

**Planning & Zoning Commission Minutes**  
August 20, 2019

This is a regular meeting of the Park County Planning & Zoning Commission held at 6:00pm in the EOC Room of the County Courthouse at 1002 Sheridan Ave., Cody, WY.

**Commission Members Present:**

Marion Morrison, Chairman  
Kimberly Brandon-Wintermote, Vice Chairman  
Linda Putney  
Duncan Bonine  
Debora Smith

**Staff Present:**

Joy Hill, Planning Director  
Kim Dillivan, Planner II  
Patti Umphlett, Planner I  
Dennis Lewis, Small Wastewater Administrator  
Jolene Brakke, Office Assistant III  
Brian Edwards, County Engineer  
Mary McKinney, Weed & Pest

Chairman Morrison opened the meeting at 6:00 pm.

**APPROVAL OF MINUTES**

Chairman Morrison asked the Board for comments or changes to the June 18, 2019 and the July 16, 2019 meeting minutes. Chairman Morrison asked that Mary McKinney be added to those in attendance on the July minutes and there is a typo on line 68. A MOTION was made by Commissioner Brandon-Wintermote to approve the minutes as corrected; the motion was SECONDED by Commissioner Bonine to approve the minutes as corrected. Motion was carried unanimously.

**REGULAR AGENDA**

Chairman Morrison mentioned that Deanna's SS-258 has been rescheduled to the September meeting.

**PUBLIC HEARING – Enchantment Creek Apothecary SUP-185:** Heather Olson, doing business as Enchantment Creek Apothecary, requests approval of a Special Use Permit with Site Plan Review for a value-added agricultural business for growing herbs and flowers to create herbal remedies. This proposed facility is located at 1126 Lane 11, Powell, on a portion of 82.70 acres owned by Thomas B. and Tammara P. Jones, Trustees, described as Lots 53-A & 53-B and a portion of Lots 53-G and 53-H, T55N, R99W, 6th P.M., Park County, WY.

Chairman Morrison opened the public hearing at 6:02pm and reviewed the rules of a public meeting.

There being no comments from Commission members, Kim Dillivan, Planner II, presented the Staff Report. One public comment had been received since the staff report was sent to the Commission. Kim provided a copy of the written comment to the Commission.

Chairman Morrison asked if any Commission members had questions for Staff.

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- 53 • Chairman Morrison asked why the parking regulations do not apply to this use. Kim  
54 explained that generally we apply parking to non-residential/commercial uses that are  
55 open to the public.  
56 • Chairman Morrison asked if the applicant received a copy of the letter from the small  
57 wastewater administrator.  
58

59 Chairman Morrison asked if the applicant had any questions or comments.

- 60 • Ms. Olson said she would entertain questions.  
61

62 Chairman Morrison asked if any commission members had questions for the applicant.

- 63 • Commissioner Brandon-Wintermote asked if Ms. Olson would be growing things of an  
64 illegal nature. Ms. Olson said no and there will also be no CBD products in her line.  
65 • Commissioner Brandon-Wintermote asked if Ms. Olson would like to have a chance to  
66 read the letter from the small wastewater administrator. She said she felt pretty  
67 comfortable after speaking to someone in Laramie, but she would like to see the letter.  
68 • Chairman Morrison asked for specifics on the summer months. Ms. Olson said the kitchen  
69 will just be used in the summer. Harvesting typically doesn't begin until June and this is  
70 when she would begin preparations in the kitchen. She will be working the hoop houses  
71 earlier in the year.  
72 • Chairman Morrison asked about the number of employees reported. Ms. Olson said she  
73 is hoping that the four employees will support the needs. Chairman Morrison added that  
74 the permit requires clarification about the number of employees.  
75 • Chairman Morrison asked if electrical will run to the hoop houses. Ms. Olson said no.  
76 • Chairman Morrison asked if the offsets will impact her plans. Ms. Olson said the road right-  
77 of-way could really cut into the field. The County Engineer and staff are unsure where the  
78 building offset conditions came from.  
79 • The Planning Director sought clarification on the size of the structures as early on she  
80 understood that there was a total of around 43,000 sq. ft. of floor area. Ms. Olson said she  
81 has plans to build two 27'x200' structures this fall, two more of the same size to follow the  
82 next year and the future holds plans for 4 more. Each structure will be approximately 5,400  
83 sq. ft.  
84 • The County Engineer said he does not have enough information to do a thorough review  
85 of the runoff and erosion related to the project.  
86 • Mary McKinney from Weed and Pest mentioned that she has discussed some concerns  
87 about the types of species being proposed and the applicant is well aware.  
88

89 Chairman Morrison asked if there were comments from any members of the public.  
90

91 There were no comments from those in attendance.  
92

93 Chairman Morrison opened further discussion among Commission members.

- 94 • Commissioner Brandon-Wintermote said she would like to see a condition about the  
95 applicant addressing greywater. Chairman Morrison said she would like to see the  
96 condition on greywater add "all applicable regulations for greywater."  
97 • Commission Brandon-Wintermote said she would also like to see the number of  
98 employees addressed. The applicant indicated that she is okay with keeping the number  
99 of employees at four. Commissioner Bonine would like the condition about employees to  
100 address the hiring of non-family employees being recognized as an expansion of the use,  
101 thus requiring an amendment to the SUP.

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- 102 • Commissioner Putney would like a condition addressing the building setbacks. Chairman  
103 Morrison asked for a condition that states the greenhouse setbacks from the County road  
104 right-of-way shall meet County regulations.  
105 • Commissioner Putney said finding #5 should be updated to include the one public  
106 comment that was received.  
107 • Commissioner Putney sought clarification on finding #16 that the water will not be used  
108 for human consumption or in the infusion process. Ms. Olson confirmed that they drink the  
109 water from the well at home in the house, but none of the well water goes into the finished  
110 product for human consumption. It is only used to clean products and dishes involved in  
111 the creation process. Oil and alcohol are all that is used in the process for the products.  
112 Commissioner Putney would like the finding to say that the applicant states that the well  
113 water is used for cleaning and washing plant material and equipment and is not used as  
114 part of the infusion process.  
115 • Commissioner Bonine said finding #20 should be stricken.  
116 • Commissioners would like to add a finding that the operation will be supported by 2  
117 resident and 2 part-time non-resident employees  
118

119 Commissioner Smith made a MOTION to close the hearing at 6:58pm; SECONDED by  
120 Commissioner Brandon-Wintermote. The motion was carried unanimously.  
121

122 Commissioner Brandon-Wintermote made a MOTION to approve Resolution 2019-23 with the  
123 following conditions:  
124

- 125 1) Park County noise, lighting and other nuisance regulations shall apply;  
126 2) A runoff and erosion control plan must be approved prior to SUP review by Park County  
127 Commissioners;  
128 3) Greenhouse setbacks shall conform to County regulations;  
129 4) The applicant will address greywater according to applicable regulations;  
130 5) The hiring of non-family employees will be recognized as an expansion of the use and  
131 shall require an amendment to the SUP;  
132 6) The applicant shall otherwise comply with standards in the Park County Development  
133 Standards and Regulations.  
134

135 The motion was SECONDED by Commissioner Bonine. The motion carried. See Resolution  
136 2019-23 attached hereto and incorporated herein.  
137

138 **PUBLIC HEARING – Honfi SUP-188:** Leslie A. Honfi requests approval of a Special Use Permit  
139 (SUP), for a 20 ft. by 120 ft. metal building containing twelve (12) 10 ft. by 20 ft. storage units for  
140 commercial rental use in a Rural Residential 2-Acre (RR-2) zoning district. The property is located  
141 approximately 5.7 miles northeast of Cody, west of US Highway 14A and south of County Road  
142 2AB with addresses of 729 and 731 Road 2ABS. This parcel is described as Lot 7, Delta Placid  
143 Estates.  
144

145 Chairman Morrison opened the public hearing at 6:59pm.  
146

147 There being no comments from Commission members, Kim Dillivan, Planner II, presented the  
148 Staff Report.  
149

150 Chairman Morrison asked if any Commission members had questions for Staff.

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151 • Chairman Morrison asked if Mary McKinney had anything to add. Mary said the area is  
152 sterilized and Mr. Honfi has treated those species since she performed her survey. She is  
153 not requiring a long-term noxious weed plan; he is urged to follow best management  
154 practices. She will follow-up with him on further recommendations for treatment.

155 • The County Engineer said his office doesn't have any substantial concerns.

156 • Kim Dillivan added that the building will be at least 20 feet from Road 2ABS.  
157

158 Chairman Morrison asked if the applicant had any questions or comments.

159 • Mr. Honfi simply thanked staff.  
160

161 Chairman Morrison asked if any commission members had questions for the applicant.

162 • Chairman Morrison asked the applicant to add parking on his plan before it goes to the  
163 [Board of] Commissioners.  
164

165 Chairman Morrison asked if there were comments from any members of the public.  
166

167 There were no comments from those in attendance.  
168

169 Commissioner Bonine made a MOTION to close the hearing at 7:11pm; SECONDED by  
170 Commissioner Smith. The motion was carried unanimously.  
171

172 Chairman Morrison asked commission members if they had any discussion.

173 • Commissioner Bonine asked that finding #27 reflect that Weed and Pest has completed  
174 their inspection, no long-term noxious weed management plan is required, and best  
175 management practices are recommended.

176 • Commissioner Putney added for finding #8 that covenants do exist; however, no new  
177 covenants are proposed for this use.

178 • Commissioner Brandon-Wintermote asked that there be a condition for the applicant to  
179 add parking to the site plan prior to Board of Commissioner review.

180 • The following conditions were discussed:

181 ○ Park County noise, lighting and other nuisance regulations shall apply;

182 ○ Facility parking shall be shown on the site plan prior to review by the Board of Park  
183 County Commissioners;

184 ○ The applicant shall otherwise comply with standards in the Park County  
185 Development Standards and Regulations.  
186

187 Commissioner Bonine made a MOTION to approve Resolution 2019-24 with the following  
188 conditions:

189 1. Park County noise, lighting, and other nuisance regulations shall apply;

190 2. Facility parking shall be shown on the site plan prior to review by the Board of Park  
191 County Commissioners;

192 3. The applicant shall otherwise comply with standards in the Park County  
193 Development Standards and Regulations.

194 The motion was SECONDED by Commissioner Brandon-Wintermote. The motion carried. See  
195 Resolution 2019-24 attached hereto and incorporated herein.  
196

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197 **PUBLIC HEARING – Lil' Britches Daycare Center SUP-187:** Melissa Ehrmantraut requests  
198 approval of a Special Use Permit (SUP), for a minor institutional use (day care center) in a General  
199 Rural Powell (GR-P) zoning district. The applicants propose to continue using their home at 614  
200 Lane 9, located east of Powell, for a childcare facility to care for a maximum of 15 children. (The  
201 applicants currently have an approved zoning permit for a day care home at this location.)  
202

203 Chairman Morrison opened the public hearing at 7:17pm.  
204

205 There being no comments from Commission members, Kim Dillivan, Planner II, presented the  
206 Staff Report.  
207

208 Chairman Morrison asked if any Commission members had questions for Staff.

- 209 • Mary McKinney said since there are no future disturbances planned, a weed plan is not  
210 required.
- 211 • Commissioner Bonine asked if the change from a daycare home to a daycare center  
212 requires any additional inspection from DFS or the State Fire Marshall. Kim said he is not  
213 aware of the requirements.
- 214 • Commissioner Brandon-Wintermote mentioned that there are covenants in the subdivision  
215 and the applicant did get approval.  
216

217 Chairman Morrison asked if the applicant had any questions or comments.

- 218 • She had none.  
219

220 Chairman Morrison asked if any commission members had questions for the applicant.

- 221 • Commissioner Bonine asked the applicant if she knows of additional requirements with  
222 DFS or the State Fire Marshall. She said she will require a new license from DFS, however  
223 the fire inspector has no other requirements.
- 224 • Commissioner Brandon-Wintermote asked if she lives on-site. The applicant said yes.
- 225 • Chairman Morrison commended the applicant for reaching out to get approval for her  
226 business based upon the covenants.  
227

228 Chairman Morrison asked if there were comments from any members of the public.  
229

230 There were no comments from those in attendance.  
231

232 Chairman Morrison asked if there was further discussion by commission members.

- 233 • Commissioner Brandon-Wintermote would like to see a finding #29 that should this SUP  
234 be approved, the existing Zoning/Building Permit #2009-002 will immediately become null  
235 and void.
- 236 • Commissioner Putney asked that finding #8 show that covenants exist however no new  
237 covenants are being proposed.
- 238 • Commissioner Putney suggests that finding #19 show that the existing small wastewater  
239 system is permitted (#2760) and appears adequately sized to serve the use.
- 240 • Commissioner Putney asked that finding #28 reflect that Weed and Pest does not require  
241 a long-term noxious weed management plan.
- 242 • Conditions are as follows:
  - 243 1. Park County noise, lighting and other nuisance regulations shall apply;
  - 244 2. The applicant shall otherwise comply with standards in the Park County  
245 Development Standards and Regulations.  
246

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247 Commissioner Bonine made a MOTION to close the hearing at 7:38pm; SECONDED by  
248 Commissioner Smith. The motion was carried unanimously.  
249

250 Commissioner Smith made a MOTION to approve Resolution 2019-25 with the following  
251 conditions:

- 252 1. Park County noise, lighting and other nuisance regulations shall apply;
- 253 2. The applicant shall otherwise comply with standards in the Park County  
254 Development Standards and Regulations.  
255

256 The motion was SECONDED by Commissioner Bonine. The motion carried. See Resolution  
257 2019-25 attached hereto and incorporated herein.  
258

259 **PUBLIC HEARING – Gebben Major Subdivision Sketch Plan Review:** Julia K. Gebben  
260 requests approval of the sketch plan for Gebben Major Subdivision. The proposed subdivision is  
261 comprised of one 5-acre lot and one 10-acre lot, each for residential use. This parcel is described  
262 as Lot 28 of the Buchanan Park Subdivision, Block 3, Park County, WY, with an address of 131  
263 Road 3CXS, Cody, WY, located within a General Rural 5-acre (GR-5) zoning district.  
264

265 Chairman Morrison opened the public hearing at 7:48pm.  
266

267 There being no comments from Commission members, Kim Dillivan, Planner II, presented the  
268 Staff Report. Kim mentioned a public comment that had been received since the time the staff  
269 report was delivered to commission members.  
270

271 Chairman Morrison asked if any Commission members had questions for Staff.

- 272 • The County Engineer said it is understood that both lots will share access off of Road  
273 3CXS. He would like to remind the applicant that if additional accesses are proposed a  
274 permit will be required.
- 275 • Mary McKinney said the folks that are living there now will be getting some weed treatment  
276 this week.
- 277 • Commissioner Putney asked the County Engineer how this parcel was granted access to  
278 the County Road because on the plat it stated none of the lots were to have access from  
279 the county road. The County Engineer said he didn't have any information about the  
280 history.
- 281 • Mary McKinney added that she has not received the weed plan and she is available to  
282 help the applicant complete the plan.
- 283 • Chairman Morrison referred to the public comment received regarding the first step being  
284 vacation of the lot from the subdivision.  
285

286 Chairman Morrison asked if the applicant had any questions or comments.

- 287 • Steve Follweiler, representing the applicant, addressed the commission. The applicant's  
288 attorney, Tom Keegan, was also present.
- 289 • Steve said the property was the old Buchanan ranch property and access was likely there  
290 for a hundred years off of the county road and predates the subdivision plat.
- 291 • Tom Keegan said the barn on the property is over 100 years old, on the national registry,  
292 and the building is the old ranch headquarters. He believes the entire subdivision was  
293 owned by Buchanan Ranch and the 27 lots were part of the subdivision and Mr. Buchanan  
294 retained the 28<sup>th</sup> lot. The reason for the subdivision is that Daphne and her trust had given  
295 5 acres to her niece and her husband and the other 10 were to go elsewhere. Daphne  
296 was ill when she thought of this, so she left it to the successor to accomplish.

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- 297  
298 Chairman Morrison asked if any commission members had questions for the applicant.  
299     • Chairman Morrison asked for clarification on the life tenancy. Mr. Keegan said if they are  
300     unable to split it, there will be life tenancy for all three successors.  
301     • Commissioner Brandon-Wintermote asked how Lot 28 came to be. Staff indicated that it  
302     is identified on the plat for Buchanan Park Subdivision Block 3.  
303     • Chairman Morrison reviewed the conditions on the plat regarding no further splits and the  
304     allowance for vacation of a portion of the plat.  
305

306 Chairman Morrison asked if there were comments from any members of the public.

- 307  
308     ○ John Gordnier, a resident of the subdivision, addressed the commission. John said that  
309     Lot 28 was signed into the subdivision by the Krugers. Subsequently, on the 2<sup>nd</sup> of March  
310     2009, Clair Lundgren asked that the covenants apply to Lot 28. John said he objects to a  
311     number of things that the staff has concluded. He said none of this was noticed. He said  
312     a notice of intent to SUBDIVIDE was placed in the paper, but no notice of VACATION was  
313     submitted. Staff clarified that there is no requirement to notice vacation. Mr. Gordnier said  
314     that he feels the notice was incomplete. He said that staff failed to identify covenants in  
315     the last three hearings. He said the subdivision covenants on file for Lot 28 show that no  
316     lot may be further divided for any purpose. He referenced page 227 of the county  
317     regulations that shows the requirement for a certification statement about no further  
318     splitting due to density. He addressed the term "lot split" versus "re-subdivision." Mr.  
319     Gordnier added reference to Wyoming State Statutes 34-12-106 and 34-12-108. He says  
320     he represents others in the subdivision, with a petition, in saying that he feels the vacation  
321     was not properly noticed. He also said this subdivision is in violation of the covenants  
322     which expressly state that no lots shall be subdivided for any purpose. He added that he  
323     feels this process sets a precedent – not a good one. He said if allowed, the 78-lot  
324     subdivision could become a 109-lot subdivision.  
325     ○ Michael Sommer presented a petition signed by owners of 32 lots within the Buchanan  
326     Park Subdivision.  
327     ○ Gary Lewis, a lot owner in Block 1, said there are 79 lots. A document on the record shows  
328     that lot 28 was to be included in the covenants.  
329     ○ Sandra Coutley sought clarification from Mr. Keegan about the intent of the will/trust. Mr.  
330     Keegan clarified that the deceased intended to give 5 acres to the successor.  
331     ○ Joe Harper lives in Block 3 of the Buchanan Park Subdivision. He said he is also the water  
332     master in the subdivision. He addressed the increase in lot density was not addressed in  
333     the irrigation plan. Nor did the landowner address the HOA. He said the waterlines through  
334     lot 28 are owned by the association. If vacated, there is no way to say how the water is to  
335     be managed and sets up a problem for the water master.  
336     ○ John Owen is the president of the HOA. He owns lots 3 and 4 of phase 4.  
337

338 Commissioner Smith made a MOTION at 9:10pm to continue the hearing to September 17<sup>th</sup> at  
339 6:00pm; SECONDED by Commissioner Brandon-Wintermote. The motion was carried  
340 unanimously.

341  
342 Chairman Morrison inquired as to the standing of the AmSum Enterprises SUP-181 application  
343 and fellow commissioners' ability and intentions for attendance at upcoming short-term rental  
344 scoping meetings.  
345

346 The Planning Director delivered a brief summary of Planning and Zoning activities and the  
347 upcoming Short Term Rental Scoping meetings were discussed.

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348  
349 There being no other business, a MOTION was made by Commissioner Brandon-Wintermote to  
350 adjourn the meeting at 10:06pm. The motion was seconded by Commissioner Smith. All in favor.  
351

352 Respectfully submitted,

  
\_\_\_\_\_  
Jolene Brakke, Secretary

353  
354  
355



**RESOLUTION 2019 - 23**  
**PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMEND APPROVAL OF ENCHANTMENT CREEK APOTHECARY**  
**SPECIAL USE PERMIT-185 WITH SITE PLAN REVIEW**

**WHEREAS**, Heather Olson, Registered Agent for Enchantment Creek Apothecary, LLC, applied for a Special Use Permit for a value-added agriculture business that will use an existing 128 square-foot commercial kitchen and an existing garden space for growing herb and flowers to create herbal remedies;

**WHEREAS**, Tammara P. Jones signed the application as the landowner;

**WHEREAS**, the applicant requests consideration of future expansion of the commercial kitchen to 864 square feet and up to 43,200 square feet of added greenhouse space, to be added in phases, which includes eight separate 5,400-square foot greenhouses, each with footprint dimensions of approximately 27 feet by 200 feet;

**WHEREAS**, the proposed use is defined by Park County as a Value-Added Agricultural Business; a business or industry converting agricultural products into more finished products;

**WHEREAS**, the applicant submitted a statement on how compatibility can be achieved as required for a Special Use Permit – the proposed use will result in minimal noise and visual impacts, and is consistent with surrounding uses in this area, and adequate services and infrastructure are available, or will be made available, to serve the use;

**WHEREAS**, the Planning & Zoning Commission held a duly noticed public hearing on August 20, 2019 to consider the Special Use Permit application, with Site Plan Review, and found the following:

1. The owners of this property are Thomas and Tammara Jones;
2. The property lies within a GR-P zoning district, which allows Value-Added Agricultural Businesses, provided a Special Use Permit is approved;
3. Legal notice requirements were met, including notice to property owners within 660 ft. of property boundary;
4. The application was forwarded to agencies as required;
5. One public comment was received;
6. The applicant states that negative impacts from this use to the neighborhood/general area will be negligible;
7. Setback requirements for future greenhouses have been identified;
8. No covenants exist or are proposed;
9. No lighting is proposed;
10. There are no known nonconformities on the property;

11. No nuisances have been reported;
12. A soil conservation district report has been submitted;
13. Legal access exists from County Lane 11;
14. Domestic water is supplied by a private well located on the property;
15. Domestic water test results revealed no coliform;
16. The applicant states that the well water is used for cleaning and washing plant material and equipment and is not used as part of the infusion process;
17. The property is located within the Shoshone Irrigation district;
18. Parking standards do not apply;
19. A septic system that includes a septic tank is not required for this use;
20. Applicant will be using a greywater system for wastewater from the kitchen;
21. Electricity to be provided by Rocky Mountain Power;
22. No signs are proposed;
23. Solid waste will be disposed of according to County regulation standards;
24. Site Plan Review is required for the proposed use;
25. The parcel is located in an agricultural overlay district;
26. Weed & Pest has completed an initial noxious weed inspection, and a long-term noxious weed control plan is not required;
27. A runoff and erosion control plan is required;
28. The operation will be supported by 2 resident and 2 part-time non-resident employees.

**WHEREAS**, the Planning & Zoning Commission concludes the special use permit application is generally consistent with the goals and policies of the Park County Land Use Plan, and is consistent with the standards and procedures of the Park County, Wyoming 2015 Development Standards and Regulations;

**WHEREAS**, the Planning & Zoning Commission concludes the following:

1. The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties with conditions;
2. Adequate services and infrastructure are available to serve the use, or will be provided;
3. Specific criteria do not apply to this use;
4. The use complies with the agricultural overlay district.

**NOW, THEREFORE, BE IT RESOLVED** having heard and weighed the evidence, the Planning & Zoning Commission hereby recommends approval of the special use permit for Enchantment Creek Apothecary SUP-186, subject to the following conditions:

1. Park County noise, lighting and other nuisance regulations shall apply;
2. A runoff and erosion control plan must be approved prior to SUP review by Park County Commissioners;
3. Greenhouse setbacks shall conform to County regulations;
4. The applicant will address greywater disposal according to applicable County and DEQ regulations;
5. The hiring of non-family employees will be recognized as an expansion of the use and shall require an amendment to the SUP;
6. The applicant shall otherwise comply with standards in the Park County Development Standards and Regulations.

**ADOPTED** by the Planning & Zoning Commission this 20<sup>th</sup> day of August, 2019.

**PLANNING AND ZONING COMMISSION  
PARK COUNTY, WYOMING**

**ATTEST:**

  
\_\_\_\_\_  
Marion Morrison, Chairman

  
\_\_\_\_\_  
Jolene Brakke, Secretary

**RESOLUTION 2019 – 24  
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMEND APPROVAL OF HONFI SPECIAL USE PERMIT-188**

**WHEREAS** Leslie A. Honfi applied for a Special Use Permit for a Commercial Storage building, 20 feet wide by 120 feet long containing twelve (12) 10 ft. by 20 ft. storage units for commercial rental use in a Rural Residential 2-Acre (RR-2) zoning district;

**WHEREAS** the structure will be constructed on Lot 7, Delta Placid Estates, according to the Plat recorded in Book “E” of Plats, Page 136, and according to the records of the County Clerk and Recorder of Park County, State of Wyoming. The lot has addresses of 729 and 731 Road 2ABS, Cody, WY;

**WHEREAS** this project is defined by Park County as commercial storage: storage yards and buildings where a fee is charged for the storage of equipment, motor vehicles, boats or recreation vehicles, including mini-warehouses and self-service storage facilities for the storage of belongings, possessions, materials, and other goods;

**WHEREAS** commercial storage uses are allowed in RR-2 zoning districts provided a Special Use Permit is approved;

**WHEREAS** the application and supporting documents are in substantial compliance with Park County Development Standards and Regulations pertaining to special use permits;

**WHEREAS** the applicant submitted a statement on how compatibility can be achieved as required for a Special Use Permit – the proposed use will result in minimal noise and visual impacts, is consistent with surrounding uses in this area, and adequate services and infrastructure are available, or will be made available, to serve the use;

**WHEREAS** the Planning & Zoning Commission held a duly noticed public hearing on August 20, 2019 to consider the Special Use Permit application and made findings as follows:

1. The owner of this property is Leslie A. Honfi;
2. The property lies within an RR-2 zoning district which allows commercial storage businesses provided a Special Use Permit is approved;
3. Legal notice requirements were met, including notice to property owners within 660 ft. of property boundary;
4. The application was forwarded to agencies as required;
5. Public comments supporting the use have been received;
6. The applicant states that negative impacts from this use to the neighborhood/general area will be negligible;
7. Setback requirements have been met;

8. Covenants for this subdivision exist; however, no new covenants are proposed regarding this use;
9. No new lighting is proposed;
10. There are no known nonconformities on the property;
11. No nuisances have been reported;
12. Soil conservation district review is not necessary for the proposed use;
13. Legal access exists from County Roads 2AB and 2ABS;
14. The existing commercial storage building was permitted by Land Use Certificate 1983-122 on June 28, 1983;
15. Domestic water is not required or proposed for the use;
16. The property is located within the Heart Mountain Irrigation District;
17. No irrigation facilities are proposed or expected to be impacted by the use;
18. Parking standards do apply and parking is adequate to serve the use;
19. A septic system is not required or proposed for the use;
20. Electricity to be provided by Garland Light & Power;
21. Natural gas is not required or proposed for the use;
22. No new signs are proposed;
23. Solid waste will be disposed of according to County regulation standards;
24. Site Plan Review is not required for the proposed use;
25. The lot is not located in an overlay district;
26. A runoff and erosion control plan is not required;
27. Weed & Pest has completed an initial noxious weed inspection;
28. A long-term noxious weed control plan is not required; however, Weed & Pest recommends that the applicant follow best management practices for the control of weeds.

**WHEREAS** the Planning & Zoning Commission concludes the special use permit application is generally consistent with the goals and policies of the Park County Land Use Plan, and is consistent with the standards and procedures of the Park County, Wyoming 2015 Development Standards and Regulations;

**WHEREAS** the Planning & Zoning Commission concludes the following:

1. The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties with conditions;
2. Adequate services and infrastructure are available to serve the use, or adequate services and infrastructure will be provided;
3. No specific criteria apply to this use;
4. The use is not in an overlay district.

**NOW, THEREFORE, BE IT RESOLVED** having heard and weighed the evidence, the Planning & Zoning Commission hereby recommends approval of Honfi Special Use Permit-188, subject to the following conditions:

1. Park County noise, lighting, and other nuisance regulations shall apply;
2. Facility parking shall be shown on the site plan prior to review by the Board of County Commissioners;
3. The applicant shall otherwise comply with standards in the Park County Development Standards and Regulations.

**ADOPTED** by the Planning & Zoning Commission this 20<sup>th</sup> day of August, 2019.

**PLANNING AND ZONING COMMISSION  
PARK COUNTY, WYOMING**

**ATTEST:**

  
\_\_\_\_\_  
Marion Morrison, Chair

  
\_\_\_\_\_  
Jolene Brakke, Secretary

**RESOLUTION 2019 – 25  
PARK COUNTY PLANNING & ZONING COMMISSION**

**TITLE: RECOMMEND APPROVAL OF LIL' BRITCHES DAYCARE  
SPECIAL USE PERMIT-187**

**WHEREAS** Michael and Melissa Ehrmantraut applied for approval of a Special Use Permit (SUP) for a minor institutional use (Day Care Center) in a General Rural Powell (GR-P) zoning district. The use is located on Lot 5, Davis Subdivision, according to the plat recorded in Book "E" of Plats, page 90 Park County, State of Wyoming, and addressed as 614 Lane 9, Powell, Wyoming;

**WHEREAS** this use is defined as a Day Care Center: A facility for the care of and supervision of more than eleven (11) children for periods of less than twenty-four (24) hours per day. Day care centers include preschools and nursery schools and as otherwise defined by the Wyoming Department of Family Services consistent with this definition;

**WHEREAS** this use is also defined by Park County as a minor institutional use: Group homes, day care centers, hospitals, nursing homes, convalescent homes, retirement homes and similar uses;

**WHEREAS** minor institutional uses are allowed in GR-P zoning districts provided a Special Use Permit is approved;

**WHEREAS** the application and supporting documents are in substantial compliance with Park County Development Standards and Regulations pertaining to special use permits;

**WHEREAS** the applicant submitted a statement on how compatibility can be achieved as required for a Special Use Permit – the proposed use will result in minimal noise and visual impacts, is consistent with surrounding uses in this area, and adequate services and infrastructure are available, or will be made available, to serve the use;

**WHEREAS** the Planning & Zoning Commission held a duly noticed public hearing on August 20, 2019 to consider the Special Use Permit application and made findings as follows:

1. The owner of this property is Michael R. Ehrmantraut;
2. The property lies within a GR-P zoning district, which allows Minor Institutional uses, provided a Special Use Permit is approved;
3. Legal notice requirements were met, including notice to property owners within 660 ft. of property boundary;
4. The application was forwarded to agencies as required;
5. No public comments have been received;
6. The applicants state that negative impacts from this use to the neighborhood/general area will be negligible;

7. Setback requirements have been met;
8. Covenants for this subdivision exist; however, no new covenants are proposed regarding this use;
9. No new lighting is proposed;
10. There are no known nonconformities on the property;
11. No nuisances have been reported;
12. Powell Clarks Fork Soils Conservation District submitted a soils report;
13. Legal access exists from County Lane 9;
14. Domestic water is provided by Northwest Rural Water;
15. The property is located within the Shoshone Irrigation district;
16. No irrigation is proposed;
17. Parking standards do apply;
18. Parking appears adequate for this use;
19. The existing septic system is permitted (#2760) and appears adequately sized for this use;
20. A new septic system is not required for this use;
21. Electricity is provided by Rocky Mountain Power;
22. Natural Gas is provided by Montana Dakota Utilities;
23. No new signs are proposed;
24. Solid waste will be disposed of according to County regulation standards;
25. Site Plan Review is not required for the proposed use;
26. The parcel is not located in an overlay district;
27. A runoff and erosion control plan is not required;
28. Weed and Pest does not require a long-term noxious weed control plan;
29. Should this SUP be approved, the existing Zoning/Building Permit #2009-002 will immediately become null and void.

**WHEREAS** the Planning & Zoning Commission concludes the Special Use Permit Application is generally consistent with the goals and policies of the Park County Land Use Plan, and is consistent with the standards and procedures of the Park County, Wyoming 2015 Development Standards and Regulations;



**WHEREAS** the Planning & Zoning Commission concludes the following:

1. The use is in harmony and compatible with surrounding land uses and with the neighborhood and will not create a substantial adverse impact on adjacent properties with conditions;
2. Adequate services and infrastructure are available to serve the use, or adequate services and infrastructure will be provided;
3. No specific criteria apply to this use;
4. The use is not in an overlay district.

**NOW, THEREFORE, BE IT RESOLVED** having heard and weighed the evidence, the Planning & Zoning Commission hereby recommends approval of Lil Britches Day Care Center Special Use Permit-187, subject to the following conditions:

1. Park County noise, lighting, and other nuisance regulations shall apply;
2. The applicant shall otherwise comply with standards in the Park County Development Standards and Regulations.

**ADOPTED** by the Planning & Zoning Commission this 20<sup>th</sup> day of August, 2019.

**PLANNING AND ZONING COMMISSION  
PARK COUNTY, WYOMING**



Marion Morrison, Chair

**ATTEST:**



Jolene Brakke, Secretary



**Park County Planning & Zoning Department**

1002 Sheridan Avenue, Suite #109

Cody, Wyoming

(307) 527-8540

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**PARK COUNTY PLANNING & ZONING COMMISSION**

Meeting **6:00 P.M.**, Tuesday, August 20, 2019 in the Alternate Emergency Operating Center (EOC Room), basement of the Courthouse Addition  
1002 Sheridan Ave. Cody, WY.

This is a regular meeting of the Park County Planning & Zoning Commission open to the public. For more information please contact the Park County Planning & Zoning Department at 527-8540, 754-8540, or 1-800-786-2844.

**APPROVAL OF MINUTES**

Approve minutes from June 18, 2019 regular meeting and July 16, 2019 regular meeting.

**REGULAR AGENDA**

[Deanna's SS-257 Sketch Plan Review – RESCHEDULED TO SEPTEMBER 17th](#)

[PUBLIC HEARING – Enchantment Creek Apothecary SUP-185](#)

[PUBLIC HEARING – Honfi SUP-188](#)

[PUBLIC HEARING – Lil' Britches Daycare SUP-187](#)

[PUBLIC HEARING - Gebben Major Subdivision Sketch Plan Review](#)

**OTHER BUSINESS**

1. Chair's Report
2. Planning Director's Report

**ADJOURN**

# PLEASE SIGN IN

## PLANNING and ZONING COMMISSION REGULAR MEETING August 20, 2019

		Enchantment Creek Apothecary SUP-185	
		Honfi SUP-188	
		Lil' Britches Daycare SUP-187	
		Gebben Major Sub. Sketch Plan	
	Please <b>PRINT</b> your name	Name of the <b>HEARING OF INTEREST</b>	DO YOU WISH TO SPEAK
1	JOHN CORNIER	GEBBEN	YES
2	Leslie Honfi	Honfi SUP-188	NO
3	Marcia Dorn	Honfi SUP-188	NO
4	HEATHER OLSON	Enchantment SUP-185	NO
5	Tammy JONES	" "	NO
6	Melissa Ehrmantraut	Lil' Britches Daycare Sup-187	NO
8	MICHAEL LITZMANDANT	LIL BRITCHES DAYCARE SUP-187	NO
9	CHRISTINE BARTMAN	Enchantment Creek SUP-185	NO
10	Steve Follweiler	Gebben	Yes IF Necessary
11	MICHAEL SOMMER	GEBBEN	" " "
12	JAY MOODY	Gebben	NO
13	Sue Beardslee	Gebben	NO
14	John Beardslee	Gebben	NO
15	Mary McKenney	all	Yes - if necessary
16	Gary Lewis	Gebben	IF necessary
17	JALINDA BUTREY	SEIBEL	"
18	JOE HARPER	Gebben Subdivision	Yes
19	John Owen	" "	Yes
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