

**Cross Lot Size VARIANCE**

**V-19-005**

The Board of County Commissioners ("BOCC") held a public hearing on December 17<sup>th</sup>, 2019, regarding the application of Michael Cross ("Applicant") for a Variance from the Rules and Regulations Governing Zoning, Sheridan County, Wyoming ("Zoning Regulations"). The BOCC received the written Staff Report dated December 17<sup>th</sup>, 2019, heard public comment, and considered written comments.

1. Applicant is requesting a Variance from Section 9.B. Minimum Lot Area of the Zoning Regulations to allow the reduction of a 1.24-acre parcel to a .96-acre parcel in a Rural Residential District.
2. The property for which the Variance is requested consists of approximately 1.24-acres, lies within the Rural Residential zoning district, has a physical address of 100 Fish Hatchery Road, and is located in the:

SW¼SW¼ of Section 8 & NW¼NW¼ of Section 17, T53N, R83W.

3. After holding a public hearing on December 5<sup>th</sup>, 2019, the Planning and Zoning Commission certified their recommendation to the BOCC to **GRANT** the Variance with the following 1 condition:
  - a. That prior to approval of the proposed boundary line adjustment between the applicant and Harvey, documentation be provided to the county that assures continued use of the access easement to potentially affected properties.

**THE BOCC HEREBY FINDS AS FOLLOWS:**

4. Applicant properly applied for a Variance, proper notice was published, and hearings were held in accordance with the Zoning Regulations.
5. The use is already allowed within the zoning district.
6. The Variance is not contrary to the public welfare.
7. Special conditions do exist on the property.
8. A literal enforcement of the regulation would result in an unnecessary hardship.
9. The proposed Variance would promote the public health, safety, morals and general welfare.

**NOW THEREFORE, THE BOCC HEREBY GRANTS** the Variance to allow the reduction of a 1.24-acre parcel to a .96-acre parcel in a Rural Residential District with the following condition:

10. That prior to approval of the proposed boundary line adjustment between the applicant and Harvey, documentation be provided to the county that assures continued use of the access easement to potentially affected properties.

DATED: Jan. 2, 2020.

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 2nd day of January, 2020  
by Nick Siddle, as Chairman of the Board of County Commissioners for Sheridan  
County, Wyoming.

Eileen M. Evers  
Notary Public

