

Landeck Hot Mix Plant CONDITIONAL USE PERMIT

CU-20-003

The Board of County Commissioners ("BOCC") held a public hearing on January 5, 2021, regarding the application of Paul Landeck ("Applicant") for a Conditional Use Permit ("CUP") pursuant to the Rules and Regulations Governing Zoning, Sheridan County, Wyoming ("Zoning Regulations"). The BOCC received the written Staff Report dated January 5, 2021, heard public comment, and considered written comments.

1. Applicant is requesting a CUP to operate a temporary asphalt hot mix plant.
2. The property for which the CUP is requested consists of approximately 4224 acres of which 16.6 acres would be used for the CUP, lies within the Agricultural zoning district, has a physical address of 3356 US Hwy 14/16, and is located in the:

S½SE¼ of Section 1 & N½NE¼ of Section 12, T53N, R80W.

3. After holding a public hearing on December 3, 2020, the Planning and Zoning Commission certified their recommendation to the BOCC to **GRANT** the CUP with the following 4 conditions:
 - a. The permit shall be effective only for the duration of the WYDOT US Highway 14/16 (ML302B) project, commencing on the date approved by the BOCC.
 - b. That the site perimeter shall be staked prior to hot mix plant operation.
 - c. That the plant may operate six days per week, Mondays through Saturdays during the WYDOT project.
 - d. That within six months of completion of the WYDOT project, all hot mix plant equipment and waste shall be removed from the site.

THE BOCC HEREBY FINDS AS FOLLOWS:

4. Applicant properly applied for a CUP, proper notice was published, and hearings were held in accordance with the Zoning Regulations.
5. The proposed use is not currently permitted in the zoning district established by Sheridan County's Zoning Regulations.
6. The proposed use is compatible with existing and permitted uses in the area of the request.
7. The proposed use will not cause significant negative impact to other permitted uses in the area.
8. The location, lighting and signage and the relation of signs to traffic control will not have adverse effects on adjacent properties.
9. 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.
10. The proposed conditional use is compatible with the health, safety, and general welfare of the community.

NOW THEREFORE, THE BOCC HEREBY GRANTS the CUP to allow a temporary asphalt hot mix plant with the following conditions:

11. The permit shall be effective only for the duration of the WYDOT US Highway 14/16

(ML302B) project, commencing on the date approved by the BOCC.

12. That the site perimeter shall be staked prior to hot mix plant operation.
13. That the plant may operate six days per week, Mondays through Saturdays during the WYDOT project.
14. That within six months of completion of the WYDOT project, all hot mix plant equipment and waste shall be removed from the site.

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.

BOARD OF COUNTY COMMISSIONERS
SHERIDAN COUNTY, WYOMING

BY: Nick Siddle
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 17th day of February, 20 21
by Nick Siddle, as Chairman of the Board of County Commissioners for Sheridan
County, Wyoming.

Elleen M. Evers
Notary Public

