

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

IN THE MATTER OF A CONDITIONAL USE PERMIT )  
BY JOHN DEWEY ) CU-13-004

**APPROVAL OF CONDITIONAL USE PERMIT**

THIS MATTER came before the Board of County Commissioners ("BOCC") for public hearing on June 4, 2013, upon the application of John Dewey ("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 March 14, 2013, Applicant submitted an application for a conditional use permit ("CUP") on property owned by Applicant. The property is zoned Agricultural (A) and consists of approximately a 250 acre parcel, and lies along the northwest side of Beatty Gulch Road (CR#1231). The property is located in:  
  
Lot 4 of Section 4, T57N, R83W
2. Applicant paid the application fee of \$475.00.
3. Applicant requests the CUP be approved to establish a private cemetery. The application proposes 10 lots with connecting pathways, parking and a private access easement.
4. Notice of a public hearing before the Planning and Zoning Commission was published in the Sheridan Press on March 29, 2013.
5. Property owners within ½ mile of the above described property were notified of this application for CU-13-004 via letters prepared and mailed by Public Works Department Staff ("Staff") on April 16, 2013.
6. Staff mailed Applicant a copy of the Planning and Zoning Commission Staff Report on April 23, 2013.
7. A public hearing was held before the Planning and Zoning Commission on May 2, 2013 and Applicant, John Dewey, was present.
8. The Planning and Zoning Commission recommended that the BOCC **GRANT** the CUP with the following one (1) condition:
  - a. That a Sheridan County Access Permit be obtained for the private access easement intersecting with Beatty Gulch Road.
9. Notice of the public hearing before the BOCC was published in the Sheridan Press on May 17, 2013.
10. Staff mailed Applicant a copy of the Board of County Commissioner's Staff Report on May 29, 2013.
11. No comments were received by the BOCC regarding the CUP.
12. At the public hearing held before the BOCC on June 4, 2013.
  - a. County Planner, Mark Reid, provided a summary of the written staff report.
  - b. The Applicant, John Dewey, was present.

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 one (1) condition:

1. That a Sheridan County Access Permit be obtained for the private access easement intersecting with Beatty Gulch Road.

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 Mauer*  
Chairman

STATE OF WYOMING     )  
                                      )  
County of Sheridan     )

This instrument was acknowledged before me on the 6<sup>th</sup> day of August, 2013  
by Steve Mauer, as Chairman of the Board of County Commissioners for Sheridan  
County, Wyoming.

*Eda Schunk Thompson* Sheridan County Clerk  
*Shea Anderson* Deputy Clerk  
Notary Public



*Eyp. 1-5-15*



2013-707286 8/26/2013 3:18 PM PAGE: 2 OF 2  
BOOK: 542 PAGE: 479 FEES: \$0.00 SM APPROVAL - BOCC  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

**NO. 2013-707286 APPROVAL - BOCC**

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
SHERIDAN COUNTY PLANNING