

BEFORE THE BOARD OF COUNTY COMMISSIONERS
SHERIDAN COUNTY, WYOMING

IN THE MATTER OF A CONDITIONAL USE PERMIT)
BY GALEN AND ANDREA VOSS) CU-14-003

APPROVAL OF CONDITIONAL USE PERMIT

THIS MATTER came before the Board of County Commissioners ("BOCC") for public hearing on May 6, 2014, upon the application of Galen and Andrea Voss ("Applicant") for a Conditional Use Permit ("CUP") pursuant to the Rules and Regulations Governing Zoning, Sheridan County, Wyoming ("Zoning Regulations"). The BOCC heard public comment, considered written submissions, and being fully advised herein, finds as follows:

FINDINGS OF FACT

1. On February 14, 2014, Applicant submitted an application for a Conditional Use Permit ("CUP") on property owned by Applicant. The property has a split zoning designation with the south half zoned Urban Residential (UR) and the north half zoned Rural Residential (RR) and consists of approximately 29.2 acres, with a physical address of 273 State Highway 335. The property is located in the :

[Lots 2 and 3, and the SE ¼ NW ¼ of Section 4, T54N, R84W]

2. Applicant paid the application fee of \$475.00.
3. Applicant requested the CUP be approved to develop over three phases including: 1) utilization of existing buildings; 2) new barns, office, clinic and arenas; and 3) eventual riding academy
4. Notice of a public hearing before the Planning and Zoning Commission was published in the Sheridan Press on February 28, 2014.
5. Property owners within ½ mile of the above described property were notified of this application for CU-14-003, via letters prepared and mailed by Public Works Department Staff ("Staff") on March 13, 2014.
6. Staff mailed Applicant a copy of the Planning and Zoning Commission Staff Report on March 25, 2014.
7. A public hearing was held before the Planning and Zoning Commission on April 3, 2014.
8. The Planning and Zoning Commission recommended that the BOCC **GRANT** the CUP limiting the approval to Phase 1 as described in paragraph 3 of the Applicant's letter of intent with the following 4 (four) conditions:
 - a. That, if the type of occupancy being proposed falls within the scope of the IBC as adopted by Sheridan County, that the Applicant obtain building permits for new structures or any subsequent modifications to such;
 - b. Only fully shielded cut-off lighting fixtures may be used for new exterior lighting that minimizes glare to passing motorists or neighboring properties;
 - c. That any site signage related to the business be limited to the size and locations as prescribed for a "Home Occupation" (*Section 23C., Rules and Regulations Governing Zoning in Sheridan County, Wyoming*); and
 - d. Applicant is permitted to use a portable bathroom unit for one year, after this time a restroom with an on-site sewage system shall be provided and permitted with Sheridan County.

9. Notice of the public hearing before the BOCC was published in the Sheridan Press on April 18, 2014.
10. Staff mailed Applicant a copy of the Board of County Commissioner's Staff Report on April 28, 2014.
11. Eight comments were received by the BOCC regarding the CUP.
12. At the public hearing held before the BOCC on May 6, 2014, Mark Reid, County Planner presented the written staff report CU-14-003 dated May 6, 2014.

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 limiting the approval to Phase 1 as described in paragraph 3 of the Applicant's letter of intent with the following 4 (four) conditions:

1. That, if the type of occupancy being proposed falls within the scope of the IBC as adopted by Sheridan County, that the Applicant obtain building permits for new structures, or any subsequent modifications to such;
2. Only fully shielded cut-off lighting fixtures may be used for new exterior lighting that minimizes glare to passing motorists or neighboring properties;
3. That any site signage related to the business be limited to the size and locations as prescribed for a "Home Occupation" (Section 23C., Rules and Regulations Governing Zoning in Sheridan County, Wyoming); and
4. Applicant is permitted to use a portable bathroom unit for one year, after this time a restroom with an on-site sewage system shall be provided and permitted with Sheridan County.

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:

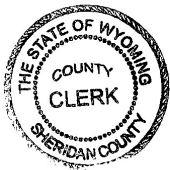
[Signature]
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 5th day of AUGUST, 2014
by Terry Cram, as Chairman of the Board of County Commissioners for Sheridan
County, Wyoming.

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

Notary Public



640-1-5-15

NO. 2014-713913 APPROVAL - BOCC

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
SHERIDAN COUNTY NIKOLE