of the stored items upon completion of the near term steel building; and
- g. That new signage may be installed only in accordance with the following:

Entryway sign – one structure; not exceeding 32 square feet not 8 feet in height; and not less than 10 feet from any property line or public road easement;

Building signage – unlit and no higher than the roof line;

Way-finding, directional, regulatory, parking signage – no restrictions.

- 9. Notice of the public hearing before the BOCC was published in the Sheridan Press on October 19, 2012.
- 10. Staff mailed Applicant a copy of the Board of County Commissioner's Staff Report on October 30, 2012.
- 11. No comments were received by the BOCC regarding the CUP.
- 12. At the public hearing held before the BOCC on November 6, 2012.
 - a. County Planner, Mark Reid, provided a summary of the written staff report.
 - b. Applicant's representatives, Rick Bilodeau and Lloyd Marsden, were present and spoke on behalf of Rantec Corporation.

CONCLUSIONS OF LAW

- 13. Applicant properly applied for a CUP, proper notice was given, public hearings were properly held;
- 14. Applicant's proposed conditional use is in conformance with Sheridan County's current land use regulations and is compatible with existing and permitted uses in the area of the request;
- 15. There will be no significant negative impact from the proposed use in the area;
- 16. The location, lighting and signage and the relation of signs to traffic control will not have any adverse effect on adjacent properties;
- 17. The safety and convenience of vehicular and pedestrian circulation and traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and land uses in the area will not be affected;
- 18. The proposed conditional use is compatible with the health, safety, and general welfare of the community; and
- 19. To the extent necessary, any conclusion of law herein is also deemed to be a finding of fact.

NOW THEREFORE, THE BOCC HEREBY **GRANTS** the CUP with the following seven (7) conditions:

1. That the Applicant apply for and receive Building Permits for all new structures or additions pursuant to Sheridan County's IBC;
2. That adequate documentation be provided with each new building permit for any addition/structure demonstrating compliance with Sheridan County regulations, and in particular:
 - Floodplain management
 - Setback standards
 - Parking standards
3. That, in conjunction with the building permit application process for each new structure/addition, a grading plan be submitted that includes a detention structure (or equivalent means) of temporarily holding surface run-off from the building or parking areas prior to discharging to natural drainage ways;
4. Only fully shielded cut-off lighting fixtures may be used for new exterior lighting that minimizes glare to passing motorists or neighboring properties;
5. That parking spaces be appropriately delineated or marked;
6. That exterior storage of raw materials or manufactured products be fully screened from public view within 300' of the stored items upon completion of the near term steel building; and
7. That new signage may be installed only in accordance with the following:

Entryway sign – one structure; not exceeding 32 square feet nor 8 feet in height; and not less than 10 feet from any property line or public road easement;

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Pursuant to W.S. 16-3-114 and Rule 12 of the *Wyoming Rules of Appellate Procedure*, any person aggrieved or adversely affected by this decision may seek judicial review in the appropriate district court by filing a petition for review within 30 days of the date of approval of this Permit.

**BOARD OF COUNTY COMMISSIONERS
SHERIDAN COUNTY, WYOMING**

BY: Steve Maier
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 15th day of January, 2013
by Steve Maier, as Chairman of the Board of County Commissioners for Sheridan
County, Wyoming.

Eda Schunk Thompson, Sheridan County Clerk
Sue Allender, Deputy Clerk
Notary Public



NO. 2013-702385 APPROVAL - BOCC
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
PLANNING ANDREA

942-1-5-15