



Berry Setback VARIANCE

V-20-001

The Board of County Commissioners (“BOCC”) held a public hearing on May 19, 2020, regarding the application of Mark & Shirley Berry (“Applicant”) for a Variance from the Rules and Regulations Governing Zoning, Sheridan County, Wyoming (“Zoning Regulations”). The BOCC received the written Staff Report dated May 19, 2020, heard public comment, and considered written comments.

1. Applicant is requesting a Variance from Section 9.D. Minimum yard requirements of the Zoning Regulations to allow a 28' x 30' attached garage to be located approximately 11 to 11.5 feet from the east line of Lots (Tracts) 55 & 79, Ponderosa Subdivision.
2. The property for which the Variance is requested consists of approximately 0.4 acres, lies within the Rural Residential zoning district, has a physical address of 2 Cottonwood Lane, and is located in:

Lots 55 & 79, Ponderosa Subdivision.

3. After holding a public hearing on May 7, 2020, the Planning and Zoning Commission certified their recommendation to the BOCC to **GRANT** the Variance.

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 a 28' x 30' attached garage to be located approximately 11 to 11.5 feet from the east line of Lots (Tracts) 55 & 79, Ponderosa Subdivision.

DATED: June 11, 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 Siddh
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 11th day of June, 2020
by Nick Siddle, as Chairman of the Board of County Commissioners for Sheridan
County, Wyoming.

Eileen M. Evers
Notary Public

