

**TENTATIVE AGENDA
LINCOLN COUNTY
PLANNING AND ZONING COMMISSION (PZC)
Wednesday, March 19, 2025
6:00 P.M.**

**Locations: Video Conference between the following locations:
Lincoln County Courthouse, Commissioner Boardroom, 925 Sage Avenue 3rd Floor, Kemmerer, WY
& Afton Planning & Engineering Office, Conference Room, 61 East 5th Avenue, Afton, WY**

- I. CALL TO ORDER
- II. INTRODUCTION OF PZC MEMBERS
- III. ADOPTION OF AGENDA
- IV. APPROVAL OF MINUTES
- V. DEVELOPMENT REPORT

- VI. 601 RZ 25 Blue Ribbon Barn - Rezone
 - a. A proposal to Rezone 77.4 acres from Rural Zone to Recreational Zone.
 - b. Located less than a mile west of the Town of Star Valley Ranch, Wyoming in T34N, R119W, Section 2.

- VII. 101 CUP 25 Blue Ribbon Barn – Conditional Use Permit
 - a. A Conditional Use Permit proposal to operate a retail store and event venue.
 - b. Located less than a mile west of the Town of Star Valley Ranch, Wyoming in T34N, R119W, Section 2.

- VIII. 103 CUP 25 Tjai Training and Boarding – Conditional Use Permit
 - a. A Conditional Use Permit proposal to operate a dog training and boarding facility in the Rural Zone.
 - b. Located 5.5 miles north of the Town of Star Valley Ranch, Wyoming in T36N, R119W, Section 26.

- IX. 104 CUP 25 Child Family Cemetery (Tabled from the February 19, 2025 PZC Meeting)
 - a. A Conditional Use Permit to create a Family Cemetery near Cokeville, Wyoming on 0.06 +/- acres in the Rural Zone.
 - b. Located 6.5 miles north of the Town of Cokeville, Wyoming in T25N, R119W, Section 5.

- X. 203 MS 25 Range View Estates – Minor Subdivision Preliminary Plat
 - a. A Minor Subdivision Preliminary Plat application proposal to subdivide 26.95 +/- acres into five residential lots with an average lot size of 5.39 +/- in the Rural Zone.
 - b. Located 2.5 miles southwest of the Town of Afton, Wyoming in T31N, R119W, Section 15.

- XI. 602 PZ 25 Land Use Regulations Amendment Road Standards
 - a. A Proposed Amendment to the Lincoln County Land Use Regulations to modify Road Standards in Chapter 6.16-6.19, 6.11.D.3. and Chapter 7.1, which will address recent development issue and promote safer road design.
 - b. Countywide.

- XII. SKETCH PLANS (NONE)

- XIII. OTHER PLANNING MATTERS

ADJOURNMENT

NOTE: Additional information regarding the above noted files can be viewed at <https://weblink.lcwy.org/WebLink/Browse.aspx?id=161128&dbid=0&repo=LincolnCounty> Projects for Planning, OR at

www.lincolncountywy.gov Planning and Development, PZC Meetings and Agendas.

All interested citizens are invited to attend the public hearing and to provide input. Those planning on attending should call the day before to see if the meeting and project is still scheduled.

MARCH 19, 2025 PZC MEETING

PZC COMMISSIONERS:

Karen Anderson

Chad Jensen

Kevin Kilroy

David Oates

George Collins

PLANNING & ENGINEERING STAFF:

Ken Kuluski, Planning Director

Elizabeth Williams, Planner II

Katie Gipson, Planner I

Mikayla Hibbert, Planner I

Amy Butler, County Engineer

Upcoming Planning and Zoning Commission Meetings:

Next PZC Meeting: April 23, 2025

May Tentative PZC Meeting: May 21, 2025

June Tentative PZC Meeting: June 18, 2025

July Tentative PZC Meeting: July 23, 2025

Upcoming Board of County Commissioners Meetings:

Next Board of County Commissioners Meeting: April 2, 2025

May Tentative Board of County Commissioners Meeting: May 7, 2025

June Tentative Board of County Commissioners Meeting: June 4, 2025

July Tentative Board of County Commissioners Meeting: July 2, 2025

**LINCOLN COUNTY
PLANNING AND ZONING COMMISSION MEETING NOTES**

Wednesday, February 19, 2025

Workshop 4:00 P.M.

Public Meeting 6:00 P.M.

Locations: Video Conference between the following locations:

**Lincoln County Courthouse, Commissioner Boardroom, 925 Sage Avenue 3rd Floor, Kemmerer, WY
& Afton Planning & Development Office, Conference Room, 61 East 5th Avenue, Afton, WY**

I. WORKSHOP TRAINING

PZC MEMBERS AND STAFF IN ATTENDANCE

Planning Commission Members:

Karen Anderson, Chair
Chad Jensen, Vice Chair
Kevin Kilroy
David Oates
George Collins

Lincoln County Staff:

Stephen Allen, Chief of Staff
Austin Dunlap, Attorney
Ken Kuluski, Planning Director
Elizabeth Williams, Planner II
Mikayla Hibbert, Planner I

Open Meetings

All official meetings must be public noticed. A meeting is constituted when a quorum of the members of the governing body meets to consider matters that are within the agency's official business, even when done informally. Executive sessions are not open to the public and are to discuss employment or personnel matters, litigation, or purchase of real property. Austin Dunlap cautioned against sending emails where a quorum or more is involved in discussing official matters.

Conflicts of Interest

Make it known if there is a conflict of interest, use best judgement and recuse when necessary or if uncomfortable. There is a conflict of interest when a project regards immediate or extended family, ownership in entities involved, or ownership of real property touching to or surrounding subject property.

Indemnity

Stephen Allen stated that Austin Dunlap attends the Planning and Zoning Commission meetings out of courtesy, but is not a designated representative of the Planning and Zoning Commission for legal advice. The distinction between shall and may was discussed. Board members are not civilly or criminally liable when undertaking duties on behalf of the county or are within the scope of their authority and/ or acting in good faith within said scope.

Robert's Rules

Parliamentary procedure is designed to accomplish one thing at a time, bringing each to a resolution before going on to the next while seeing that courtesy is extended to everyone. Motions are the tools used to transact business. Maintaining order and procedure is important in smooth-flowing meetings.

A Comprehensive Plan is a form of regulatory control granted to local governments which may be used to guide and develop specific allowable land use. Zoning is the process that a community employs to legally control the use which may be made of property and the physical configuration of development upon the tracts of land located within its jurisdiction. Comprehensive plans lack the legal effect of zoning laws and cannot be equated with comprehensive zoning in legal significance. The Comprehensive Plan is used to help interpret the Land Use Regulations. Concerns need to be expressed on record for judges to approve or deny appeals brought forward based on previous reasonings. Comprehensive Plan is more of an idea or theory and Zoning is the enforcement of those ideas and theories.

Motions

Motions to approve with changes to the Conditions of Approval have the goal to capture the concerns, but do not need to contain the exact language as long as the intent is shown clearly. A motion ruled in the negative that is not seconded is not a final action or permissible outcome. It is encouraged to use motions to approve exclusively because a vote on a motion to approve always results in an unambiguous, substantive determination on the merits. The purpose of the Planning and Zoning Commission is to send a recommendation to the Board of County Commissioners. The options of motions are to approve, deny, or to table once. Tabling is used when more information is needed. When making a recommendation to approve or deny, the Planning and Zoning Commission shall specify the goals, objectives, and standards used in evaluating the application; the reasons for approval or denial; and the actions the applicant can take to obtain a permit if possible. Goals and Objectives relate to the Comprehensive Plan while standards relate to the Land Use Regulations. Some Conditions of Approval may need to be more general to prevent overstepping other agencies outside of the county.

Variances are handled by the Planning staff and then move straight to the Board of County Commissioners; they are not viewed by the Planning and Zoning Commission.

Development Agreements are binding contracts between the developer and the county. Only the Board of County Commissioners is able to sign the contract of the Development Agreement.

Violations are handled by formal complaint in written form for the Director to pursue.

II. CALL TO ORDER

Karen Anderson called the meeting to order at 6:03 pm.

III. INTRODUCTION OF PZC MEMBERS

Planning Commission Members:

Karen Anderson, Chair
Chad Jensen, Vice Chair
Kevin Kilroy
David Oates
George Collins

Lincoln County Staff:

Stephen Allen, Chief of Staff (Absent)
Austin Dunlap, Attorney
Ken Kuluski, Planning Director
Elizabeth Williams, Planner II
Mikayla Hibbert, Planner I
Katie Gipson, Planner I (Absent)

IV. ADOPTION OF AGENDA

Chad Jensen motioned to adopt the agenda. Kevin Kilroy seconded the motion.

V. APPROVAL OF MINUTES

Chad Jensen requested the extra space on page six be removed. David Oates motioned to accept the minutes with the requested change. Kevin Kilroy seconded the motion. Motion carried.

VI. DEVELOPMENT REPORT

Mikayla Hibbert presented the Development Report for December 30, 2024 to January 26, 2025. Kevin Kilroy questioned the definition of non-living. Chad Jensen requested information on all of the violations through the past year.

VII. 104 CUP 25 CHILD FAMILY CEMETERY

Ken Kuluski presented the project with a recommendation of approval with Findings of Approval A. through B. and Conditions of approval 1. through 5. Chad Jensen questioned the definition of “family” as explained in the state statutes and questioned the number of burial plots proposed. Chad Jensen clarified there is an existing cemetery in Cokeville.

Marlowe Scherbel, the representative of the project, explained that a CUP is required not only to bury a person, but also any animals and suggested to have an LUR change. Austin Dunlap questioned the lack of dedicated plots for the number of burial sites as per W.S 35-8-101. Marlowe Scherbel referenced a previously approved family cemetery in LaBarge 3 years prior for the Jones family and questioned if there was a difference between a family cemetery and a commercial cemetery. Discussion regarding platting requirements continued. Chad Jensen requested to know how many burial plots are being proposed and suggested tabling the project and questioned the urgency of the project. Questions regarding plot sizes occurred.

Chad Jensen motioned to table the project to the March 19, 2025 Planning and Zoning Commission meeting. George Collins seconded the motion. Motion carried 3-2.

VIII. SKETCH PLANS

Mikayla Hibbert presented the project. Chad Jensen questioned the lack of connectivity of the proposed project.

Marlowe Scherbel, the representative of the project, explained some of the background of Broncos Lane as part of a Family Exempt Subdivision. David Oates questioned if there was a proposed cul-de-sac. Density was discussed regarding the placement of the road easement. Karen Anderson questioned the application of the airport safety zone to flying drones. Austin explained the restrictions of the different zones within an airport safety zone.

IX. OTHER PLANNING MATTERS

None.

ADJOURNMENT

Chad Jensen motioned to adjourn the meeting. David Oates seconded the motion. Motion carried 5-0. The meeting was adjourned.

The minutes from the February 19, 2025 Planning and Zoning Commission meeting were approved on the _____ day of _____, 2025.

Chair
Dated

Director _____ Dated _____

Lincoln County Land Use Permits
Afton Office Report for BCC Meeting March 5, 2025

Approved Permits January 27, 2025 to February 23, 2025

4 North Lincoln County
0 Small Wastewater
2 South Lincoln County
1 Zoning & Development

Residential BCC Report

01/27/2025 - 02/23/2025

Land Use Permit Type	Permit Date	LC Permit Number	Applicant Name	Description	Square Feet	PIN
Residential Use Permit	2/13/2025	111 RUS 25	Moyer, Andrew & Julie	Single Family Home (possible att. Garage)	1,407	3219-081-00-006
Residential Use Permit	1/30/2025	254 RUS 24	Heiner, Rob / Sims, David	Single Family Home w/att. Garage	2,930	3318-103-00-189
Residential Use Permit	1/29/2025	108 RUS 25	Ackerlund, Kevin	44x106 Single Family Home & 48x36 Shop	6,328	3619-344-00-245
Additions to Living Quarters	1/28/2025	109 RUA 25	Hilke, Benjamin	Garage	1,750	3619-091-03-007
Residential Use Permit	1/24/2025	107 RUS 25	Sumsion, Thomas Craig	Single Family Modular Home	1,706	2718-080-00-003
Residential Use Permit	1/22/2025	106 RUS 25	Anderson, David & Ellen	Log Cabin	768	2416-232-04-046

Total Records: 6

2/24/2025

Zoning & Development BCC Report

01/27/2025 - 02/23/2025

Land Use Permit Type	Permit Date	LC Permit Number	Applicant Name	Description	Square Feet	PIN
Zoning Development	2/21/2025	502 ZD 25	VAMCINVT, LLC	Adding within the existing 4500 sq ft shop an 800 sq ft apartment, an 800 sq ft office and 800 sq ft vehicle shop for vehicles owned by Atlantic Building	1,600	3619-152-00-049

Total Records: 1

2/24/2025

**LINCOLN COUNTY PLANNING & ZONING COMMISSION
STAFF REPORT
REZONE APPLICATION**

HEARING TIME AND DATE: 6:00 p.m., March 19, 2025

**LOCATION: Lincoln County Courthouse, Commissioner Boardroom 3rd Floor, 925 Sage Ave.,
Kemmerer, Wyoming & Afton Planning & Development Office, 61 E. 5th Ave., Afton, Wyoming
FILE # 601 RZ 25**

APPLICANTS: Creation Land Company, LP
PROJECT NAME: Blue Ribbon Barn- Rezone
COMMUNITY PLAN AREA: Thayne
ZONING: Rural Zone
REQUESTED ZONING: Recreational
REPRESENTATIVE: Greg and Jan Berdar
PLANNER: Ken Kuluski
PARCEL ID: 3419-02-100-046

PROPOSAL: A Rezone application to rezone a 77.4 acre parcel from the Rural Zone to the Recreational Zone in order to accommodate commercial use on the property. This Rezone application accompanies Conditional Use Application 101 CUP 25.

LOCATION: Located less than a mile west of the Town of Star Valley Ranch, Wyoming in T34N, R119W, Section 2.

ATTACHMENTS:

1. Vicinity Map
2. Agency Correspondence
3. Public Comments

PLANNING STAFF RECOMMENDATION:

Planning staff recommends that the Planning & Zoning Commission send a recommendation of **APPROVAL** to the Board of County Commissioners for File # 601 RZ 25, a Parcel Rezone, with:

- Findings of Approval A. through C.

FINDINGS FOR APPROVAL:

- A. The proposed request is consistent with the provisions of Wyoming Statute 18-5-202(b) providing that any person may petition the planning and zoning commission to amend any zoning plan adopted under the provisions of W.S. 18-5-201 through 18-5-208 for the continuance and alteration of existing uses of land including public noticing requirements for consideration by county planning and zoning commission and county board of commissioners.
- B. The proposed request is consistent with the goals and objectives of the Lincoln County Comprehensive Plan:
 - a. Section III ECONOMIC DEVELOPMENT, Goal A. Promote and assist in the development of commercial, recreational and industrial activities.
 - b. Section IV LAND USE, Objective 1. Create Land Use Regulations that promote the responsible and orderly development of Lincoln County;
- C. The proposed request is consistent with the Lincoln County Land Use Regulations, Section 1.4 Amendment, Rezone, Subsection B:
 - a. The proposed zone change does not increase burden to existing public road and utility infrastructure.
 - b. The proposed zone change does not unnecessarily extend or increase the cost of services provided by the public.

BACKGROUND:

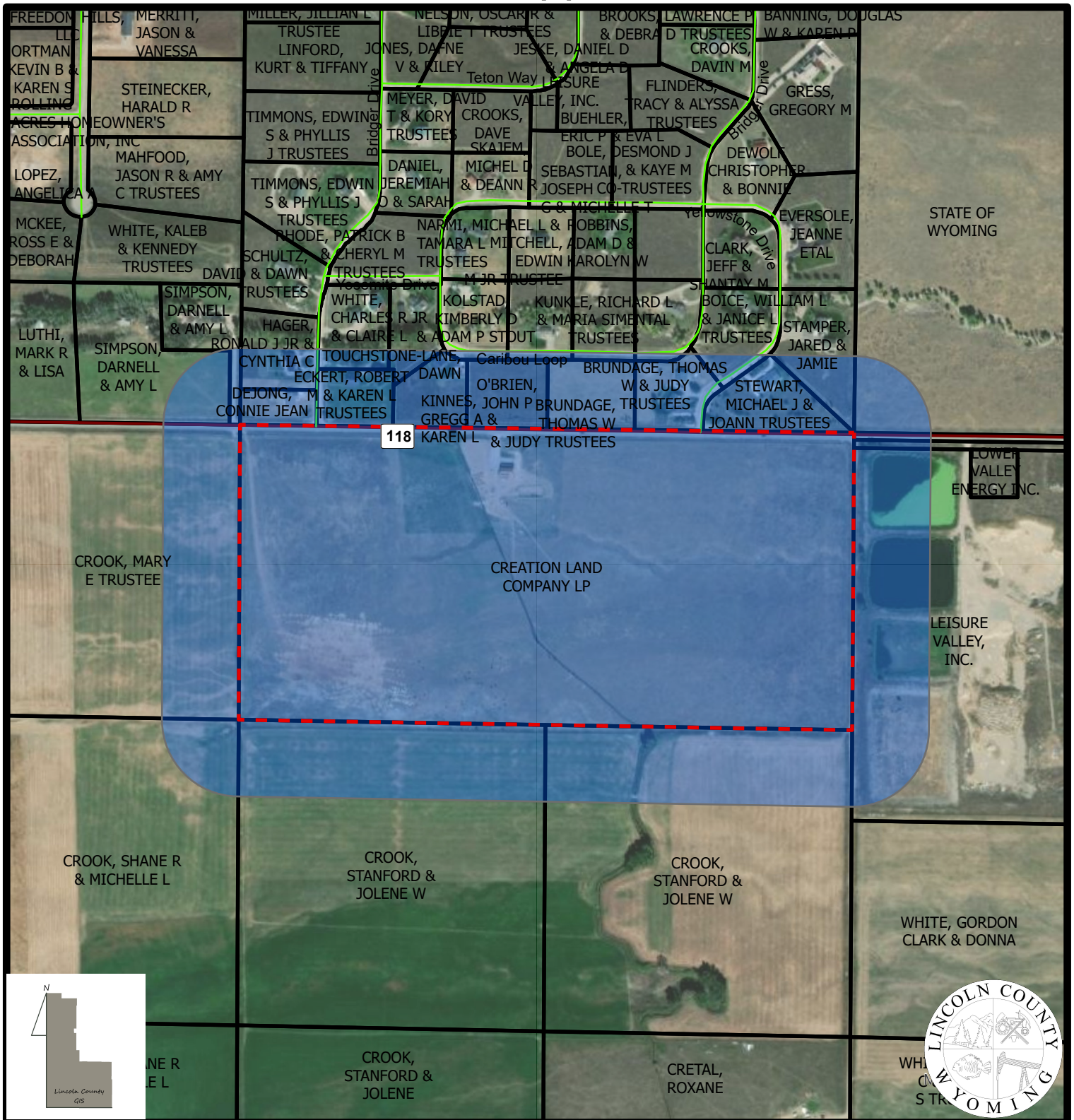
Creation Land Company, LP owns property historically used for agricultural purposes. This past summer they were granted a Temporary Use Permit to operate a small farm retail store and indoor event hall. They are seeking a Conditional Use Permit along with this Rezone Application to continue to operate a small retail store and indoor event hall.

The property is connected via County Road 118 to Recreational parcels to the east of the property. The roadway provides a contiguous zoning connection in this area.

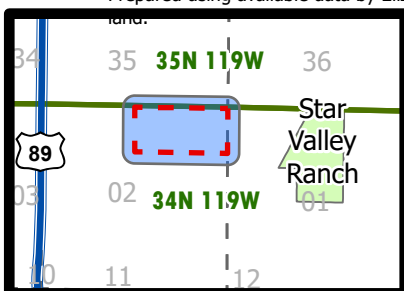
AGENCY CORRESPONDENCE: Attached

PUBLIC COMMENTS: Attached

Rezone Application



Prepared using available data by Elizabeth Williams on 26 December 2024. Map is for informational purposes only and in no way represents an official survey of



Roads

Road_Type

- US Highways
- WY Highways
- Projects
- Township & Range
- Sections
- Municipalities
- Public Noticing

File No 601 RZ 24
Blue Ribbon Barn Rezone
Creation Land Co., LP



RE: Blue Ribbon Barn (REZONE / CUP)

1 message

Mayor Buyers <kbuyers@starvalleyranchwy.org>

Thu, Dec 19, 2024 at 10:32 AM

To: ken.kuluski@lincolncountywy.gov

Cc: clerk@starvalleyranchwy.org, Town Admin TSVR <admin@starvalleyranchwy.org>

Hi Ken,

I am writing in reference to File 601-RZ-25 Creation Land Company Rezone

T34N R119W Section 2 Lots 1 &2

The Town of Star Valley Ranch Planning Commission all agree that we support the rezoning of this property.

Thank You for including the Town,

Kathy

Mayor Kathleen Buyers

Town of Star Valley Ranch

307-883-8696

From: Ken Kuluski <ken.kuluski@lincolncountywy.gov>

Sent: Friday, December 13, 2024 9:06 AM

To: billing@starvalleyranchwy.org

Subject: Blue Ribbon Barn (REZONE / CUP)

Good Morning Star Valley,

Greg and Jan Berdar Wish too:

Rezone Proposal, File 601-RZ-25 Creation Land Company Rezone

T34N R119W Section 2 Lots 1 & 2

Proposed Amendment to the Comprehensive Plan includes a zone change "Rural" zone for property described above be amended to "Recreational" zone. Any person having comments or protests concerning the requested zone change may appear at

the public hearing at either location and present their comments or protests at that time.

Address: 750 Cedar Creek Dr. (750 Co. Rd. 118)

PIN: 341902100046

This is the first stage of a Conditional Use permit for the Barn Store to be retail and a rental venue. Comments can be sent directly to me or planning@lincolncountywy.gov.

--

Ken Kuluski

Director


Office of Planning and Development

[925 Sage Ave STE 201](#)

[Kemmerer, WY 83101](#)

307-877-2106 Office

mayor@starvalleyranchwy.org

to TSVR, clerk, me 

Hello Ken,

Previously, you received an email (below) from former Mayor Buyers in December regarding File 601-RZ-25 Creation Land Company LP Blue Ribbon Barn indicating the Town of Star Valley Ranch (TSVR) supported the applicant's rezone request. With this file coming up for a public hearing before the Lincoln County Planning & Zoning Commission (LCP&ZC) on March 19th, our TSVR Planning Commission met this week and took another look at this rezoning and conditional use request. It's our understanding that operation of the Blue Ribbon Barn store as well as the various concerts and events that have occurred at this location have, up to now, been conducted under Temporary Use Permits issued by the county. Since the Blue Ribbon Barn opened, residents of our town have enjoyed the country store atmosphere and products offered there. Some of our residents have also taken advantage of the concerts and other events that have been hosted at this location. Overall, I believe our town supports operation of the Blue Ribbon Barn as well as the opportunity to enjoy limited events at its current property.

The rezoning request from rural to recreational, if approved, would present the potential for additional activities and development at this site. Some of the public comment letters from adjacent property owners (from the January 22nd, 2025, LCP&ZC public hearing packet) expressed concern that a new RV park could spring up or that other less-desirable commercial activity could also be initiated. Our TSVR Planning Commission noted that this zoning change would open the door to these types of activities in future. That said, it is also our understanding that any change in use from what is being proposed in the current File 601-RZ-25 would require the submission of a new Conditional Use Application which would also be subject to the public comment / approval process.

Thank you for the opportunity to offer further comments on this conditional use / rezone request.

Sincerely,

Ru

Mayor Ruzena Rok

Town of Star Valley Ranch, WY

mayor@starvalleyranchwy.org

rrok@starvalleyranch.org



Communication to and from the Town of Star Valley Ranch, including to and from this email address, is subject to the Wyoming Statutes governing public records and may not be used in any other context other than its original intended purpose.

LUTHI & VOYLES, LLC
ATTORNEYS AT LAW

M. Kevin Voyles

257 North Main Street
P.O. Box 820
Thayne, Wyoming 83127-0820

Tel.: 307.883.7887
Fax: 307.883.7889

Heath T. Hirschi
Associate

Randall B. Luthi
Of Counsel

January 13, 2025

Office of Planning & Development
Lincoln County, Wyoming
925 Sage Ave, Ste 201
Kemmerer, WY 83101

Re: Blue Ribbon Barn – Rezone / File No. 601 RZ 25

Dear Planning & Zoning Commission:

I serve as legal counsel for Robert and Karen Eckert, trustees of the Robert & Karen Eckert Family Trust, dated June 14, 2016, and owners of Parcel 35193540009400, located at 46 Bridger Dr, Thayne, WY 83127. I am writing today regarding a rezoning request application that has been submitted by Creation Land Company, LP. The parcel of land for which the rezoning has been requested borders my client's property, and rezoning this land will have a direct effect on my client and their property. In addition to having an impact on my client's property value, rezoning the land will also have a negative impact on the county, and the community at large.

Rezoning the property from rural to recreational will allow a property owner to convert this parcel from primarily agricultural use to more commercial development. Specifically, this would allow a property owner to put high-density housing and multiple RV units on the parcel. There is already a large RV community less than a mile away that is operated by Leisure Valley. Allowing this property to be converted to recreational zoning, thus opening the door for another RV park in the area, will have a detrimental value on properties in the area and the county as a whole. Furthermore, putting high density housing on the property will destroy the rural nature of the area. This will have a direct negative impact on the property values for those homes that are adjacent to this parcel. These are homes that were purchased because of the scenic, rural views surrounding them. The development of an RV park and high-density housing across the street will drastically diminish the aesthetic value of these homes and will have a negative impact on resale values and tax revenue for the county.

Chapter 1 of the Lincoln County Code outlines rezoning procedures. Among the factors to take into consideration in granting a rezoning include whether granting a rezoning is consistent with the Lincoln County Comprehensive Plan, a determination as to whether rezoning will

overburden existing road, utility and service infrastructure, and a determination as to whether rezoning will affect the rate of infill development. Allowing a rezoning of the Blue Ribbon Barn parcel from Rural to Recreational will negatively affect all three of these factors.

One of the primary goals outlined in the Lincoln County Comprehensive Plan is preserving the rural, agricultural nature of the county. While growth and development are inevitable, especially with the changing demographics of our current times, it is something that should nevertheless be regulated and controlled in order to ensure that Star Valley does not become over-developed, or develop too rapidly, beyond what the county is able to sustain. A major part of the charm and attraction of this area is the rural element. Failing to preserve that is failing to maintain what makes this area such a desirable place to live.

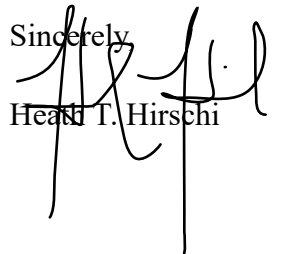
In addition to having a negative impact on the rural and agricultural nature of the county, converting this property to recreational use will increase the amount of traffic in the area. The road on which this property is located is already heavily traveled, especially during the summer months. An increase in traffic due to a zoning change and new uses of the property, will increase noise and disturbance in the area, cause congestion for people already living in the area, and inevitably place increased pressure on emergency services responding to accidents and other traffic related issues.

Finally, as previously mentioned, there is already an existing RV park less than a mile away. Converting this property to recreational use will allow the potential development of a new RV park, high density-housing, and other commercial developments. This would create a patchwork of communities and commercial enterprises within the midst of a primarily agricultural area.

Aside from these issues that are directly affiliated with the Lincoln County zoning regulations, there are potential environmental impacts on the area if this property is developed. Dana's Ditch, also known as Cedar Creek, runs through this area and should be preserved as a natural waterway. Allowing development around this creek will have a negative environmental impact.

Even if the current owner has no intention of ever developing an RV park, high density housing, or other commercial ventures on the property, there is no guarantee that a subsequent owner would not. The safest way to preserve the area in its current condition is to preserve the current zoning.

For these stated reasons, my client respectfully objects to the rezoning of this parcel and asks that the Planning and Zoning Commission take their concerns into consideration during the hearing.

Sincerely,

Heidi T. Hirschi

Office of Planning and Development
61 E. 5th Ave., Suite 701
Afton, WY 83110

January 10, 2025

Lincoln County, WY

REF: Tentative Planning and Zoning Commission Meeting

Applicant: Creation Land Company, LP

Owner: Greg and Jan Berger

File Number: 601 RZ 25

Project Name: Blue Ribbon Barn – Rezone

Planner: Ken Kuluski

In summary of the above stated rezoning of said File Number: 601 RZ 25, of the Blue Ribbon Barn request for Rezone. Notice of seven days was given to the said interested deeded property owners, with no supporting documentation of the impact surveys or any other studies that said Creation Land Company, LP might have completed or need to be completed.

Deeded property owners would like to be included and review any said impact study documentation and or studies to be transparent to those deeded owners who are vested in the Bridger View Ranches, Star Valley Ranch, i.e. deeded adjacent properties.

Although if this cannot be provided to said parties a delay needs to be considered so said parties can look at the legality and impact studies of any said rezoning.

Main concerns are any changes to decrease property values, changes to water flow, traffic flow and safety, and retaining the beauty of Star Valley.

Our concerns can be met with sufficient time to review any supporting documentation prior to any decisions, provided to deeded property owners by Planning and zoning Commission.

We remain confident that this will be resolved in a timely manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Eckert and Karen Eckert". The signature is written in a cursive, flowing style.

Contact:

Robert Eckert, email: robeckert@aol.com Home (307)883-3830

Karen Eckert, email: keckert505@aol.com Home (307)883-3830

Office of Planning and Development
61 E. 5th Ave., Suite 701
Afton, WY 83110

January 9, 2025

Lincoln County, WY

REF: Tentative Planning and Zoning Commission Meeting

Applicant: Creation Land Company, LP

Owner: Greg and Jan Berger

File Number: 601 RZ 25

Project Name: Blue Ribbon Barn – Rezone

Planner: Ken Kuluski

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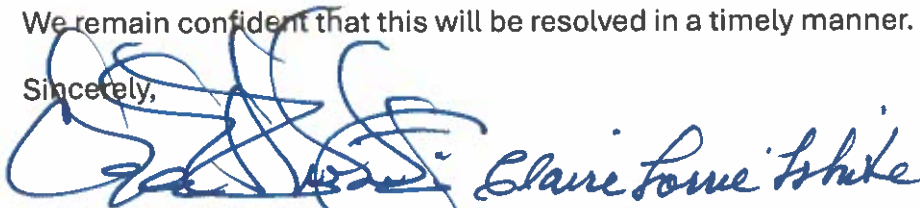
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We remain confident that this will be resolved in a timely manner.

Sincerely,

A handwritten signature in blue ink, reading "Claire Lorrie White". The signature is stylized with a large, looping initial "C" and "L".

Contact:

Charles White, email: 1chipwhite@gmail.com (307)203-8334

Claire Lorrie White, email: lorriewhite1@gmail.com (307)203-9046

Office of Planning and Development
61 E. 5th Ave., Suite 701
Afton, WY 83110

Lincoln County, WY

January 9, 2025

REF: Tentative Planning and Zoning Commission Meeting
Applicant: Creation Land Company, LP
Owner: Greg and Jan Berger
File Number: 601 RZ 25
Project Name: Blue Ribbon Barn – Rezone
Planner: Ken Kuluski

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Our concerns can be met with sufficient time to review any supporting documentation prior to any decisions, provided to deeded property owners by Planning and zoning Commission.

We remain confident that this will be resolved in a timely manner.

Sincerely,

CHRIS DAVIS / CD 9 JAN 2025 JULIE DAVIS / Julie Davis 9 JAN 2025

Contact:

*53 TETON WAY
THAYNE, WY 83127
(307) 226-0435
CD.FISH@ic104D.COM*

RECEIVED

JAN 13 2025

Office of Planning and Development

January 9, 2025

61 E. 5th Ave., Suite 701

Afton, WY 83110

Lincoln County, WY

Planning & Development
Lincoln County, WY

Wanda Sanderson

REF: Tentative Planning and Zoning Commission Meeting

Applicant: Creation Land Company, LP

Owner: Greg and Jan Berger

File Number: 601 RZ 25

Project Name: Blue Ribbon Barn – Rezone

Planner: Ken Caulks

In summary of the above stated rezoning of said File Number: 601 RZ 25, of the Blue Ribbon Barn request for Rezone. Notice of seven days was given to the said interested deeded property owners, with no supporting documentation of the impact surveys or any other studies that said Creation Land Company, LP might have completed or need to be completed.

Deeded property owners would like to be included and review any said impact study documentation and or studies to be transparent to those deeded owners who are vested in the Bridger View Ranches, Star Valley Ranch, i.e. deeded adjacent properties.

Although if this cannot be provided to said parties a delay needs to be considered so said parties can look at the legality and impact studies of any said rezoning.

Main concerns are any changes to decrease property values, changes to water flow, traffic flow and safety, and retaining the beauty of Star Valley.

Our concerns can be met with sufficient time to review any supporting documentation prior to any decisions, provided to deeded property owners by Planning and zoning Commission.

We remain confident that this will be resolved in a timely manner.

Sincerely,

Carol Hainey

Carol Hainey

Email: carolhainey@hotmail.com

Office of Planning and Development
421 Jefferson Street
Afton, WY. 83110

January 13, 2025
RECEIVED

JAN 13 2025

Attn: Planner Ken Kuluski

Re: Blue Ribbon Barn - Rezone
File Number 601 RZ 25

Planning & Development
Lincoln County, WY

Mary Sanderson

Dear Mr. Kuluski,

We are writing to express our strong concerns regarding the application to rezone the 77.4 acre parcel located along CR 118 from the Rural Zone to the Recreational Zone. This proposal, if approved, would allow housing and other commercial activities that would negatively impact this area. Such concerns include, but are limited to: increased traffic, availability of water, depreciation of neighboring properties due to their proximity to commercial activities, and degradation of the natural landscape that makes Star Valley a very special place.

For example, CR 118 is a major thoroughfare that is heavily used by vehicles driving to and from Star Valley Ranch and the large RV park known as Star Valley Resort that is operated by Leisure Valley Inc. Rezoning this 77.4 acre tract to allow commercial activities would dramatically increase traffic on the already impacted CR 118. Similarly, there are effluent settlement ponds just above this land, creating the danger of water contamination.

We greatly appreciate your consideration of these concerns.



Robert and Karen Eckert

Email: robeckert@aol.com

keckert505@aol.com

RECEIVED

JAN 13 2025

January 13, 2025

Planning & Development
Lincoln County, WY

M. Anderson

Ken Kuluski
Office of Planning and Development - Afton Office
Lincoln County Wyoming
61 E 5th Ave Ste 701
Afton, WY 83110

Re: Rezoning Application - Blue Ribbon Barn

Dear Ken:

We are property owners on the entire South side and West side of the property that will be included in the application for rezoning from Rural Zone to Recreational Zone.

We suggest you deny this application because of the track record of the applicants and their failure to finish a project completely and to make the property better. That "Blue Ribbon Barn" has been an eyesore and terrible construction job and a greenhouse they put up that lasted about 2 weeks before the wind blew it down. They have had Highland miniature cows that were always getting out into our hay fields and they didn't have enough feed or water for a long time.

We are also concerned with the potential for ground water pollution as our wells are directly west of the project. We already have problems if the Dana Ditch floods with it coming up in our basement.

Respectfully submitted,

Stanford Crook Nancy Dana

Stanford Crook
Nancy Dana, Trustee of Mary E Crook Trust

RECEIVED

JAN 13 2025

To: Office of Planning and Development

Reg: Creation Land co, LP

Owner: Greg & Jan Bedar

File#601 RZ 35

Planning & Development
Lincoln County, WY

Attn: Planner, Key Kuluski

77.4 AC Rural to Recreational & Commercial application 105 CUP 25

Leisure Valley, Inc. the major surrounding land owner is strongly opposed to rezoning (77.4AC) from Rural to Recreational, since low density Bridger View horse properties subdivision ranging from 2-10 acres would be adversely affected. Those homes and lots are valued at \$750,000 to \$1,500,000 and would be devalued significantly if this home density rezone is allowed. Another more significant objection is our sewer lagoons that border the rezone application has a 500-foot moratorium on any homes or RV lots be built within 500 feet of the sewer lagoon which serves the Star Valley Ranch RV Park, Bridger Mountain and Stewart County Club Estates.

This requirement was placed on Bridger View Estates and if you check the subdivision map, it is clearly delineated that a buffer of 500 feet must always remain around the sewer lagoons.

Leisure Valley would like to be present and speak at the January 22, to object to this rezoning due its significant harm to the surrounding developments and subdivisions and implore you to recommend denial to the Rezone.



Timothy W. Stewart

Vice President Leisure Valley Inc.

RECEIVED

JAN 13 2025

Office of Planning and Development – Afton Office
Lincoln County, Wyoming
61 E 5th Avenue Ste. 701
Afton, WY 83110
Planner: Ken Kuluski
planning@lincolncountywy.gov

Planning & Development
Lincoln County, WY

Mary Sanderson

RE: Rezoning Application – Blue Ribbon Barn, File No. 601 RZ 25

Mr. Ken Kuluski,

This is an informative addendum to our already submitted Letter of concern over the rezoning of said property of Greg and Jan Berdar [Berger].

The current situation regarding said Blue Ribbon Barn, operating without a liquor license, unsightly conditions around said building to include, blue temporary bathrooms, no sewer, no electricity or water and an unsightly unfinished building. Mr. Berdar has had ample time to finish construction of this building. Which are the concerns that if this is the current condition, we as property owners do not want to look at unsightly buildings in a newly zoned area that will not be properly maintained. If Mr. Berdar has been willing to break the law with no liquor license, then what else will he be willing to do on the said property. We as property owners cannot allow the blatant decrease of our property value because of one person. We need to know what CCR's and plans are to be put in place if there is ever to be any development of said acreage and any impact surveys.

Information, for your knowledge, Mr. Berdar has multiple LP's and LLC's and registered businesses of which none seem to be thriving with duplicity practices. Mr. Berdar has already registered in anticipation of your approval of his zoning change the following:

- The Meadows at Star Valley, LLC a Wyoming Domestic Limited-Liability Company Aug 11, 2021. Website: www.themeadowsatstarvalley.com
- LEI Engineers & Surveyors, Website: www.lei-eng.com/landscape/the-meadows-at-star-valley/
- The Meadows at Star Valley Homeowners Association a Wyoming Domestic Limited-Liability Company, Apr 6, 2022
- TJ Horses, LLC a Wyoming Domestic Limited-Liability Company, Nov 5, 2024
- Star Valley Ranch Real Estate, LLC a Wyoming Domestic Limited-Liability Company, Aug 21, 2017, Realtor Ed Koontz listed as registered Agent
- Star Valley Farms, LLC a Wyoming Domestic Limited-Liability Company, Mar 4, 2022

- CB & S Construction, Inc. (Incorporator) a Wyoming Domestic Limited-Liability Company, February 9, 2022
- CB & S Enterprises, Inc. (Incorporator) a Wyoming Domestic Limited-Liability Company, Apr 16, 2018
- Christian Brothers and Sisters Ministries, Inc. (Chief Financial Officer) a California non-profit Corporation – CA- Religious, Jan 1, 2022
- Christian Brothers and Sisters Ministries, Inc. (Chief Executive Officer) a California non-profit Corporation – CA- Religious, Jan 1, 2022
- Triple Helix, LLC a Wyoming Domestic Limited-Liability Company, Feb 15, 2011, Registered Pres Bryan Nield, Chubbuck, ID; VP Benjamin Nield, Chubbuck, ID; Sec/Treas Karenn Nield; Director Thomas Nield.
- Creation Land Company, LP a California Limited Partnership – CA, Sep 8, 2011
- CB & S Construction, Inc. (Chief Financial Officer) a California Stock Corporation – CA – General, Nov 4, 2004
- CB & S Construction, Inc. (Director) a California Stock Corporation – CA – General, Nov 4, 2004
- CB & S Construction, Inc. (Incorporator) a California Stock Corporation – CA – General, Apr 16, 2018
- CB & S Construction, Inc. (Secretary) a California Stock Corporation – CA – General, Nov 4, 2004
- Berdar Construction Company (Owner) a Idaho Assumed Business Name
- Sweet Stream Falls LLC (Chief Executive Officer) a California Limited-Liability Company – CA, Mar 4, 2021
- Sweet Stream Falls LLC (Manager) a California Limited-Liability Company – CA, Mar 4, 2021
- GSB Land Company LLC a California Limited-Liability Company – CA, Feb 11, 2005

*All information provided is public knowledge and providers are held harmless.

His request for a Conditional use permit allows specific land use not generally permitted in a zoning district. Variance grants exceptions to zoning regulations for property owners. Conditional use permit doesn't change zoning designation, while variance deviates from requirement.

In summary, it is the opinion that said property owners who have spoken personally to Mr. Berdar. Has stated his intentions are to get the overflow from Leasure Valley RV Park. As this location would be dry camping, attracting high volume traffic, unsustainable for Cedar Creek Rd. While granting a Conditional use permit would satisfy the needs of Mr. Berdar, without rezoning said property. Making this decision to rezone would be devastating to our valley and the owners whose property values would be affected.



L White <lorriewhite1@gmail.com>

Re: CUP submittal

1 message

Robeckert <robeckert@aol.com>

Mon, Jan 13, 2025 at 8:19 AM

To: Chip White <1chipwhite@gmail.com>, "L. White" <lorriewhite1@gmail.com>

Read from bottom up....Greg sent this to me after phone call

Sent from the all new AOL app for iOS

On Wednesday, January 8, 2025, 9:07 PM, Robeckert <robeckert@aol.com> wrote:

Greg,

Thank you for the information.

Once again, I want to make it clear that I have no objection whatsoever to the Blue Ribbon business as it stands today. I view it as a wonderful addition to our neighborhood. The many nice things that are sold there to include homemade jam, honey, flowers, pumpkins etc are perfectly in line with the rural values we share here in Star Valley.

I will however, strongly object as I have mentioned, to any change in zoning that would allow a more developed neighborhood.

Thanks Again,
Robert

Sent from the all new AOL app for iOS

On Wednesday, January 8, 2025, 4:14 PM, Greg <greg@cbs-wy.com> wrote:

Rob,

Here is the submittal that we made along with the Conditional Use Permit application. The conditional use will allow the uses described in this document along with whatever changes come from the public meetings. Additions or subtractions.

Again, this is not like CA. Because it is zoned recreational does not mean you can operate a business without a use permit, even in mixed use. All Conditional Use Permits are approved through a public meeting. Outside of the use described in this attachment we can not do other business things without another application and meeting. If I sold it, the new owner could not do any business use outside of this permit. If you read the county documents you will see that if someone does go outside of this permit, it will breach the contract and null the permit. You can look up the CUP application and read all of the conditions along with the code you were reading to me.

There is not possibility that sometime down the road that someone can do any business outside of this permit without you being able to voice your opinion about it, along with anyone else who wants to weigh in.

I think you are correct with your view of what you fear is coming. I know it coming in like a wave and no matter one's position nothing is going to be able to be done about it. What you've seen since you got here is going to be double if not triple in the next 5 or so years. Lower valley outside of Alpine went from about 2500 to about 8 or 9000 since 2017. With the Ranch issuing more permits every year than before, the new subdivisions coming on line and and build out of existing neighborhoods, I expect we'll see more moves here than we did in the previous four just because the coming economy will prompt people to make the move knowing life is going to be good for awhile. Meaning the graph on page three will change to show the area is growing in size but also economy. More people. Over in our Thayne

subdivision we are expecting to move 16 units our selves. I've also included an email with updates to the attached report. 26% increase over last year. That's about 800-1000 people a year if they can find a place to buy or rent.

--

Have a great day,

CB&S ENTERPRISES, INC.

Greg Berdar

President

(307) 222-9707

Thayne, Wyoming

RECEIVED

JAN 13 2025

Deann Skajem
PO Box 1148
431 Caribou Loop
Thayne, WY 83127

paintmasterwoman@mac.com

Planning & Development
Lincoln County, WY

Misty Sanderson

January 12, 2025

Mr. Ken Kuluski
Office of Planning and Development – Afton Office
Lincoln County, Wyoming
61 E 5th Avenue Ste. 701
Afton, WY 83110
planning@lincolncountywy.gov

RE: Rezoning Application – Blue Ribbon Barn
File No. 601 RZ 25
Comment Letter

Dear Mr. Kuluski:

This letter serves as my comment to the Lincoln County, Wyoming, Office of Planning and Development's Notice of Applicant Creation Land Company, LP's request to rezone the Blue Ribbon Barn property (hereinafter "subject property"), owned by Greg and Jan Berdar (erroneously spelled "Berger" within Notice) under the Limited Partnership entitled "Creation Land Company," and described therein as a 77.4-acre parcel located less than a mile West of the Town of Star Valley Ranch, Wyoming, in Township 34 North, Range 119 West, Section 2, Lots 1 and 2, Lincoln County, Wyoming, from **Rural Zone** to **Recreational Zone**.¹

I received a copy of the Notice through a neighbor whose property is located within a 300-foot radius of the subject property, and thus was subject to the notice provisions of Land Use Regulations for Lincoln County, Wyoming ("Regulations"), Chapter 1, 1.4.B.3. During a review of the rezoning Regulations, I noted that, pursuant to Regulations Chapter 1, 1.4.B.1.a-d, the Planning and Zoning Commission's evaluation focus in determining whether to grant the rezoning application, in pertinent part: a) is consistent with the goals

¹ Some neighbors have requested to join in my comment letter. Their names and contact information follow my closing electronic signature, which is located on the bottom of Page 4. I am not licensed to practice law in Wyoming. I do not represent individuals joining in my comment, nor have I ever provided any legal advice to any individual in Wyoming on any matter requiring a license to practice law in Wyoming. I write this comment solely as a person both concerned and impacted by the application to rezone.

and objectives of the Lincoln County Comprehensive Plan; b) provides evidence that the proposal will not overburden existing road, utility and service infrastructure or that impacts will be adequately mitigated; c) provides evidence that the proposal does not adversely affect the rate of infill development of the requested zone in order to avoid unnecessarily extending road and utilities; and d) provides evidence that the proposal will not disproportionately increase the cost to the public for providing services.

Regulations Chapter 1.1.A, states that *Lincoln County zoned land for residential and non-residential purposes to promote health, safety, morals and general welfare.*

Lincoln County is extremely large and includes Star Valley in its northwestern-most jurisdiction. Star Valley encompasses Smoot to the south, northward through Afton, Thayne, Etna, and Alpine at the north end. Highway 89, which is a two-lane highway between Afton and Etna, is the only road that allows passage directly through Star Valley, and as such experiences heavy traffic throughout most of the day and into the night. County Road 118—a two-lane highway—provides access from Highway 89 to the City of Star Valley Ranch, which is Mixed Zone and the adjacent Star Valley Ranch RV Park (“SVR RV Park”). SVR RV Park is designated as a Recreational Zone. In recent years, SVR RV Park’s application to expand the SVR’s RV Park was approved. SVR RV Park has not yet completed its expansion. Fixed seasonal housing and an **expanding** RV Park are located within the SVR RV Park Recreational Zone.

The ingress/egress road to/from Highway 89 is County Road 118. From May – September, the traffic on County Road 118 has become extremely congested at the intersection with Highway 89 due to the increase in vehicular traffic caused by the SVR RV Park expansion. The speed limit for Highway 89 at County Road 118 is 65 mph. I have personally witnessed multiple near-collisions at that intersection, which is controlled by a westbound-to north or south Highway 89 stop sign, caused by vehicles exiting from County Road 118 to north/southbound onto Highway 89 have not yielded right-of-way to Highway 89 vehicular traffic. I have twice observed the aftermath of a major traffic collision at the intersection.

We live in the subdivision directly north of the subject property across County Road 118. Our subdivision has two ingress/egress access points onto County Road 118. There are no other ingress/egress access points for our subdivision. The ingress/egress access points for our subdivision are directly across the road from the ingress/egress access points for the subject property onto County Road 118. The location of the subject property does not allow access to or from any other road without first obtaining easement(s) through private property. To-date, the subject property has operated during the late spring, summer and

early fall as a commercial venture under the name “Blue Ribbon Barn,” for the sale of handcrafted hot or iced coffee products and food. Water was transported to the property, and electricity for refrigeration of milk products to support the venture was supplied via the use of a propane-powered RV refrigerator. The traffic coming to and from the subject property during those months was minimal at best and has not appeared to cause a strain on traffic patterns on County Road 118.

I had conversations with both Jan and Greg Berdar in 2022, when Mr. Berdar was seeking investors to so he could purchase SVR. Mr. Berdar told me that—should he gain ownership of SVR—he would make it more like California, including building an on-site 7-Eleven convenience market/liquor store, grocery store and gas station. In 2023 I became aware that Mr. Berdar was seeking investors to facilitate application to rezone and subdivide the subject property and sell lots. It appears that Mr. Berdar is now seeking to create a Recreational Planned Unit Development similar to SVR. **The creation of a Recreational Planned Unit Development at the subject property will overstrain County Road 118. It is probable that the only way to allow for safe ingress/egress onto Highway 89 will be to install a traffic light, which could potentially be at the tax-payer’s expense.**

The Stewart family both owns SVR, and maintains control over our subdivision’s CC&Rs, including maintenance of our subdivision’s road and water supply. The source of our subdivision’s water is shared with SVR. Since the expansion of SVR’s RV Park, the Stewart family has been actively monitoring individual subdivision parcel water meters to document consumption of water. The Stewart family has ordered some of the subdivision property owners to reduce water consumption and cease watering trees and/or lawns or face being charged for water. These orders were presumably to ensure an adequate supply of water to the RV Park expansion project and golf course. The relevance of this to the subject property rezoning application is that the current zoning and community water use is even now causing a strain on water resources. **The addition of a Recreational Planned Unit Development at the subject property will overstrain the already-overstrained Community water resources.**

Additionally, any plan to bring water to the subject property will presumably require that irrigation lines are installed, which necessitates either/both the temporary blocking and/or destruction of a portion of County Road 118 to accomplish the project. **A water irrigation project will cause a disruption in ingress/egress along County Road 118, thus overstraining traffic patterns on an already-busy county road.**

Rezoning the subject property from Rural to Recreational, with the creation of a Recreational Planned Unit Development that will undoubtedly be the result, will additionally cause noise and light pollution in an area that is blissfully quiet and rural in feel. Rezoning will both literally and figuratively change the landscape such that the quiet use and enjoyment of my property, subdivision and neighborhood will be destroyed, along with a preventable reduction in property value to my and my husband's property, as well as the sub-division as a whole. We purchased our property with the understanding that, while development could occur at the intersection of County Road 118 and Highway 89, we would be surrounded largely by agricultural property. This understanding was and is based on the current zoning in our area, which is a health mix that ensures enjoyment of our beautiful surroundings by both residents and visitors alike. **Rezoning the subject property will damage/destroy our quiet use and enjoyment of our property and the surrounding area and will cause disruption of the balanced zoning in our neighborhood, as well as an unnecessary and unexpected reduction in the value of our property and surrounding subdivision.**

Our Valley is the scenic gateway to the Bridger-Teton National Forest, Jackson Hole, Eastern Idaho, and Idaho's Caribou National Forest. It is predominantly rural/agrarian. The current zoning is a measured approach to the careful balance of Rural, Mixed, Recreational, Industrial and Public Zones. Given its location, so close to the massive SVR Recreational Zoning RV Park, rezoning the subject property from Rural to Recreational will cause an unconscionable traffic burden on an already strained county road, and an undue burden on the community water resources. Moreover, the cost of installing a traffic light to ensure safe egress from County Road 118 to Highway 89, given the increase of vehicular traffic that will result from the rezoning, will most likely fall to taxpayers who are already overburdened with extremely high property taxes. Lastly, rezoning will destroy the delicate balance of current zoning in our area and cause an unnecessary, unexpected and preventable loss of the quiet use and enjoyment of my home, subdivision and surrounding area, and will cause a preventable reduction in property value.

For these reasons, I urge you to deny the above-referenced application to rezone the Blue Ribbon Barn 77.4-acre parcel from Rural to Residential. I will attend any hearing. I reserve the right to supplement this comment with additional information. I further request to be provided with any impact studies submitted in furtherance of the rezoning application.

Thank you for your consideration,


/s/ Deann Skajem

Signatures/Contact Information of Neighbors Joining in My Comment Letter:

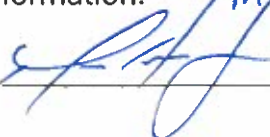
Name: **Sarah and Jeremy Daniel**
Address: **198 Bridger Dr**
Contact Information: **sadaniel23@yahoo.com**

Signature:  Date: 1/12/2025

Name:
Address:
Contact Information:

Signature:  Date: 1/12/2025

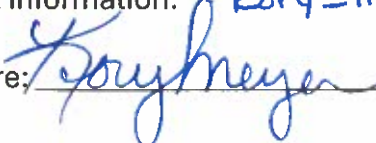
Name: **Michael J. Skoven**
Address: **431 CARIBOU CREEK, THAYNE, WY 83127**
Contact Information: **michaelz1968@yahoo.com**

Signature:  Date: JAN 12 2025

Name: **DAVID T MEYER**
Address: **234 Bridger Dr, Thayne WY 83127**
Contact Information: **mm16925@yahoo.com**

Signature:  Date: JAN 13 2025

Name: **Kory Meyer**
Address: **234 Bridger DR.**
Contact Information: **kory-meyer@yahoo.com**

Signature:  Date: Jan 13, 2025

Signatures/Contact Information of Neighbors Joining in My Comment Letter:

Name: DAVID, N. MITCHELL JR.
Address: P.O. BOX 314 (478 CARIBBEAN LOOP THAYNE, WY 83127)
Contact Information: 352-632-1588
Signature: Edwin N. Mitchell Jr. Date: 01-13-25

Name: Janna R. Gaughan
Address: PO Box 972 / 799 Bridger Drive, Thayne, WY 83127
Contact Information: 352-516-5260
Signature: Janna R. Gaughan Date: 1-13-2025

Name: Danny Gaughan
Address: Po Box 972 / 799 Bridger Drive, Thayne, WY 83127
Contact Information: 352-516-5158
Signature: Danny Gaughan Date: 1-13-25

Name: _____
Address: _____
Contact Information: _____
Signature: _____ Date: _____

Name: _____
Address: _____
Contact Information: _____
Signature: _____ Date: _____

Office of Planning and Development
421 Jefferson Street
Afton, WY. 83110

March 7, 2025

Attn: Planner Ken Kuluski

Re: Blue Ribbon Barn - Rezone
File Number 601 RZ 25

Dear Planning and Zoning Commission and Planner Kuluski,

On behalf of our local community, we respectfully submit the attached petition with over 100 signatures (108 to be exact) to voice our opposition to the proposed rezoning of 77.4 acres from the Rural Zone to the Recreational Zone. The proposal under consideration rezones 77.4 acres in order to grant a Conditional Use Permit to a very small gift shop that is about 200 square feet in size and operates part-time for 4 months of the year. The adjoining event venue is used only a handful of times during the summer months. If, for example, there are 6 events lasting 4 hours each, that amounts to 24 hours or the equivalent usage of 1 day per year. The barn itself probably occupies an acre.

Rezoning this parcel to Recreational would open the door to developing the remaining 76 acres in ways that would not be possible with its current designation as Rural. It is for this reason the petitioners on the attached strongly urge the Planning and Zoning Commission to deny this rezoning application, and to find a more sensible way to give the Blue Ribbon Barn an operating permit.

We greatly appreciate your consideration.

The Undersigned Petitioners

RECEIVED

MAR 7 2025

Planning & Development
Lincoln County, WY



PETITION AGAINST REZONING THE BLUE RIBBON BARN AND 77.4 ACRES FROM RURAL TO RECREATIONAL

CREATION LAND COMPANY, LP AND OWNER GREG BERDAR HAVE REQUESTED TO REZONE 77.4 ACRES ON COUNTY ROAD 118 FROM RURAL TO RECREATIONAL TO ALLOW COMMERCIAL USE OF THE PROPERTY. IF APPROVED, THE PROPOSED REZONING WOULD BROADEN THE ALLOWABLE USES OF THE LAND TO INCLUDE AN RV PARK, HIGHER DENSITY HOUSING, AND OTHER USES NOT PERMITTED WITH ITS CURRENT RURAL ZONING. THIS WOULD DRAMATICALLY INCREASE TRAFFIC ON CR118, INTRODUCE ENVIRONMENTAL CONCERNS, DESTROY THE RURAL AND SCENIC NATURE OF STAR VALLEY, AND DECREASE PROPERTY VALUES IN THE AREA.

RECEIVED

MAR 7 2025

SIGNATURES AGAINST THE PROPOSED REZONING

Planning & Development
Lincoln County, WY

NAME (Print)

SIGNATURE

ADDRESS

1.	David Ruthardt	David Ruthardt	320 Vista East Dr SVR, WY 83127
2.	Jack Edwards	Jack Edwards	218 Caribou Loop, Thayne 83127
3.	Robert Gallen	Robert Gallen	173 Roan Way Etna 83118
4.	Cara Gallen	Cara Gallen	173 Roan Wy Etna 83118
5.	Cynthia Munger	Cynthia Munger	222 Buckskin Way Etna 83118
6.	ANGELIKA NEWMAN	Angie Newman	221 COUNTRY CLUB WAY, THAYNE 83127
7.	Deann Skajem	Deann Skajem	431 Caribou Loop Thayne 83127
8.	Mike Sisson	Mike Sisson	431 Caribou Loop Thayne 83127
9.	Jammi Narmi	Jammi Narmi	394 Caribou Loop, Thayne 83127
10.	Mike Narmi	Mike Narmi	394 Caribou Loop, Thayne 83127
11.	Edna Mitchell	Edna Mitchell	478 CARIBOU LOOP, THAYNE 83127
12.	Adam Robbins	Adam Robbins	528 Caribou Loop, Freedom, WY 83120
13.	Tommy Gaughan	Tommy Gaughan	799 Bridger Dr Thayne 83127
14.	Danny Gaughan	Danny Gaughan	799 Bridger Dr Thayne 83127
15.	Angela Jeske	Angela Jeske	52 Teton Way Thayne 83127

PETITION AGAINST REZONING THE BLUE RIBBON BARN AND 77.4 ACRES FROM RURAL TO RECREATIONAL

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SIGNATURES AGAINST THE PROPOSED REZONING

NAME (Print)	SIGNATURE	ADDRESS
16. Sandra Nelson	Sandra Nelson	626 St Hwy Freedom, WY 83120
17. BOB BINGHAM	Bob Bingham	3522 Muddy String THAYNE WY 83127
18. Jeremy Jordan	Jeremy Jordan	
19. Jared Erickson	Jared Erickson	126 Holly Dr. SVR
20. Colleen Rose	Colleen Rose	120 Fairway Ave
21. KEITH ROSE	Keith Rose	120 Fairway Ave
22. Riley Erickson	Riley Erickson	126 Holly Dr. SVR
23. Tori Jenkins	Tori Jenkins	127 Bearlake Dr. SVR
24. Nancy Dana	Nancy Dana	3510 Muddy String Rd Thayne
25. TRAVIS DANA	Travis Dana	3510 Muddy String Rd Thayne
26. Sue Lewis	Sue Lewis	705 Cedar Springs Dr. Thayne
27. Tom Leages	Tom Leages	705 Cedar Springs Dr. Thayne
28. Donke Nelson	Donke Nelson	301 Fairway Thayne

PETITION AGAINST REZONING THE BLUE RIBBON BARN AND 77.4 ACRES FROM RURAL TO RECREATIONAL

CREATION LAND COMPANY, LP AND OWNER GREG BERDAR HAVE REQUESTED TO REZONE 77.4 ACRES ON COUNTY ROAD 118 FROM RURAL TO RECREATIONAL TO ALLOW COMMERCIAL USE OF THE PROPERTY. IF APPROVED, THE PROPOSED REZONING WOULD BROADEN THE ALLOWABLE USES OF THE LAND TO INCLUDE AN RV PARK, HIGHER DENSITY HOUSING, AND OTHER USES NOT PERMITTED WITH ITS CURRENT RURAL ZONING. THIS WOULD DRAMATICALLY INCREASE TRAFFIC ON CR118, INTRODUCE ENVIRONMENTAL CONCERNS, DESTROY THE RURAL AND SCENIC NATURE OF STAR VALLEY, AND DECREASE PROPERTY VALUES IN THE AREA.

SIGNATURES AGAINST THE PROPOSED REZONING

NAME (Print)	SIGNATURE	ADDRESS
29. Jackie Simmons		48 Sprule dr. Star Valley ranch
30. Leanna Simmons		P.O. Box 901 Afton WY 83112
31. Tamra Gentry		841 Clark Lane Etua WY 83118
32. Charles Gentry		PO BOX 5635 - Etua 841 Clark Lane Etua WY 83118
33. Laurel Weeks		PO BOX 5635 Etua
34. Julie Davis		PO BOX 277 Thayne, WY 83127
35. Chris Davis		53 TETON WAY THAYNE, WY 83127
36. Clark Eckert		53 TETON WY, THAYNE, WY 83127
37. Hyrum Arbizu		P.O. Box 417 Thayne, WY 83127
38. E. Senter Timmons		4125 highway 241 Afton, WY 83110
39. Phyllis Timmons		175 Bridger Dr. Thayne, WY 83127
40. Fallon Mork		175 Bridger Dr. Thayne, WY 83127
41. Joel Mork		25 ALTA DR. #7709 SVR, WY. 83127
42. Cynthia Chager		25 Alta Dr #7709 SVR, WY. 83127
43. Ronald J Hager		63 Bridger Dr. Thayne
		63 Bridger Dr. Thayne

44.	Dan Jске		52 Teton Way Thayne WY 83127
45	Dan Jске		353 Bridger Drive 83127
46	Cafe Jones		354 Bridger Drive 83127
47	Charles White		46 Yosemite Dr. 83127
48	Clare White	Clare Forness White	"
49	Robert Eckert		46 Bridger Dr. 83127
50	Amber Jackson	Amber Jackson	587 Alpine Way SVR WY 83127
51	Kurt Linford		293 Bridger Drive 83127
52	Shantay Mobley	Shantay Mobley	5508 City Rd 125 Freedom WY 83120
53	Jared Mobley		5508 CR 125 Freedom WY 83120
54	Katie Jorgensen		179 Marie Lane Alpine, WY 83128
55	Nicole Gail		1315 main Street, Thayne WY 83127
56	Adam Starr		336 CARIBOU LOOP THAYNE WY 83127
57	Kory Meyer	Kory Meyer	234 Bridges Dr, Thayne, WY
58	Todd Meyer	Todd Meyer	" "
59	Kimberly Kolstad		336 CARIBOU LOOP, THAYNE, WY
60	Perry Cooper		78 Caribou Loop, Thayne
61	Stephanie Cooper		"
62	Alex Ponce		118 Brambleberry Dr.
63	Wendy Beckitt		123 Brambleberry Dr.
64	Dawn Braden Smith		138 Brushwood Dr
65	Whitney Bradley		111 Brushwood Dr
66	Tammy Becken		16 Barberry Way
67	Megan Klein		314 Bramble Berry
68	Travis Klein		314 Bramble Berry
69	Marcia Larsen		314 Bramble Berry

70 CHRIS BOICE 69 Yellowstone Dr. Thayne, WY 83127

71 Dawn Murphy 69 Yellowstone Dr., Thayne, WY 83127

PETITION AGAINST REZONING THE BLUE RIBBON BARN AND 77.4 ACRES FROM RURAL TO RECREATIONAL

CREATION LAND COMPANY, LP AND OWNER GREG BERDAR HAVE REQUESTED TO REZONE 77.4 ACRES ON COUNTY ROAD 118 FROM RURAL TO RECREATIONAL TO ALLOW COMMERCIAL USE OF THE PROPERTY. IF APPROVED, THE PROPOSED REZONING WOULD BROADEN THE ALLOWABLE USES OF THE LAND TO INCLUDE AN RV PARK, HIGHER DENSITY HOUSING, AND OTHER USES NOT PERMITTED WITH ITS CURRENT RURAL ZONING. THIS WOULD DRAMATICALLY INCREASE TRAFFIC ON CR118, INTRODUCE ENVIRONMENTAL CONCERNS, DESTROY THE RURAL AND SCENIC NATURE OF STAR VALLEY, AND DECREASE PROPERTY VALUES IN THE AREA.

SIGNATURES AGAINST THE PROPOSED REZONING

NAME (Print)	SIGNATURE	ADDRESS
72 GARY CARVALHO	<i>Gary Carvalho</i>	521 COUNTY CLUB WAY THAYNE
73 Holly Armstrong	<i>Holly Armstrong</i>	670 Hoback Dr. Thayne, WY 83127
74 Patricia Robison	<i>Patricia Robison</i>	30 LAST CHARGE CIRCLE STARVLY RANCH
75 Ida Beth Lawton	<i>Ida Beth Lawton</i>	200 Roberts Thayne, WY 83127
76 LARRY LAWTON	<i>Larry Lawton</i>	200 ROBERTS, THAYNE WY 83127
77 Karen Bates	<i>Karen Bates</i>	486 Hoback Dr Thayne
78 Brian Bates	<i>Brian Bates</i>	486 Hoback Dr Thayne
79 Karen Eckert	<i>Karen Eckert</i>	46 Bridger Drive Thayne
80 Dawn Schultz	<i>Dawn Schultz</i>	115 Bridger Dr Thayne
81 David Schultz	<i>David Schultz</i>	115 Bridge Dr Thayne

PETITION AGAINST REZONING THE BLUE RIBBON BARN AND 77.4 ACRES FROM RURAL TO RECREATIONAL

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SIGNATURES AGAINST THE PROPOSED REZONING

NAME (Print)

SIGNATURE

ADDRESS

82 WILLIAM L. BOICE William L. Boice 69 YELLOWSTONE DR.
THAYNE, WY 82127

83 Janice L. Boice Jan Boice 69 Yellowstone Dr.
THAYNE, WY 82127

SIGNED 2-27-2025

PETITION AGAINST REZONING THE BLUE RIBBON BARN AND 77.4 ACRES FROM RURAL TO RECREATIONAL

CREATION LAND COMPANY, LP AND OWNER GREG BERDAR HAVE REQUESTED TO REZONE 77.4 ACRES ON COUNTY ROAD 118 FROM RURAL TO RECREATIONAL TO ALLOW COMMERCIAL USE OF THE PROPERTY. IF APPROVED, THE PROPOSED REZONING WOULD BROADEN THE ALLOWABLE USES OF THE LAND TO INCLUDE AN RV PARK, HIGHER DENSITY HOUSING, AND OTHER USES NOT PERMITTED WITH ITS CURRENT RURAL ZONING. THIS WOULD DRAMATICALLY INCREASE TRAFFIC ON CR118, INTRODUCE ENVIRONMENTAL CONCERNS, DESTROY THE RURAL AND SCENIC NATURE OF STAR VALLEY, AND DECREASE PROPERTY VALUES IN THE AREA.

SIGNATURES AGAINST THE PROPOSED REZONING

NAME (Print)

SIGNATURE

ADDRESS

84	Carol Hainey	Carol Hainey	220 Sugar Loaf SVR
85	Nari Stewart	Nari Stewart	Po Box 3154 Alpine
86	Brent Hainey	Brent Hainey	SVR
87	Rachel Vickers	Rachel Vickers	795 Vista Dr SVR
88	Michael Warch	Michael Warch	975 Vista West SVR
89	Linda Kocha	Linda Kocha	35 Sugar Loaf Cir.
90	Mikelle Kocha	Mikelle Kocha	35 Sugar Loaf Cir.
91	Lyla Vickers	Lyla Vickers	795 Vista Dr
92	Julie	Julie	35 Sugar Loaf Cir.
93	Juleni Mattingly	Juleni Mattingly	
94	Ruby Mattingly	Ruby Mattingly	
95	McKenzie Peterson	McKenzie Peterson	
96	Cameron Brown	Cameron Brown	
97	Julie Winter	Julie Winter	
98	Sandra Kocha	Sandra Kocha	

99	Brad Hainey	Brad Hainey	
100	Scott Albright	Scott Albright	
101	Scott Albright		
102	Kathy S Williams	Kathy S Williams	
103	David K Howard	David K Howard	
104	Megan McCormick	Megan McCormick	
105	Brian McCormick	Brian McCormick	
106	Ray C. C. C.	Ray C. C. C.	
107	Licki Buckley	Licki Buckley	SIR
108	Jim Buckley	Jim Buckley	SIR

SIGNATURES AGAINST THE PROPOSED REZONING

ADDRESS

[illegible]

LINCOLN COUNTY PLANNING & ZONING COMMISSION

STAFF REPORT

Conditional Use Permit Application

HEARING TIME AND DATE:

LOCATION: Lincoln County Courthouse, Commissioner Boardroom 3rd Floor, 925 Sage Ave.,
Kemmerer, Wyoming & Afton Planning & Development Office, 61 E. 5th Ave., Afton, Wyoming

FILE # 101 CUP 25

APPLICANTS: Creation Land Company, LP

PROJECT NAME: Blue Ribbon Barn

COMMUNITY PLAN AREA: Star Valley Ranch

ZONING: Recreational

REPRESENTATIVE: Greg and Jan Berdar

PLANNER: Ken Kuluski

PARCEL ID: 3419-02-1-00-046

PROPOSAL: A Conditional Use Permit Application proposal to allow a 500 sq ft retail space and a 1500 sq ft event venue in the Recreational Zone. Access is existing off of Cedar Creek (Co Rd 118). The Applicant plans to use the existing barn for a retail store approximately 15' X 20' and indoor event hall that is 30' X 50'. The retail store and the indoor event venue from May 1st to November 15th.

LOCATION: Located less than a mile west of the Town of Star Valley Ranch, Wyoming in T34N, R119W, Section 2.

ATTACHMENTS:

1. Vicinity Map
2. Site Plan
3. Applicant Statement of Details
4. Agency Correspondence
5. Public Correspondence

PLANNING STAFF RECOMMENDATION:

Planning staff recommends that the Planning & Zoning Commission send a recommendation of **APPROVAL** to the Board of County Commissioners for File #101 CUP 25, a Conditional Use Permit, with:

- Findings of Approval A. through D.
- Conditions of Approval 1. through 13.

FINDINGS OF APPROVAL:

- A. The proposed use, with conditions is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
- B. The proposed use, with conditions is consistent with the provisions of the Lincoln County Land Use Regulations, specifically: Chapter 3, Section 3.1 Conditional Use Permit Procedures.
- C. The proposal, with conditions is consistent with the provisions of Wyoming Statute 18-5-203 providing for Board of County Commissioners authority for zoning regulation of buildings and uses of land.
- D. The proposed use, with conditions, will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience and welfare.

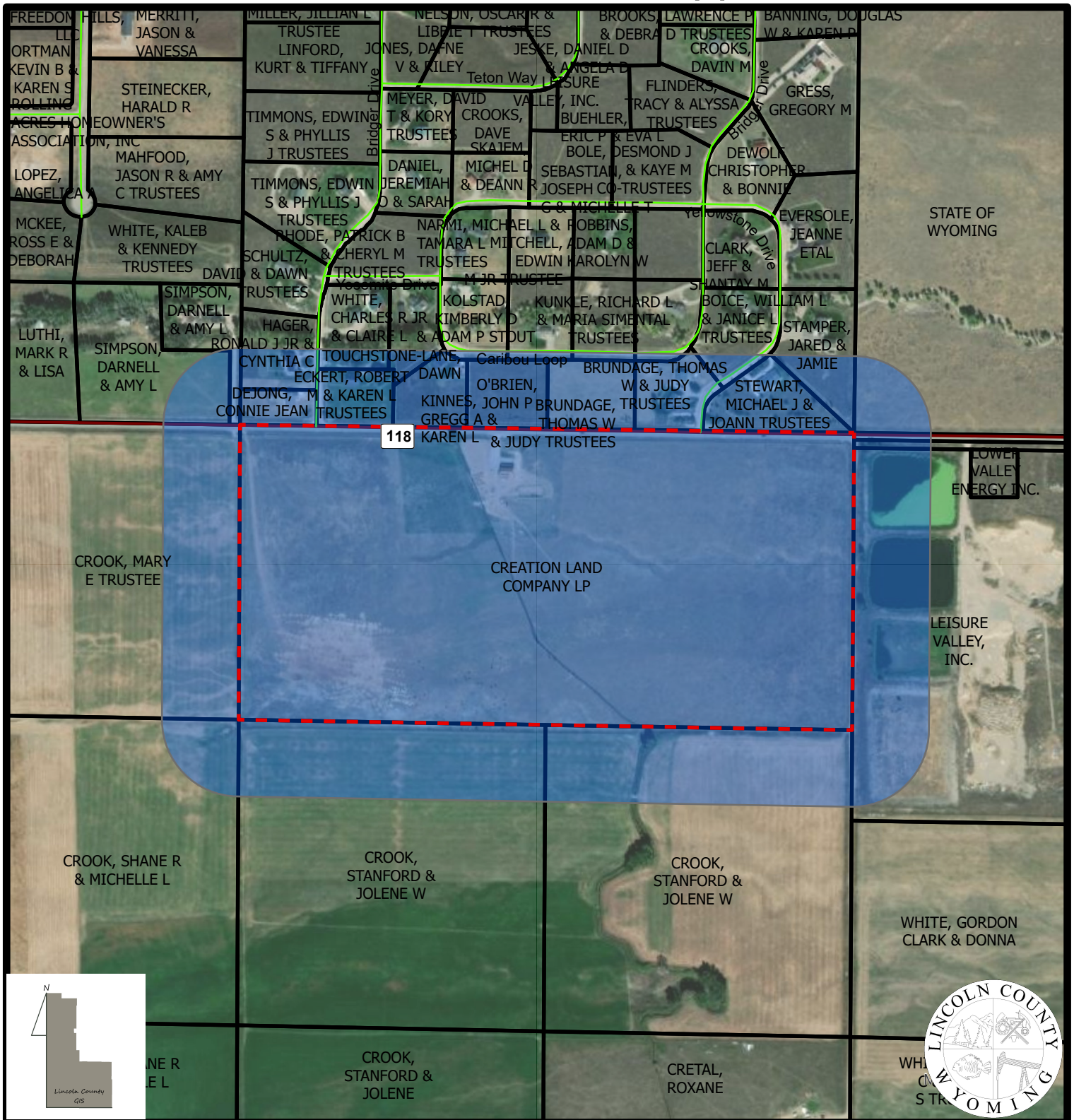
CONDITIONS OF APPROVAL:

- 1. The developer/owner shall comply with all of the County, State and Federal laws and regulations.
- 2. Compliance with agency requirements: The developer/owner shall obtain any and all County, State, and Federal permits, licenses, and other approvals for the construction and/or operation of the project. This may include: Local Fire District, Wyoming Department of Fire Prevention and Electrical Safety (State Fire Marshal), Wyoming State Engineer's Office (SEO), Wyoming Department of Transportation (WYDOT), Wyoming Game and Fish, Wyoming Department of Environmental Quality (DEQ), Army Corps of Engineers, Bureau of Land Management (BLM), and/or Environmental Protection Agency (EPA).
- 3. The developer/owner shall provide certificate of max occupancy.
- 4. The developer/owner shall obtain authorization for an Assembly Space from Wyoming Department of Fire Prevention and Electrical Safety (State Fire Marshal) prior to any operation.
- 5. The developer/owner shall provide adequate access to in accordance with Americans with Disabilities Act
- 6. The developer/owner shall provide a centralized water system permitted through WDEQ to include fire flows for fire hydrants
- 7. The developer/owner shall provide centralized treatment of wastewater
- 8. The developer/owner shall provide a site plan that includes the location of utilities, water and sewer systems, and hydrants to ensure health safety and welfare of the participants.
- 9. As built plans prepared by a Wyoming licensed engineer for water and sewer shall be provided to the Planning office prior to occupancy.
- 10. The developer/owner shall provide a traffic impact study that evaluates event traffic impact on Cedar Creek (County Road 118).
- 11. The developer/owner shall comply specifically with Land Use Regulations 6.10 Lighting (including exterior lighting and glare), 6.14 Parking by providing dedicated parking to accommodate max occupancy plus staff, 6.24 Solid Waste Disposal. Solid Waste shall be screened and designed to prevent trash from being scattered by wind or animal.
- 12. No alcohol is allowed on the premises without a Wyoming liquor license
- 13. Any modification / deficiency of this Conditional Use Permit renders it void and subject to fine.

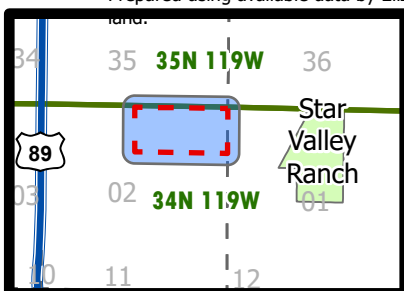
AGENCY CORRESPONDENCE: Attached

PUBLIC CORRESPONDENCE: Attached

Conditional Use Permit Application

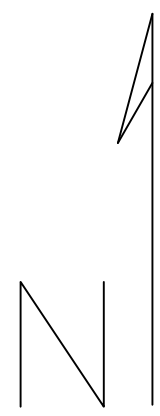


Prepared using available data by Elizabeth Williams on 26 December 2024. Map is for informational purposes only and in no way represents an official survey of



Roads
Road_Type
US Highways
WY Highways
Projects
Township & Range
Sections
Municipalities
Public Noticing

File No 101 CUP 25
Blue Ribbon Barn
Conditional Use Permit
Creation Land Co., LP



Creation Land Company, PO Box 889 Thayne, Wyoming 83127	JØB: CB&S Enterprises, Inc. dba Star Valley Farms. PO Box 889 Thayne, Wy. 83127
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Floor Plan

Drive way

N

Main Entries



Latrines

Emergency Exits

Wyoming State Fire Marshal

Occupancy: **Blue Ribbon Barn**

Occupancy ID: **100944**

Address: **750 Cedar Creek RD Thayne WY 83127**



Form: Maintenance M.

Inspection Type: **Maintenance**

Inspection Date: **5/29/2024**

By: Adams, Alan

Time In: **11:00**

Time Out: **11:30**

Authorized Date: **05/31/2024**

By: Adams, Alan

Next Inspection Date: **No Inspection Scheduled**

Inspection Description:

Mercantile Group M: display and sale of merchandise, stocks of goods, wares or merchandise incidental and accessible to the public.

Inspection Topics:

General Comments

No violations noted at time of inspection.

Passed

Status: General Site Comments

Notes: No violations observed at this time

Fire Protection Systems

901.6, Table; Inspection, testing and maintenance- fire extinguishers-annually w/tags attached

Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1.

Status: PASS

Notes:

Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
----------	-------------------	-----------------

Notes: No Additional time recorded

Total Additional Time: 0 minutes

Inspection Time: 30 minutes

Total Time: 30 minutes

Summary:

Overall Result: Passed

Maintenance and plan review projects when no corrections are needed and all inspections are completed.

Inspector Notes:

Inspector:

Name: Adams, Alan
Rank: Fire Inspector
Mobile Phone(s): 307-389-2376
Email(s): alan.adams@wyo.gov
Adams, Alan:



Signed on: 05/31/2024 09:21

Signature

Date

Representative Signature:

Signature

Date



Blue Ribbon Barn

1 message

Annette Eggleston <annette.eggleston3@gmail.com>

Thu, Feb 20, 2025 at 11:53 AM

To: ken.kuluski@lincolncountywy.gov

I would just like to let you know that I am in favor of the rezoning of the Blue Robbin Barn. They are so wonderful to allow a place for small cottage based vendors to promote our products. It is a great place to go and have a great time. I have enjoyed a lot of their events over the last few years. Please consider allowing this zoning to pass.

Thank you,
Annette Eggleston
Annette's Kitchen Creation



Support for Blue Ribbon Barn Rezoning

1 message

Kate Gessford <kate.gessford@gmail.com>
To: ken.kuluski@lincolncountywy.gov

Fri, Feb 21, 2025 at 12:31 PM

Dear Ken Kuluski,

I am writing in strong support of Blue Ribbon Barn's rezoning application. As a small producer at Old Dog Farm in Etna and an active advocate for our local food movement, I have seen the vital role Blue Ribbon Barn plays in preserving and enhancing our local food infrastructure.

Partnering with Blue Ribbon Barn this summer will allow us to provide more people with superior quality, locally grown fruits and vegetables, which is largely lacking in our lower valley community.

As a small-scale farmer, I urge you to support Blue Ribbon Barn. Their ability to remain operational and continue providing access to locally sourced food directly supports local agriculture and strengthens the economic and social fabric of our area. Thank you for considering this critical step toward supporting community-driven agriculture and small businesses in our region.

Warmly,
Kate Gessford
Owner, Old Dog Farm



Blue ribbon barn

1 message

John Gullo <gepetto44@gmail.com>

Tue, Feb 25, 2025 at 8:12 AM

To: ken.kuluski@lincolncountywy.gov, janberdar@gmail.com

This is a tremendous asset to this community, which has very little retail customer activity. It should be approved to stay in business.



Blue Ribbon Barn

1 message

kip4jc@yahoo.com <kip4jc@yahoo.com>
To: ken.kuluski@lincolncountywy.gov

Mon, Feb 24, 2025 at 6:16 PM

Dear Mr. Ken,

From my understanding you are wanting customers who visit Blue Ribbon Barn to buy fresh chicken eggs, duck eggs, honey and many other products from this local company trying to make something and build their business.

I love going to this local place in the summer when open. I was introduced to fresh eggs here and love buying eggs, coffee etc from this local business. I do not know all the facts but from my understanding they are trying to refine their property, privately owned property at that do they can stay in business. If it's private property and it's tiny business why such a fuss to make a simple rezone section so they can continue to bring business into the local area? The state I'm sure collects taxes and etc for their business to be on their own property. Are you or the state wanting to close this business down? I hope not. The family who owns this business and runs this business is a huge asset to the community and is a simple mom and pop shop to bless us locals.

I pray you guys do not hurt this business in any way or the community. It's not hurting anything and is such a blessing. Thank you for doing what is morally right.

Sincerely,

Happy Customer

[Sent from Yahoo Mail for iPhone](#)



Blue Ribbon Barn

1 message

Ally <allyheimark@yahoo.com>

Fri, Feb 21, 2025 at 9:27 AM

Reply-To: Ally <allyheimark@yahoo.com>

To: "ken.kuluski@lincolncountywy.gov" <ken.kuluski@lincolncountywy.gov>

I support Blue Ribbon Barn and would like them to recieve whatever permanent permits they need to allow them to remain open for business, and continue to be a beautiful part of this community. Thank you

Allyson Heimark
Alpine Wyoming

[Yahoo Mail - Email Simplified](#)



Blue ribbon barn

1 message

nortonjlnk@gmail.com <nortonjlnk@gmail.com>
To: ken.kuluski@lincolncountywy.gov

Wed, Feb 26, 2025 at 11:04 AM

Please allow the re-zoning of the Blue Ribbon Barn which is a great place to gather socially and provides such a great service for the local community.

Thank you for your attention in this matter.

Judi Norton

Sent from my iPhone



Blue Ribbon Barn in Thayne

1 message

rsand14592@aol.com <rsand14592@aol.com>

Wed, Feb 26, 2025 at 1:14 PM

To: "ken.kuluski@lincolncountywy.gov" <ken.kuluski@lincolncountywy.gov>

Dear Sir:

I understand the Blue Ribbon Barn is under threat of destruction due to government action. My wife and I would be very disappointed if that should come to pass.

We live in Utah but enjoy summers at the Star Valley RV Resort. We have come to love going to the Blue Ribbon Barn once or twice a week for coffee and pastries and the occasional concert. Jan and the staff have always been very welcoming.

Please consider how the Blue Ribbon Barn benefits the community when making your decisions.

Richard Sandvig/Lauren Hughes
Washington, UT

Please con



Blue Ribbon Barn

1 message

RICHARD SANDVIG <rsand14592@aol.com>
To: ken.kuluski@lincolncountywy.gov

Fri, Feb 28, 2025 at 10:42 AM

We really enjoy having that "store" near us when we are in the Star Valley Resort Rv Park. Please keep it open since it is the only close "event center and cafe" near us

Thanks.

Laura Hughes

619.994.6886

Area code is not where I reside :)

Sent from my iPhone



The Blue Ribbon Barn

1 message

astraea.libra9 <astraea.libra9@gmail.com>
To: ken.kuluski@lincolncountywy.gov

Wed, Feb 26, 2025 at 6:55 PM

Dear Ken Kuluski,

I'm sending this on the behalf of Jan and Greg Berdar. I think that the Blue Ribbon Barn is a great addition to our town and our community. I started working there last year as my first job and it was a great experience. Jan and Greg are very good bosses and are very responsible business owners. I got to learn how to work a coffee machine and gained some good customer service skills. So many people came in, during the summer, that had explained how they had been there the year before and how they loved our inventory and were exited to come in again.

During the fall lots of people came in to get pumkins and pumpkin lattes with there kids, and they loved it. All summer, Jan and Greg had monthly events where bands would come, like the Linfords for example, and they would have a dinner for the guests. Doing this she was not only supporting the town of thayne but there were also supporting and giving money to local food truck business and catering business. I got too help host some of theas dinners a few times and I had a blast.

I know several regular customers of the Blue Ribbon Barn that would be very disappointed to see it go, including me and my family.

I hope you will take my words into consideration.

Thank you,
Joyah Schreiber

Sent from my T-Mobile 5G Device



Blue Ribbon Barn Support

1 message

Duke Dance <duked@svinews.com>

Fri, Feb 21, 2025 at 11:34 AM

To: Ken Kuluski <ken.kuluski@lincolncountywy.gov>

Mr. Kuluski,

This is Duke Dance at SVI Media in Afton. I'm writing to express my support for the Blue Ribbon Barn north of Thayne. I understand there are some commercial zoning issues that need to be worked out. While I admit I do not understand all the specific details with the situation and the process, I did want to express my appreciation for what Jan and her family and staff have done at the barn and the positive impact it has had in the community. I've taken my kids and family there for some of their events, and in our community with limited things to do, these types of businesses are just what we need. I hope something can be worked out. Thank you for your time.

--

Duke Dance
General Manager
SVI Media
KRSV, KDWY, KMER, KVIS
307-887-5726



Blue Ribbon Barn - 101 CUP 25

David Warn <davidwarn1@gmail.com>

Mon, Mar 3, 2025 at 4:10 PM

To: planning@lincolncountywy.gov

To: Planning and Zoning Commission

Re: Conditional Use Permit for Blue Ribbon Barn

I am writing in support of the permit application for the Blue Ribbon Barn. We are year round residents of Star Valley Ranch. The Blue Ribbon Barn has been a nice addition to the local community. We enjoy their coffee shop and the interesting events that are offered around various holidays. Having a place to enjoy live music and interact with the community is also a huge plus. I hope this business will be allowed to continue providing their services to the community.

Regards,
David and Daniela Warn
130 Evergreen Dr
Star Valley Ranch

LINCOLN COUNTY PLANNING & ZONING COMMISSION

STAFF REPORT

Conditional Use Permit Application

HEARING TIME AND DATE:

LOCATION: Lincoln County Courthouse, Commissioner Boardroom 3rd Floor, 925 Sage Ave.,
Kemmerer, Wyoming & Afton Planning & Development Office, 61 E. 5th Ave., Afton, Wyoming
FILE # 103 CUP 25

APPLICANTS: ERIC TJAI & SHEENA AIELLO

PROJECT NAME: Tjai Dog Training and Boarding

COMMUNITY PLAN AREA: Etna

ZONING: Rural

REPRESENTATIVE: Alpine Architectural Studio

PLANNER: Ken Kuluski

PARCEL ID: 3619-261-00-112

PROPOSAL: A Conditional Use Permit Application proposal to add dog training and boarding on 15 acres in the Rural Zone. Access will be shared with the residence and is located off East Etna County Road 110. The applicants plan to use up to two 14'W x 60'L x 11'H engineered kennel buildings (840 sq ft each). The max capacity will be 12 dogs per building (24 total for property). Kennels have a concrete foundation, a polyurea run floor, 4-inch dividers and stainless-steel drains. Buffering will be achieved by trees/vegetation.

LOCATION: Located 5.5 miles north of the Town of Star Valley Ranch Wyoming, T36N, R119W, Section 26.

ATTACHMENTS:

1. Vicinity Map
2. Site Plan
3. Applicant Statement
4. Agency Correspondence
5. Public Correspondence

PLANNING STAFF RECOMMENDATION:

Planning staff recommends that the Planning & Zoning Commission send a recommendation of **APPROVAL** to the Board of County Commissioners for File # 103 CUP 25, a Conditional Use Permit, with:

- Findings of Approval A. through D. Conditions of Approval 1. through 7.

FINDINGS OF APPROVAL:

- A. The proposed use, with conditions is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
- B. The proposed use, with conditions is consistent with the provisions of the Lincoln County Land Use Regulations, specifically: Chapter 3, Section 3.1 Conditional Use Permit Procedures.
- C. The proposal, with conditions is consistent with the provisions of Wyoming Statute 18-5-203 providing for Board of County Commissioners authority for zoning regulation of buildings and uses of land.
- D. The proposed use, with conditions, will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience and welfare.

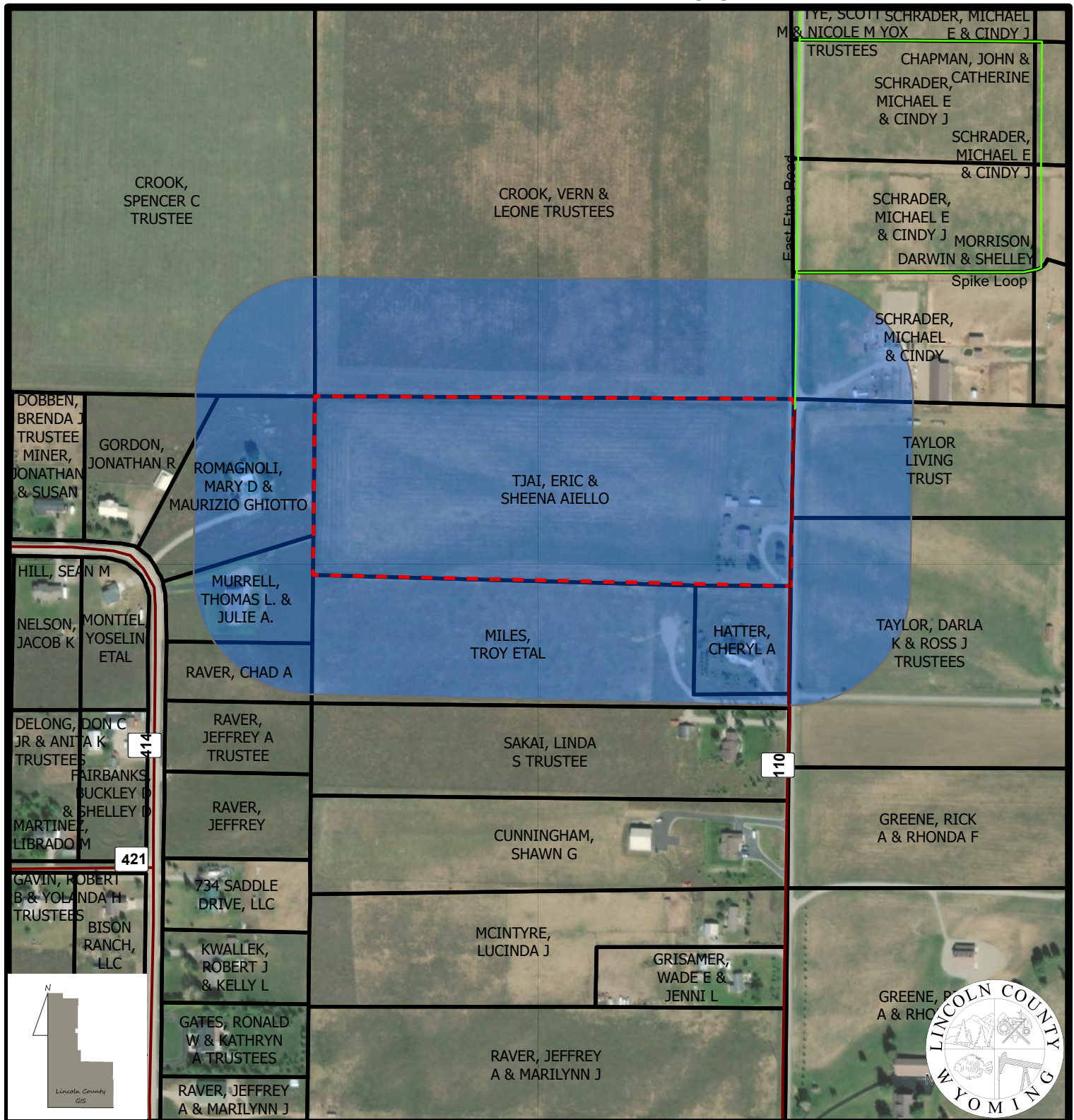
CONDITIONS OF APPROVAL:

- 1. The Applicants shall comply with all of the County, State and Federal laws and regulations.
- 2. Compliance with agency requirements: Applicants shall obtain any and all County, State, and Federal permits, licenses, and other approvals for the construction and/or operation of the project. This may include: Local Fire District, Wyoming Department of Fire Prevention and Electrical Safety (State Fire Marshal), Wyoming State Engineer's Office (SEO), Wyoming Department of Transportation (WYDOT), Wyoming Game and Fish, Wyoming Department of Environmental Quality (DEQ), Army Corps of Engineers, Bureau of Land Management (BLM), and/or Environmental Protection Agency (EPA).
- 3. Prior to construction the Applicants shall submit an animal waste storage and disposal plan, including a revised site plan that depicts septic tank and leach field locations for residence and facility.
- 4. The Applicants shall be allowed one (1) shared access perpendicular to the County Road. The access must be at least 24 feet wide to accommodate traffic.
- 5. Applicants shall control dogs to prevent excessive, continuous or untimely barking or howling while ensuring public and animal safety.
- 6. All animals must be under restraint by means of a fence, lead, or leash and under control of a responsible person when not kenneled.
- 7. Any changes or modifications to this Conditional Use Permit render it void.

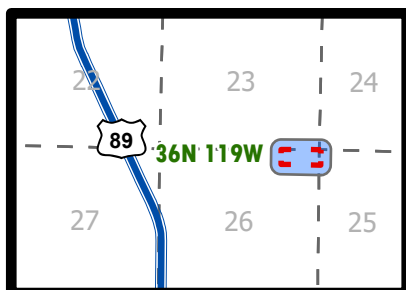
AGENCY CORRESPONDENCE: None

PUBLIC CORRESPONDENCE: Attached

Conditional Use Permit Application



Prepared using available data by Katie Gipson on 22 January 2025. Map is for informational purposes only and in no way represents an official survey of land.



Roads

Road_Type

 US Highways

WY High

 Township & Range

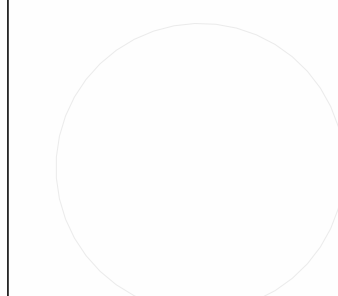
Sections

 Municipalities

File No 103 CUP 25
Tjai Training and Boarding
Eric Tjai and Sheena Aiello



CONDITIONAL USE PERMIT
3417 CO RD 110, ETNA, WY 83118
TRAINING STRUCTU



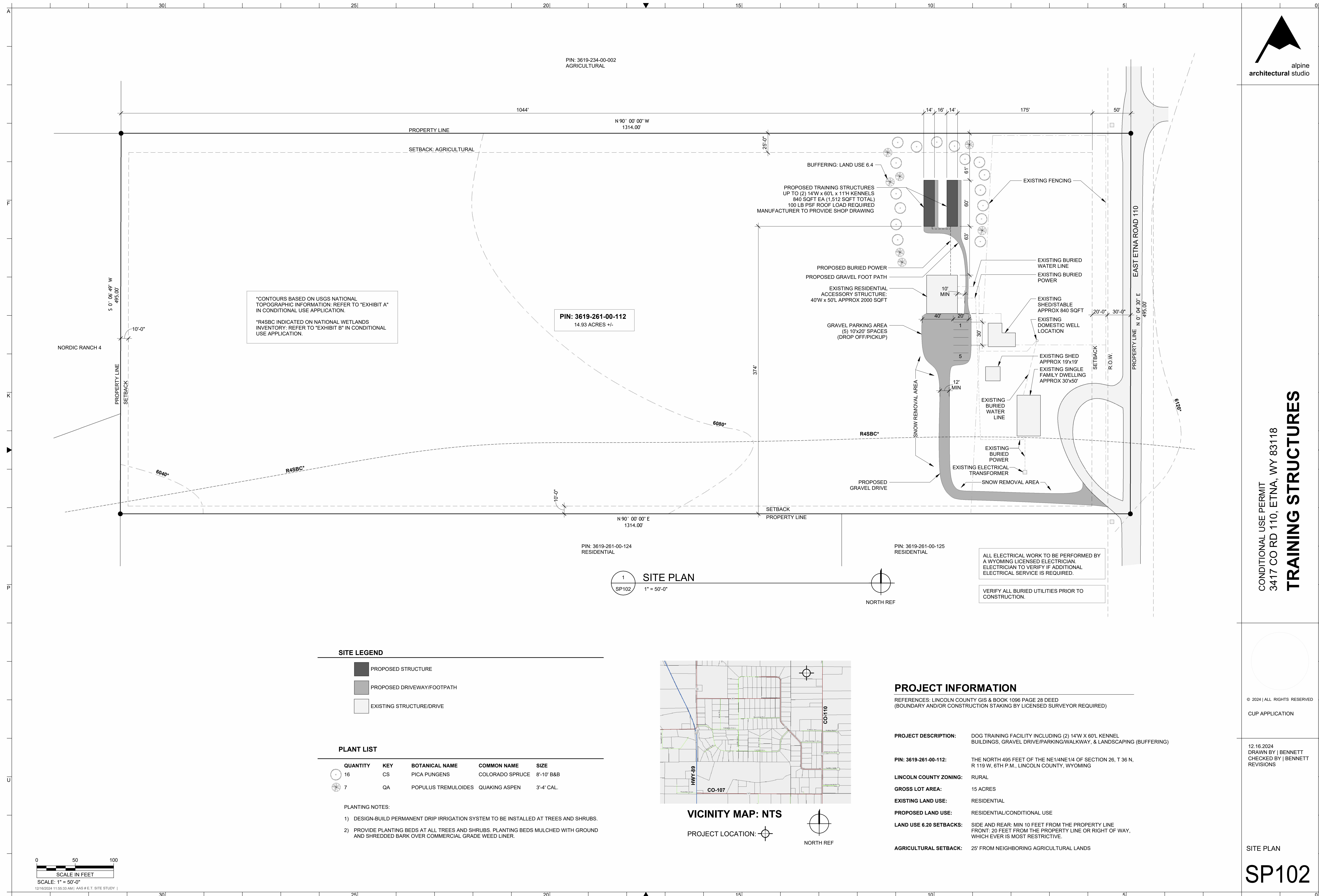
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CUP APPLICATION

12.16.2024
DRAWN BY | BENNETT
CHECKED BY | BENNETT
REVISIONS

SITE PLAN

SP102





Alpine Architectural Studio
PO Box 3975
Alpine, WY 83128

December 16th, 2024

Lincoln County Planning Department
Afton Office
61 E 5th Ave. (Mailing: 421 Jefferson St. Suite 701)
Afton, WY 83110

CONDITIONAL USE PERMIT APPLICATION AT 3417 COUNTY ROAD 110

PIN: 3619-261-00-112

OWNERSHIP: ERIC TJAI & SHEENA AIELLO

DEED BOOK PAGE: 1096-28

LEGAL: 15 AC.(PT.NE4NE4)

PARCEL NO: 36192610011200

ACCOUNT NO: R0015150

NARRATIVE

Eric Tjai & Sheena Aiello own a 15-acre parcel of land located on the west side of county road 110 and approximately 1 mile north of county road 107. Existing structures and improvements include one single family dwelling, three outbuildings, a gravel drive and fencing. Water is provided with an existing domestic well and a power transformer is located south of the existing single-family dwelling. Refer to Site Plan SP102

Eric and Sheena are experienced dog trainers and are applying for a conditional use permit to operate their dog training business at 3417 County Road 110.

Up to two 14-foot-wide by 60-foot-long kennels (approx. 840 square feet each) are proposed with power and water provided from an existing electrical transformer and an existing domestic well.

A pre-application conference for this project was held on October 21st in Afton, WY with the primary discussion items listed below:

- 1) Buffering
- 2) Gravel road standards
- 3) Gravel access path
- 4) Foundations



- 5) Snow storage
- 6) Parking
- 7) Utilities
- 8) Setbacks
- 9) Snow loads
- 10) Community benefits
- 11) Emergency plan
- 12) Color scheme
- 13) Lighting

WRITTEN RESPONSES

1) Total lot size of area proposed for use, including number of lots applicable;

Lot Size is 15 Acres. Refer to Surveyor Scherbel memorandum dated November 13th, 2024

2) Current zoning and use of property;

Rural/Residential

3) Current zoning and land uses within a three-hundred-foot (300') radius of the property;

SOUTH

PIN: 3619-261-00-125: Residential

PIN: 3619-261-00-124: Res Vacant Land

SOUTHWEST

PIN: 3619-261-00-048: Res Vacant Land

WEST

PIN: 3619-261-00-050: Residential

PIN: 3619-261-00-051: Residential

NORTHWEST

PIN: 3619-234-00-134: Agricultural

NORTH

PIN: 3619-234-00-002: Agricultural

NORTHEAST

PIN: 3619-243-00-297: Residential



EAST

PIN: 3619-252-00-040: Res Vacant Land

PIN: 3619-252-00-523: Residential

4) Purpose for which the property is to be used, including the size of the building or buildings, number of occupants and or employees, and number of office spaces;

This is a family run business including up to 3 employees consisting of owners and/or family members. Eric Tjai is the primary trainer, and his daughter will be the secondary trainer once she graduates college in December. Office spaces are not proposed.

Hours of operation: Monday - Friday - 8:00 a.m. - 5:00 p.m.

5) Area and height of buildings and other structures;

Existing Dwelling: Approx 1,200 SQFT / Approx 14 Feet High

Existing Shed: Approx 350 SQFT / Approx 12 Feet High

Existing Shed/Stable: Approx 865 SQFT Approx 12 Feet High

Existing Residential Auxiliary Building/Shop: Approx 2000 SQFT / Approx 16 Feet High

Proposed Kennel Structures: approx. 12 feet high.

6) Density for the proposed use in terms of units per acre and the number of offices, employees, occupants, or all three;

Existing: 15-acre property with one single family dwelling, two sheds, and one residential auxiliary building

Proposed Additional Structures: Up to two kennel buildings. Initially, one kennel building is proposed with a second future kennel building proposed. Each kennel building is 14'W x 60'L and contains 12 Kennels for a total of 24 kennel spaces. 3-Kennels per building will be reserved for family emergencies and other needs for local residents. A gravel driveway and walkway are proposed. Gravel drive will be constructed to LUR Chapter 6, page 20 road sections.

Color Scheme of Proposed Structures: Black roofing and trim with grey siding.



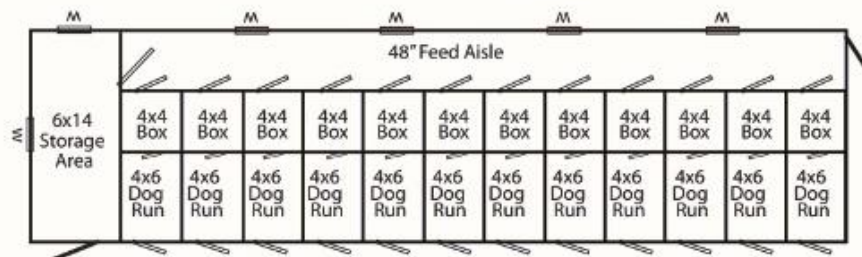
EXAMPLE A:

12 Run
w/6'x14' Storage

White Siding
Dk Blue Trim
Gallery Blue Roof
Standard Trim Package

SHOWN WITH OPTIONAL:

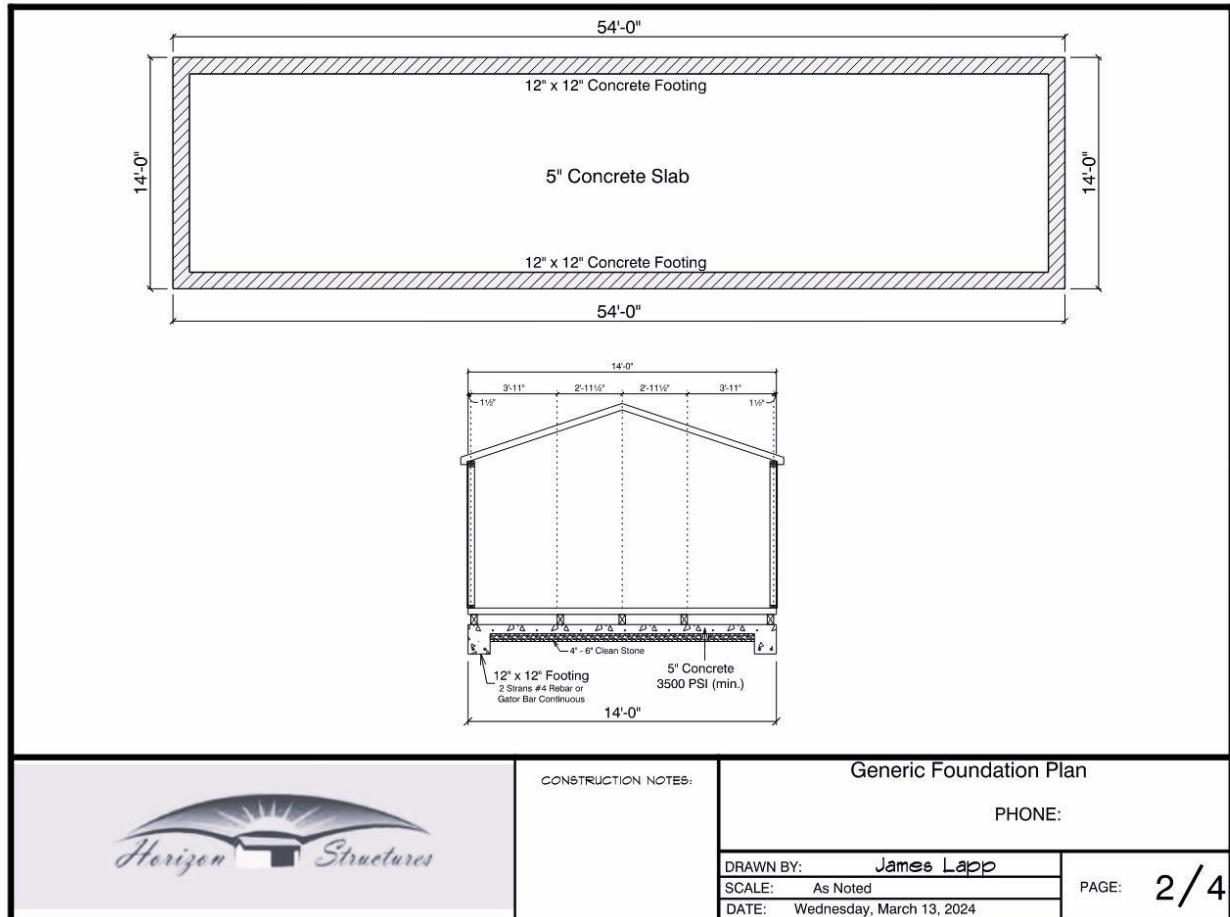
Metal Roof	
Poly Urea Run Floor	
Stainless Steel Channel Drains	
4" Solid Dividers	
Welded Wire Panels	
Guillotine Dog Doors	Capacity
Exhaust Fans	12



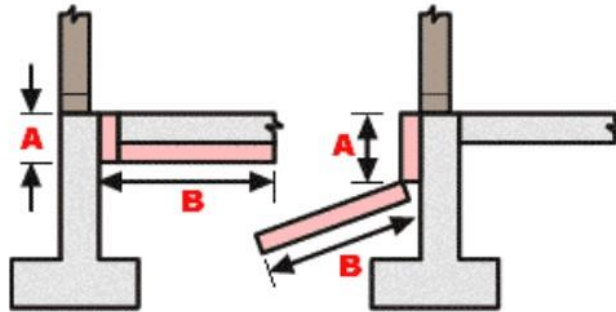
EXAMPLE B:



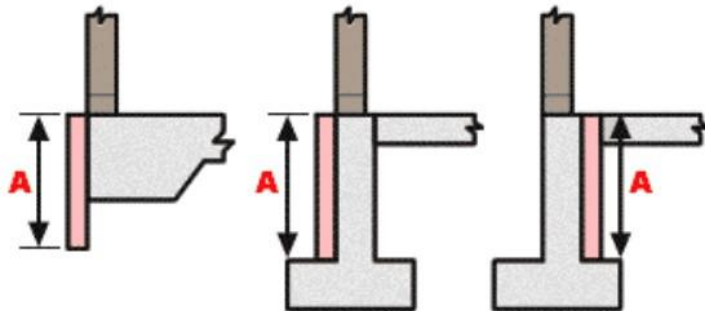
EXAMPLE C: FROST PROTECTED SHALLOW FOUNDATION REQUIRED.



Typical Frost Protected Shallow Foundation Details: A or A+B = min 4 feet polyiso rigid insulation w/min 10 R-Value.



Horizontal Insulation (A + B = Insulation Depth)



Vertical Insulation (A = Insulation Depth)

7) VOLUME IN TERMS OF THE NUMBER OF CUSTOMERS AND/OR DELIVERIES PER DAY;

Customers/Clients: Up to 3 clients per day

(Private training on the facility will not exceed 3 clients per day.)

Each kennel has a 12-dog capacity. Some of the kennel space will be utilized by personal dogs. Personal dogs have been fully trained in various methods of dogs training (obedience, behavioral, agility, scent work, tracking, etc.) and are used in the business. Three of our dogs are used as demo dogs, to show clients what can be achieved by the training they are seeking.

Building 1 Kennel Total: 12

Building 2 Kennel Total: 12

Deliveries: Up to 1 delivery per weekday for parcels.

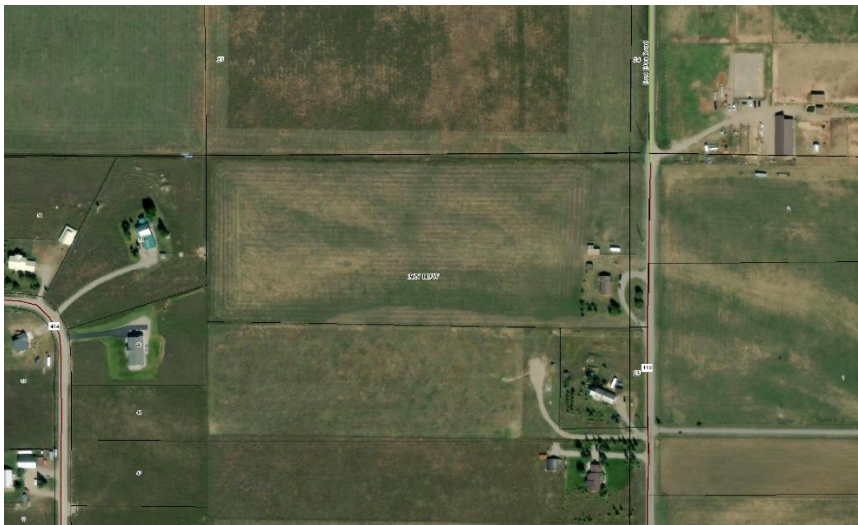


Comments:

Pick-up and drop-offs will be offered to clients to minimize the number of additional cars. Not all training will occur at our facility, some clients prefer to have training at their own home.

8) Location of use with respect to the same or similar uses within three-hundred-foot (300') radius of the perimeter of the described property;

No known same or similar uses within three-hundred-foot (300') radius of the perimeter of the described property.



**Land Use 6.3.B:**

Agricultural lands exist to the north. Applicant will adhere to the 25' non-building buffer.

Land Use 6.4 Buffering:

To mitigate noise, we intend on utilizing landscaping around the perimeter of the project area. Kennels will include acoustic insulation. Acoustic panels are to be installed in the walls and ceilings. This is a structured facility, and dogs will not be free to roam in the field; during training they will be working on a focused training plan. During play sessions and other exercises, the dogs are never left unattended, they will always be monitored and played with by a trainer.

Land Use 6.10 Lighting:

Applicant will adhere to section 6.10; see attached.

Land Use 6.20 Setbacks:

Side and Rear Setbacks are 10 feet.

Front setback is 20 feet.

Agricultural land setback is 25 feet to the North.

National Wetlands Map and USGS Map Comments.

There is a water feature listed on the USGS map and a R4SBC wet land indicated on the National Map. Refer to Exhibit A, Exhibit B, & 7.5 Minute USGS Topo Map.

Lincoln County GIS indicates that this water feature runs east-west through County Road 110, through the south portion of the existing dwelling at 3417 Co Rd 110, and then through several existing homes in Nordic Rances Subdivision No. 4 to the West (see attached plat). Since this feature runs through multiple existing structures in the area and is not immediately adjacent to our proposed structures, we are not clear if any further action is required. The proposed driveway will cross this water feature and may be exempt based on the following:

Activities Exempt under the Clean Water Act, Section 404(f)(1)

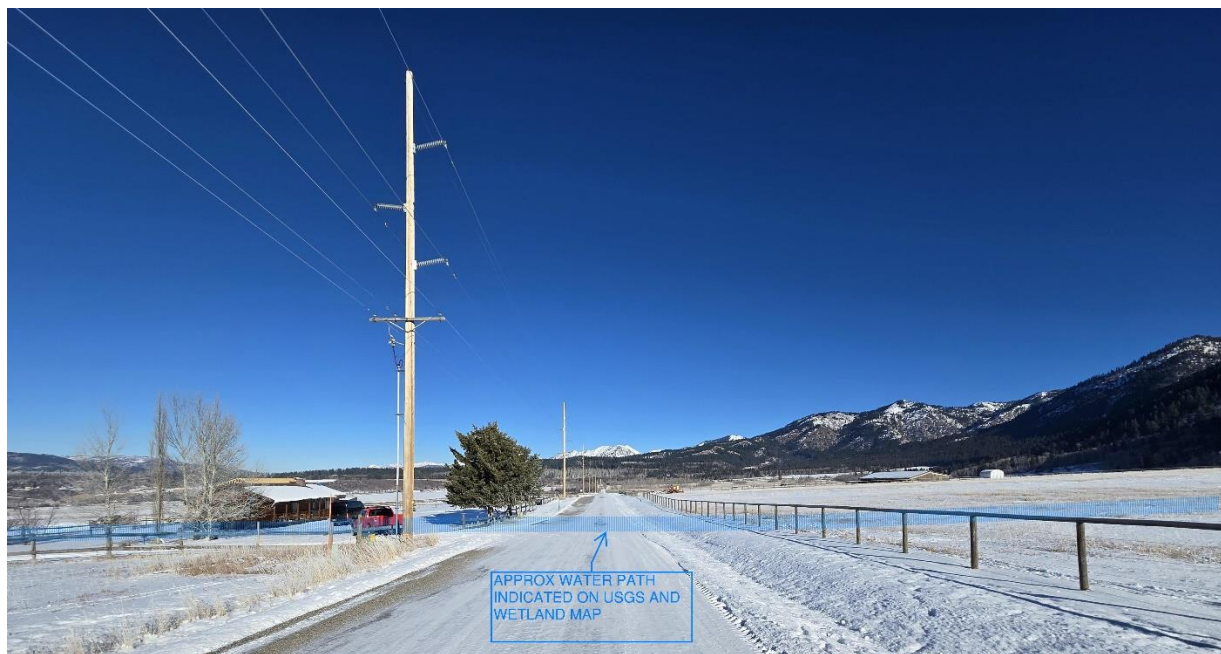
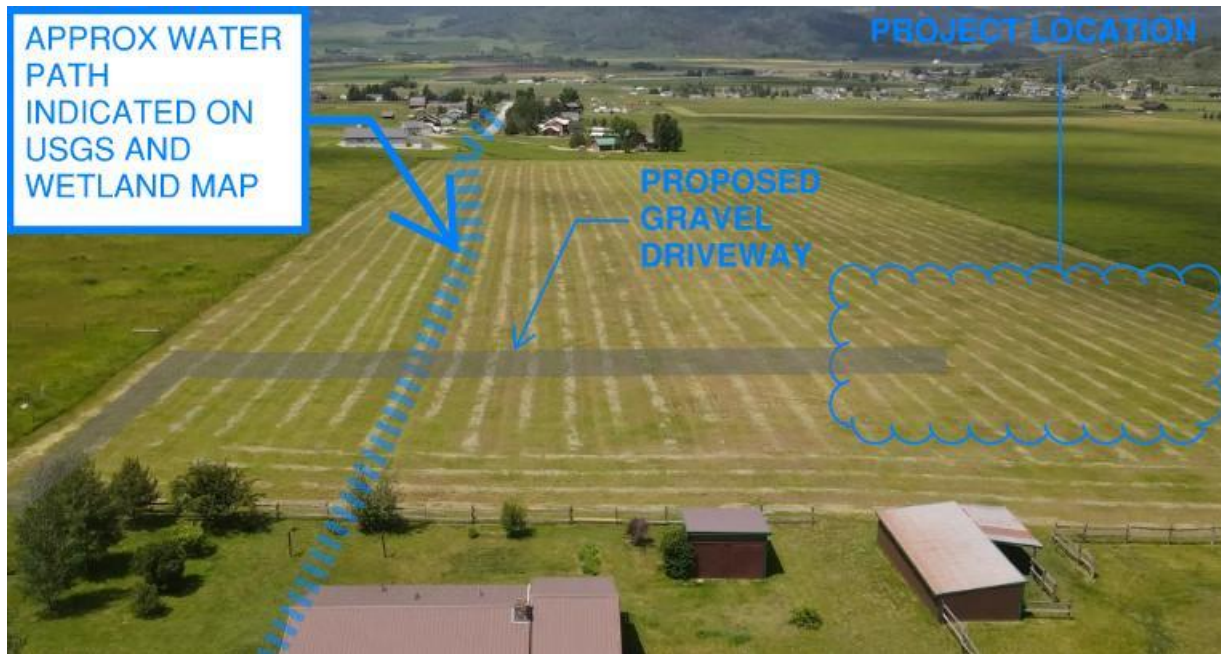
Reference: <https://www.epa.gov/cwa-404/exemptions-permit-requirements-under-cwa-section-404>

- Established (ongoing) farming, ranching, and silviculture activities such as plowing, seeding, cultivating, minor drainage, harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices
- Maintenance (but not construction) of drainage ditches
- Construction and maintenance of irrigation ditches
- Construction and maintenance of farm or stock ponds



- Construction and maintenance of farm and forest roads, in accordance with best management practices
- Maintenance of structures such as dams, dikes, and levees

Images:





Thank you for reviewing our application.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Bennett", followed by a horizontal line and two vertical strokes.

Brett Bennett/Alpine Architectural Studio, LLC



Bridger Animal Hospital & Haystack Pet Resort

"Exceptional Care For Exceptional Pets"

To Whom It May Concern;

February 5, 2025

I am writing to let you know that I have spoken to Eric Tjai about the dog boarding facility that he plans on opening soon in Etna, Wyoming. Bridger Animal Hospital will provide emergency services to the animals in his care to the best of our ability. If we are not available, Eric is aware of Viking Veterinary Hospital in Idaho Falls, the closest 24 hour emergency vet hospital.

I encourage you to work with Eric to provide more dog boarding and training services in Star Valley. We love our pets here and there is always room for more. There are many good dog training and boarding facilities in Star Valley, but just like all the veterinarians, we are packed full and overwhelmed and not able to accommodate the amount of people that keep moving here.

Please call if you have any questions.

Sincerely,

Lisa Pachie, DVM



26 February 2025

RE: Eric Tjai – A Valuable Addition to Star Valley

To whom it may concern:

My name is Lydia Heinbockel, and together with my husband, Ed Heinbockel, we have been proud residents of Star Valley for the past six years. We are writing to express our strong and enthusiastic support for Eric Tjai and his proposal to establish a dog boarding and training facility in our community.

As residents of Star Valley, we have firsthand experience with the limited availability of local dog boarding options. This shortage creates significant challenges for pet owners like us, who often struggle to find reliable and conveniently located facilities to care for our dogs. Eric's proposal to open a boarding and training center addresses this critical gap in our community, offering a much-needed service that will undoubtedly benefit countless residents and their pets.

What sets Eric apart is his exceptional expertise and qualifications. His law enforcement background and extensive experience with the Belgian Malinois breed are particularly meaningful to our family. Our dog, Minx, is a Belgian Malinois—a breed that is often misunderstood or turned away by other boarding facilities due to their high energy and unique temperament. Eric's specialized knowledge and skill in training and boarding this breed give us complete confidence in his ability to provide a safe, welcoming, and knowledgeable environment for Minx and other dogs like her.

Beyond his professional qualifications, Eric and his family bring warmth, dedication, and a positive presence to our community. We were introduced to him through mutual friends and have been deeply impressed by his character and commitment to excellence.

We believe Eric's facility will not only enhance the quality of life for pet owners in Star Valley but also fill a clear and pressing community need. His presence will be a tremendous asset to our area, and we are excited to welcome him and his family to our community.



Please do not hesitate to contact me at (805) 550-1182 or lydiasworld@gmail.com if you require any additional information or clarification.

Thank you for considering Eric's proposal. We wholeheartedly endorse his efforts and look forward to the positive impact his facility will bring to Star Valley.

Sincerely,

A handwritten signature in blue ink, reading "Lydia Heinbockel".

Lydia R. Heinbockel
Chairperson/CEO, Visual Purple

Cc: Ed Heinbockel



Tjai Training and Boarding

Chad Raver <chadaraver@gmail.com>
To: planning@lincolncountywy.gov

Sun, Mar 9, 2025 at 11:42 AM

To whom it may concern,

I am writing to formally express my opposition to the proposed conditional use permit for a dog boarding and training facility in Nordic Ranches. As a resident of this community, I, along with many of my neighbors, have significant concerns about the impact this facility will have on our rural environment, quality of life, and overall safety.

One of our primary concerns is the inevitable noise from barking dogs. The rural character of Nordic Ranches provides a peaceful setting for residents and local wildlife. A facility housing multiple dogs—many of whom may be stressed or excited—would create a continuous noise disturbance, affecting property enjoyment and potentially lowering property values.

Additionally, safety is a major issue. No containment system is foolproof, and the possibility of a dog escaping raises concerns for wildlife, livestock, pets, and children in the neighborhood. Many of us chose to live in this area for its quiet, open spaces, and introducing a high-density canine facility poses risks that conflict with the intent of our rural zoning.

Furthermore, the proposed facility does not align with the zoning regulations for this area. According to the R Rural Zone definition set by Lincoln County's Planning and Development Department:

“The purpose of the Rural Zone is to maintain the essential rural character of the great majority of the private lands in the county. The zone will provide for agricultural uses combined with low-density (typically 5 or more acres average per lot) residential uses, including residential subdivisions where three or more lots are created. The zone will allow home occupation businesses as well as a few other commercial uses which will have a low impact for the neighbors and which are best suited for rural areas.”

A dog boarding and training facility does not fit within the intended low-impact commercial uses described in this definition. Such a facility would introduce persistent noise, increased traffic, and potential safety risks—none of which align with maintaining the essential rural character of Nordic Ranches. Approving this permit would set a precedent for commercial activities that could further disrupt the balance between residential and agricultural use in our community.

We ask that these concerns be taken seriously and incorporated into the report for county commissioners. Nordic Ranches is a unique and special place, and we urge decision-makers to preserve its integrity by denying this conditional use permit.

Thank you for your time and consideration.

Sincerely,

Chad Raver

(307) -413-1705

Subject: Support for the New Boarding Facility and Training Center in Etna, WY

Dear Representative of Lincoln County,

I hope this message finds you well. My name is Jon Graham, and I am the owner of Element Plumbing and Wyoming Gunfighter, located in Etna and Alpine, Wyoming. I am writing to express my full support for the upcoming boarding facility and training center in Etna that will be run by Eric Tjai and Sheena Aiello.

Having had the pleasure of working with Eric, who has taken exceptional care of our dogs and provided them with outstanding training, I can confidently say that his expertise is unparalleled. The training techniques and personalized attention he offers have been some of the best experiences we have had for our dogs. This area is in desperate need of someone with Eric's level of skill and dedication. The opening of this facility will not only benefit pet owners but will also enhance the community as a whole by providing a valuable resource for dog training and boarding.

I wholeheartedly support the establishment of this location and look forward to seeing the positive impact it will have on our community. Thank you for considering my thoughts.

Best regards,

Jon Graham

Owner, Element Plumbing and Wyoming Gunfighter

Etna, Wyoming

(307) 690-5534

Jon@atomic-strategies.com



To: County Commissioners

From: Sherry Poinsett

Re: Unity K9 Conditional Use Permit

Date: March 6, 2025

To Whom It May Concern,

My name is Sherry Poinsett and I reside off of Stewart Trail very close to Eric Tjai's location. I met Eric several months ago and was fortunate enough to be able to employ him for 8 weeks to do intensive training with our dog while boarding him.

I have been very impressed with him as a person and a trainer to our dog. He is extremely professional, knowledgeable, thorough, and provided excellent care for "Ranger" while housed at his location. His communication skills match his high level of training skills.

For me, where our pet is boarded determines my level of comfort while I'm gone when I do have to leave them. The current options in our valley are sorely lacking in numbers and in the level of care I am looking for.

His property and location are not only ideal and well cared for but will be more than ample to house a future boarding facility. A top notch boarding facility is a dire need in the Afton/Etna/Thayne/Star Valley region. Eric I assure you can meet that need!

I am very confident, the level of quality Eric through Unity K9 will offer our community will be nothing but a huge bonus. He is keenly aware of the potential concerns nearby neighbors may have and I believe any of those concerns will be alleviated when they witness first hand his level of respect and conscientiousness towards others.

I cannot recommend enough that Unity K9 be granted a conditional use permit to operate what will be a very big asset to our community and one clients will undoubtedly be grateful for.

Thank you.

Sherry Poinsett
1546 Stewart Trail
Etna, WY



Dog training /boarding facility near Nordic Ranch

1 message

raverjeffrey@silverstar.com <raverjeffrey@silverstar.com>
To: planning@lincolncountywy.gov

Mon, Mar 10, 2025 at 1:54 PM

I JEFFREY A RAVER, As owner of lots 42,46,&47 and a 20 acre parcel near the proposed facility,
I Am opposed to a dog training/boarding facility . I feel that the noise from dogs and the safety factor of possibly loose dogs in a neighborhood is a concern for everyone that has livestock and small children. I feel that it could also devalue the property.

Thank You for your time.

Sincerely Jeffery Raver

307-654-7278

P.O.Box 3125

Alpine,Wy.83128

Sent from my iPhone

LINCOLN COUNTY PLANNING & ZONING COMMISSION

STAFF REPORT

Conditional Use Permit Application

HEARING TIME AND DATE: 6:00 p.m., March 19, 2025

LOCATION: Afton Planning & Development Office, 61 E. 5th Ave., Afton, Wyoming & Lincoln County Courthouse, Commissioner Boardroom 3rd Floor, 925 Sage Ave., Kemmerer, Wyoming

FILE # 104 CUP 25

APPLICANTS: Jon and Vickie Child Revocable Trust

PROJECT NAME: Child Family Cemetery

COMMUNITY PLAN AREA: Cokeville

ZONING: Rural

PLANNER: Katie Gipson

PARCEL ID: 2519-052-00-029

PROPOSAL: A Conditional Use Permit to create a Family Cemetery near Cokeville, Wyoming on 0.06 +/- acres within a 689.05 acre ranch in the Rural Zone. No buildings are proposed. There are 32 burial plots designated within the cemetery.

LOCATION: 6.5 miles north of the Town of Cokeville, Wyoming in T25N, R119W, Section 5.

ATTACHMENTS:

1. Site Plan
2. Vicinity Map
3. Applicant's Letter of Intent
4. Burial Plots Detail Map

PLANNING STAFF RECOMMENDATION:

Planning staff recommends that the Planning & Zoning Commission send a recommendation of **APPROVAL** to the Board of County Commissioners for File #104 CUP 25 Child Family Cemetery, a Conditional Use Permit, with:

- Findings of Approval A. through B.
- Conditions of Approval 1. through 5.

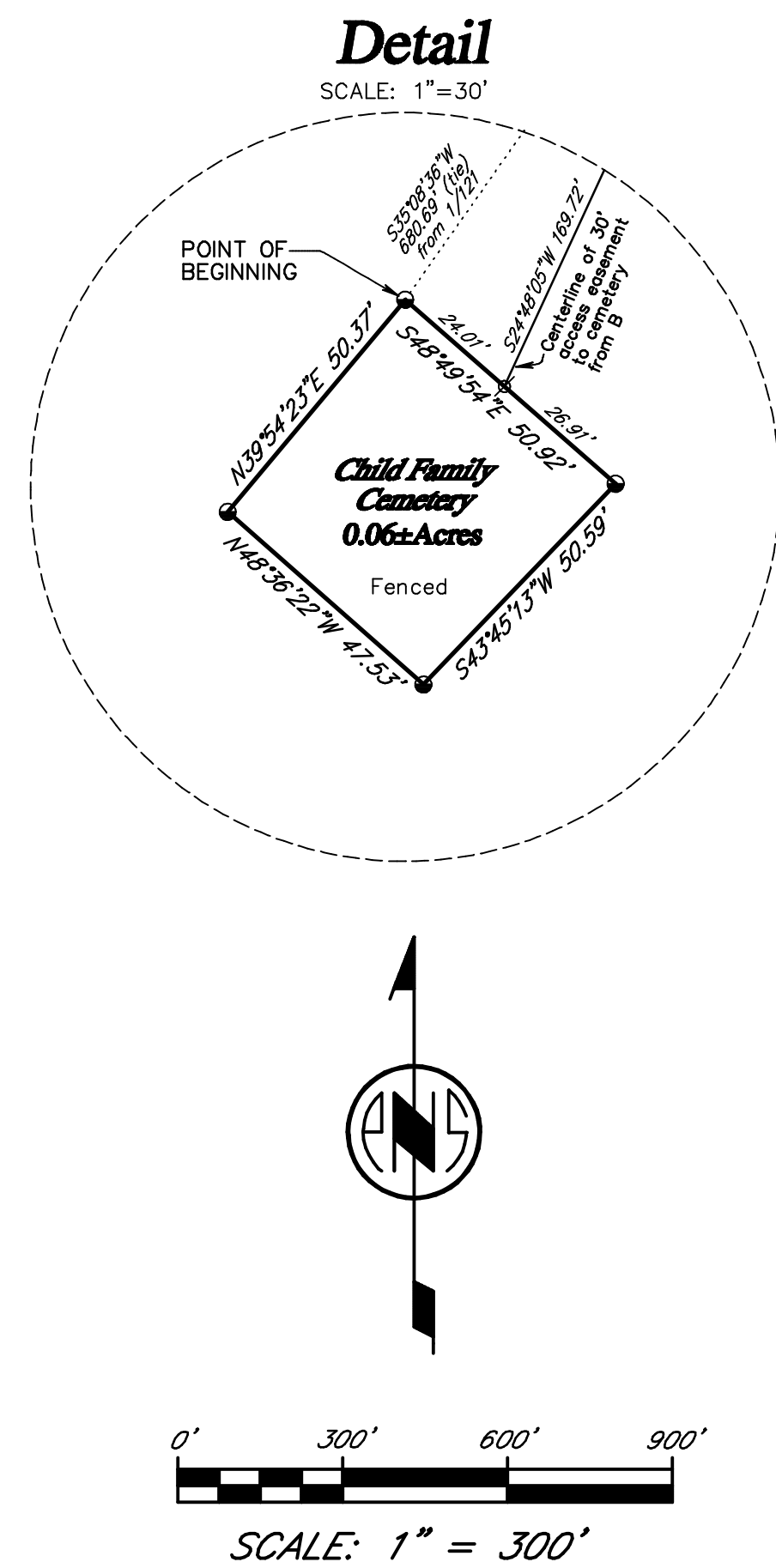
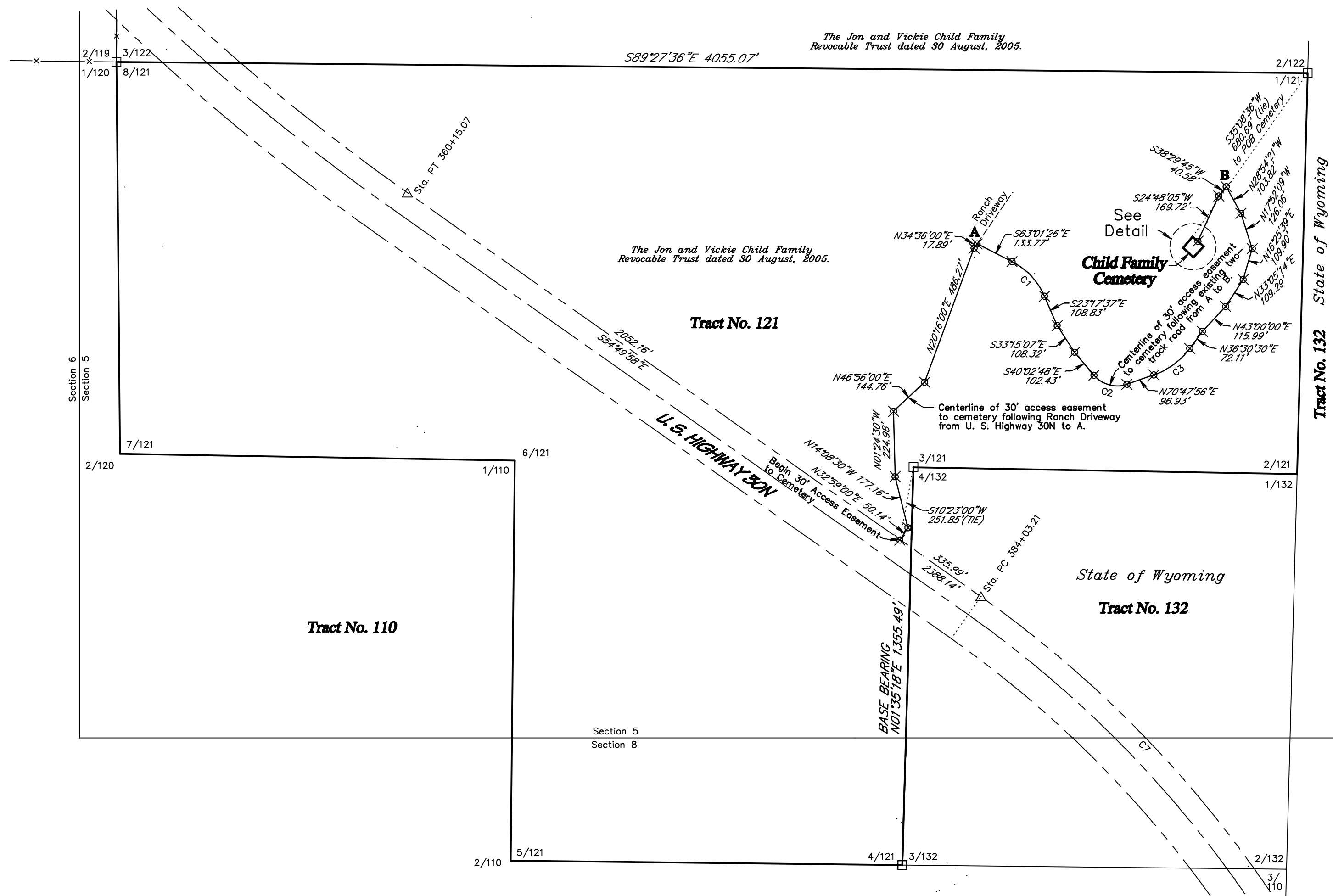
FINDINGS OF APPROVAL:

- A. County approval of the project is consistent with the provisions of W.S. 18-5-201 authorizing the Board of County Commissioners to regulate the use of lands in the unincorporated area of the county.
- B. The project is consistent with the policies and standards of the Lincoln County Land Use Regulations, including:
 - a. Table 7.3 Land Use Table. Cemetery Land Use allowed in the Rural Zone with a Conditional Use Permit Approval.
 - b. Section 7.1 Definitions:
 - i Cemetery – Land use or intended to be used for the burial of human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery for which perpetual care and maintenance is provided.
 - ii Family – One or more persons related by blood, marriage, adoption or guardianship, and/or not more than four persons not so related, who are living and cooking together as a single housekeeping unit.
 - c. Section 3.1.E.3:
 - b. The conditional use will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience and welfare.
 - c. The conditional use is designated to be compatible with adjacent land uses and the area of its location.

CONDITIONS OF APPROVAL:

- 1. The developer/owner shall comply with all of the County, State and Federal laws and regulations.
- 2. Compliance with agency requirements: The developer/owner shall obtain any and all County, State, and Federal permits, licenses, and other approvals for the construction and/or operation of the project. This may include: Local Fire District, Wyoming Department of Fire Prevention and Electrical Safety (State Fire Marshal), Wyoming State Engineer's Office (SEO), Wyoming Department of Transportation (WYDOT), Wyoming Game and Fish, Wyoming Department of Environmental Quality (DEQ), Army Corps of Engineers, Bureau of Land Management (BLM), and/or Environmental Protection Agency (EPA).
- 3. Significant alterations to the approved permit shall require additional permitting.
- 4. Property shall be surveyed and platted to be filed and recorded in the office of the County Clerk as per WS 35-8-101. Burial plots shall be shown on the recorded plat.
- 5. This permit is to operate as Child Family Cemetery; lots within the cemetery are for family members and no fees shall be charged for the lots.

CHILD FAMILY CEMETERY



CURVE TABLE

CURVE	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD	TANGENT
C1	164.40'	39°43'49"	237.08'	S43°09'31"E	161.12'	85.66'
C2	123.77'	69°09'16"	102.55'	S74°37'26"E	116.40'	70.68'
C3	154.43'	34°17'26"	258.03'	N53°39'13"E	152.13'	79.60'

LEGEND

- | | |
|---------------|--|
| □ | Indicates a Corner Record on file in the Office of the Clerk of Lincoln County. |
| △ | Indicates a 6" x 6" concrete post brass cap inscribed: "WYOMING HIGHWAY DEPT. RIGHT-OF-WAY MARKER found this survey. |
| ● | Indicates a 5/8" x 24" steel reinforcing rod with 2" aluminum cap inscribed: "SURVEYED BY SCHUBERT LTD BIG PINEY WY PLS3889" and other appropriate details, set this survey. |
| ⊗ | Indicates a calculated position, nothing found or set this survey. |
| A | Indicates the junction of the Ranch Driveway and the two-track road to the Cemetery. |
| B | Indicates the junction of the two-track road and access to the Cemetery. |
| - - - - - | Indicates centerline of Highway. |
| - . - . - . - | Indicates a highway right-of-way line. |
| ===== | Indicates a GLO tract line. |

The Base bearing is the west line of Tract 132, T25N R119W, being N01°35'39"E.

CERTIFICATE OF SURVEYOR

STATE OF WYOMING)
COUNTY OF SUBLETTE) ss...

I, Scott A. Scherbel of Big Piney, Wyoming, hereby certify that this map was made from notes taken during an actual survey made by me or persons under under my supervision during 2021 and 2022 and from records in the Office of the Clerk of Lincoln County and that it correctly represents the

CHILD FAMILY CEMETERY

CHILD FAMILY CEMETERY
being that part of Tract No. 121, T25N R119W, Lincoln County, Wyoming,
secondarily within Section 5, described as follows;

BEGINNING at a point which is S35°08'36"W, 680.69 feet, from Corner 1 of said Tract No. 121, T25N R119W, Lincoln County, Wyoming;

thence S48°49'54E, 50.92 feet, to a point;

thence S43°45'13"W, 50.59 feet, to a point;

thence N48°36'22"W, 47.53 feet, to a point;
thence N39°54'23"E, 50.37 feet, to the POINT OF BEGINNING;

ENCOMPASSING an area of 0.06 acres, more or less;



The foregoing instrument was acknowledged before me by
Scott A. Scherbel this day of , 2025.

Witness my hand and official seal. _____

Notary Public My commission expires:

CERTIFICATE OF OWNERS

STATE OF WYOMING)
COUNTY OF LINCOLN) ss...

The undersigned, hereby certify that the division of part of Tract No. 121, T25N R119W, Lincoln County, Wyoming, as shown hereon and more particularly described under the Certificate of Surveyor, is with the free consent and is in accordance with the desires of the undersigned owners and proprietors and the same is hereby set aside as a limited use cemetery to be known as the

CHILD FAMILY CEMETERY;

that the 30' access easement shown hereon running from U.S. Highway 30N to said cemetery is hereby granted to the descendants of any person whose remains are deposited within said cemetery.

THE JON AND VICKIE CHILD FAMILY REVOCABLE TRUST dated 30 AUGUST, 2005.

Jon Child, Trustee

Vickie Child, Trustee

The foregoing instrument was acknowledged before me by Jon Child and Vickie Child this _____ day of _____, 2025.

Witness my hand and official seal.

Notary Public My commission expires:

CERTIFICATE OF RECORDATION

This map was filed for record in the Office of the Clerk of Lincoln County
on this ____ day of _____ 2025.

April Brunski, Clerk

SURVEYOR SCHERBEL, LTD.
PROFESSIONAL LAND SURVEYORS

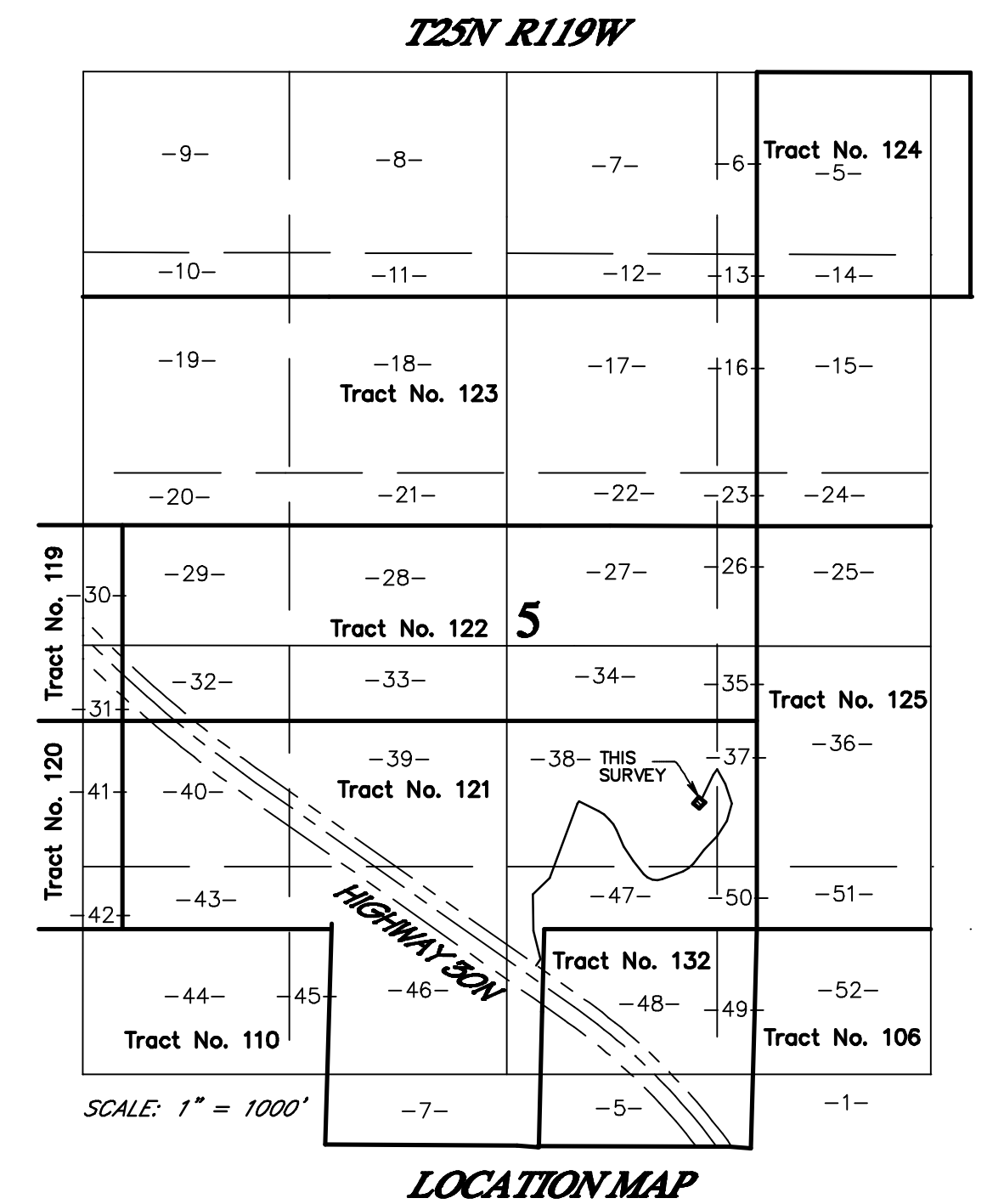
DATE: 4 September 2022
DRAWN BY: Clint A. Phillips
CALCULATED BY: Scott A. Scherbel
CATEGORY/PORT: T&R/Child
FIELD BOOK: ZR46, p. 24, 33; CK11, p.51
COMPUTER FILE: Child cem.pro

BOX 96 BIC PINEY-MARBLETON, WYO. 83113 TEL 307-276-3347
 BOX 725 AFTON, WYO. 83110 TEL 307-885-9319; ALPINE, WYO TEL 307-885-9319
 N, WYO. TEL 307-733-5903; LAVA, ID TEL 208-776-5930; MONTELLIER, ID TEL 208-847-2800

§§

12/9/2024—sas: misc.
2/21/2023—cap: misc. edit
2/8/2023—cap: misc. edit

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SETBACKS

The Child Family Cemetery is more than 300 feet from any neighboring property line.

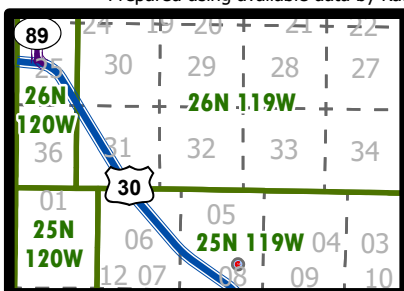
—ADVANCE PLAT—
SUBJECT TO CORRECTION
AND APPROVAL

**MAP OF THE
CHILD FAMILY CEMETERY
WITHIN
TRACT NO. 121 SECONDARILY
WITHIN SECTION 5
T25N R119W
LINCOLN COUNTY, WYOMING**

Conditional Use Permit Application



Prepared using available data by Katie Gipson on 22 January 2025. Map is for informational purposes only and in no way represents an official survey of land.



Roads

Road_Type

- US Highways
- WY Highways
- Projects
- Township & Range
- Sections
- Municipalities
- Public Noticing

File No 104 CUP 25
Child Family Cemetery
Jon and Vickie Child Revocable Trust

**Written Statement to accompany the Conditional Use Application
for the Child Family Cemetery**

Prepared by: Scott A. Scherbel

Date: 9 December 2024

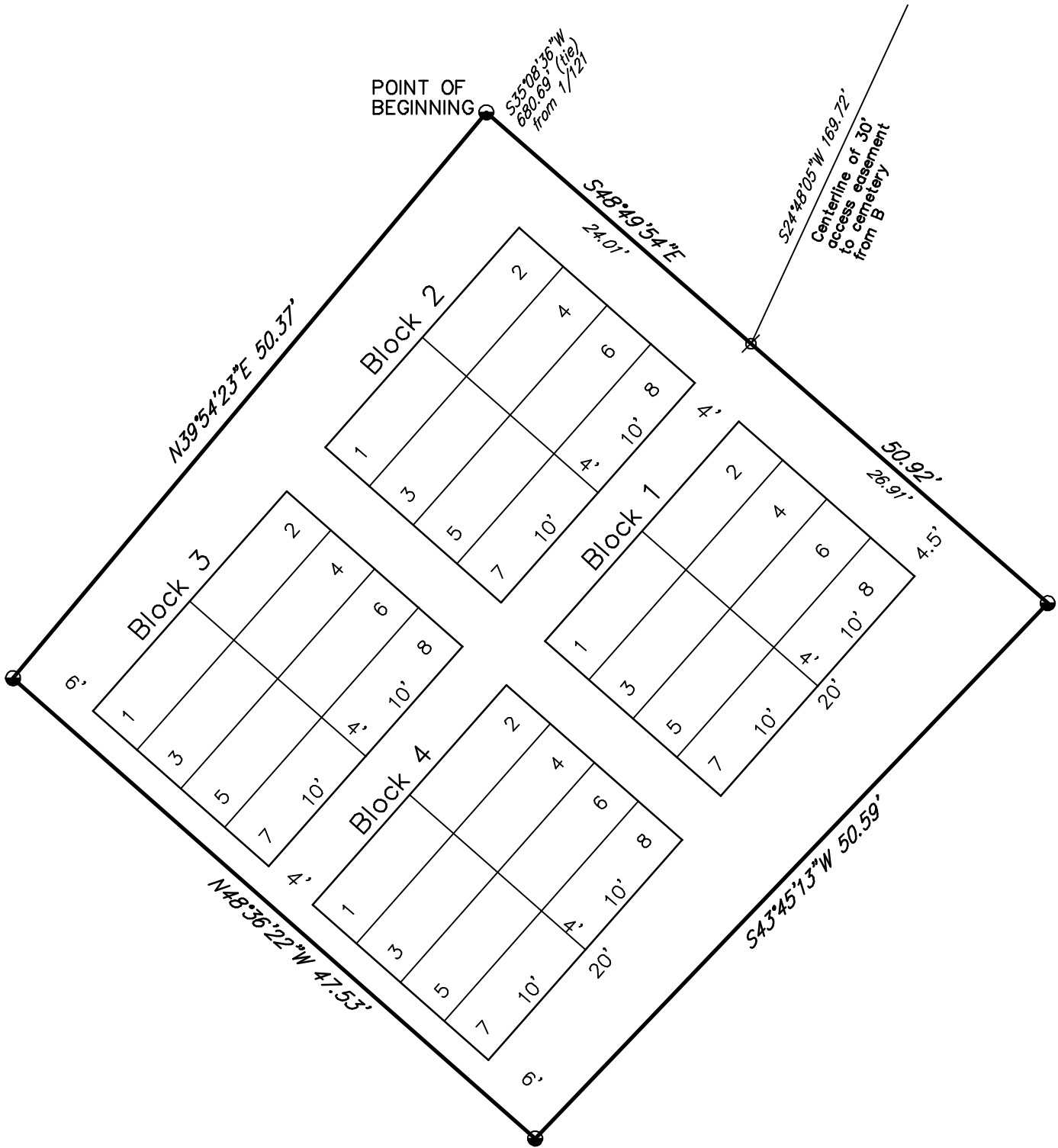
The proposed Child Family Cemetery is composed of 0.06 acres (approximately 50 feet x 50 feet) owned by The Jon and Vickie Family Revocable Trust dated 30 August 2005.

The property is currently zoned as Rural and is located on range land of the Child Ranch. No change of zoning is requested. All the surrounding land is also zoned Rural. The proposed cemetery is more than 300 feet away from the nearest neighboring property, which is to the east, owned by the State of Wyoming and zoned Public.

The proposed use of the subject property is for a family cemetery. No one other than family will be buried there, nor will any fees be charged to any for burial there. The cemetery will be fenced to keep livestock out of the cemetery. No buildings will be built there.

There are no similar uses within 300 feet of the subject property.

It is accessed by an existing ranch driveway and a field road over which an easement is being created for access to the cemetery by descendants of those whose remains are buried in the cemetery.



Child Family Cemetery

**LINCOLN COUNTY PLANNING & ZONING COMMISSION
STAFF REPORT**

Minor Subdivision Preliminary Plat Application

HEARING TIME AND DATE: 6:00 p.m., March 19, 2025

**LOCATION: Lincoln County Courthouse, Commissioner Boardroom 3rd Floor, 925 Sage Ave.,
Kemmerer, Wyoming & Afton Planning & Development Office, 61 E. 5th Ave., Afton, Wyoming
FILE # 203 MS 25**

APPLICANTS: Upswing Development, LLC

PROJECT NAME: Range View Estates

COMMUNITY PLAN AREA: Upper Valley

ZONING: Rural

REPRESENTATIVE: Surveyor Scherbel, Ltd.

PLANNER: Mikayla Hibbert

PARCEL ID: 3119-154-00-529

PROPOSAL: A Minor Subdivision Preliminary Plat proposal to subdivide 26.95 +/- acres into five residential lots with an average lot size of 5.39 +/- acres in the Rural Zone. The subdivision will share a subdivision road with a cul-de-sac accessed off of Bitter Creek County Road 140. The lots will have individual wells and individual septic systems that meet current State and County standards.

LOCATION: Located 2.5 miles southwest of Afton, Wyoming in T31N, R119W, Section 15.

ATTACHMENTS:

1. Subdivision Plat
 2. Vicinity Map
 3. Agency Correspondence
 4. Draft Development Agreement
-

PLANNING STAFF RECOMMENDATION:

Planning Staff recommends that the Planning and Zoning Commission send a recommendation of APPROVAL to the Board of County Commissioners for File # 203 MS 25 Range View Estates, a Minor Subdivision Preliminary Plat, with:

- Findings of Approval A thru C.
 - Conditions of Approval 1 thru 4.
 - A Recommendation for the Board of County Commissioners to sign the Development Agreement.
-

FINDINGS OF APPROVAL:

- A. The proposed subdivision with conditions is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
- B. The proposed subdivision with conditions is consistent with the standards and procedures of the Lincoln County Land Use Regulations.
- C. The proposed subdivision with conditions is consistent with the provisions of W.S. 18-5-301 through W.S. 18-5-315.

CONDITIONS OF APPROVAL:

- 1. Compliance with agency requirements: The developer/owner shall obtain any and all County, State, and Federal permits, licenses, and other approvals for the construction and/or operation of the project. This may include: Local Fire District, Wyoming Department of Fire Prevention and Electrical Safety (State Fire Marshal), Wyoming State Engineer's Office (SEO), Wyoming Department of Transportation (WYDOT), Wyoming Game and Fish, Wyoming Department of Environmental Quality (WDEQ), Army Corps of Engineers, Bureau of Land Management (BLM), and/or Environmental Protection Agency (EPA).
- 2. The developer shall enter into a Development Agreement with the County. The Development Agreement shall be signed by all parties and filed with the Lincoln County Clerk's Office no later than 60 days after approval of the Preliminary Plat or the application and approval shall be voided. Lots are not buildable until the Final Plat is recorded for each lot.
- 3. The developer shall obtain a review by the United States Postal Service (USPS) for mail delivery. The developer may need a plan for Cluster Box Units and an agreement with USPS. The agreement may include turnout, installation placement, and snow removal. Cluster Box Units shall be placed outside of the County Right-of-Way.
- 4. The Final Plat shall have:
 - a. Easements of not less than 10 feet in width for water, sewer, power, telephone, and other utility services along at least two lot lines within a lot.
 - b. The following Dedication of Roads and Easements:

The owners and proprietors have laid out and surveyed as Range View Estates Subdivision, and with the specific intent to do so, do hereby dedicate and convey to and for the public use forever, whether in the county or in a future municipality through annexation, the roads and road easements as are laid out and designated on this plat.

They do also create perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat. The undersigned hereby waives and releases all rights under and by virtue of the Homestead exemption laws of the State of Wyoming.

Dedication of the road or roads on this plat in no way obligates the Lincoln County Commissioners to maintain such roads nor does it relieve the developer of the obligation to construct such road or roads according to the requirements of the Lincoln County Subdivision Regulations.

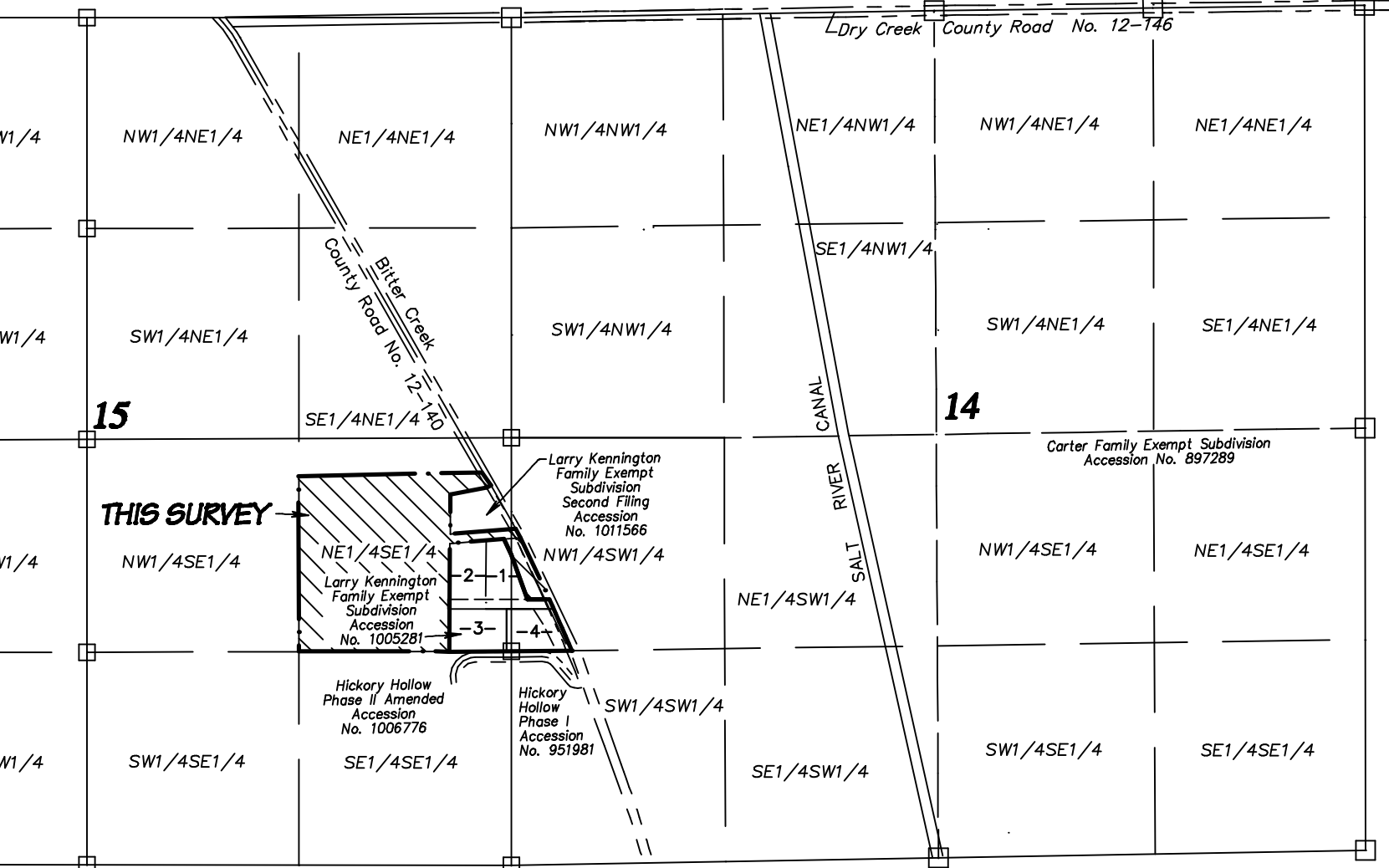
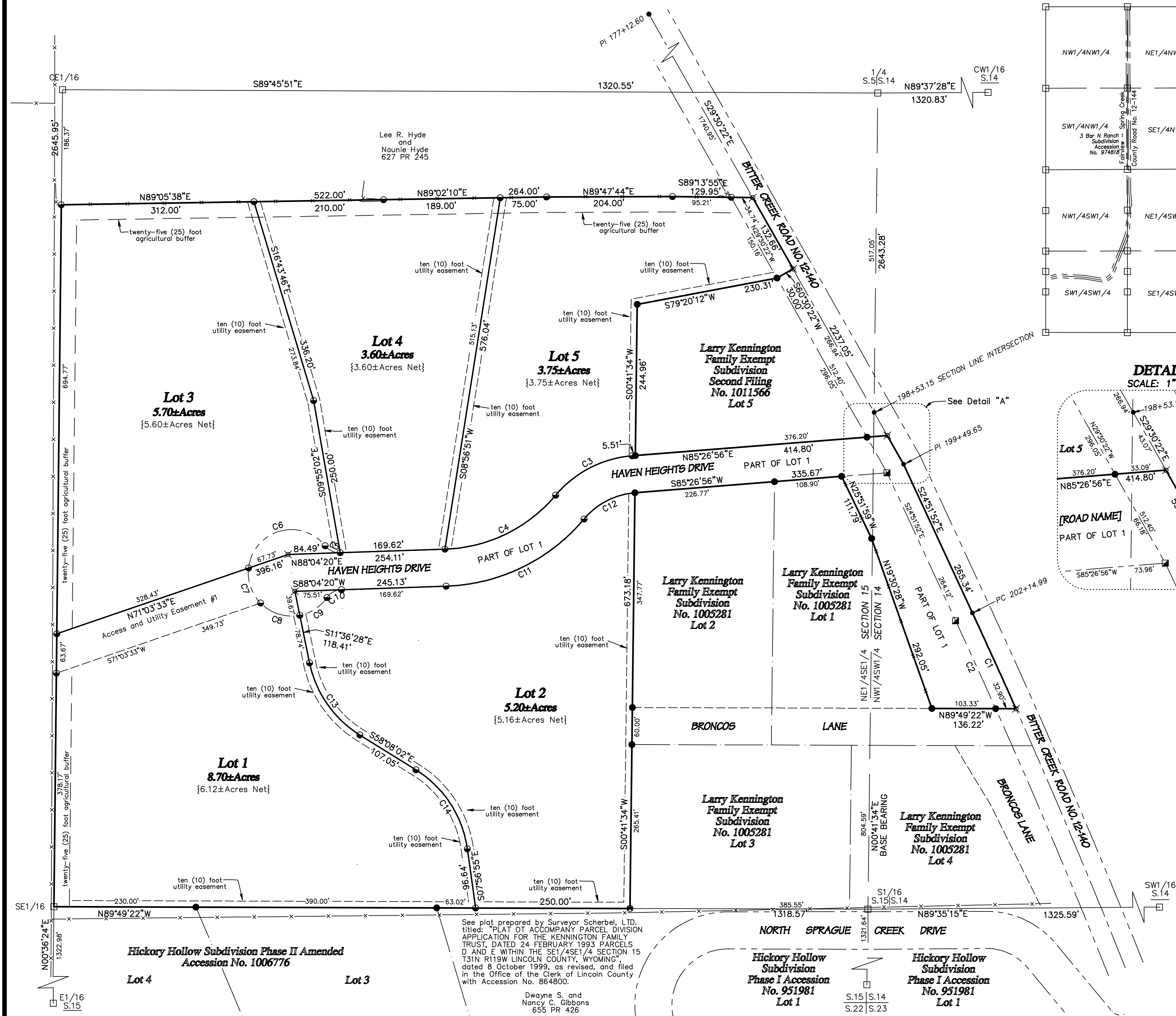
AGENCY CORRESPONDENCE:

Lincoln County Weed & Pest Control District: *Due to the snow during this time of year, we are unable to inspect the property. The subdivision representative will need to contact Lincoln County Weed & Pest in the spring of 2025. At that time, we will review a map of the proposed subdivision as well as schedule an appointment to go onsite to evaluate the noxious weeds in the area. The purpose of this visit is to ensure that a weed management plan be in place on the above mentioned property. At this time the subdivision can be approved and move forward through the process.*

Star Valley Conservation District: *The Planning Office did not receive any comments from the Star Valley Conservation District. It has been more than 60 days.*

State Engineer's Office: *The water right search revealed that there are no water rights of record that attach to the subdivision lands that specifically are required to be addressed under Wyoming Statute 18-5-36(a)(xi).*

RANGE VIEW ESTATES



SCALE: 1" = 1000'

CERTIFICATE OF OWNERS

STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

The undersigned hereby certifies that the division of that part of the NW1/4SW1/4 of Section 14 and that part of the NE1/4SE1/4 of Section 15 T31N R119W, Lincoln County, Wyoming, as shown hereon and more particularly described under the Certificate of Survey, is with the free consent and is in accordance with the desires of the undersigned owner and proprietor;

that the name of the subdivision shall be **RANGE VIEW ESTATES**;

that Haven Heights Drive is a private road with a perpetual non-exclusive right of ingress, egress, and utilities granted to each lot owner of this subdivision over, under, and across said road;

that the undersigned does hereby reserve unto itself and to its heirs, successor, and assign, a perpetual right of ingress, egress, and utilities over, under, and across Access and Utility Easement #1, as depicted hereon, in order to provide a perpetual access and utility easement to whatever lands said owner may designate;

the owners and proprietors have laid out and surveyed as Range View Estates and with the specific intent to do so, do hereby dedicate and convey to and for the public use forever, whether in the county or in a future municipality through annexation, the roads and road easements as are laid out and designated on this plat;

they do also create perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat;

Dedication of the road or roads on this plat in no way obligates the Lincoln County Commissioners to maintain such roads nor does it relieve the developer of the obligation to construct such road or roads according to the requirements of the Lincoln County Subdivision Regulations;

that the easements shown hereon identical with said Haven Height Drive and a ten (10) foot utility easement as depicted hereon, are hereby granted to all utility companies, their heirs, successors and assigns, including, but not limited to, Lower Valley Energy, Silver Star Communications, and CenturyLink, for the underground installation and maintenance of all utilities including, but not limited to, water, sewer, power, telephone, cable television, gas, storm water drainage, and irrigation facilities appurtenant to this subdivision;

that the subdivision is subject to easements of record;

that all rights under and by virtue of the Homestead Exemption Laws of the State of Wyoming are hereby released.

UPSWING DEVELOPMENT, LLC

Signature obtained by separate Certificate of Owner's
Signature to be recorded concurrently herewith

Jason Shumway, Managing Member Chris Brinkerhoff, Managing Member

CURVE TABLE

CURVE	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD	TANGENT
C1	170.41'	0°50'37"	11574.30'	S24°26'34"E	170.41'	85.21'
C2	156.49'	0°46'36"	11544.30'	S24°28'34"E	156.48'	78.24'
C3	142.78'	45°26'56"	180.00'	S62°43'28"W	139.07'	75.39'
C4	205.56'	48°04'20"	245.00'	S64°02'10"W	199.58'	109.27'
C5	27.82'	53°07'48"	30.00'	N65°21'46"W	26.83'	15.00'
C6	164.65'	134°45'58"	70.00'	S73°49'09"W	129.23'	168.92'
C7	62.01'	50°45'14"	70.00'	S18°56'27"E	60.00'	33.20'
C8	69.37'	56°46'54"	70.00'	S72°42'51"E	66.57'	37.83'
C9	93.71'	43°57'31"	70.00'	N56°55'17"E	52.40'	28.25'
C10	27.82'	53°07'48"	30.00'	NE1°30'26"E	26.83'	15.00'
C11	255.90'	48°04'20"	305.00'	N64°02'10"E	248.46'	136.03'
C12	95.19'	45°26'56"	120.00'	N62°43'28"E	92.71'	50.26'
C13	146.17'	46°31'34"	180.00'	N34°52'15"W	142.18'	77.38'
C14	157.66'	50°11'07"	180.00'	S33°02'29"E	152.67'	84.29'

CERTIFICATE OF RECORDATION

This plat was filed for record in the Office of the Clerk of Lincoln County on this ____ day of ____ 2025.

April Brunski, Clerk

CERTIFICATE OF SURVEYOR

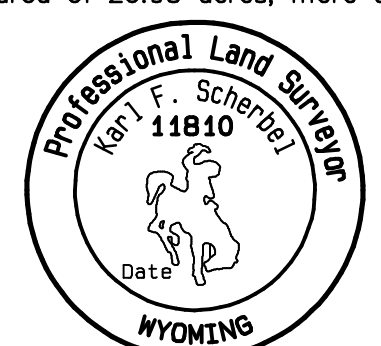
STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

I, Karl F. Scherbel, of Afton, Wyoming, hereby certify that this plat was made from notes taken during an actual survey made by persons under my supervision during ____ 2025 and from records in the Office of the Clerk of Lincoln County and that it correctly represents **RANGE VIEW ESTATES**;

that the boundary of the subdivision is:

That part of the NE1/4SE1/4 of Section 15 T31N R119W, Lincoln County, Wyoming being all of that tract of record in said Office in Book 1126 of Photostatic Records on page 792.

ENCOMPASSING an area of 26.95 acres, more or less;



The foregoing instrument was acknowledged before me by Karl F. Scherbel this ____ day of ____ 2025.

Witness my hand and official seal.

Notary Public
My Commission expires:

CERTIFICATE OF APPROVAL

STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

Pursuant to Sections 34-12-102 and 34-12-103 and Sections 18-5-301 through 18-5-315, Wyoming Statutes 2024, as amended, **RANGE VIEW ESTATES** was approved at the regular meeting of the Board of County Commissioners held on this ____ day of ____ 2025.

Subject to the provisions of a resolution and amendments thereto, for the approval of subdivision and townsite plats as adopted on 4 May 2005, as amended. Plat approval does not constitute acceptance of streets and/or roadways as County roads. Designation of County Roads is only accomplished by compliance with provisions of Section 24-3-101, Wyoming Statutes 2024, as amended.

Board of County Commissioners
County of Lincoln

Kent Connelly, Chairman Teri Bowers, Commissioner

Attest:

April Brunski, Clerk Melvin W Shumway, Commissioner

LEGEND

- Indicates a Corner Record filed in the Office of the Clerk of Lincoln County.
- Indicates a 2" galvanized steel pipe with brass cap inscribed: "PAUL N SCHERBEL RLS164" with appropriate details, found or of record.
- Indicates a 5/8" x 24" steel reinforcing rod with an aluminum cap inscribed: "SURVEYOR SCHERBEL LTD", with appropriate details, found.
- Indicates a 1" black iron pipe with or without yellow plastic cap inscribed: "PE/LS 698", found.
- Indicates a 3/8" x 12" steel spike, found or of record.
- Indicates a 5/8" x 24" steel reinforcing rod with an aluminum cap inscribed: "SURVEYOR SCHERBEL LTD", with appropriate details, set this survey.
- Indicates a calculated position, no monument found or set.
- Indicates a deed line or plotted lot line of record.
- Indicates an existing fence line.
- Indicates an easement line.
- Indicates a right-of-way line.
- Indicates a centerline.

The base bearing for this survey is the east line of the SE1/4 of Section 15, T31N, R119W, being N00°-41'-34"E.

Note:
Due to the rounding algorithms of automated computer drafting text, the sum of the parts of total distances may be 0.01' different from the total distance shown.

OWNERS:

Upswing Development, LLC
P.O. Box 1590
Afton, Wyoming 83110

SURVEYOR:

Surveyor Scherbel, Ltd.
P.O. Box 725
Afton, Wyoming 83110
(307) 885-9319

LAND USE TABLE:

Total Number of Lots:	5
Average Lot Size:	26.95± Acres
Total Acres:	5.39± Acres
Use of Lots:	Residential
Zoning:	Rural
Lots may not be further divided under the current zone.	

DATE: ____ 2025

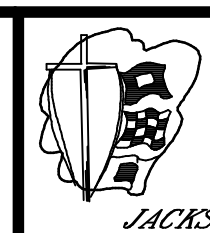
PRELIMINARY PLAT
RANGE VIEW ESTATES
WITHIN THE
NW1/4SW1/4 SECTION 14
NE1/4SE1/4 SECTION 15
T31N R119W
LINCOLN COUNTY, WYOMING

PLAT WARNINGS

- INSTREAM FLOW AND RIPARIAN RIGHTS**
The seller does not warrant to a purchaser that the purchaser has any rights to the natural flow of any stream within or adjacent to the proposed subdivision. The State of Wyoming does not recognize any riparian rights to the continued natural flow of a stream or river (W.S. 18-5-306, 2021).
- LACK OF CENTRAL SEWER**
NO PROPOSED CENTRALIZED SEWAGE SYSTEM (W.S. 18-5-306, 2021).
Lot owners shall be responsible for building their own small wastewater disposal systems which meet state and county standards.
- LACK OF CENTRAL WATER SYSTEM**
NO PROPOSED CENTRAL WATER SYSTEM (W.S. 18-5-306, 2021).
Lot owners shall be responsible for building their own wells which meet state standards.
- LACK OF SOLID WASTE SERVICE**
Solid waste haulage service not proposed. Lot owners shall be responsible for hauling their own solid waste.
- FIRE RESPONSE**
On-site fire-fighting facilities are not proposed.
- EXISTING AGRICULTURAL OPERATION**
Warning: There are existing agricultural operations adjacent to this subdivision and agricultural related nuisances may exist with the subdivision. Should lands adjacent to this subdivision be removed from agricultural use the 25 foot residential non-building buffer will no longer be in effect and normal setback standards shall be applied. The existing agricultural operations are protected by W.S. 11-44-103, 2021.
- AIRPORT SAFETY ZONE**
WARNING: Aircraft noise and aircraft related hazards may exist within subdivision.
- SPLIT ESTATE**
THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE (W.S.18-5-306, 2021)

-ADVANCE PLAT-
SUBJECT TO CORRECTION
AND APPROVAL

DATE:	10 January 2025
DRAWN BY:	Kode Reus
CHECKED BY:	Kode Reus
APPROVED BY:	SD/Range View Estates
FIELD BOOK:	
COMPUTER FILE:	RangeViewEstates-PP.pro

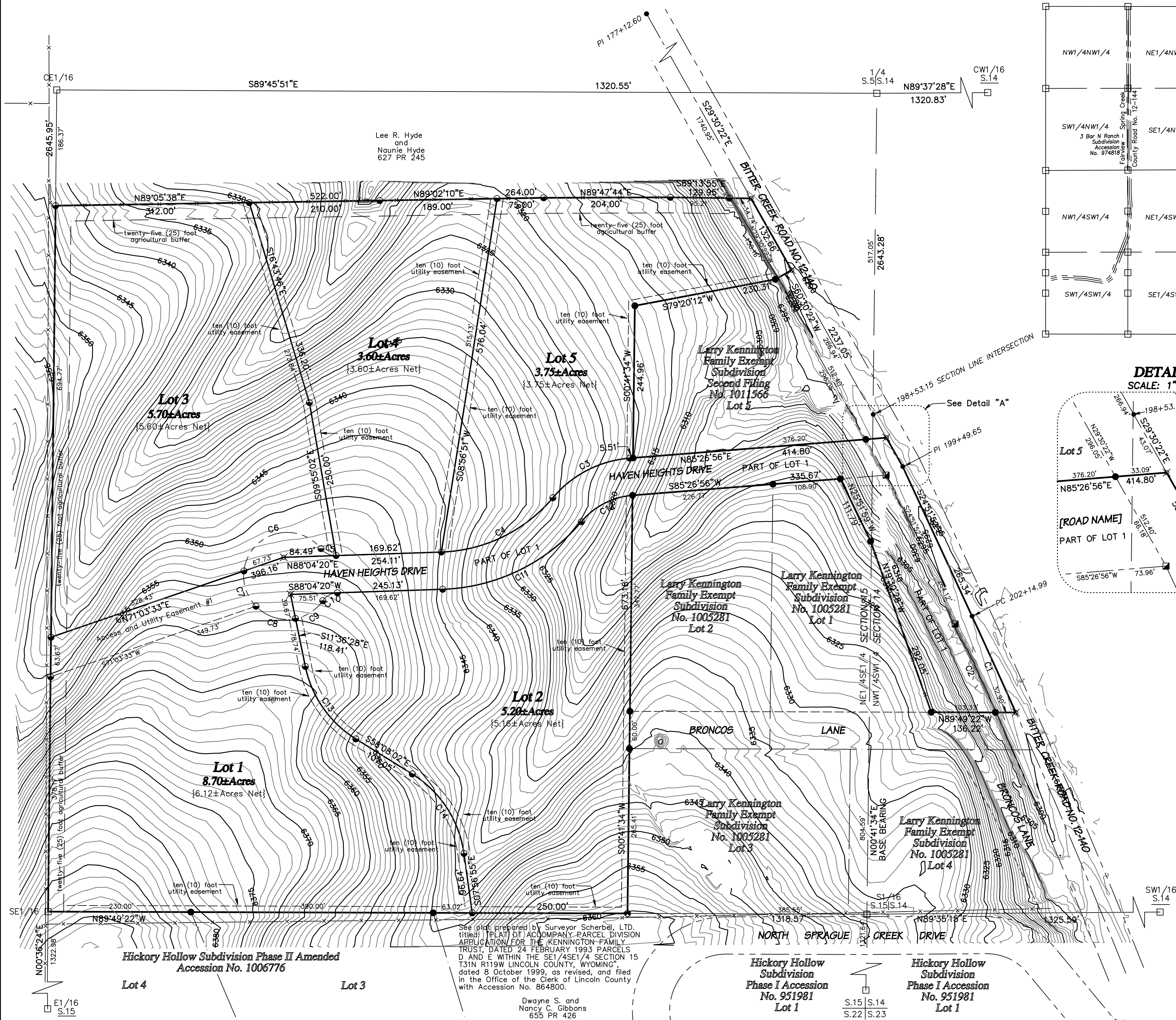


SURVEYOR SCHERBEL, LTD.
PROFESSIONAL LAND SURVEYORS
BOX 96 BIG PINEY-MARBLETON, WYO 83143 TEL 307-276-3347
BOX 725 AFTON, WYO 83110 TEL 307-885-9310 ALPINE, WYO 83128 TEL 307-885-9310
JACKSON, WYO TEL 307-733-5903 LAVA, ID TEL 208-776-5936 MONTPELLIER, ID TEL 208-847-2800

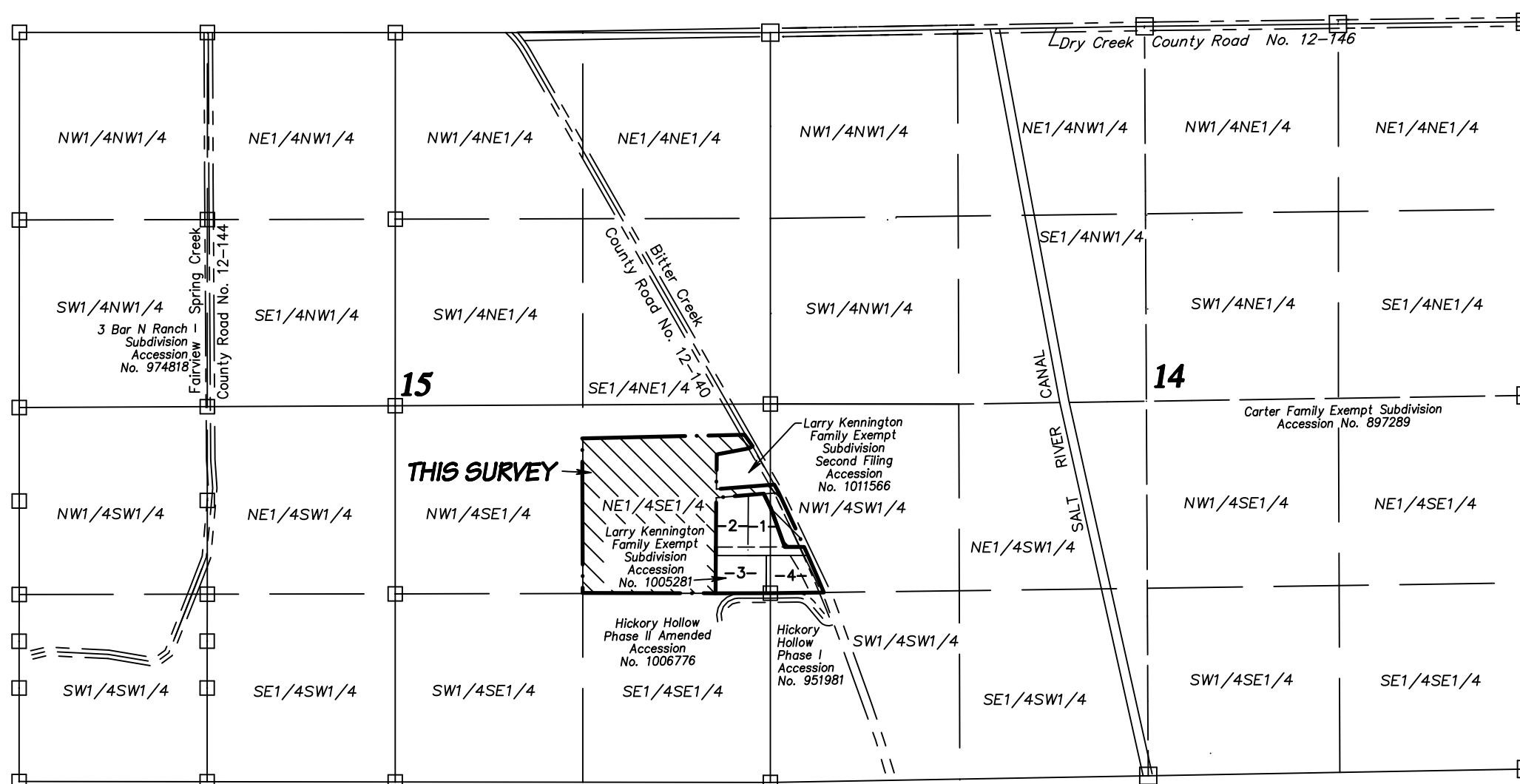


REVISIONS:	

RANGE VIEW ESTATES

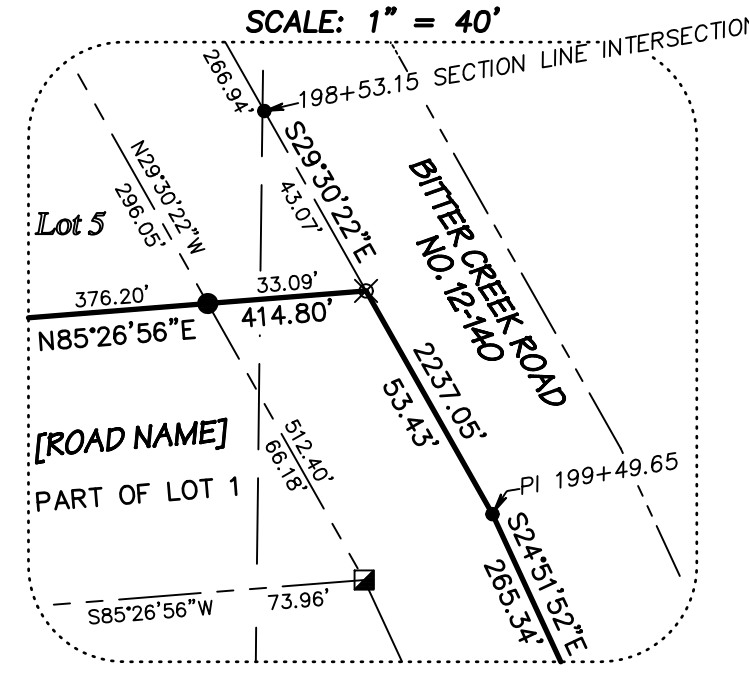


LOCATION MAP T30N R118W



SCALE: 1" = 1000'

DETAIL "A" SCALE: 1" = 40'



CERTIFICATE OF OWNERS

STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

The undersigned hereby certifies that the division of that part of the NW1/4SW1/4 of Section 14, and that part of the NE1/4SE1/4 of Section 15 T31N R119W, Lincoln County, Wyoming, as shown hereon and more particularly described under the Certificate of Surveyor, is with the free consent and is in accordance with the desires of the undersigned owner and proprietor;

that the name of the subdivision shall be **RANGE VIEW ESTATES**;

that Haven Heights Drive is a private road with a perpetual non-exclusive right of ingress, egress, and utilities granted to each lot owner of this subdivision over, under, and across said road;

that the undersigned does hereby reserve unto itself and to its heirs, successor, and assign, a perpetual right of ingress, egress, and utilities over, under, and across Access and Utility Easement #1, as depicted hereon, in order to provide a perpetual access and utility easement to whatever lands said owner may designate;

the owners and proprietors have laid out and surveyed as Range View Estates and with the specific intent to do so, do hereby dedicate and convey to and for the public use forever, whether in the county or in a future municipality through annexation, the roads and road easements as are laid out and designated on this plat;

they do also create perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat;

Dedication of the road or roads on this plat in no way obligates the Lincoln County Commissioners to maintain such roads nor does it relieve the developer of the obligation to construct such road or roads according to the requirements of the Lincoln County Subdivision Regulations;

that the easements shown hereon identical with said Haven Height Drive and a ten (10) foot utility easement as depicted hereon, are hereby granted to all utility companies, their heirs, successors and assigns, including, but not limited to, Lower Valley Energy, Silver Star Communications, and CenturyLink, for the underground installation and maintenance of all utilities including, but not limited to, water, sewer, power, telephone, cable television, gas, storm water drainage, and irrigation facilities appurtenant to this subdivision;

that the subdivision is subject to easements of record;

that all rights under and by virtue of the Homestead Exemption Laws of the State of Wyoming are hereby released.

UPSWING DEVELOPMENT, LLC

Signature obtained by separate Certificate of Owner's
Signature to be recorded concurrently herewith

Jason Shumway, Managing Member Chris Brinkerhoff, Managing Member

CURVE TABLE

CURVE	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD	TANGENT
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CERTIFICATE OF SURVEYOR

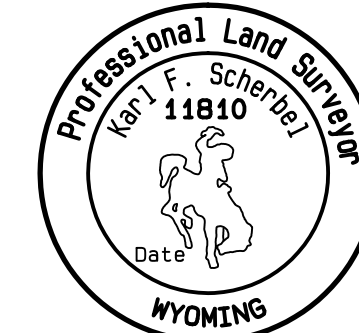
STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

I, Karl F. Scherbel, of Afton, Wyoming, hereby certify that this plat was made from notes taken during an actual survey made by persons under my supervision during 2025 and from records in the Office of the Clerk of Lincoln County and that it correctly represents **RANGE VIEW ESTATES**;

that the boundary of the subdivision is:

That part of the NE1/4SE1/4 of Section 15 T31N R119W, Lincoln County, Wyoming being all of that tract of record in said Office in Book 1126 of Photostatic Records on page 792.

ENCOMPASSING an area of 26.95 acres, more or less;



The foregoing instrument was acknowledged before me by Karl F. Scherbel this ____ day of ____ 2025.

Witness my hand and official seal.

Notary Public
My Commission expires:

CERTIFICATE OF APPROVAL

STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

Pursuant to Sections 34-12-102 and 34-12-103 and Sections 18-5-301 through 18-5-315, Wyoming Statutes 2024, as amended, **RANGE VIEW ESTATES** was approved at the regular meeting of the Board of County Commissioners held on this ____ day of ____ 2025.

Subject to the provisions of a resolution and amendments thereto, for the approval of subdivision and townsite plats as adopted on 4 May 2005, as amended. Plat approval does not constitute acceptance of streets and/or roadways as County roads. Designation of County Roads is only accomplished by compliance with provisions of Section 24-5-101, Wyoming Statutes 2024, as amended.

Board of County Commissioners
County of Lincoln

Kent Connelly, Chairman

Teri Bowers, Commissioner

Attest:

April Brunski, Clerk

Melvin W Shumway, Commissioner

LEGEND

- indicates a Corner Record filed in the Office of the Clerk of Lincoln County.
- indicates a 2" galvanized steel pipe with brass cap inscribed: "PAUL N. SCHERBEL RLS164" with appropriate details, found or of record.
- indicates a 5/8" x 24" steel reinforcing rod with an aluminum cap inscribed: "SURVEYOR SCHERBEL LTD", with appropriate details, found.
- ⊙ indicates a 1" black iron pipe with or without yellow plastic cap inscribed: "PE/LS 698", found.
- indicates a 3/8" x 12" steel spike, found or of record.
- ⊙ indicates a 5/8" x 24" steel reinforcing rod with an aluminum cap inscribed: "SURVEYOR SCHERBEL LTD", with appropriate details, set this survey.
- ⊗ indicates a calculated position, no monument found or set.
- — — — — indicates a deed line or platted lot line of record.
- - - - - indicates an existing fence line.
- - - - - indicates an easement line.
- - - - - indicates a right-of-way line.
- - - - - indicates a centerline.

The base bearing for this survey is the east line of the SE1/4 of Section 15, T31N, R119W, being N00°-41'-34"E.

Note:
Due to the rounding algorithms of automated computer drafting text, the sum of the parts of total distances may be 0.01' different from the total distance shown.

OWNERS:

Upswing Development, LLC
P.O. Box 1590
Afton, Wyoming 83110

SURVEYOR:

Surveyor Scherbel, Ltd.
P.O. Box 725
Afton, Wyoming 83110
(307) 885-9319

LAND USE TABLE:

Total Number of Lots:	5
Average Lot Size:	26.95± Acres
Total Acres:	5.39± Acres
Use of Lots:	Residential
Zoning:	Rural
Lots may not be further divided under the current zone.	

DATE: ____ 2025

PRELIMINARY PLAT RANGE VIEW ESTATES

WITHIN THE
NW1/4SW1/4 SECTION 14
NE1/4SE1/4 SECTION 15
T31N R119W
LINCOLN COUNTY, WYOMING

PLAT WARNINGS

1. INSTREAM FLOW AND RIPARIAN RIGHTS

The seller does not warrant to a purchaser that the purchaser has any rights to the natural flow of any stream within or adjacent to the proposed subdivision. The State of Wyoming does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of a stream or river (W.S. 18-5-306, 2021).

2. LACK OF CENTRAL SEWER

NO PROPOSED CENTRALIZED SEWAGE SYSTEM (W.S. 18-5-306, 2021).
Lot owners shall be responsible for building their own small wastewater disposal systems which meet state and county standards.

3. LACK OF CENTRAL WATER SYSTEM

NO PROPOSED CENTRAL WATER SYSTEM (W.S. 18-5-306, 2021).
Lot owners shall be responsible for building their own wells which meet state standards.

4. LACK OF SOLID WASTE SERVICE

Solid waste haulage service not proposed. Lot owners shall be responsible for hauling their own solid waste.

5. FIRE RESPONSE

On-site fire-fighting facilities are not proposed.

6. EXISTING AGRICULTURAL OPERATION

Warning: There are existing agricultural operations adjacent to this subdivision and agricultural related nuisances may exist with the subdivision. Should lands adjacent to this subdivision be removed from agricultural use the 25 foot residential non-building buffer will no longer be in effect and normal setback standards shall be applied. The existing agricultural operations are protected by W.S. 11-44-103, 2021.

7. AIRPORT SAFETY ZONE

WARNING: Aircraft noise and aircraft related hazards may exist within subdivision.

8. SPLIT ESTATE

THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE (W.S.18-5-306, 2021)

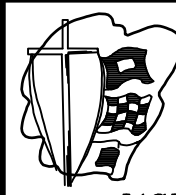
**-ADVANCE PLAT-
SUBJECT TO CORRECTION
AND APPROVAL**

CERTIFICATE OF RECORDATION

This plat was filed for record in the Office of the Clerk of Lincoln County on this ____ day of ____ 2025.

April Brunski, Clerk

DATE: 10 January 2025
DRAWN BY: Kode Beus
CALCULATED BY: Kode Beus
CATEGORY/PART: SD/Range View Estates
FIELD BOOK:
COMPUTER FILE: RangeViewEstates-PP.pro



SURVEYOR SCHERBEL, LTD.
PROFESSIONAL LAND SURVEYORS







BOX 96 BIG DAWG MARLBOROUGH, WY 83114 TEL 307-876-3947
BOX 725 AFTON, WY 83110 TEL 307-885-9319 ALPINE, WY 83120 TEL 307-885-9319
JACKSON, WY TEL 307-233-5904; LAVA, ID TEL 208-776-5930; MONTPELIER, ID TEL 208-847-2800



REVISIONS:

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PLOT DATE: 21 February 2025

-  Projects
-  US Highways
-  WY Highways
-  Township & Range
-  Sections
-  Municipalities
-  Public Noticing

**File No. 203 MS 25
Range View Estates
Upswing Development, LLC**

LINCOLN COUNTY WEED & PEST CONTROL DISTRICT

— IN COOPERATION WITH THE —
WYOMING DEPARTMENT OF AGRICULTURE
P.O. BOX 1117
AFTON, WYOMING 83110
(307) 885-(WEED) 9333 • (FAX) 307-886-5211

January 15, 2025

To whom it may concern,

I have received the proposal for the **Upswing Development, LLC c/o Jason Shumway—Minor Subdivision - within the NE1/4SE1/4 Section 15 T31N R119W NW1/4SW1/4 Section 14 T31N R119W**, Lincoln County, Wyoming.

Due to the snow during this time of year, we are unable to inspect the property. The subdivision representative will need to contact Lincoln County Weed & Pest in the spring of 2025. At that time, we will review a map of the proposed subdivision as well as schedule an appointment to go onsite to evaluate the noxious weeds in the area. The purpose of this visit is to ensure that a weed management plan be in place on the above-mentioned property. At this time the subdivision can be approved and move forward through the process.

Lincoln County Weed & Pest furnishes herbicides for noxious weed control at a 40% cost share discount to the landowner. We also offer ATV sprayers and 25 gallon pickup sprayers for rent.

Please know that all of my visits to the above property as well as any consultations are at no charge, so feel free to call me or stop by the office any time if you have any questions.

Sincerely,



Jason Trauntvein Assistant Supervisor
Lincoln County Weed & Pest Control
307-885-9333 (WEED)



State Engineer's Office

HERSCHLER BUILDING, 2 WEST
CHEYENNE, WYOMING 82002
(307) 777-6150

MARK GORDON
GOVERNOR

BRANDON GEBHART, P.E.
STATE ENGINEER

March 10, 2025

Lincoln County Planning Office
421 Jefferson Street
Afton, WY 83110
Attn: Elizabeth Williams
planning@lincolncountywy.gov

RE: Range View Estates, 203 MS 25

Dear Ms Williams:

The State Engineer's Office/Ground Water Division received application material related to the proposed Range View Estates Minor Subdivision from the Lincoln Planning Office requesting information and advice.

The proposed subdivision is to be located in the NESE of Section 15, T31N, R119W, Lincoln County, Wyoming. This proposal involves subdividing approximately 26.95 acres into 5 residential lots of approximately 5.39 acres each. Based upon the review of both the subdivision application and a preliminary search of the agency's water rights database, the State Engineer's Office offers the following:

The water right search revealed that there are no water rights of record that attach to the subdivision lands that specifically are required to be addressed under Wyoming Statute 18-5-36(a)(xi).

Additional Comments:

1. An approved permit from the State Engineer's Office is required prior to the drilling of any water well. The procurement of the necessary and appropriate State Engineer water right permit allows the applicant to attempt to develop a water supply adequate to meet their proposed needs, and is no guarantee that any water will be physically available.
2. If any new wells are proposed, they must be constructed in accordance with the State Engineer's Office Rules and Regulations, Part III, Water Well Minimum Construction Standards.

3. With few exceptions, new wells must be constructed by a Wyoming licensed water well drilling contractor, and pumps must be installed by a Wyoming licensed pump installation contractor.
4. Any well not to be used must be properly plugged and abandoned as outlined in the above referenced rules and regulations.
5. Any wells developed for uses that do NOT fall within the definition of domestic or stock use require adjudication by the Board of Control.

In all correspondence regarding this application, please reference "State Engineer Subdivision Review Number 2025-5-12".

If you have any questions, please feel free to contact me at (307) 777-2975, or if you prefer email, at sue.kinsley@wyo.gov. Thank you for the opportunity to comment on the subdivision application.

Sincerely,



Sue Kinsley
Natural Resources Analyst

TRANSMITTED VIA EMAIL

Cc: Ryan Cox, Administrator, Ground Water Division
Jed Rockweiler, Administrator, Surface Water Division
Cheryl Timm, Administrator, Board of Control Division
Kevin Payne, Superintendent, Water Division IV
Mike Johnson, Lead Hydrographer/Commissioner, Water Division IV, District 8

**DEVELOPMENT AGREEMENT
FOR RANGE VIEW ESTATES
FILE NO. 203 MS 25**

THIS AGREEMENT is made and entered into as of the ____ day of _____, 2025 by and between **Lincoln County, Wyoming**, hereinafter referred to as “County”, whose address is 925 Sage Ave Suite 301, Kemmerer, Wyoming, 83101 and **Upswing Development, LLC** hereinafter referred to as “OWNER/DEVELOPER,” whose address is P.O. Box 1590, Afton, WY 83101.

WHEREAS, it is the intent and purpose of the OWNER/DEVELOPER to meet the conditions of approval for File No. 203 MS 25 Range View Estates to subdivide approximately 26.95 acres into 5 lots as set forth in the Preliminary Plat; and

WHEREAS, the OWNER/DEVELOPER is the sole owner of the identified certain Property (see Exhibit A) located in the County; and

WHEREAS, it is the intent and purpose of the OWNER/DEVELOPER and the County to enter into this Agreement that will guarantee the full and satisfactory completion of the required Improvements on the Property described in this Agreement and it is the intent of this Agreement and the parties to satisfy the Improvement requirements and to provide for the approval of the Final Plat application by the Lincoln County Board of County Commissioners and the Final Plat recordation in the Office of the Lincoln County Clerk of Grover Meadows Subdivision;

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree:

Section 1. Definitions

1.1 **SUBDIVISION:** The subject of this Agreement, which is designated and identified as File No. 203 MS 25 Range View Estates on the Property described in Exhibit A in the jurisdiction of Lincoln County, Wyoming. This definition shall include any and all future mention to the term SUBDIVISION.

1.2 **IMPROVEMENT:** Any alteration to the land or other physical construction located on or off the Property that is associated with this subdivision, building site, or development.

1.3 **OWNER/DEVELOPER:** means and refers to Upswing Development, LLC whose address is P.O. Box 1590, Afton, WY 83110 the party that owns and is developing the Property and shall include and subsequent owner(s) or OWNER/DEVELOPER(s) of the Property.

1.4 **PROPERTY:** means and refers to the identified approximately 26.95 +/- acres of a certain parcel(s) of Property located in Lincoln County, Wyoming, as described in Exhibit A.

Section 2. Planned Improvements. The OWNER/DEVELOPER shall, at its sole cost and expense, properly install and complete the following required improvements:

- Construct an approved subdivision road with a minimum 26' roadway width and 70' radius cul-de-sac. The subdivision roads shall meet all Lincoln County Road Standards.
- Submit a Water Distribution Plan to the State Engineer's Office if water rights exist on the property.
- Install electrical power and communication lines to each identified lot.
- Surveyor's lot monuments as set forth in the Preliminary Plat attached hereto as Exhibit B.
- Reseed disturbed areas to avoid weed infestation and erosion.
- Meet subdivision fencing laws per Wyoming Statute 18-5-319.
- Purchase private road name signs and stop signs through Lincoln County, Wyoming Planning and Development Office.
- Install road and stop signs after completion of improvements and prior to final subdivision approval (see Lincoln County Land Use Regulations 6.18).

OWNER/DEVELOPER agrees that these Improvements shall be installed in compliance with Lincoln County Land Use Regulations Chapter 6 adopted by the County or other agencies responsible for providing services to the Development.

Section 3. Sales or building permits. No lot shall be sold prior to final plat approval by the Lincoln County Board of County Commissioners and recording by the Lincoln County Clerk. Also, no building permits shall be issued by the County until final plat approval and recording.

Section 4. Schedule for Commencement and Completion of the Improvements. The OWNER/DEVELOPER shall commence construction of the Improvements for SUBDIVISION within two (2) years after the SUBDIVISION Preliminary Plat approval by the Lincoln County Board of County Commissioners. The OWNER/DEVELOPER will complete construction of the Improvements within three (3) years after approval of the Preliminary Plat. If OWNER/DEVELOPER does not commence construction of the Improvements within two (2) years or complete Improvements within three (3) years of the date of SUBDIVISION Preliminary Plat approval by the Lincoln County Board of County Commissioners, the preliminary plat approval for SUBDIVISION will be automatically revoked. At such time, the OWNER/DEVELOPER must reapply for approval of SUBDIVISION under the then current County subdivision regulations. If OWNER/DEVELOPER timely completes the Improvements and meets all of the conditions of approval set out in the Final Determination approving the Preliminary Plat and improvements as outlined in this Development Agreement, a Final Plat shall be signed and recorded.

Section 5. Control of trash, weeds, dust, erosion, and sedimentation. The OWNER/DEVELOPER shall be fully responsible for all dust abatement, erosion, sedimentation, weed, and trash control on the Property required by any County, State or Federal regulations. OWNER/DEVELOPER shall use best management practices and industry standards for control. Trash shall be contained at all times. The responsibilities in this Section shall run with the land and shall therefore apply before, during, and until completion of Improvements.

Section 6. Permits. The OWNER/DEVELOPER is responsible for obtaining all 60' right-of-way, easements, access, excavation, and other permits and approvals required by local, State, or Federal regulations.

Section 7. Inspections. The OWNER/DEVELOPER's representatives shall make regular inspections and maintain control of the SUBDIVISION while it is under construction. Representatives of the County shall have the right to enter upon the Property at any reasonable time to inspect and to determine whether the OWNER/DEVELOPER is in compliance with this Agreement. The OWNER/DEVELOPER shall permit the County and its representatives to enter upon and inspect the Property at reasonable times. The OWNER/DEVELOPER will not materially deviate from the Improvements required herein without the prior written approval of the County, which approval will not be unreasonably withheld.

Section 8. Final Inspection and Approval of Improvements. The OWNER/DEVELOPER shall notify the County when it believes that the Improvements have been fully and properly completed and shall request final inspection and approval and acceptance of the Improvements by the County. At the time of such notification to the County, OWNER/DEVELOPER may be required to submit to County a set of "as built" plans and specifications, prepared by its engineer. The County will provide interim and final inspection of the Improvements within a reasonable time period after notification by the OWNER/DEVELOPER of completion and submission of "as built" plans and specifications. Upon inspection, the County shall give written acceptance of the Improvements or a written checklist of material deficiencies, such noted deficiencies shall be specific as to location and shall specify, in detail, the necessary corrective action to be taken by the OWNER/DEVELOPER. Upon approval of the final inspection, the County shall notify OWNER/DEVELOPER of its acceptance of the Improvements.

Section 9. Warranty of the Improvements. The OWNER/DEVELOPER warrants the prompt and satisfactory correction of all defects and deficiencies, for both materials and workmanship, in the Improvements that occur or become evident within one year. If such defect or deficiency occurs or becomes evident during such period, then the OWNER/DEVELOPER shall, within thirty (30) days after written demand by the County to do so, correct it or cause it to be corrected. If the defect or deficiency cannot be reasonably corrected within thirty (30) days after written demand from the County, the OWNER/DEVELOPER shall commence the correction of the deficiency within the thirty (30) day period and proceed with reasonable diligence to correct the same or cause it to be corrected.

Section 10. Remedies. In the event the OWNER/DEVELOPER fails to perform any of the terms, conditions or obligations in this Agreement or has not resolved a defect or deficiency

under this Agreement, the County, at its option, may exercise any rights and remedies it may have under law. Furthermore, the County reserves the right, in its absolute discretion, to revoke the OWNER/DEVELOPER's approvals for SUBDIVISION. In the event of said revocation, OWNER/DEVELOPER must reapply for approval of SUBDIVISION under the then current County subdivision regulations.

Section 11. Default. If the OWNER/DEVELOPER fails to fully perform any of its obligations in accordance with this Agreement, or fails or refuses to correct any defect or deficiency in the Improvements required by this Agreement, then the OWNER/DEVELOPER shall be in Default of this Agreement. Lincoln County shall notify the OWNER/DEVELOPER of the specific Default or failing. If Default occurs, then Lincoln County shall be entitled to use any of the Remedies in the preceding paragraph at its own discretion.

Section 12. Maintenance of Lots. OWNER/DEVELOPER hereby agrees that all unsold lots shall be maintained by the OWNER/DEVELOPER at the OWNER/DEVELOPER's sole expense.

Section 13. Maintenance of Roads. OWNER/DEVELOPER hereby agrees that they will create a binding document; either a Road Maintenance Agreement, HOA, CCR, Special Improvement District, or Mutual Benefit Corporation that at a minimum:

- a) Provide an entity for ongoing road maintenance including the collection of road maintenance fees;
- b) Provide an entity for ongoing snow removal including the collection of snow removal fees;
- c) Ensure road maintenance and snow removal are maintained indefinitely.
- d) The chosen document must be filed at the time of final plat filing, and bind all current and future owners to the agreement.

Section 14. Binding Upon Successors. This Development Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives.

Section 15. Notices. Any written notices required herein shall be deemed delivered to the addressee when delivered in person on a business day at the address set forth below or on the third day after being deposited in the United States mail, for delivery by properly addressed, postage prepaid, certified or registered mail, return receipt requested, to the address set forth below.

Notices to the County shall be addressed to, or delivered at, the following address:

Lincoln County Board of County Commissioners
ATTN: Planning Director
Planning and Development Office
925 Sage Ave., Ste 201
Kemmerer, WY 83101

Notices to the OWNER/DEVELOPER shall be addressed to, or delivered at, the following address:

Upswing Development, LLC
P.O. Box 1590
Afton, WY 83110

Section 16. Indemnification.

A. No Liability for County Approval or Denial. The OWNER/DEVELOPER acknowledges and agrees (1) that the County is not, and shall not be, in any way liable for any damages, loss or injuries whatsoever, including attorney fees, that may be sustained as the result of the County's issuance or denial of any permits, inspections, approvals or acceptances of the Improvements or use of any portion of the Improvements, and (2) that the County's issuance or denial of any permits, inspections, approvals or acceptances does not, and shall not, in any way be deemed to insure the OWNER/DEVELOPER, or any of its heirs, successors, assigns, tenants, or licensees or any third party, against damage or injury of any kind.

B. Indemnification. Except as provided below, the OWNER/DEVELOPER agrees to, and does hereby, indemnify the County, and all of its elected and appointed officials, officers, employees, agents and representatives from any and all claims, costs and liability of every kind and nature that may be asserted at any time against any such parties for injury or damage received or sustained by any person or entity in connection with (1) the County's review of, denial, or approval of any plans, including those for the Improvements, (2) the inspection or issuance of any approval or acceptance of Improvements, (3) the SUBDIVISION, construction, maintenance or use of any portion of the Improvements and (4) the performance by the OWNER/DEVELOPER of its obligations under this Agreement and all related Agreements. The indemnification required herein shall include, but not be limited to, any costs of defense incurred by the indemnified parties including attorney fees and expert witness fees.

Section 17. Amendments or Alterations. Any changes, omissions, modifications, revisions, additions or amendments to this Development Agreement shall be incorporated by written instrument, executed and signed by all parties.

Section 18. Severability. The invalidity or unenforceability of any provision of this Agreement shall not affect the other provisions hereof and this Agreement shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

Section 19. Filing. The County shall have this Agreement recorded in the Office of the Lincoln County Clerk.

Section 20. Authority to Execute. The County hereby warrants and represents to the OWNER/DEVELOPER that the persons executing this Agreement on its behalf have been properly authorized to do so by the Board of County Commissioners. The OWNER/DEVELOPER hereby warrants and represents to the County (1) that it is the owner of record of the Property or the owner's authorized representative, (2) that it has the right, power,

and authority to enter into this Agreement and to agree to the terms, provisions, and conditions set forth herein and to bind the subdivision as set forth herein, (3) that all legal action needed to authorize the execution, delivery, and performance of this Agreement have been taken, and (4) that neither the execution of this Agreement nor the performance of the obligations assumed by the OWNER/DEVELOPER hereunder will (i) result in a breach or default under any Agreement to which the OWNER/DEVELOPER is a party or to which it or the subdivision is bound or (ii) violate any statute, law restriction, court order, or Agreement to which the OWNER/DEVELOPER or the subdivision is subject.

Section 21. Regulations. The OWNER/DEVELOPER agrees to abide by all regulations, laws and codes of Lincoln County, the State of Wyoming, and the Federal Government.

Section 22. Applicable Law/Venue. The construction, interpretation, and enforcement of this Agreement shall be governed by the laws of the State of Wyoming. The Courts of the State of Wyoming shall have jurisdiction over this Agreement and the parties, and the venue shall be the Third Judicial District, Lincoln County, Wyoming.

Section 23. Insurance. OWNER/DEVELOPER shall procure, and at all times maintain, general liability insurance to protect from claims for damages because of negligence or bodily injury, including but not limited to death and damages to property, all with coverage limits of no less than one million dollars (\$1,000,000.00). Said insurance will also provide coverage to fulfill the OWNER/DEVELOPER's indemnification requirements set forth herein and be obtained before beginning construction. Upon request, OWNER/DEVELOPER agrees to provide a certificate of liability insurance to County evidencing said limit.

Section 24. Entirety of Agreement. This Agreement sets forth all promises, inducements, agreements, condition and understandings between OWNER/DEVELOPER and County relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between OWNER/DEVELOPER and County, other than as are stated herein. All Exhibits referenced herein are incorporated in this Agreement as if set forth in full including all text information in the Exhibits. In the event of any conflict of terms in this Agreement and any Exhibits, the terms of this Agreement shall control. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns.

Section 25. No Waiver of County Rights. No waiver of any provision of this Agreement will be deemed to constitute a waiver of any other provision nor will it be deemed to constitute a continuity waiver unless expressly provided for; nor will the waiver of any default under this Agreement be deemed a waiver of any subsequent default or defaults of the same type. The County's failure to exercise any obligation under this Agreement will not constitute the approval of any wrongful act by the OWNER/DEVELOPER or the acceptance of any Improvement. OWNER/DEVELOPER acknowledges that Lincoln County reserves the right to revoke all approvals for SUBDIVISION upon failure to comply with SUBDIVISION conditions of approval, upon any of the violations of Lincoln County Land Use Regulations, or for

misrepresentations or material omissions made to the Lincoln County Planning and Engineering Office or Board of County Commissioners.

Section 26. Sovereign Immunity. The County does not waive sovereign immunity by entering into this Agreement and specifically retains immunity and all defenses available to it pursuant to law, including government immunity.

Section 27. Effective Date. This Agreement shall become valid and binding only upon its approval by the Lincoln County Board of County Commissioners and shall be effective on the date first written above.

IN WITNESS WHEREOF, the parties to this Agreement through their duly authorized representatives have executed this Agreement on the days and dates set out below and certify that they have read, understood, and agreed to the terms and conditions of this Agreement.

LINCOLN COUNTY

Kent Connelly, Chairman
Board of Lincoln County Commissioners

Date: _____

Attest:

April Brunski
Lincoln County Clerk

OWNER/DEVELOPER

Upswing Development, LLC

Date: _____

STATE OF WYOMING)
) ss
COUNTY OF LINCOLN)

The foregoing instrument was acknowledged before me by Upswing Development, LLC, this
____ day of _____ 2025.

Witness my hand and official seal.

(SEAL)

Notary Public
My Commission expires: _____

EXHIBIT A
DESCRIPTION OF PROPERTY

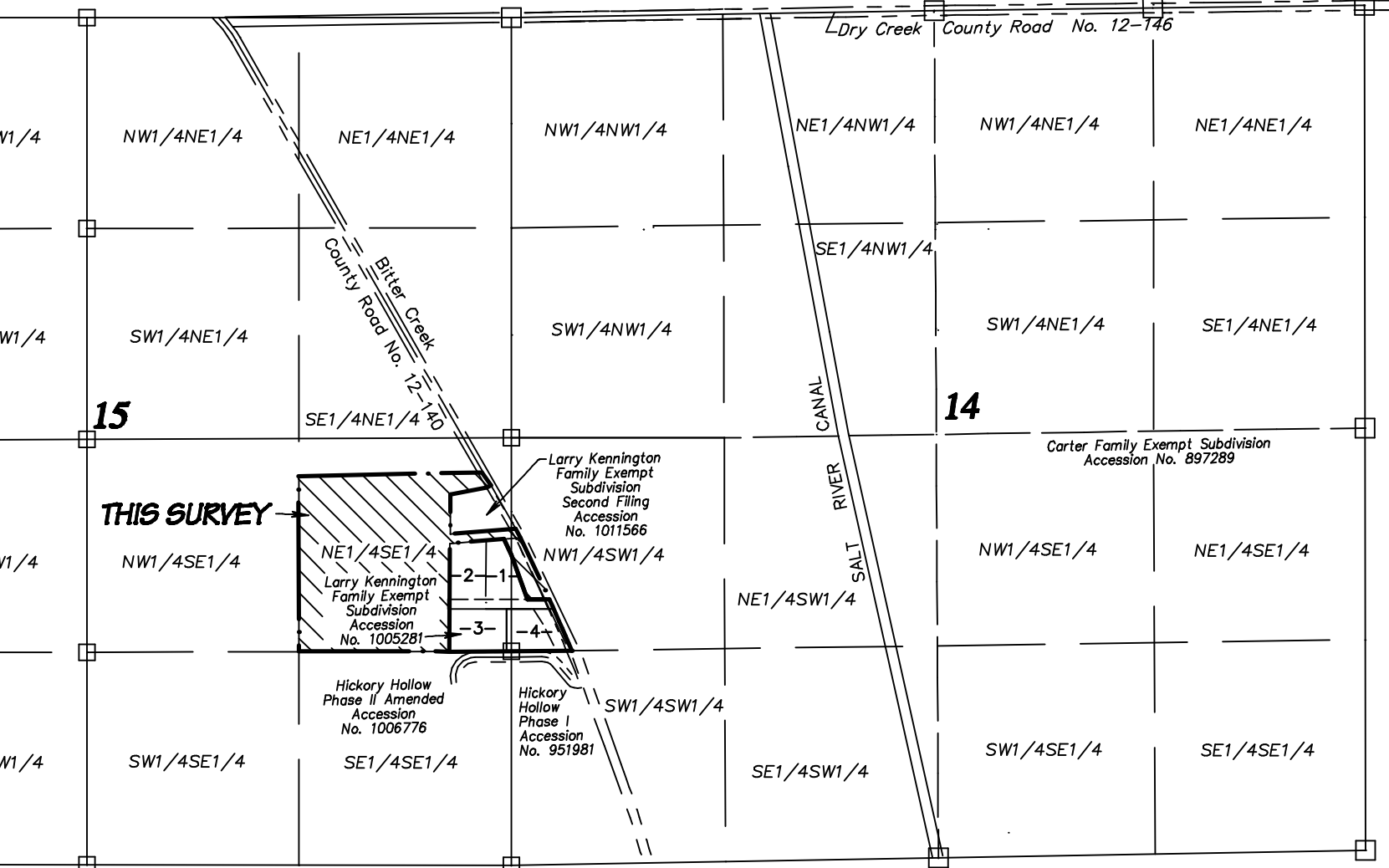
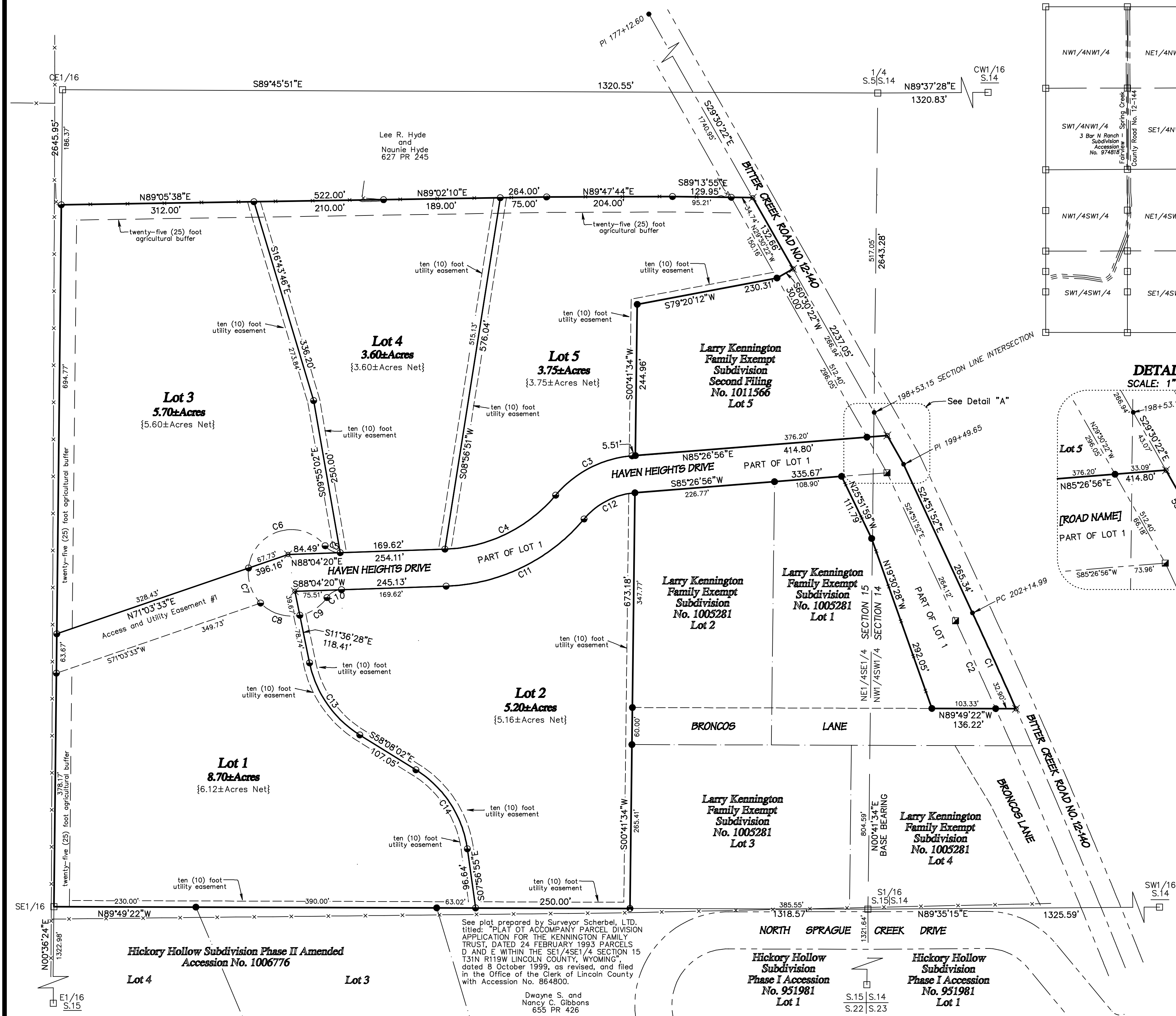
Range View Estates

26.95 +/- acres within Section 15, Township 31 North, Range 119 West, in Lincoln County, Wyoming.

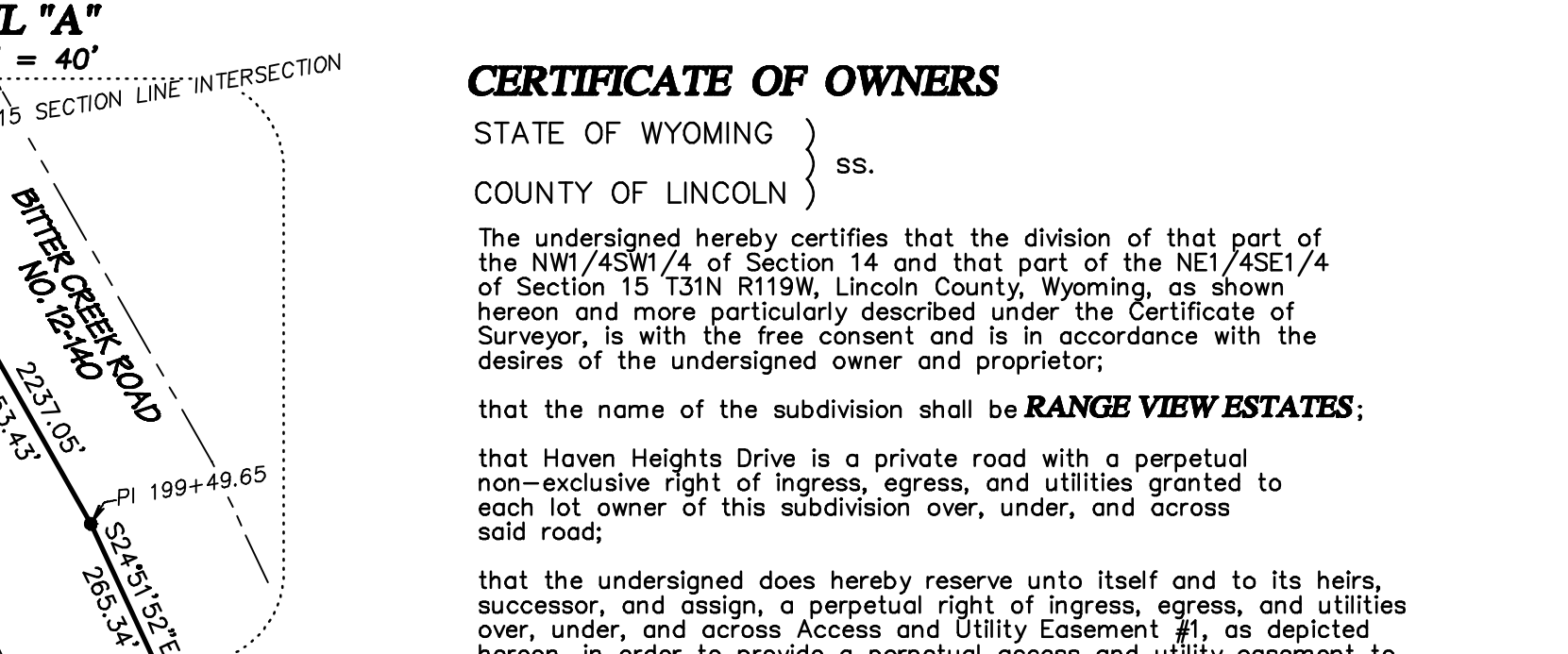
EXHIBIT B
APPROVED PRELIMINARY PLAT

See Attached

RANGE VIEW ESTATES



SCALE: 1" = 1000'



DETAIL "A"
SCALE: 1" = 40'

CERTIFICATE OF OWNERS

STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

The undersigned hereby certifies that the division of that part of the NW1/4SW1/4 of Section 14 and that part of the NE1/4SE1/4 of Section 15 T31N R119W, Lincoln County, Wyoming, as shown hereon and more particularly described under the Certificate of Survey, is with the free consent and is in accordance with the desires of the undersigned owner and proprietor;

that the name of the subdivision shall be **RANGE VIEW ESTATES**;

that Haven Heights Drive is a private road with a perpetual non-exclusive right of ingress, egress, and utilities granted to each lot owner of this subdivision over, under, and across said road;

that the undersigned does hereby reserve unto itself and to its heirs, successor, and assign, a perpetual right of ingress, egress, and utilities over, under, and across Access and Utility Easement #1, as depicted hereon, in order to provide a perpetual access and utility easement to whatever lands said owner may designate;

the owners and proprietors have laid out and surveyed as Range View Estates and with the specific intent to do so, do hereby dedicate and convey to and for the public use forever, whether in the county or in a future municipality through annexation, the roads and road easements as are laid out and designated on this plat;

they do also create perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat;

Dedication of the road or roads on this plat in no way obligates the Lincoln County Commissioners to maintain such roads nor does it relieve the developer of the obligation to construct such road or roads according to the requirements of the Lincoln County Subdivision Regulations;

that the easements shown hereon identical with said Haven Height Drive and a ten (10) foot utility easement as depicted hereon, are hereby granted to all utility companies, their heirs, successors and assigns, including, but not limited to, Lower Valley Energy, Silver Star Communications, and CenturyLink, for the underground installation and maintenance of all utilities including, but not limited to, water, sewer, power, telephone, cable television, gas, storm water drainage, and irrigation facilities appurtenant to this subdivision;

that the subdivision is subject to easements of record;

that all rights under and by virtue of the Homestead Exemption Laws of the State of Wyoming are hereby released.

UPSWING DEVELOPMENT, LLC

Signature obtained by separate Certificate of Owner's
Signature to be recorded concurrently herewith

Jason Shumway, Managing Member Chris Brinkerhoff, Managing Member

CURVE TABLE

CURVE	LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD	TANGENT
C1	170.41'	0°50'37"	11574.30'	S24°26'34"E	170.41'	85.21'
C2	156.49'	0°46'36"	11544.30'	S24°28'34"E	156.48'	78.24'
C3	142.78'	45°26'56"	180.00'	S62°43'28"W	139.07'	75.39'
C4	205.56'	48°04'20"	245.00'	S64°02'10"W	199.58'	109.27'
C5	27.82'	53°07'48"	30.00'	N65°21'46"W	26.83'	15.00'
C6	164.65'	134°45'58"	70.00'	S73°49'09"W	129.23'	168.92'
C7	62.01'	50°45'14"	70.00'	S18°56'27"E	60.00'	33.20'
C8	69.37'	56°46'54"	70.00'	S72°42'51"E	66.57'	37.83'
C9	93.71'	43°57'31"	70.00'	N56°55'17"E	52.40'	28.25'
C10	27.82'	53°07'48"	30.00'	NE1°30'26"E	26.83'	15.00'
C11	255.90'	48°04'20"	305.00'	N64°02'10"E	248.46'	136.03'
C12	95.19'	45°26'56"	120.00'	N62°43'28"E	92.71'	50.26'
C13	146.17'	46°31'34"	180.00'	N34°52'15"W	142.18'	77.38'
C14	157.66'	50°11'07"	180.00'	S33°02'29"E	152.67'	84.29'

CERTIFICATE OF RECORDATION

This plat was filed for record in the Office of the Clerk of Lincoln County on this ____ day of ____ 2025.

April Brunski, Clerk

CERTIFICATE OF SURVEYOR

STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

I, Karl F. Scherbel, of Afton, Wyoming, hereby certify that this plat was made from notes taken during an actual survey made by persons under my supervision during ____ 2025 and from records in the Office of the Clerk of Lincoln County and that it correctly represents **RANGE VIEW ESTATES**;

that the boundary of the subdivision is:

That part of the NE1/4SE1/4 of Section 15 T31N R119W, Lincoln County, Wyoming being all of that tract of record in said Office in Book 1126 of Photostatic Records on page 792.

ENCOMPASSING an area of 26.95 acres, more or less;



The foregoing instrument was acknowledged before me by Karl F. Scherbel this ____ day of ____ 2025.

Witness my hand and official seal.

Notary Public
My Commission expires:

CERTIFICATE OF APPROVAL

STATE OF WYOMING } ss.
COUNTY OF LINCOLN }

Pursuant to Sections 34-12-102 and 34-12-103 and Sections 18-5-301 through 18-5-315, Wyoming Statutes 2024, as amended, **RANGE VIEW ESTATES** was approved at the regular meeting of the Board of County Commissioners held on this ____ day of ____ 2025.

Subject to the provisions of a resolution and amendments thereto, for the approval of subdivision and townsite plats as adopted on 4 May 2005, as amended. Plat approval does not constitute acceptance of streets and/or roadways as County roads. Designation of County Roads is only accomplished by compliance with provisions of Section 24-3-101, Wyoming Statutes 2024, as amended.

Board of County Commissioners
County of Lincoln

Kent Connelly, Chairman Teri Bowers, Commissioner

Attest:

April Brunski, Clerk Melvin W Shumway, Commissioner

LEGEND

- Indicates a Corner Record filed in the Office of the Clerk of Lincoln County.
- Indicates a 2" galvanized steel pipe with brass cap inscribed: "PAUL N SCHERBEL RLS164" with appropriate details, found or of record.
- Indicates a 5/8" x 24" steel reinforcing rod with an aluminum cap inscribed: "SURVEYOR SCHERBEL LTD", with appropriate details, found.
- Indicates a 1" black iron pipe with or without yellow plastic cap inscribed: "PE/LS 698", found.
- Indicates a 3/8" x 12" steel spike, found or of record.
- Indicates a 5/8" x 24" steel reinforcing rod with an aluminum cap inscribed: "SURVEYOR SCHERBEL LTD", with appropriate details, set this survey.
- Indicates a calculated position, no monument found or set.
- Indicates a deed line or platted lot line of record.
- Indicates an existing fence line.
- Indicates an easement line.
- Indicates a right-of-way line.
- Indicates a centerline.

The base bearing for this survey is the east line of the SE1/4 of Section 15, T31N, R119W, being N00°-41'-34"E.

Note:
Due to the rounding algorithms of automated computer drafting text, the sum of the parts of total distances may be 0.01' different from the total distance shown.

OWNERS:	SURVEYOR:	LAND USE TABLE:
Upswing Development, LLC P.O. Box 1590 Afton, Wyoming 83110	Surveyor Scherbel, Ltd. P.O. Box 725 Afton, Wyoming 83110 (307) 885-9319	Total Number of Lots: 5 Average Lot Size: 5.39± Acres Use of Lots: Residential

DATE: ____ 2025

Zoning: Rural

Lots may not be further divided under the current zone.

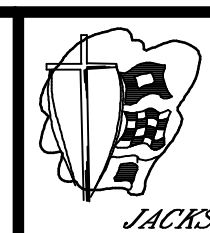
PRELIMINARY PLAT
RANGE VIEW ESTATES
WITHIN THE
NW1/4SW1/4 SECTION 14
NE1/4SE1/4 SECTION 15
T31N R119W
LINCOLN COUNTY, WYOMING

PLAT WARNINGS

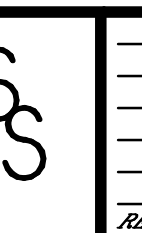
- INSTREAM FLOW AND RIPARIAN RIGHTS**
The seller does not warrant to a purchaser that the purchaser has any rights to the natural flow of any stream within or adjacent to the proposed subdivision. The State of Wyoming does not recognize any riparian rights to the continued natural flow of a stream or river (W.S. 18-5-306, 2021).
- LACK OF CENTRAL SEWER**
NO PROPOSED CENTRALIZED SEWAGE SYSTEM (W.S. 18-5-306, 2021).
Lot owners shall be responsible for building their own small wastewater disposal systems which meet state and county standards.
- LACK OF CENTRAL WATER SYSTEM**
NO PROPOSED CENTRAL WATER SYSTEM (W.S. 18-5-306, 2021).
Lot owners shall be responsible for building their own wells which meet state standards.
- LACK OF SOLID WASTE SERVICE**
Solid waste haulage service not proposed. Lot owners shall be responsible for hauling their own solid waste.
- FIRE RESPONSE**
On-site fire-fighting facilities are not proposed.
- EXISTING AGRICULTURAL OPERATION**
Warning: There are existing agricultural operations adjacent to this subdivision and agricultural related nuisances may exist with the subdivision. Should lands adjacent to this subdivision be removed from agricultural use the 25 foot residential non-building buffer will no longer be in effect and normal setback standards shall be applied. The existing agricultural operations are protected by W.S. 11-44-103, 2021.
- AIRPORT SAFETY ZONE**
WARNING: Aircraft noise and aircraft related hazards may exist within subdivision.
- SPLIT ESTATE**
THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE (W.S.18-5-306, 2021)

-ADVANCE PLAT-
SUBJECT TO CORRECTION
AND APPROVAL

DATE:	10 January 2025
DRAWN BY:	Kode Reus
CHECKED BY:	Kode Reus
APPROVED BY:	SD/Range View Estates
FIELD BOOK:	
COMPUTER FILE:	RangeViewEstates-PP.pro



SURVEYOR SCHERBEL, LTD.
PROFESSIONAL LAND SURVEYORS
BOX 96 BIG PINEY-MARBLETON, WYO 83143 TEL 307-276-3347
BOX 725 AFTON, WYO 83110 TEL 307-885-9310 ALPINE, WYO 83128 TEL 307-885-9310
JACKSON, WYO TEL 307-733-5303 LAVA, ID TEL 208-776-5336 MONTPELLIER, ID TEL 208-847-2800



REVISIONS:	

LINCOLN COUNTY PLANNING & ZONING COMMISSION

STAFF REPORT

Land Use Regulation Amendment Proposal

HEARING TIME AND DATE: 6:00 p.m., March 19, 2025

LOCATION: Lincoln County Courthouse, Commissioner Boardroom 3rd Floor, 925 Sage Ave., Kemmerer, Wyoming & Afton Planning & Development Office, 61 E. 5th Ave., Afton, Wyoming
FILE # 602 PZ 25

APPLICANT: Lincoln County Planning & Development Office

PROJECT NAME: Land Use Regulations Amendment Road Standards

PLANNER: Elizabeth Williams

PROPOSAL: A Proposed Amendment to the Lincoln County Land Use Regulations to modify Road Standards in Chapter 6.16-6.19, 6.11.D.3. and Chapter 7.1, which will address recent development issue and promote safer road design.

- Proposal A. Modify language in Chapter 6.16 Road Standards
- Proposal B. Replace Standard Grading Sections Chapter 6.16, Pages 20-21 with Typical Section drawing
- Proposal C. Add Cul-de-Sac drawing to follow Typical Section drawing in 6.16
- Proposal D. Modify language in Chapter 6.17 General Road Design Requirements
- Proposal E. Amend language and Road Type Table in 6.18 Subdivision Road Design Specifications
- Proposal F. Add definitions to Chapter 7.1
- Proposal G. Change “Office of Planning & Engineering” to “Office of Planning & Development” throughout the Lincoln County Land Use Regulations
- Proposal H. Modify Lot Design Specifications, layout to clarify flag lot limitations

ATTACHMENTS:

1. Current Standard Grading Sections Chapter 6
2. Current 6.18 Road Type Table
3. Fire Apparatus Access Roads

PLANNING STAFF RECOMMENDATION:

Planning Staff recommends that the Planning and Zoning Commission approve the 30 day public notice for the Planning & Zoning Commission Hearing of File # 602 PZ 25.

FINDINGS OF APPROVAL:

- A. The proposal is consistent with the provisions of W.S. 18-5-202 (b) for the adoption and amendment to a comprehensive plan, including zoning.
- B. The proposal is consistent with the goals and objectives of the Lincoln County Comprehensive Plan Goals and Objectives IV Land Use, specifically:
 - Goals: C. Reduce the impacts new development has on county and community services.
 - Objectives: 1. Create Land Use Regulations that promote the responsible and orderly development of Lincoln County.
- C. The proposal is consistent with the procedures outlined in Lincoln County Land Use Regulations Chapter One for the adoption of amendments, specifically regarding the noticing of plan amendment and rezone proposals.

PROPOSAL A:

Modify language in Chapter 6.16 Road Construction Standards

PROPOSED CHANGES ARE UNDERLINED AND RED, DELETED TEXT IS ~~STRUCK OUT~~.

6.16 ROAD CONSTRUCTION STANDARDS

A. Surface Specification

All Subdivision Roads are required to be either graveled or paved.

Gravel-- For gravel roads, the minimum acceptable sub-base is eight (8) inches of pit run coarse aggregate; the minimum surface is four (4) inches of crushed coarse aggregate, Wyoming Department of Transportation Grading W or GR.

Paved-- For paved roads, the minimum acceptable sub-base ~~is four (4) inches of crushed coarse aggregate;~~ is eight (8) inches of pit run coarse aggregate; the minimum surface is four (4) inches of crushed aggregate; and a ~~the minimum acceptable base is two (2) inches of~~ bituminous pavement. A chip seal or sand and gravel seal-wearing course shall be applied.

Gradation/Specification Requirements: Subbase and Base

<u>Sieve</u>	<u>Grading</u>				
	<u>J</u>	<u>GR</u>	<u>L</u>	<u>K</u>	<u>W</u>
	<u>% Passing</u>				
<u>2 in [50 mm]</u>	<u>100</u>				
<u>1 ½ in [37.5 mm]</u>	<u>90 to 100</u>		<u>100</u>	<u>100</u>	<u>100</u>
<u>1 in [25 mm]</u>		<u>100</u>	<u>90 to 100</u>	<u>90 to 100</u>	<u>90 to 100</u>
<u>¾ in [19 mm]</u>		<u>90 to 100</u>			
<u>½ in [12.5 mm]</u>		<u>65 to 85</u>	<u>60 to 85</u>		<u>60 to 85</u>
<u>No. 4 [4.75 mm]</u>	<u>35 to 75</u>	<u>50 to 78</u>	<u>35 to 55</u>	<u>40 to 65</u>	<u>45 to 65</u>
<u>No. 8 [2.36 mm]</u>				<u>30 to 55</u>	<u>33 to 53</u>
<u>No. 200 [75 µm]</u>	<u>0 to 15</u>	<u>4 to 15</u>	<u>3 to 15</u>	<u>3 to 15</u>	<u>3 to 12</u>

Aggregate Properties: Subbase and Base

<u>Properties</u>	<u>Subbase</u>	<u>Base</u>	<u>Crushed Base</u>
		<u>Shouldering</u>	<u>(Gravel Roads)</u>
<u>LA abrasion loss, max., %</u>	<u>50</u>	<u>50</u>	<u>50</u>
<u>Liquid limit, max.</u>	<u>25</u>	<u>25</u>	<u>30</u>
<u>Plasticity index</u>	<u>0 to 6</u>	<u>0 to 3</u>	<u>4 to 12</u>
<u>R-Value, min.</u>	<u>60</u>	<u>75</u>	<u>60</u>
<u>Soundness (MgSO₄) loss, max. calculated for the combined material, %</u>		<u>18</u>	<u>18</u>

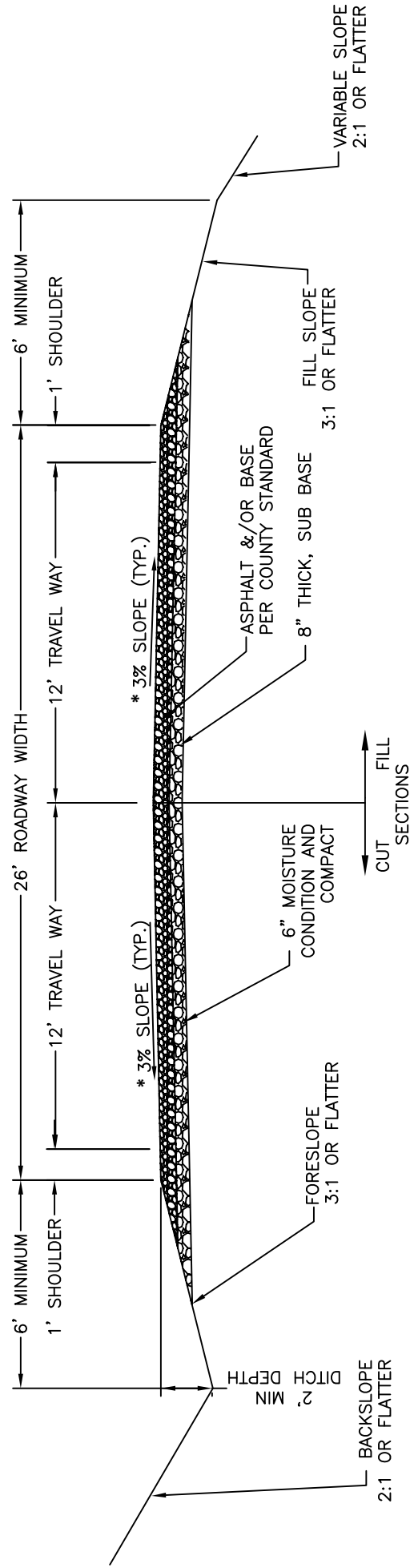
B. Design, Construction Layout and Survey

- Structural Section may need additional Engineering based on soil reports. Planning Administration may require the Structural Section be stamped by a Licensed Engineer in the State of Wyoming.
- Alignment stakes ~~will only~~ may be set for blade and cast sections.
- Grade stakes ~~will~~ may be set for grade sections. Grade given ~~will~~ may be for finished grade on center-line of roadway.
- Transitions from crowned sections to curved sections to be made in fifty (50) foot sections on the tangents preceding and following a curve.
- Temporary monuments ~~of 3/8 inch x 12 inch steel re-bar~~ may be used during construction.

6. Roadways shall be constructed to profiles and cross sections, grade and surfaced in accordance with the standards, rules, and regulations of Lincoln County. Planning Staff may require plan, profile and cross sections be submitted prior to construction. Planning Staff may also require plans to be stamped by a Wyoming licensed Professional Engineer.

PROPOSAL B:

Replace Standard Grading Sections Chapter 6.16, Pages 20-21 with Typical Section drawing (follows)

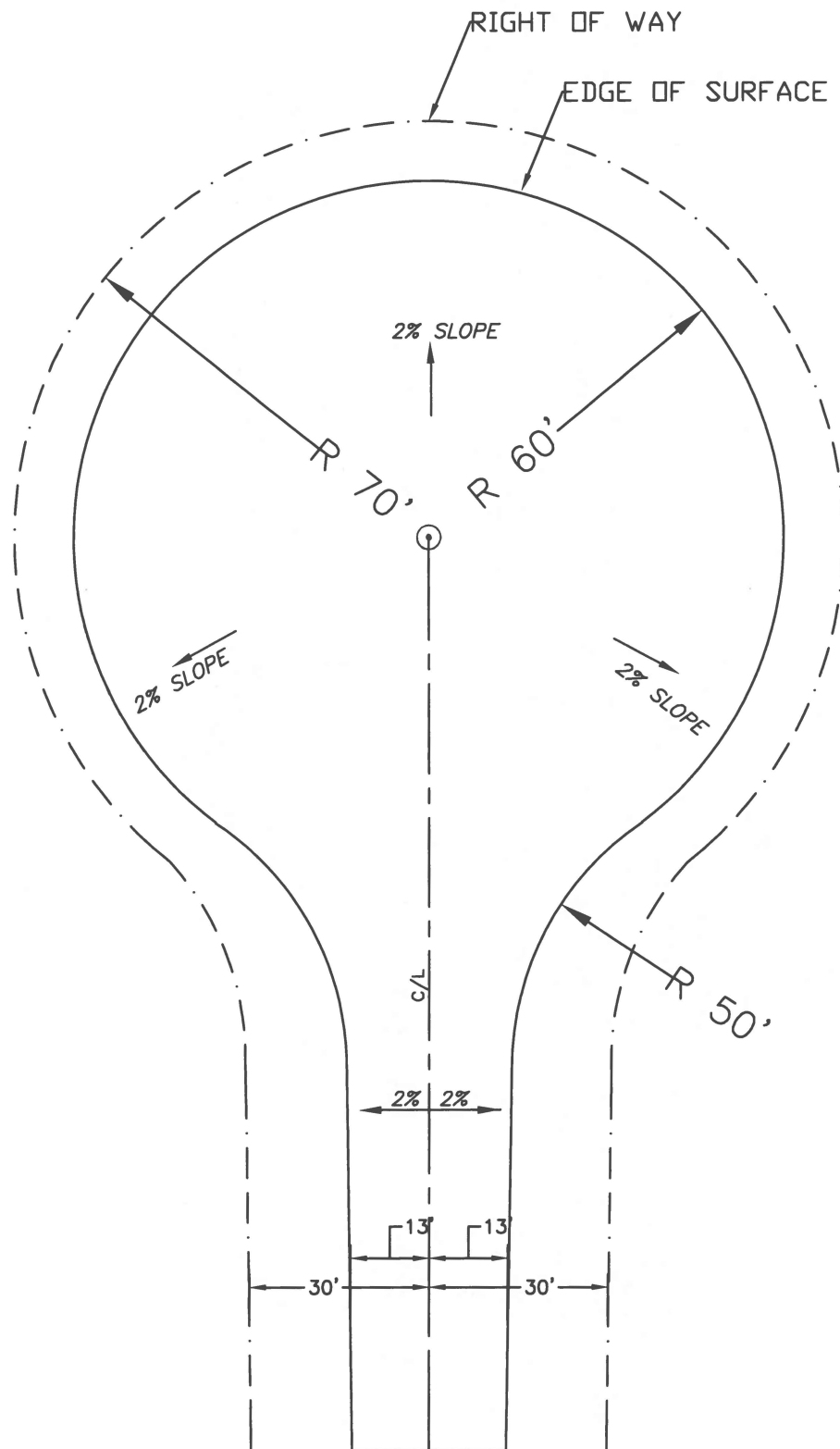


TYPICAL SECTION

- * 3% SLOPE FOR GRAVEL ROADS
- 2% SLOPE FOR PAVED ROADS

PROPOSAL C:

Add Cul-de-Sac drawing to follow Typical Section drawing in 6.16 (follows)



CUL-DE-SAC

PROPOSAL D:

Modify language in Chapter 6.17 General Road Design Requirements

PROPOSED CHANGES ARE UNDERLINED AND RED, DELETED TEXT IS STRUCK OUT.

6.17 GENERAL ROAD DESIGN REQUIREMENTS

- A. Subdivision roads should have a loop road for a turnaround point rather than a cul-de-sac unless it is determined by the Office of Planning and Development ~~and Engineering~~ and/or the County Engineer that the physical characteristics of the site prohibit its construction.
- B. ~~The arrangement of streets in new subdivisions are encouraged to provide for the continuation of streets in adjoining subdivisions and other areas.~~ Road rights-of-way shall be provided from the proposed subdivision roads or streets to adjacent or adjoining lands if such easements or rights-of-way would improve access to the potentially developable lands or potentially landlocked lands and would facilitate the development of a coordinated road system developing within the area. Roads shall be designed and aligned to join with planned or existing roads.
- C. If the Planning Office approves a subdivision ~~proposes to have an~~ interior road ending in a cul-de-sac (dead end) because of physical characteristics of the site, the road shall have:
 - a. A minimum radius of ~~60~~ 70 feet (60' surface radius).
 - b. A maximum length of one thousand (1,000) feet.
 - c. Adequate snow storage shall be provided to keep turnarounds clear.

Dead end roads which do not have turnarounds are not allowed. ~~Road design proposals may be reviewed by the County Engineer and/or local fire chief to assist in review for safety and adequacy.~~

- D. The Board of County Commissioners shall require, prior to approving a subdivision plat, the rearrangement, deletion or addition of streets, lots and entrances if significant traffic, safety or other hazardous problems exist in a proposed subdivision.
- E. No lot, of a newly created subdivision, shall be designed to have direct access to a County Road. The construction of a subdivision road is necessary for access for multiple lots.
- F. Half streets within a subdivision, or along a subdivision boundary, are not permitted.
- G. All bridges/culverts, serving drainage basins over 200 acres, shall be designed by ~~an~~ registered Engineer licensed in the State of Wyoming. Additionally, all bridges/culverts serving drainage basins under 200 acres may require to be designed by a Wyoming licensed Professional Engineer at the discretion of the Planning Administrator. All disturbed areas shall be graded appropriately and re-seeded after construction and prior to Final Plat inspection for subdivisions.

- H. Access to subdivisions shall be from roads constructed within dedicated public rights-of-way, private road rights-of-way or recorded perpetual easements. Two (2) points of access into the subdivision shall be provided if the proposed subdivision contains **15 or more lots.**
- I. Road design proposals may be reviewed by the County Engineer and/or local Fire Chief to assist in review for safety and adequacy.
- J. Pedestrian way/bicycle path requirements
 - a. Pedestrian ways and bicycle paths shall have a right-of-way width of ten feet (10') where in the opinion of the County Commissioners they are necessary for pedestrian circulation within the subdivision or to provide access to common elements. The extent of improvements required for pedestrian ways or bicycle paths shall be considered on an individual basis. Pedestrian ways or bicycle paths of greater or lesser width may be required by the Board of County Commissioners.
- K. One-way roads: One-way roads will not be allowed.
- L. Hammerheads and Y turnarounds will not be allowed on dead end roads.
- M. Dead end roads over 1000 feet will require approval by the Fire Advisory Panel prior to Preliminary Plat application submittal.

PROPOSAL E:

Amend language and Road Type Table in 6.18 Subdivision Road Design Specifications

6.18 SUBDIVISION ROAD AND BRIDGE DESIGN SPECIFICATIONS

A. Subdivision Roads

All proposed subdivision roads shall be built to the specifications outlined below. The road design standards are designed to accommodate different volumes of traffic. The standards for roads carrying heavier traffic loads are more stringent than for roads carrying fewer automobiles. ~~Each subdivision road shall be designed with the assumption that the subdivision will be fully developed and that each lot will create average daily traffic (ADT) of 11.25 trips.~~

Unit of Average Daily Traffic

<u>TYPE</u>	<u>UNIT</u>	<u>PER UNIT ADT</u>
<u>Dwelling, Single Family</u>	<u>Per dwelling unit</u>	<u>10</u>
<u>Dwelling, Two Family</u>	<u>Per dwelling unit</u>	<u>7</u>
<u>Dwelling, Multiple-Family</u>	<u>Per dwelling unit</u>	<u>7</u>
<u>Guest House</u>	<u>Per dwelling unit</u>	<u>5</u>
<u>Mobile Home Park</u>	<u>Per mobile home</u>	<u>5</u>
<u>Hotel</u>	<u>Per room</u>	<u>9</u>
<u>Storage Units</u>	<u>Per unit</u>	<u>0.25</u>
<u>Restaurant</u>	<u>Per 1,000 S.F. gross</u>	<u>90</u>
<u>Commercial</u>	<u>Per 1,000 S.F. gross</u>	<u>115</u>
<u>Office</u>	<u>Per 1,000 S.F. gross</u>	<u>11</u>
<u>RV Park</u>	<u>Per space</u>	<u>7</u>
<u>Super Market</u>	<u>Per 1,000 S.F. gross</u>	<u>102</u>

When per unit average daily traffic (ADT) counts are not listed for a type of development, or an ADT has not been established for a particular category or location by the County Engineer, the design engineer shall use an acceptable reference approved by the County Engineer such as the ITE "Trip Generation Handbook," current edition, to obtain the appropriate ADT count. Each road shall be designed with the assumption that the subdivision will be fully developed and that each lot will create average daily traffic.

Road Type

Road type	A <u>Private – Collector</u>	B <u>Private – Local</u>	C <u>Private - Local</u>
Number of lots served by road	40 and more	<u>20 to 39</u> 25 to 39	<u>3 to 19</u> 3 to 24
<u>ADT</u>	<u>TYP ADT 400+</u>	<u>TYP ADT > 300 to 400</u>	<u>TYP ADT < 300</u>
Minimum Right-of-Way Width (Ft)	60		
<u>Travel Way Roadway Width (Ft)</u>	24, 20, 20 <u>26</u>		
Shoulder	0, 1'	0, 1' 2'	0, 1' 2'
<u>Surface Type</u>	<u>Paved</u>	<u>Gravel or Paved</u>	<u>Gravel or Paved</u>
<u>Design Speed (mph)</u>	<u>45</u>	<u>30</u>	<u>30</u>
Intersections	Not less than 84 degrees	Not less than 84 degrees	Not less than 84 degrees
Intersection offset, min. (Ft) *	660	330	125 <u>150</u>
Grades, max.	6%, 8%, 10% **		
Grades, min.	0.3 %		
Crown, min.	0.3% <u>3% Gravel or 2% Paved</u>		
Max. Grade 100 ft. before intersection	3 %		4 %
Min <u>Horizontal</u> Curve Radius (Ft)	300, 300 <u>500</u>	250, 250, 100 <u>300</u>	250, 250, 100 <u>300</u>
<u>Visibility at Intersection</u>	415	310	210
<u>Min. Stopping Sight Distance (Ft) ***</u>	<u>400</u>	<u>200</u>	<u>200</u>
<u>Signs at intersection</u>	<u>Stop</u> <u>Street name</u>	<u>Yield or Stop</u> <u>Street name</u>	<u>Yield or Stop</u> <u>Street name</u>

*Measured from inside edge of Right-of-Way (ROW)

**MOUNTAIN TERRAIN 8-10% – Topography determined by Planning Staff may allow exceptions:

- Road shall be designed by a Wyoming licensed Professional Engineer
- Fewer than 10 lots and shall be less than 99 ADT

- GRADE EXCEPTIONS FOR MOUNTAIN TERRAIN:

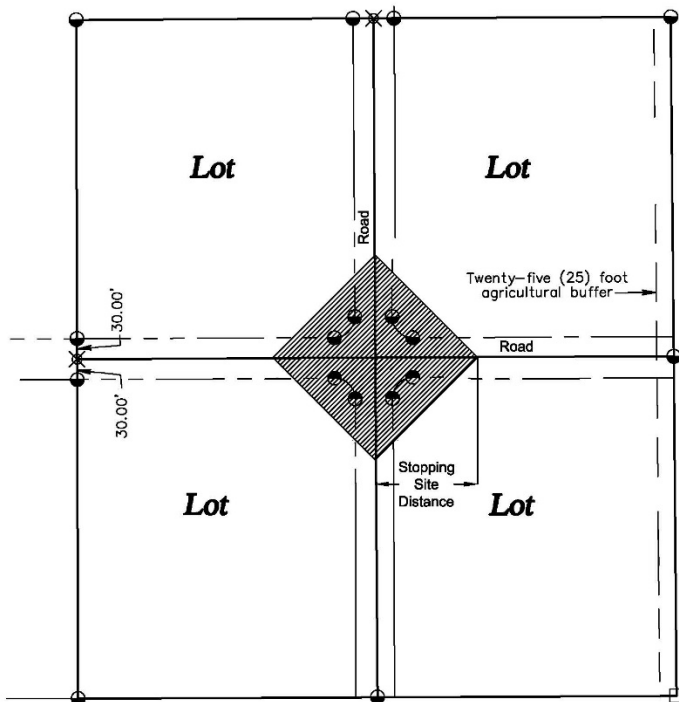
Exceptions to maximum grades: may have sections with a grade above eight (8) percent and a maximum grade up to ten (10) percent, provided all of the following conditions are met:

1. The section shall be no longer than five hundred (500) feet;
2. The section shall have a horizontal radius of fifteen hundred (1,500) feet or greater;
3. Grades shall not exceed six (6) percent for one hundred and fifty (150) feet on either end of the section;
4. Curves with a horizontal radius of less than three hundred (300) feet shall not be within five hundred (500) feet on either end of the section.

- HORIZONTAL CURVE FOR MOUNTAIN TERRAIN:

To be designed no less than a 15-mph curve. Minimum Curve Radius shall not be less than 100 feet. Warning Curve Signs shall be posted in both travel directions a minimum of 100 feet prior to the beginning of a curve with a radius less than 250 feet. (Placement location is dependent on the site conditions)

***Site Distance and Driver's View



The driver's view of the roadway shall be free of vegetation or other obstructions which may impair the view of on-coming traffic. Visibility shall be: 200' in either direction at heights of 30 inches for roads with speed limits up to 30 mph.

If the subdivision is on relatively level terrain (slope not more than 6%) the road design may resemble that of lots and blocks generally found in municipalities.

Signs are required to be installed by the applicant at the applicant's expense. The locations of signs are at the discretion of the county staff to promote safe traffic flow and clear communication of information to visitors and emergency service personnel. Signs shall be sturdy, readable and set in concrete. The Planning Office will order signs and posts for the applicant to pick up at the Planning Office.

All signs, striping, markers, delineators, and other traffic control devices shall conform to the requirements of the Manual on Uniform Traffic Control Devices, latest edition, hereinafter referred to as the MUTCD, published by the U.S. Department of Transportation, Federal Highway Administration.

B. Bridges General Design Information

All structures shall conform to the following:

- AASHTO LRFD Bridge Design Specifications (most current edition and interims)
- WYDOT Bridge Design Manual
- AASHTO Manual for Bridge Evaluation
- WYDOT STANDARD SPECIFICATIONS for Road & Bridge Construction

All bridges to be constructed shall be designed by a Professional Engineer who holds a valid license granted by the Wyoming Board of Professional Engineers and Professional Land Surveyors.

Submittals

- Design calculations, plans, and specifications shall be submitted
- Load rating for all WYDOT Load Rating Trucks and Emergency Vehicles
- Geotechnical report
- Hydraulic report (if new structure spans a waterway). The report will need to include scour elevations for the design, 100 years, and 500-year events
- Ensure all submittals are stamped by a Wyoming licensed Professional Engineer

Design Criteria

All structures shall conform to the following design standards:

- Each bridge shall have a minimum freeboard clearance of 18 inches between lowest part of bridge structure and top of existing bank
- Minimum Design Truck: HL-93
- Minimum clear roadway width between parapets: 26 feet
- Minimum Bridge parapet height: 32 inches
- Minimum Bridge parapet test level: TL-3
- Minimum Frost Depth to Bottom of Footing: 48 inches

Material Properties

See material requirements in WYDOT Bridge Design Manual.

Utilities

Where utility conflicts exist; water, power, telephone, cable TV and gas lines will be relocated as required for construction of the project. Where it is feasible and reasonable to locate utility lines elsewhere, attachment to structures will not be permitted.

PROPOSAL F:

Add definitions to Chapter 7.1

7.1 DEFINITIONS

ADT – Average Daily Traffic

Guest House - A detached dwelling, accessory to a principal dwelling unit, located on the same lot or parcel, and smaller in floor area of living space, which may be used as temporary housing for nonpaying visitors or guests or for rental units of the owners or occupants of the main dwelling on the site. Guest Houses ~~as rental units~~ will be allowed a maximum of 800 square feet of living space on lots up to one (1) acre; a maximum of 1,000 square feet of living space for lots between one (1) and five (5) acres; and a maximum of 1,200 square feet of living space for lots greater than five (5) acres. Only one (1) guest house shall be permitted on a parcel or lot.

Loop Road – a road with both terminal points on the same street of origin.

PROPOSAL G:

Change “Office of Planning & Engineering” to “Office of Planning & Development” throughout the Lincoln County Land Use Regulations.

PROPOSAL H:

6.11 Lot Design Specifications

- A. All lots shall be designed to conform to the existing topography in such a way as to avoid future problems of access, construction and drainage.
- B. Lots shall function efficiently and safely without overcrowding, given the lot's topography, location, hazards and development's:
 - 1. Utilities
 - 2. Vehicular, pedestrian, and emergency access
 - 3. Parking
 - 4. Small wastewater systems
 - 5. Storage of trash, snow and other items
 - 6. Structures
 - 7. Open space

- C. A Subdivision development shall be required, as reasonably possible, to be compatible with adjoining and/or surrounding densities and uses in terms of the design, bulk and height of any proposed structures.
- D. Layout. A single lot shall not be divided by a public road, alley, or another lot.
1. Side lot lines shall be at approximate right angles or radial to road right-of-way lines or center-lines.
 2. Each lot shall abut a private street, or private access right-of-way, or dedicated street, and have a minimum of 38 feet of frontage.
 3. Flag lot design is discouraged. In no case shall a subdivision have more than 2 flag lots and in no case shall they abut each other. In no case shall the leg (or length) of a flag lot exceed 3 times the width of the leg. The leg shall be defined as a narrow section of land that leads to the larger body of a lot. The length of the leg shall be defined as the shortest dimension perpendicular or nearly perpendicular to the width.
- E. Each lot, which is not served by central sewer systems shall contain within its boundaries a build-able area of at least 15,000 square feet. Build-able area is defined as area free of: slope over 30 percent, avalanche hazard, mine subsidence hazard, stream/river channels, 100- year flood plains, and/or road easements. See Table 6.1 Residential Density Table for minimum lot sizes for new residential subdivision lots.

Table 8.2 (Page 1 of 3)

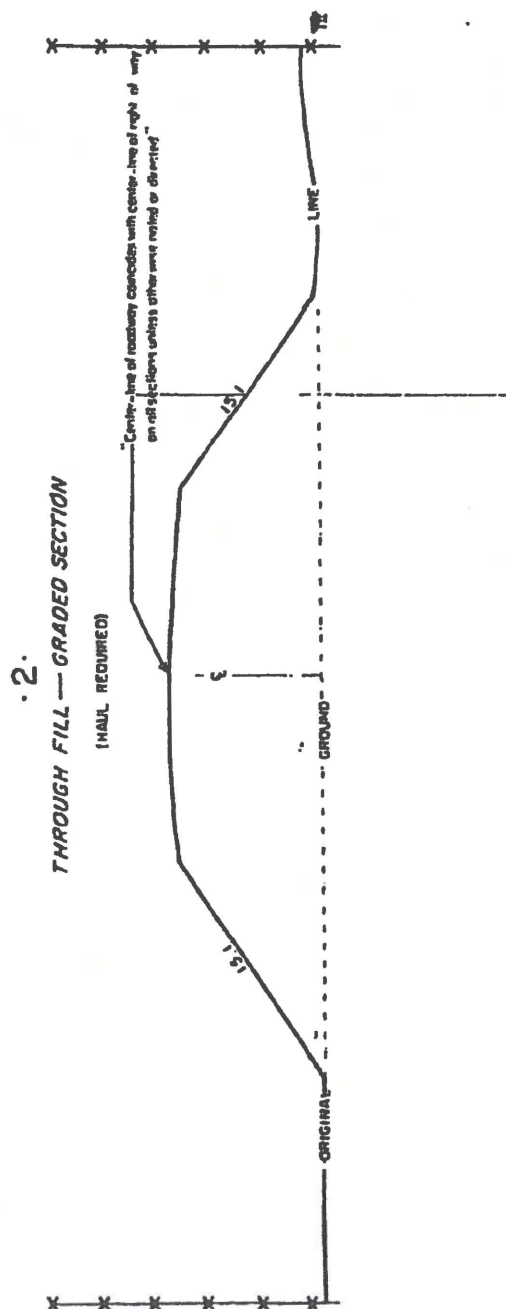
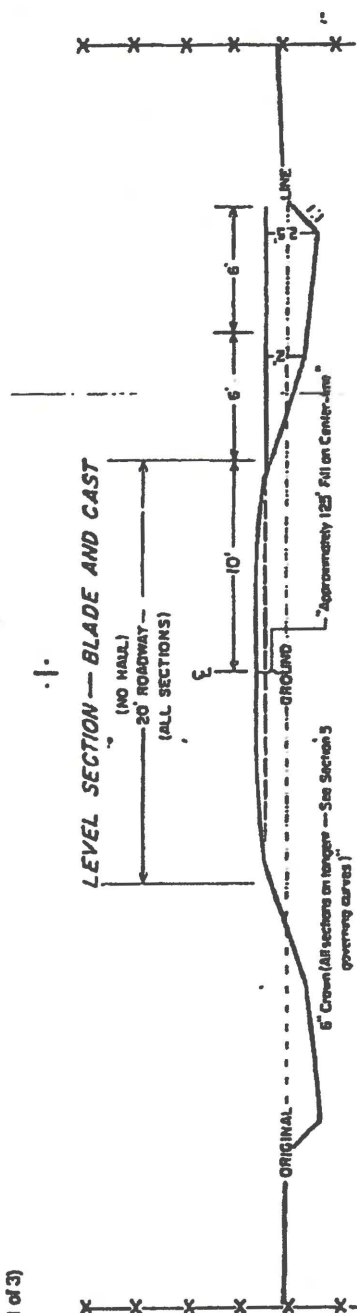


Table 6.2 (Page 2 of 3)

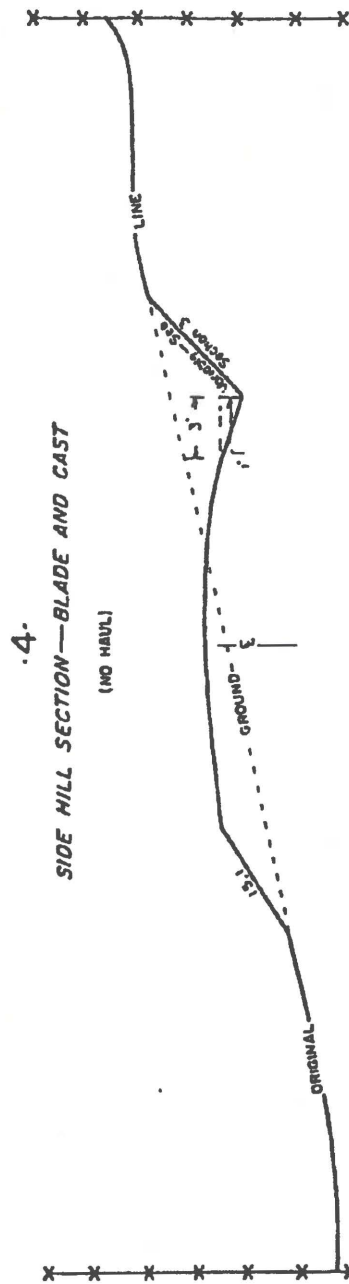
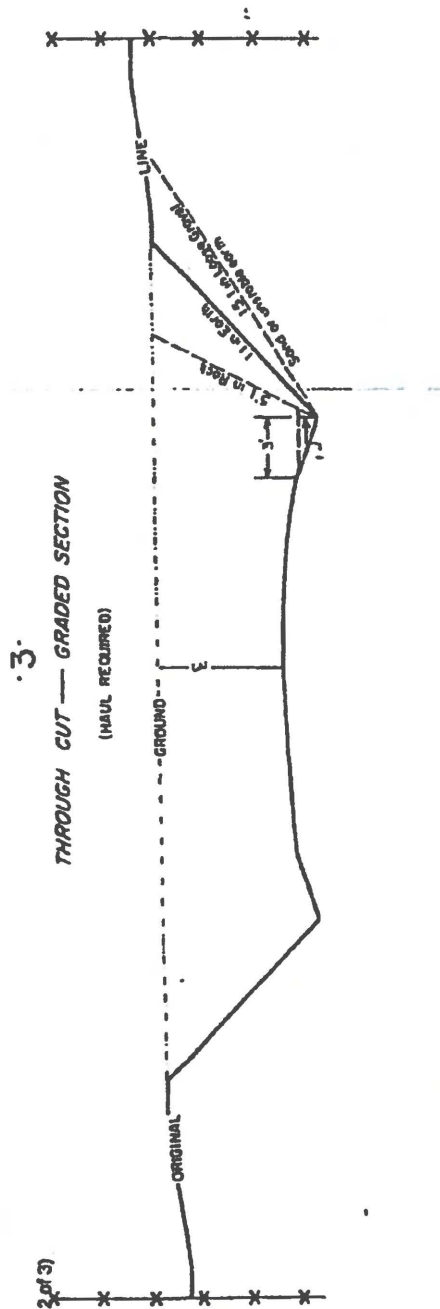
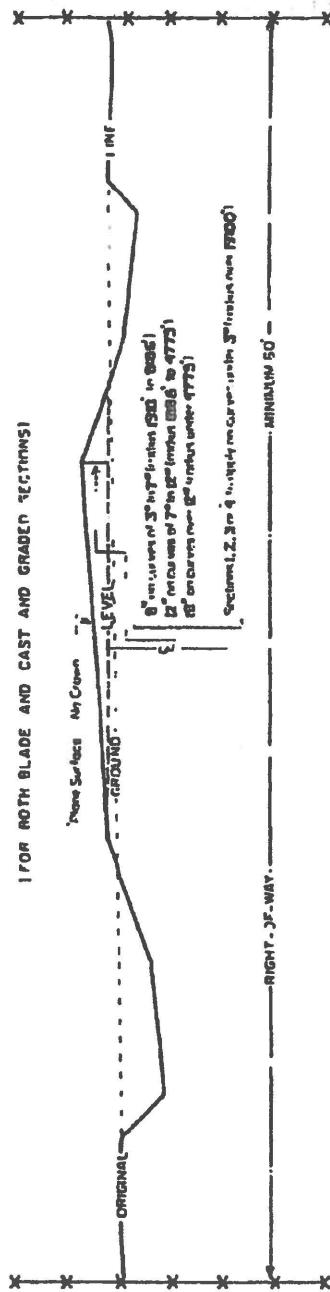


Table 6.2 (Page 3 of 3)

5.
TYPICAL SECTION ON CURVE
FOR BOTH BLADE AND CAST AND GRADED SECTIONS



- 1 Alignment stakes only will be set for Blade and Cast sections.
- 2 Grade stakes will be set for Graded Sections - grade given for finish grade on center-line of roadway.
- 3 Transitions from crowned sections to curve section to be made in 30' sections on the tangents preceding and following curve.
- 4 8" Road or gravel base course.
- 5 4" Crushed gravel surface and, if required, 2" compacted asphalt layer.
- 6 Road grades shall not exceed 6%. Road grade shall mean the vertical rise in the road per 100' of horizontal distance. S=0.06 maximum.
- 7 Borrow, fill, and disturbed areas will be seeded with appropriate species of plants at suitable rates recommended by public agencies.

6.18 SUBDIVISION ROAD DESIGN SPECIFICATIONS

All proposed subdivision roads shall be built to the specifications outlined below. The road design standards are designed to accommodate different volumes of traffic. The standards for roads carrying heavier traffic loads are more stringent than for roads carrying fewer automobiles. Each subdivision road shall be designed with the assumption that the subdivision will be fully developed and that each lot will create average daily traffic (ADT) of 11.25 trips.

Road type			
Road type	A	B	C
Number of Lots served by road	40 and more	25 to 39	24 to 3
Minimum Right of Way Width	60 feet	60 feet	60 feet
Intersections	Not less than 84 degrees	Not less than 84 degrees	Not less than 84 degrees
Visibility at Intersection	415 feet	310 feet	210 feet
Intersection offset, min	660 feet	330 feet	125 feet
Grades, max*	6%, 8%	6%, 8%, 10%	6%, 8%, 10%
Travel Way	24	20	20
Shoulder	0, 1',	0, 1', 2'	0, 1', 2'
Minimum Curve Radius (ft)	300,300	250,250,100	250,250,100
Crown, min	0.3%	0.3%	0.3%
Max Grade 100 ft. before intersection	3%	3%	4%
*Max 8% with 20 ft. travelway with 1 ft shoulders, 2:1 Slope			
*Max 10% for no more than 500 feet straightaway with 20 ft. travelway with 2 ft shoulders, 2:1 Slope, Section shall have a horizontal radius of 1500 feet or greater, grades shall not exceed 6% for 500 feet on either end of the section, curves with a horizontal radius of less than 600 feet shall not be within 500 feet on either end of the section.			

APPENDIX D

FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm). See Figure D103.1.

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as approved by the fire chief.

D103.3 Turning radius. The minimum turning radius shall be determined by the fire code official.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

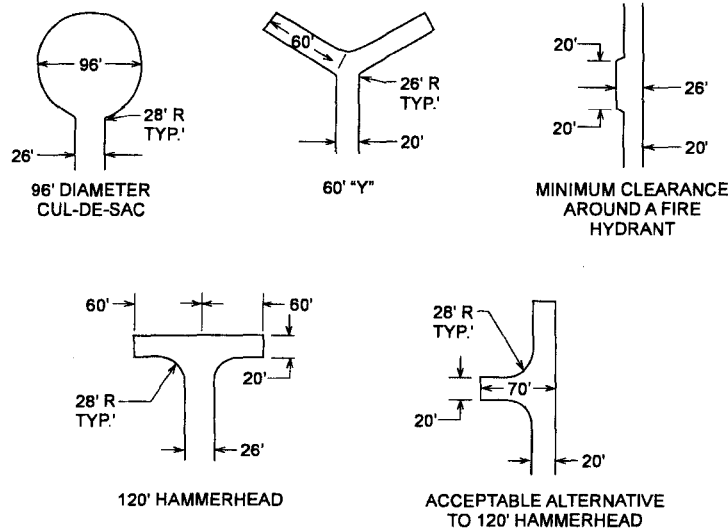
TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).



For SI: 1 foot = 304.8 mm.

FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

APPENDIX D

2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official.

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

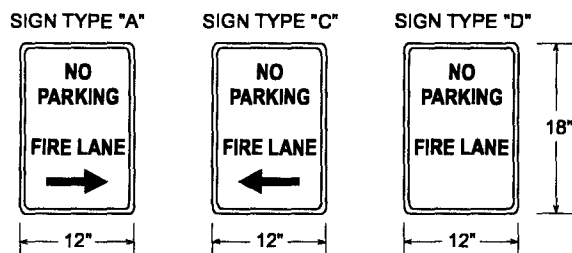


FIGURE D103.6
FIRE LANE SIGNS

D103.6.1 Roads 20 to 26 feet in width. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.

D103.6.2 Roads more than 26 feet in width. Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.

SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least three means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet (11 520 m²) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

**SECTION D107
ONE- OR TWO-FAMILY RESIDENTIAL
DEVELOPMENTS**

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.