

**PARK COUNTY PLANNING & ZONING DEPARTMENT**  
 Staff Report – Board of County Commissioners  
Mountain View Mouldings Cottage Industry – Public Hearing  
Special Use Permit-259

**Staff:** Erika Decker and Jenny Cramer                      **Hearing Date:** April 16, 2024 @ 9:55  
**Applicant:** John Hershberger                                      am **Tax ID#:** 01559804901000  
**Zoning District:** General Rural Powell (GR-P)   **Planning Area:** Cody/Powell Rural

**Application:** John Hershberger (applicant) submitted a Special Use Permit Application (attached) on January 30, 2024, including payment, a Site Plan (attached), and a Building Plan (attached). The Site Plan shows an existing shop structure to be used for the business use, and it shows a proposed 30' x 40' storage structure that will be used to store supplies and materials. The Building Plan shows the floor plan for the use, parking, and the driveway. In addition, the applicant provided an Application Narrative (attached) describing the type of use, the number of employees, and utilities. The Application Narrative also illustrates how compatibility with the neighborhood will be achieved.

**Requested Action:** Approval of a Special Use Permit to operate a business that will transform timbers into D-Logs for cabin construction. The construction activities will occur in an existing shop building with dimensions of 80' x 46'. The applicant plans to construct a storage structure (30' x 40') that will be used to store materials and supplies. The use will occur on an area of the property that is less than one (1) acre in size. All the construction work will occur inside the shop building. According to the applicant, employees will consist of resident employees only.

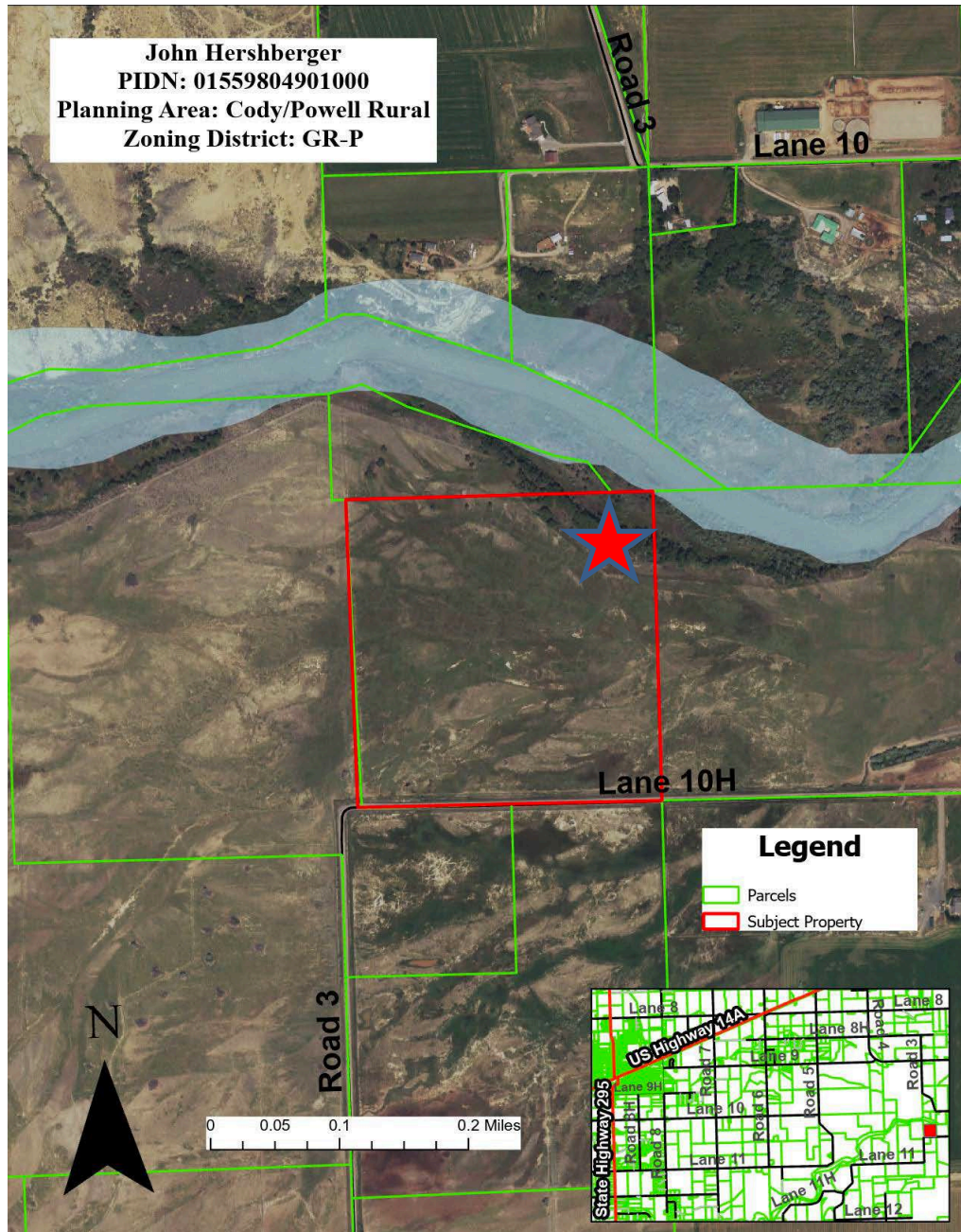
**Applicable Regulations (portions of which are referenced herein):** *Park County, Wyoming, 2015 Development Standards and Regulations*, adopted September 15, 2015 (“regulations”)

**Use Classification and Definition:** Cottage industry: A business located in the proprietor’s home or out of other buildings on the same parcel as the proprietor’s home with no more than 5,000 square feet of building floor area devoted to the business and no more than five (5) non-resident employees. Dog boarding/kenneling is considered a cottage industry.

**Ownership:** Ownership is affirmed by Warranty Deed dated August 4, 2022 to John R. Hershberger and Iva H. Hershberger, as husband and wife, from Andrew Lynn Bontrager, a single person as sole owner (Document #2022-4515).

**Legal Description:** The property is a 37.46-acre parcel described as: Beginning S.88°18'05"E. 56.88' of Corner 4 of Lot 49-A thence S.88°18'05"E. 1219.27', thence N.89°21'25"E. 44.88', thence S.00°37'25"E. 57.42', thence S.00°17'03"E. 219.25', thence S.00°05'27"E. 1014.19', thence N.89°48'51"W. 1235.31', thence N.01°22'12"W. 1322.87' to the Point of Beginning, Lot 49A, Resurvey, T55N, R98W, 6<sup>th</sup> P.M., Park County, Wyoming.

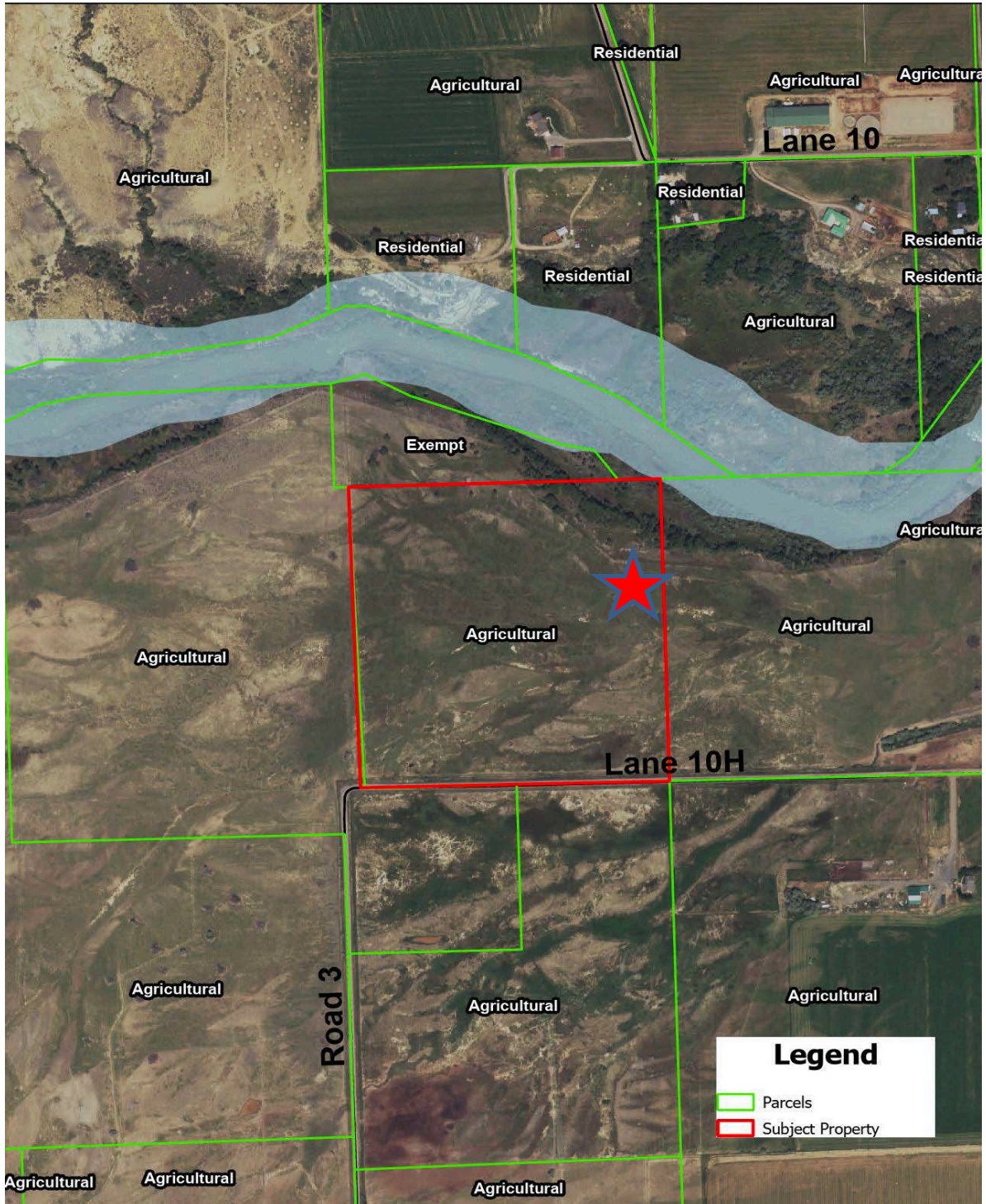
**Location:** The property is approximately five miles southeast of Powell, directly north of County Lane 10H and approximately 1,500 feet northeast of the intersection of Lane 10H and Road 3. The property has an address of 275 Lane 10H (see Figure 1).



**Figure 1: Property Location Map**  
 (approximate use location indicated with red star)

47  
 48  
 49  
 50 **Zoning District and Purpose: The property is in a General Rural Powell (GR-P) zoning**  
 51 **district.** The GR-P district allows low and moderate-intensity land uses. Lots with on-site septic  
 52 systems shall have a one-acre minimum lot size. Otherwise, no other minimum lot sizes are  
 53 specified. A variety of uses are permitted in this district in recognition of the varied land uses  
 54 typical of rural areas. This district is also intended to promote the retention of open space,  
 55 agricultural land, wildlife habitat, riparian habitat and scenic areas and prevent development on  
 56 unstable geologic features. **Cottage industry uses are permitted in the General Rural**  
 57 **Powell (GR-P) zoning district provided a Special Use Permit is approved.**

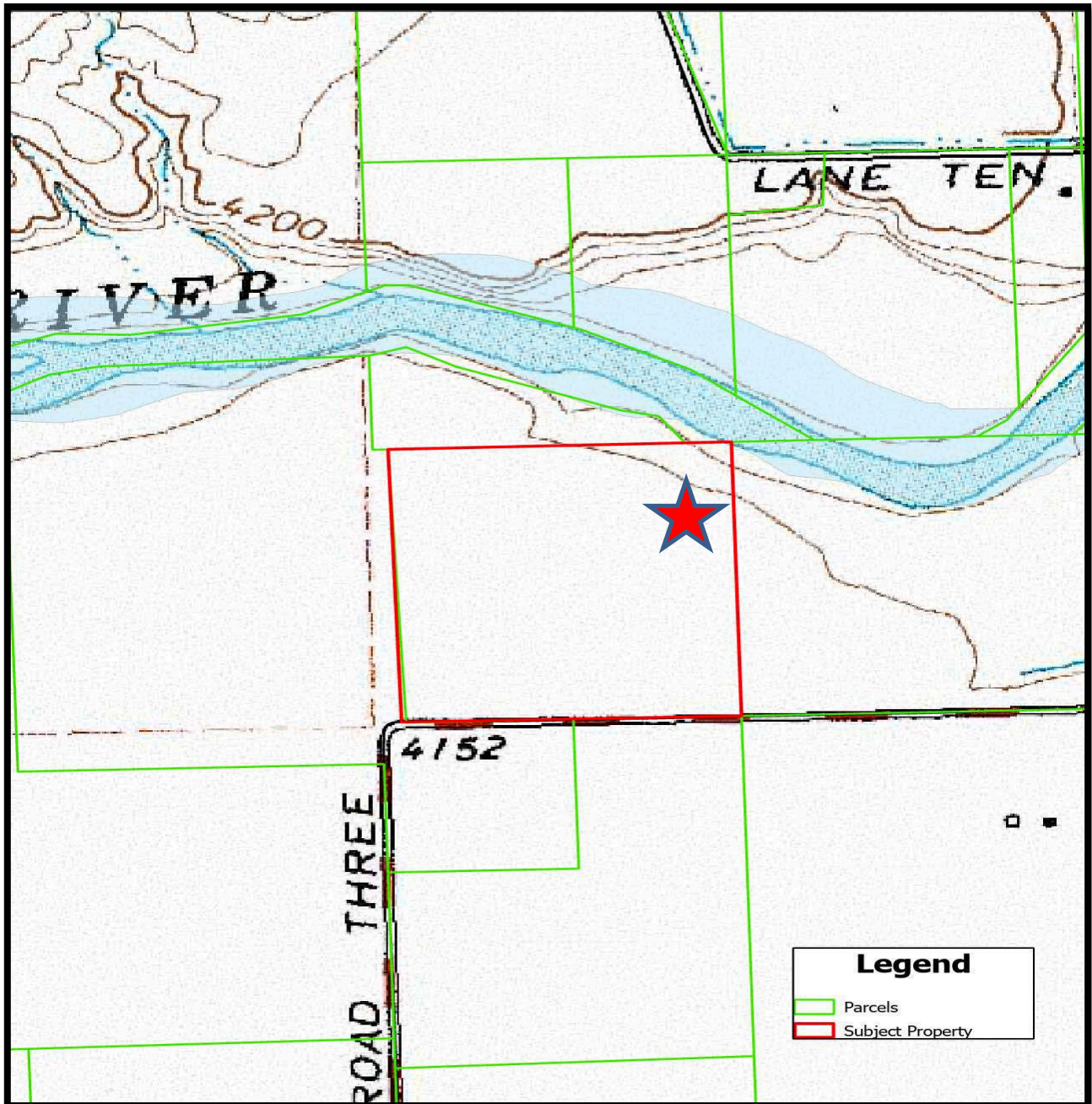
58 **Neighboring Land Use:** As shown in Figure 2, neighboring land uses are primarily agricultural;  
59 however, there are properties in the immediate vicinity classified as residential. The State of  
60 Wyoming owns several parcels in the area; these are located north and west of the proposed  
61 use location.



62  
63

**Figure 2: Neighboring Land Uses**  
**(approximate use location indicated with red star)**

64 **Site Characteristics:** The applicant resides on the northeast portion of the property in a four-  
65 bedroom, single-family residence (BZP20220404-1). The residence is served by a permitted  
66 small wastewater system (SWWP20220404-1), and there are also several permitted accessory  
67 use structures located in the same area of the property as the residence. As shown in Figure  
68 3, the topography of the property and the surrounding area shows little change in elevation.  
69 The Shoshone River borders the north end of the parcel.



70 **Figure 3: Topography of Property and Surroundings**  
71 **(approximate use location indicated with red star)**  
72

73 **Legal Notices:** The Planning Department published a Notice of Public Hearing as required in  
74 Appendix 1, including the following information: applicant name; proposed project description  
75 and location; legal description; public hearing date, time and place; and how additional  
76 information can be obtained. The notice was published in the *Powell Tribune* on March 28,  
77 2024 and April 9, 2024, with the first notice out more than 14 days before the hearing, as  
78 required. Written notice was mailed to the owners of all properties within 660 feet of the subject  
79 property on March 27, 2024 as shown in the property ownership records of the County  
80 Assessor. The staff report was sent to applicant and the Board of County Commissioners prior  
81 to the scheduled public hearing as specified in Ch. IV, Sec. 4c.

82  
83 **Agency Referrals:** Ch. IV, Sec. 4c specifies that discretionary applications be referred to any  
84 local, state, or federal agency with relevant interests or expertise. Relevant agencies were  
85 notified beginning in January, 2024.

86  
87 Elk Water Users Association: In a letter dated January 30, 2024, Fred Hopkin, Elk Water  
88 Users Association stated the use is on property serviced by the Association; however, the  
89 use will not impede Elk Canal or the Association's ability to service shareholders or deliver  
90 water. (Attached)

91  
92 Wyoming Department of Environmental Quality (DEQ): In an email dated February 13,  
93 2024, DEQ summarized the notifications, permits, and certificates required for various  
94 activities that may impact surface or groundwater. (Attached)

95  
96 Park County Treasurer (PCT): In an email dated February 13, 2024, the PCT stated 1<sup>st</sup> half  
97 property taxes are paid; 2<sup>nd</sup> half is due May 10, 2024. (Attached)

98  
99 Department of Fire Prevention/Electrical Safety: In an email dated February 13, 2024, the  
100 Fire Inspector for the Big Horn Basin stated the project will require a full plan review through  
101 the State Fire Marshal's Office. (Attached)

102  
103 Wyoming Game & Fish: In an email dated February 26, 2024, Wyoming Game & Fish stated  
104 they have no terrestrial wildlife comments on this proposed project. (Attached)

105  
106 Park County Weed & Pest (W&P): In a letter dated February 29, 2024, W&P reported they  
107 conducted an initial inspection of the property and they will not require a Long-Term Noxious  
108 Weed Management Plan. (Attached)

109  
110 Park County Public Works (PW): In a letter dated April 3, 2024 (attached), PW stated the  
111 following:

- 112  
113 ➤ Legal access exists from County Lane 10H. County Lane 10H is administered and  
114 maintained by the Road & Bridge Division of the Park County Public Works  
115 Department.  
116

- 117           ➤ The proposed use will not require an additional address. Additional addresses for  
118 the proposed facility can be obtained with a request for address assignment from  
119 PCPWD.  
120
- 121           ➤ There is one (1) existing permitted access point to County Lane 10H. County Lane  
122 10H is a paved road classified as a “Local Access Road” by *Park County Road &*  
123 *Bridge Standards*. The proposed development will likely result in an increase in traffic  
124 on County Lane 10H. However, the proposed use will not result in a change in  
125 classification for the roadway.  
126
- 127           ➤ Neither a geotechnical report nor a drainage and erosion control plan will be required  
128 at this time. However, in no case shall activities associated with the proposed use  
129 result in an increase in storm water runoff to the County ROW (Lane 10H) or adjacent  
130 properties.  
131
- 132           ➤ Parking will not be allowed within the County ROW resulting from this development.  
133 It appears that there is adequate space for tractor trailer delivery at this time. Should  
134 the need arise for additional parking and turn around areas, it is recommended that  
135 the applicant prepare an all-weather crushed gravel surface to accommodate.  
136

137           Park County Fire District #1: No comments have been received.  
138  
139

140 **Public Comments:** No public comments have been received.  
141

142 **Planning and Zoning Commission Review:** The Park County Planning & Zoning  
143 Commission reviewed the Special Use Permit Application during a public hearing on March 13,  
144 2024 and recommended approval with conditions noted in Resolution #2024-12, finding the  
145 proposed special use is generally consistent with the goals and policies of the *Park County*  
146 *Land Use Plan* and is consistent with the standards and procedures of the *Park County,*  
147 *Wyoming, 2015 Development Standards and Regulations*.  
148

149 **Planning and Zoning Commission Approval Conditions:**  
150

- 151           1. Park County noise, lighting, and other nuisance regulations shall apply;  
152           2. Prior to review by the Board of County Commissioners, the applicant shall submit a  
153 formal response from Park County Public Works to the Planning and Zoning  
154 Department; **Condition has been met**  
155           3. Prior to commencement of the use, the applicant shall provide evidence of site plan  
156 approval from the State Fire Marshal’s Office to the Planning and Zoning  
157 Department; and  
158           4. The applicant shall otherwise comply with standards in the Park County  
159 Development Standards and Regulations.  
160

161 **Approval Standards:** The Board of County Commissioners shall approve a Special Use  
162 Permit only if the following criteria are met:

- 163  
164 1. **Compatibility and Impacts:** The use is in harmony and compatible with surrounding  
165 land uses and with the neighborhood and will not create a substantial adverse impact  
166 on adjacent properties

- 167 • **Applicant statement how compatibility will be achieved:** In application  
168 documents, the applicant provided an explanation regarding the proposed use  
169 and described how the use will be compatible with the area:

- 170 • **Square Timbers (6" x 8") are brought from Wisconsin and put**  
171 **through the applicant's moulding machinery to produce D-Logs**  
172 **for cabins.**
- 173 • **The applicant anticipates receiving 6 to 8 semi-trailer truckloads**  
174 **per year.**
- 175 • **The D-Logs are sent to Tri-Star Cabins (a neighboring facility) and**  
176 **to a firm in Nebraska.**
- 177 • **The D-Logs are delivered to Tri-Star Cabins via a loader or wagon**  
178 **– approximately twice per month.**
- 179 • **The D-Logs are delivered to Nebraska via semi-trailers –**  
180 **approximately twice per year.**
- 181 • **The applicant does not expect any increase in traffic except for**  
182 **arrival of timbers and delivery of D-Logs.**
- 183 • **A diesel generator supplies power for the moulding machinery,**  
184 **saws, and lights.**
- 185 • **Wood shavings accumulate in a bin. They are later bagged and**  
186 **sold to Poor Boy's Feeds and to some individuals for livestock**  
187 **bedding.**
- 188 • **The shop is heated with a wood stove. A wash basin is in the shop**  
189 **and a bathroom is located in the residence.**
- 190 • **The coordination of sales and delivery of materials will be**  
191 **facilitated by the applicant.**
- 192 • **Work hours will be Monday - Saturday, 7:00 am to 3:30 pm.**
- 193 • **Customers will not frequent the property.**
- 194 • **No outdoor lights are proposed and the buildings will have no**  
195 **floor drains.**
- 196 • **Bottled water or water from the residence will be used for**  
197 **drinking.**
- 198 • **Three resident employees (including the applicant) will serve the**  
199 **use.**
- 200 • **Hours of operation will be 7 am to 5 pm, Monday – Friday.**
- 201 • **The applicant also stated that he plans to conduct a small volume**  
202 **of retail business using 1" x 6" lumber products.**
- 203 • **The applicant stated that there are no close neighbors that will be**  
204 **negatively impacted by the operation.**

- 205                   • **The applicant stated that there are other, similar, cottage**  
206                   **industries located in the area.**
- 207           • **Building Setbacks:** No building or structure shall be built within 20 feet of  
208           county road ROW. **The future building will not be within 20 feet of a**  
209           **County road right-of-way.**
- 210           • **Covenants:** Facility must comply with covenants, if any. **No covenants are**  
211           **proposed or existing.**
- 212           • **Outdoor Lighting:** Proposed lighting, if any, must comply with County  
213           regulations. **No outdoor lights are proposed.**
- 214           • **Nonconformities:** Any nonconforming parcels, structures, or uses must  
215           comply with County regulations. **The property has no known**  
216           **nonconformities.**
- 217           • **Nuisance-related:** County regulations define nuisances as any use or non-  
218           use of real or personal property that causes injury to others, or endangers life,  
219           health, or safety. **No nuisances have been reported.**
- 220           • **Soil Conservation District:** A soil conservation district review, prepared by  
221           the local soil conservation district, or a professional soil engineer or geologist,  
222           is required when appropriate. **Given the nature and circumstances of the**  
223           **use, no soils review is warranted.**

224  
225           **CONCLUSION:** Based upon the above findings, all factors relating to  
226           compatibility and impacts of the use have been sufficiently addressed and  
227           suggest that the proposed use will be in harmony and compatible with  
228           surrounding land uses and with the neighborhood and will not create a  
229           substantial adverse impact on adjacent properties.

- 230  
231   2. **Services and Infrastructure:** Adequate services and infrastructure are available to  
232   serve the use, or the applicant has agreed to provide services and infrastructure in  
233   sufficient time to serve the proposed use
- 234           • **Access:** All parcels shall have legally enforceable access. **Access is**  
235           **proposed from County Lane 10H.**
- 236           • **Domestic Water:** Evidence that an adequate water supply in terms of  
237           quantity, quality, and dependability for the use is, or will be available is  
238           required. **Bottled water and/or well water will be available for employees.**
- 239           • **Irrigation District:** If the development is located within the boundaries of an  
240           Irrigation District, the applicant shall establish a plan regarding the attached  
241           water rights and easements for irrigation facilities. **This use is located within**  
242           **an area served by the Elk Water Users Association. The Association has**  
243           **no concerns with the proposed use.**
- 244           • **Parking:** Parking regulations apply to multi-family housing and commercial  
245           uses. **Non-residential uses require one parking space for each 400**  
246           **square feet of floor area. The total floor area of both structures will be**  
247           **almost 5,000 square feet requiring 13 parking stalls. However, this use**  
248           **will not require any employee parking. Additionally, should customer**  
249           **parking be necessary, sufficient space exists in the area around the**  
250           **structures.**



- 251 • **Sewage and wastewater disposal:** Adequate and sanitary sewage disposal  
252 systems must be provided when appropriate. **The nearby residence has a**  
253 **permitted septic system. The applicant and employees will be the only**  
254 **people using the residential restroom.**
- 255 • **Utilities, public services and infrastructure:** Adequate utilities must exist,  
256 or be provided, for the proposed use. **Energy will be provided by a diesel**  
257 **generator. No utilities (electricity or natural gas) will serve the use.**
- 258 • **Signs:** Proposed signs, if any, must comply with County regulations. **No**  
259 **signs are proposed or necessary for this use.**
- 260 • **Solid Waste:** Solid waste disposal, if any, must comply with County  
261 regulations. **Solid waste disposal services are available through private**  
262 **companies.**

263  
264 **CONCLUSION: Based upon the above findings, adequate services and**  
265 **infrastructure are available to serve the use or the applicant will provide**  
266 **services to serve the proposed use.**

- 267
- 268 3. **Specific Criteria:** The use complies with all specific criteria stated in these  
269 regulations for the use. **No specific criteria are identified for this use.**
- 270
- 271 4. **Overlay Districts:** The use complies with additional requirements of overlay  
272 districts, if applicable. **The proposed use is in an Agricultural Overlay District.**  
273 **The proposed use is not in any other Overlay District.**

274

275 Agricultural Overlay (AGO): The AGO overlay district identifies important agricultural  
276 areas of the county for application of special development requirements designed to  
277 promote the continuation of agriculture.

278

279 Purpose: The changing nature of land use and demography in particular parts of and  
280 throughout Park County has increased the incidence of conflict between agricultural  
281 operators and visitors to and residents of Park County. Such conflicts may threaten  
282 the economic viability of agricultural operations and arise from harassment of  
283 livestock and livestock losses due to free roaming dogs; trespass by livestock;  
284 leaving of gates open; fence construction and maintenance; problems with the  
285 maintenance of ditches across private property and burning of ditches; complaints  
286 about noise, dust, odors and light; weed and pest control; and trespass. The Board  
287 of County Commissioners or Planning & Zoning Commission shall review all the  
288 discretionary development applications in the Agricultural Overlay (AGO) district or  
289 on land adjoining the AGO district to identify impacts to commercial agriculture.

290

291 Agricultural Impact Review: The Board of County Commissioners shall review all  
292 discretionary development applications in the AGO district, or on lands adjoining the  
293 AGO district, to identify impacts to commercial agriculture as follows:

294

295 A. Impacts on Agricultural Operations: The Board of County Commissioners shall  
296 examine the effects of non-agricultural development on nearby commercial

297 agricultural operations in the AGO district not including agricultural operations of the  
298 applicant, if any. The review may identify reasonable changes to the design or  
299 operating features of a development that shall be implemented to mitigate adverse  
300 impacts to commercial agriculture. Such requirements may include, but are not  
301 limited to: control of weeds, pests and litter; confinement of domestic pets that may  
302 threaten livestock; and protection and maintenance of irrigation facilities and ditches  
303 that cross private property. **The proposed use is a Cottage Industry use. No**  
304 **aspects of the proposed use are expected to impact surrounding agricultural**  
305 **uses. No pests or domestic pets are expected to be related to this use. Any**  
306 **solid waste produced as a result from this use will be disposed of in**  
307 **accordance with County regulations. Irrigation facilities will not be impacted**  
308 **by this use.**

309  
310 B. Vulnerability of Use to Agricultural Practices: Examine whether the proposed use  
311 will be particularly vulnerable to problems resulting from exposure to legal and  
312 generally accepted commercial agricultural practices in the vicinity. Uses that will be  
313 vulnerable to agricultural noise, dust, odors, light, etc., shall be designed and  
314 operated to minimize such problems. **The proposed use should not be negatively**  
315 **impacted by agricultural practices in the vicinity. The applicant and proprietor,**  
316 **John Hershberger, is aware of the extent of agricultural operations occurring**  
317 **in the vicinity.**

318  
319 C. Use of Marginal Land: Examination of the location of the proposed nonagricultural  
320 development relative to the conversion of productive agricultural land to non-  
321 agricultural use. Applicants shall minimize such conversion by locating non-  
322 agricultural use on the least productive or agriculturally-marginal portions of the  
323 applicant's property if this is practical given consideration of other factors involved in  
324 siting the use. **The proposed use is proposed in a relatively small area of the**  
325 **property that appears to be marginally-productive farmland; therefore, the area**  
326 **removed from productive agricultural use will be minimal.**

327  
328 D. Limitations on Review: This review shall not be used as a basis for denial of  
329 approval for any use that is permitted by right or by Special Use Permit in the zoning  
330 district in which the subject property is located.

331  
332 **Conditions of Approval:** In approving a Special Use Permit, the Board of County  
333 Commissioners may impose any reasonable conditions to ensure that the proposed use is  
334 compatible with surrounding land uses and the development and operation of the proposed  
335 use are performed in a manner consistent with public health, safety and welfare. Such  
336 conditions shall be limited to issues directly related to the impacts of the proposed use and  
337 proportional to the impacts.

### 338 339 **Site Plan Review**

340  
341 (1) Intent and Purpose of Site Plan Review: A site plan is a graphical plan, drawn to scale,  
342 showing uses and structures proposed for a parcel of land and site development features,  
343 both natural and manmade including, where applicable, lot lines, roads, locations of

344 proposed buildings, utility lines, parking areas, reserved open space, steep slopes,  
345 floodplains, etc. Site plan review is the process whereby county officials review the plans of  
346 a developer to assure they meet the stated purposes and standards of the regulations,  
347 provide for the necessary public facilities such as roads and drainage structures, adequate  
348 site development including sewage disposal facilities, parking, water supply and other  
349 requirements through appropriate siting and design of structures and other improvements.  
350

351 (2) Applicability of Review Requirements: **Site Plan Review is required for Cottage**  
352 **Industry use if the development includes construction of any building(s) that**  
353 **exceeds 5,000 square feet of floor area, or if development entails more than one acre**  
354 **for a land use without buildings. The structures are not larger than 5,000 square feet**  
355 **and the use will not exceed more than an acre of developed land; therefore, site plan**  
356 **review is not required.**  
357

### 358 Summary of Findings:

- 359 1. John Hershberger (applicant) submitted a Special Use Permit Application on January  
360 30, 2024, including payment, a Site Plan, a Building Plan, and an Application Narrative;
- 361 2. The applicant requests approval of a Special Use Permit to operate a business that  
362 will transform timbers into D-Logs for cabin construction;
- 363 3. The construction activities will occur in a shop building with dimensions of 80' x 46'.  
364 The applicant plans to construct a storage structure (30' x 40') that will be used to store  
365 materials and supplies. The use will occur on an area of the property that is less than  
366 one (1) acre in size. All the construction work will occur inside the shop building.  
367 Employees will be residents of the property;
- 368 4. Applicable regulations are the *Park County, Wyoming, 2015 Development Standards*  
369 *and Regulations*, adopted September 15, 2015;
- 370 5. The use is classified as a cottage industry;
- 371 6. Ownership is affirmed by Warranty Deed dated August 4, 2022 to John R.  
372 Hershberger and Iva H. Hershberger, as husband and wife (Document #2022-4515);
- 373 7. The property is a 37.46-acre parcel within Lot 49A, Resurvey, T55N, R98W, 6<sup>th</sup> P.M.,  
374 Park County, Wyoming;
- 375 8. The property is approximately five miles southeast of Powell, directly north of County  
376 Lane 10H and approximately 1,500 feet northeast of the intersection of Lane 10H and  
377 Road 3;
- 378 9. The property has an address of 275 Lane 10H;
- 379 10. The property is in a General Rural Powell (GR-P) zoning district;
- 380 11. Cottage industry uses are permitted in the General Rural Powell (GR-P) zoning district  
381 provided a Special Use Permit is approved;

- 382 12. Neighboring land uses are primarily agricultural; however, there are properties in the  
383 immediate vicinity classified as residential. The State of Wyoming owns several  
384 parcels in the area; these are located north and west of the proposed use location;
- 385 13. The applicant resides on the northeast portion of the property in a four-bedroom,  
386 single-family residence (BZP20220404-1). The residence is served by a permitted  
387 small wastewater system (SWWP20220404-1), and there are also several permitted  
388 accessory use structures located in the same area of the property as the residence;
- 389 14. The topography of the property and the surrounding area has little change in elevation.  
390 The Shoshone River borders the north end of the parcel;
- 391 15. Legal notice requirements have been met, including notice to property owners within  
392 660 ft. of the property boundary;
- 393 16. The application was forwarded to relevant agencies as required;
- 394 17. The Elk Water Users Association stated the use is on property serviced by the  
395 Association; however, the use will not impede Elk Canal or the Association's ability to  
396 service shareholders or deliver water;
- 397 18. Wyoming DEQ summarized the notifications, permits, and certificates required for  
398 various activities that may impact surface or groundwater;
- 399 19. The Park County Treasurer stated that 1<sup>st</sup> half property taxes are paid;
- 400 20. The Fire Inspector for the Big Horn Basin stated the project will require a full plan  
401 review through the State Fire Marshal's Office;
- 402 21. Wyoming Game & Fish have no terrestrial wildlife comments;
- 403 22. Park County Weed & Pest will not require a Long-Term Noxious Weed Management  
404 Plan;
- 405 23. Park County Public Works reported the following:
- 406       ➤ Legal access exists from County Lane 10H, a paved "Local Access Road".  
407       The use is anticipated to increase traffic but is not anticipated to alter the road  
408       classification;
- 409       ➤ The proposed use will not require an additional address;
- 410       ➤ Neither a geotechnical report nor a drainage and erosion control plan will be  
411       required at this time. However, in no case shall activities associated with the  
412       proposed use result in an increase in storm water runoff to the County ROW  
413       (Lane 10H) or adjacent properties;
- 414       ➤ Parking will not be allowed within the County ROW resulting from this  
415       development. It appears that there is adequate space for tractor trailer  
416       delivery at this time. Should the need arise for additional parking and  
417       turnaround areas, it is recommended that the applicant prepare an all-weather  
418       crushed gravel surface to accommodate;
- 419 24. Park County Fire District #1 has not provided comments;
- 420 25. No public comments have been received;

- 421 26. The Park County Planning & Zoning Commission reviewed the Special Use Permit  
422 Application during a public hearing on March 13, 2024 and recommended approval  
423 with conditions noted in Resolution #2024-12;
- 424 27. The applicant made statements of how compatibility will be achieved;
- 425 28. Square Timbers (6" x 8") are brought from Wisconsin and put through the applicant's  
426 moulding machinery to produce D-Logs for cabins;
- 427 29. The applicant anticipates receiving 6 to 8 semi-trailer truckloads per year;
- 428 30. The D-Logs are sent to Tri-Star Cabins (a neighboring facility) and to a firm in  
429 Nebraska;
- 430 31. The D-Logs are delivered to Tri-Star Cabins via a loader or wagon – approximately  
431 twice per month;
- 432 32. The D-Logs are delivered to Nebraska via semi-trailers – approximately twice per year;
- 433 33. The applicant does not expect any increase in traffic except for arrival of timbers and  
434 delivery of D-Logs;
- 435 34. A diesel generator supplies power for the moulding machinery, saws, and lights;
- 436 35. Wood shavings accumulate in a bin. They are later bagged and sold to Poor Boy's  
437 Feeds and to some individuals for livestock bedding;
- 438 36. The shop is heated with a wood stove. A wash basin is in the shop and a bathroom is  
439 located in the residence;
- 440 37. The coordination of sales and delivery of materials will be facilitated by the applicant;
- 441 38. Work hours will be Monday - Saturday, 7:00 am to 3:30 pm;
- 442 39. Customers will not frequent the property;
- 443 40. No outdoor lights are proposed and the buildings will have no floor drains;
- 444 41. Bottled water or water from the residence will be used for drinking;
- 445 42. Three resident employees (including the applicant) will serve the use;
- 446 43. Hours of operation will be 7 am to 5 pm, Monday – Friday;
- 447 44. The applicant also stated that he plans to conduct a small volume of retail business  
448 using 1" x 6" lumber products;
- 449 45. The applicant stated that there are no close neighbors that will be negatively impacted  
450 by the operation;
- 451 46. The applicant stated that there are other, similar, cottage industries located in the area;
- 452 47. The future building will not be within 20 feet of a County road right-of-way;
- 453 48. No covenants are proposed or existing;
- 454 49. No outdoor lighting is proposed;
- 455 50. There are no known nonconformities on the property;
- 456 51. No nuisances have been reported at this location;

- 457 52. Given the nature and circumstances of the use, no soils review is warranted;
- 458 53. All factors relating to compatibility and impacts of the use have been sufficiently  
459 addressed and suggest that the proposed use will be in harmony and compatible with  
460 surrounding land uses and with the neighborhood and will not create a substantial  
461 adverse impact on adjacent properties;
- 462 54. Access is proposed from County Lane 10H;
- 463 55. The building floor area will be almost 5,000 square feet, requiring 13 parking stalls;
- 464 56. The use will not require any parking for employees; should customer parking be  
465 necessary, sufficient space exists in the area around the structures;
- 466 57. The residence has a permitted septic system. The applicant and employees will be the  
467 only people using the restroom;
- 468 58. Energy will be provided by a diesel generator. No utilities (electricity or natural gas)  
469 will serve the use;
- 470 59. No signs are proposed or necessary for this use;
- 471 60. Solid waste disposal services are available through private companies;
- 472 61. Adequate utilities, public services and infrastructure exist for the proposed use or the  
473 applicant will provide services to serve the proposed use;
- 474 62. No specific criteria are identified for this use;
- 475 63. The proposed use is in an Agricultural Overlay District;
- 476 64. No aspects of the proposed use are expected to impact surrounding agricultural uses;
- 477 65. The proposed use should not be negatively impacted by agricultural practices in the  
478 vicinity;
- 479 66. There will be a small decrease in marginally-productive agricultural land should this  
480 use be approved; and
- 481 67. Site plan review is not required for this use.

482

483 **Staff Recommendation:** Should the Board of County Commissioners approve this use, staff  
484 recommends the following conditions of approval:

485

- 486 1. Park County noise, lighting, and other nuisance regulations shall apply;
- 487 2. Prior to commencement of the use, the applicant shall submit a formal response from  
488 Park County Fire District #1 to the Planning and Zoning Department;
- 489 3. Prior to commencement of the use, the applicant shall provide evidence of site plan  
490 approval from the State Fire Marshal's Office to the Planning and Zoning  
491 Department; and
- 492 4. The applicant shall otherwise comply with standards in the Park County  
493 Development Standards and Regulations.

494 **Photo 1: Driveway to Use. Photographer facing South.**



495

496 **Photo 2: Structure for Use. Photographer facing Northeast.**



497 **Photo 3: Structure for Use. Photographer facing Northwest.**



498

499 **Photo 4: Driveway from Lane 10H. Photographer facing East.**





500 **Photo 5: East side of Structure. Photographer facing North.**



501  
502 **Photo 6: Proposed New Shed Location. Photographer facing Southeast.**





**Park County Planning & Zoning**

1002 Sheridan Ave. Suite 109, Cody, WY 82414  
Phone: 307-527-8540 | Fax: 307-527-8515  
E-mail: [planning@parkcounty.us](mailto:planning@parkcounty.us)

Rec. By: ECD  
Date: 1/30/24  
Receipt #: 240129/ck#1740  
App. #: SUPA 20240130-1

**SPECIAL USE PERMIT (SUP) APPLICATION\*** (4 pages) Fee: \$300.00\*

This application is required to obtain a Special Use Permit (SUP) within unincorporated areas of Park County. **Submission of this application does not constitute permission to proceed with development or the proposed use. Special Use Permit approval is required from the Board of County Commissioners before commencing or establishing any use specified in Chapter IV, Section 2.e. Table 4-1: Schedule of Uses in the Park County Development Standards and Regulations.**

\*The applicant is responsible for paying mailing fees for neighbor notifications and publication fees for public hearing notices.

**APPLICANT INFORMATION:**

Applicant Name: Mountain View Mouldings Phone (Daytime): 307-219-1488  
Mailing Address: 275 lane 10 1/2 Email: \_\_\_\_\_  
City, State & Zip: Powell WY 82435

**PROPERTY INFORMATION:**

Owner Name: John Hershberger  
Phone (Daytime): 307-219-1488 Email: \_\_\_\_\_  
Mailing Address: 275 lane 10 1/2 Powell WY 82435  
Parcel Address: Same  
Property Identification # or Deed Recording #: 00000R0038105  
Is the property vacant?  YES  NO  
Subdivision Name (if applicable\*): \_\_\_\_\_ Lot #: \_\_\_\_\_

\*Please refer to any covenants or agreements that may apply to development within the subdivision.

**ANSWER THE FOLLOWING QUESTIONS REGARDING THE PROPOSED USE:**

1. Have any other SUPs been granted for this parcel?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
2. # of buildings to be utilized for the use	<u>2</u>		<input type="checkbox"/> N/A
3. Total/combined floor area of all floors of all buildings planned to be utilized for the use	<u>5000</u> sq. ft.		
4. # acres to be utilized for the use	<u>1</u> acres		
5. If a business, will it be located in the proprietor's home?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
6. Are living quarters or lodging part of the proposed use?	<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO
7. # of resident employees	____ Full-Time	<u>3</u> Part-Time	<input type="checkbox"/> N/A
8. # of non-resident employees	____ Full-Time	____ Part-Time	<input checked="" type="checkbox"/> N/A
9. Term of Use:	<input type="checkbox"/> Single Event	<input type="checkbox"/> Temporary	<input checked="" type="checkbox"/> Permanent
10. Is an increase in traffic expected to result from this use?	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO
11. What are the planned days/hours of operation?	<u>7AM - 5PM M-F</u>		
12. How much material will be removed (for mines)	cu. ft.		<input checked="" type="checkbox"/> N/A
13. If tower, antenna or wind turbine, what is the height?	<input type="checkbox"/> <35ft	<input type="checkbox"/> ≥35ft	<input checked="" type="checkbox"/> N/A

**CATEGORIZE THE PROPOSED USE (check all that apply):**

- |  |  |  |                                     |
|--|--|--|-------------------------------------|
| <input type="checkbox"/> Residential   | <input checked="" type="checkbox"/> Residential Business | <input type="checkbox"/> Agricultural                          | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Recreational  | <input type="checkbox"/> Temporary                       | <input type="checkbox"/> Transportation                        | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Institutional | <input type="checkbox"/> Large Impact Structure          | <input type="checkbox"/> Community/Public/Utility/Quasi-Public |                                     |

**WRITTEN DESCRIPTION OF THE PROPOSED USE(S):** *(Please include a detailed statement about the full scope/extent of the intended use. Quantify the impacts - for example, explain any noise, visual and/or air quality impacts expected to result from the initiation/operation of the use, both onsite and to adjacent properties. Please be thorough as any permit authorized will be based upon facts provided herein.)*

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**PROVIDE WRITTEN STATEMENTS WITH YOUR APPLICATION SUMMARIZING EACH OF THE FOLLOWING TOPICS (IF APPLICABLE).** YOU MAY PROVIDE SUPPORTING DOCUMENTATION THAT FURTHER EXPLAINS SUMMARIZED MATERIALS; HOWEVER, STAFF AND THE PLANNING AND ZONING COMMISSION HAVE LIMITED TIME TO REVIEW LENGTHY SUBMISSIONS.

- Evidence that an adequate water supply (quantity, quality and dependability) for the use is or will be available.
- Evidence that an adequate means of sewage and wastewater disposal is or will be available.
- Soils report prepared by the local conservation district, professional soils engineer or geologist when appropriate;
- Proposed covenants, if any;
- Statement of how the approval standards for a Special Use Permit can be met by the proposal;
- If special criteria as defined in *Standards for Specific Uses* have been established for the proposed use, a statement of how these criteria will be met;
- If in an Airport Overlay District, a written recommendation from the appropriate board or official;
- If in an irrigation district, a plan regarding the attached water rights and easement for irrigation facilities.

**INCLUDE THE FOLLOWING GRAPHIC MATERIAL WITH YOUR APPLICATION (IF APPLICABLE):**

- Vicinity map;
- Detailed plan-view drawing showing building locations, parking areas, access and circulation, storm water drainage and activity areas (include boundary of entire area impacted by the proposed use);
- Building floor plans and heights;
- Map showing topography and natural features

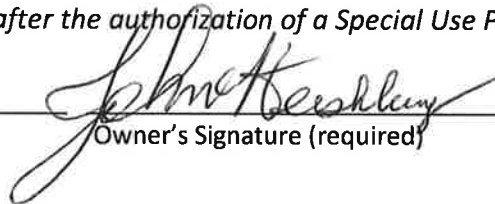
The Planning and Zoning Commission and Board of County Commissioners approve Special Use Permits based upon the following approval standards. Complete applications will include all the written and graphic material needed to assist with the decision-making process and addressing each standard.

- Compatibility and Impacts: 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;
- Services and Infrastructure: Adequate services and infrastructure are available to serve the use, or the applicant has agreed to provide services and infrastructure in sufficient time to serve the proposed use;
- Specific Criteria: The use complies with all specific criteria stated in these regulations for the use; and
- Overlay Districts: The use complies with additional requirements of overlay districts (i.e., floodplain, agricultural or airport), if applicable.

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**SIGN HERE:** *In accordance with Wyo. Stat. §1-2-104, I certify under penalty of false swearing that the foregoing is true and the information provided in this application is accurate and complete. I agree that providing incomplete or inaccurate information may void or delay any and all permits authorized under this application. I further understand that any permit granted under this application by the Park County Board of Commissioners does not approve any continued or future violation of County regulations or State law. I further agree to comply with all County regulations and laws of the State of Wyoming pertaining to this application and authorize representatives of Park County to enter upon the abovementioned property for inspection purposes before, during and/or after the permitting process to ensure compliance. I further acknowledge that if signing on behalf of co-owners, multiple owners, a corporation, partnership, Limited Liability Company or similar entity, the undersigned hereby swear(s) that authorization is given, to the full extent required, with the necessary and appropriate approval, allowing the undersigned to act on behalf of such entity. I also understand that additional permitting may be necessary prior to or after the authorization of a Special Use Permit.*

John Hershberger  
Owner's Name (required)

  
Owner's Signature (required)

1-25-24  
Date

\_\_\_\_\_  
Applicant's Name (if not the owner)

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**\*\*\*\* BELOW – FOR OFFICE USE ONLY \*\*\*\***

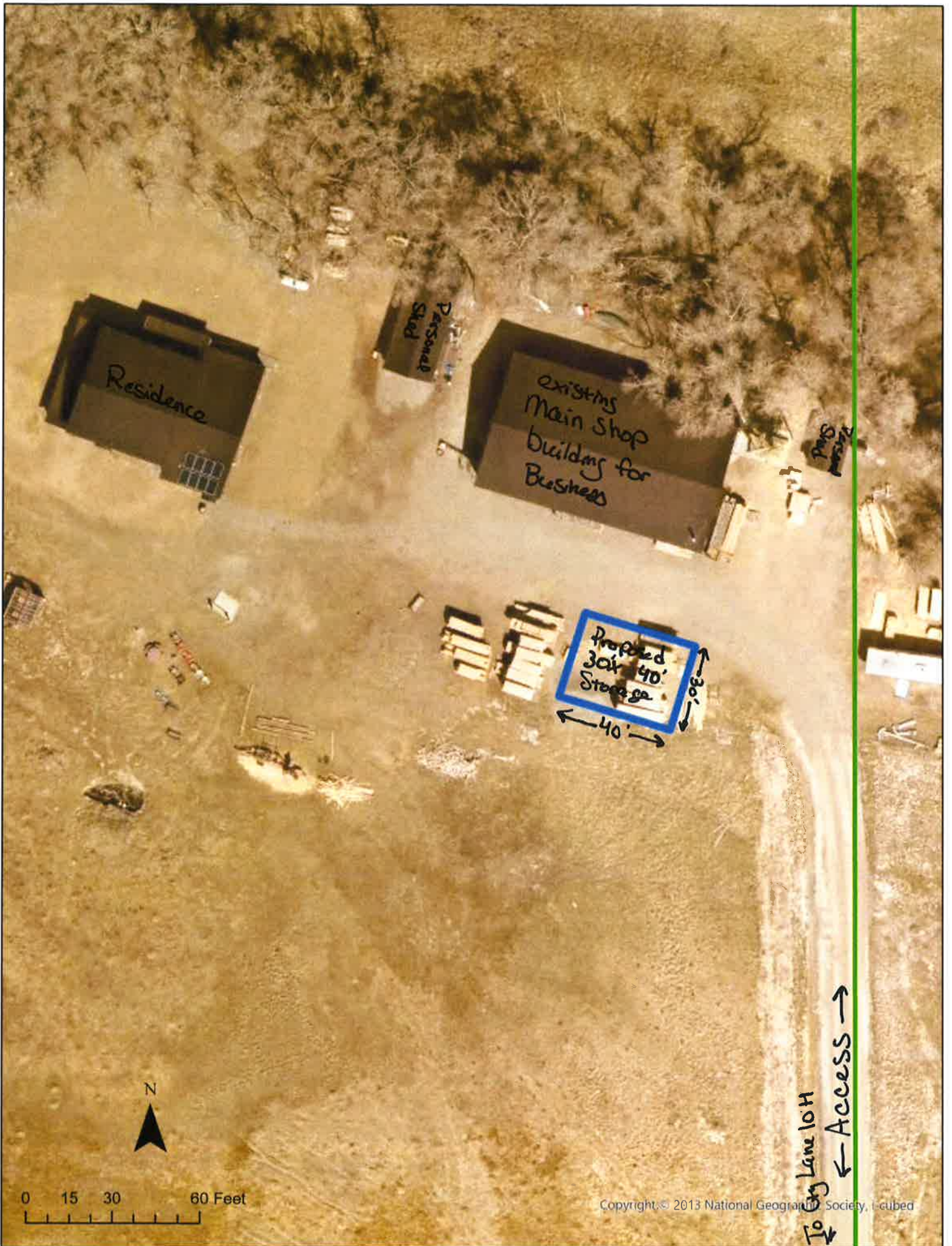
Zoning District (circle one): GR-M **GR-P** GR-40 GR-35 GR-20 GR-5 RR-2 R-H C I T

- In GR-M?  NO  YES – Referred application to MLPAAC on: \_\_\_\_\_
- Within one mile of a city?  NO  YES – Referred application to \_\_\_\_\_ on: \_\_\_\_\_
- Planning Area: Cody / Powell Rural
- Use Classification: \*\*May require Site Plan Review.

<p><b>Residential Use</b></p> <input type="checkbox"/> Mobile Home <input type="checkbox"/> Mobile Home Park** <input type="checkbox"/> Multi-family housing** <input type="checkbox"/> Single family dwelling <p><b>Residential Business</b></p> <input type="checkbox"/> Major home occupation <input checked="" type="checkbox"/> Cottage industry** <p><b>Agricultural Use</b></p> <input type="checkbox"/> Feedlot** <p><b>Public, Utility or Quasi-Public Use</b></p> <input type="checkbox"/> Minor community use** <input type="checkbox"/> Major community use** <input type="checkbox"/> Major utility use** <p><b>Institutional Use</b></p> <input type="checkbox"/> Minor institutional use** <input type="checkbox"/> Correctional facility** <input type="checkbox"/> Minor residential religious use** <input type="checkbox"/> Minor residential school** <input type="checkbox"/> Major institutional use**	<p><b>Temporary Use</b></p> <input type="checkbox"/> Construction staging area, minor** <input type="checkbox"/> Construction staging area, major** <input type="checkbox"/> Special Event <input type="checkbox"/> Temporary heliport <input type="checkbox"/> Highway/road maintenance area <input type="checkbox"/> Work Camp** <p><b>Transportation Use</b></p> <input type="checkbox"/> Bus Terminal** <input type="checkbox"/> Truck terminal** <input type="checkbox"/> Heliport** <input type="checkbox"/> Landing Strip** <input type="checkbox"/> Commercial Airport** <input type="checkbox"/> Rail facility** <input type="checkbox"/> Railroad rights-of-way** <input type="checkbox"/> Transmission pipeline <p><b>Recreation Use</b></p> <input type="checkbox"/> Minor commercial recreation** <input type="checkbox"/> Minor outdoor recreation facility** <input type="checkbox"/> Major recreation facility** <input type="checkbox"/> Campground** <input type="checkbox"/> Dude ranch and resort** <input type="checkbox"/> Parking/outfitting <input type="checkbox"/> Ski center**	<p><b>Commercial Use</b></p> <input type="checkbox"/> Minor commercial business** <input type="checkbox"/> Major commercial business** <input type="checkbox"/> Highway commercial business** <input type="checkbox"/> Agricultural support business** <input type="checkbox"/> Commercial storage** <input type="checkbox"/> Adult use** <p><b>Industrial Use</b></p> <input type="checkbox"/> Minor industrial use** <input type="checkbox"/> Major industrial use** <input type="checkbox"/> Minor wholesale business** <input type="checkbox"/> Major wholesale business** <input type="checkbox"/> Rock products mine, large** <input type="checkbox"/> Rock products mine, small** <input type="checkbox"/> Rock products mine, minor <input type="checkbox"/> Salvage yard** <input type="checkbox"/> Value-added agricultural** <input type="checkbox"/> Slaughterhouse/Abattoir <input type="checkbox"/> Crematorium <p><b>Accessory Use</b></p> <input type="checkbox"/> Large impact structure**
--	---	--

- Site Plan Review Required?  YES  NO
  - Total Building Square Footage > 5,000?  YES  NO
  - Proposed use will utilize more than one acre?  YES  NO
- SWW:  Existing is adequate (Permit #: \_\_\_\_\_)  New or upgrade required (Permit #: \_\_\_\_\_)
- 20-foot from CR ROW?  YES  NO - If no, notify applicant of requirement.
- In an ag overlay zone?  YES  NO - If yes, consult ag overlay regs & notify applicant of dust/noise considerations.
- In a flood overlay zone?  YES  NO - If yes, contact applicant regarding floodplain development reqs.  
 LOMA \_\_\_\_\_  FPD PERMIT \_\_\_\_\_
- In an airport overlay zone?  YES  NO - If yes, consult airport overlay regs.
- Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- Permit issued?  YES  NO
  - If yes, permit number issued: \_\_\_\_\_ Date issued: \_\_\_\_\_
  - If no, reason: \_\_\_\_\_

Staff Initials: \_\_\_\_\_



Residence

Personal Shed

existing Main Shop building for Business

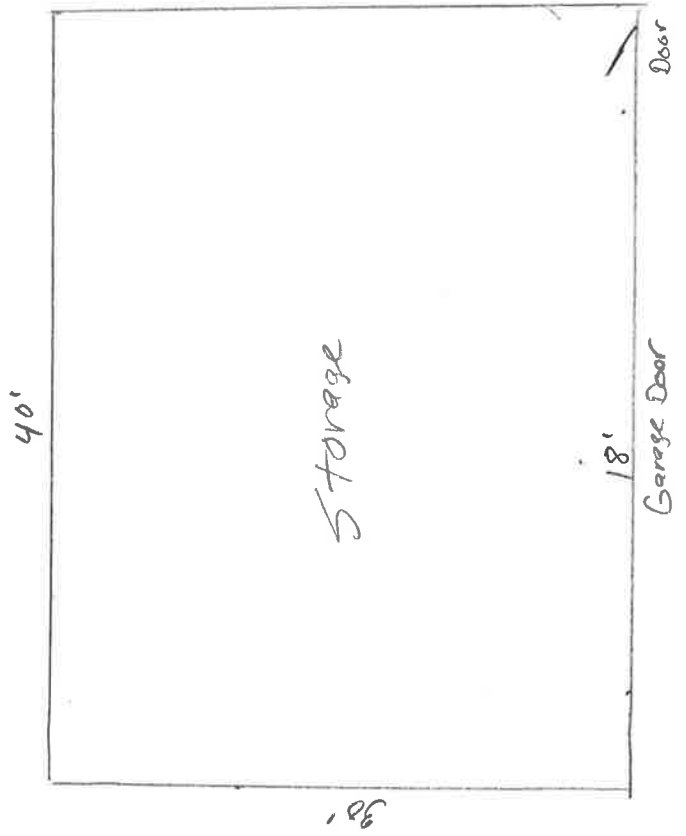
Proposed 30' x 40' Storage

Proposed Storage



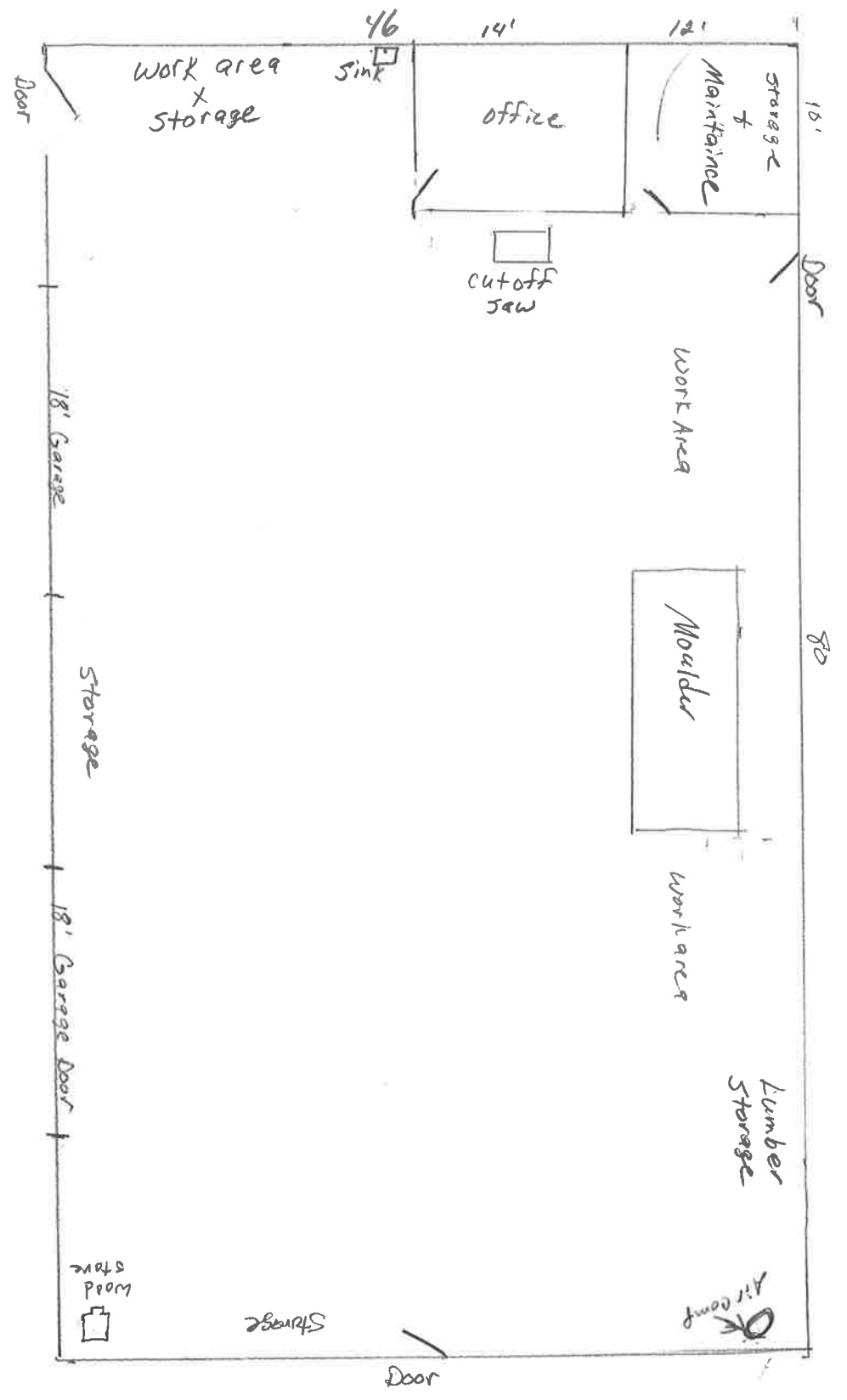
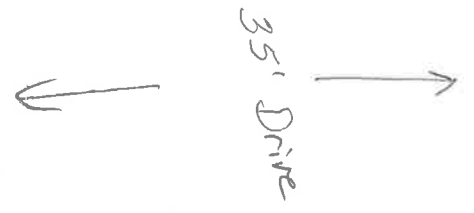
0 15 30 60 Feet

To Ely Lane 10H  
← Access →



Parking

Driveway



Parking

Parking

Shaw's Bit

# Mountain View Mouldings Proposed uses

1-25-24

Here at Mountain View Mouldings our goal would be to have a home business to supply work and finances for the family.

We buy 6x8 Timbers from Athens, Wi. and put them thru our Moulder for D-logs for cabins. We project it to be around 6 to 8 semi loads a year. These D logs then go to Tri-Star cabins and to a friend in Nebraska. These D-logs are then delivered to Tri star via skid steer or with a wagon. 2x per month / NE T80  
2 sem. per/yr

Employees are family members, no outside employees as of now. Traffic should not increase very much. Probably a moderate increase.

A Diesel genset is used for power for the moulder, saws and lights.

Shavings are accumulated in shavings bin. Then are bagged and sold as animal bedding to Poor Boys Feeds and to some individuals.

The shop is heated with a wood stove. There is a wash basin to wash up. (will use bathroom in house.)

We also do a minimal amount of resale on 1x6 T&G that we get from Athens, Wi. These products would be available to the cabin builders, the lumber yards and also retail by appointment.

There are no close neighbors that should be directly negatively affected by this business.

There are other cottage industries in the neighborhood.

Again our goal is to not cause disturbance but to work in harmony with the surrounding neighbors and land.

No outdoor lights  
No floor drains.





Existing building is a  $46 \times 80$  (3680 sq Ft.) Shop.  
Want to propose another building for storage  
in the future if needed  $32 \times 40$  (1280 sq Ft.).

## **ELK WATER USERS ASSOCIATION**

217 LANE 10 ½

POWELL, WY, 82435

Phone: 307-272-1426

[hopkinmail@gmail.com](mailto:hopkinmail@gmail.com)

January 30, 2024

TO WHOM IT MAY CONCERN:

John Hershberger, doing business as Mountain View Moulding, is operating a small business on property serviced by the Elk Water User's Irrigation District. This business does not impede with the Elk Canal or with its ability to service its shareholders or deliver water.

A handwritten signature in blue ink, appearing to read "Fred W Hopkin". The signature is stylized and cursive.

Fred W Hopkin

Secretary

## Jennifer Cramer

---

**From:** Eric Hargett <eric.hargett@wyo.gov>  
**Sent:** Tuesday, February 13, 2024 11:10 AM  
**To:** Jennifer Cramer  
**Cc:** charlie@pvfd.net; Jason Brost; patrick.street@wyo.gov; Skip Hart; Mary McKinney; Anne Lawler; Ben McDonald; Brian Edwards; Corey Class; Game and Fish - Jason Burckhardt; Game and Fish - Laura Burckhardt; Game and Fish - Tony Mong; Game and Fish - Sam Hochhalter  
**Subject:** Re: Agency Notice - Mountain View Mouldings Special Use Permit (SUP-259)

**CAUTION:** This email originated from outside of Park County Government.

Jennifer,

If the development on this property is anticipated to result in the discharge of dredged or fill material, stormwater, or other pollutant into a surface water (stream, river, wetland, lake, pond, reservoir, ditch), please consult the following information:

For any dredged or fill activity associated with the proposed project that occurs on a water of the United States, the project proponent may need to secure a 404 permit from the U.S. Army Corps of Engineers and a 401 water quality certification from the Wyoming DEQ. For more information on determining whether a 404 permit and 401 water quality certification may be needed, the project proponent can click on 'How to Apply for a 401 Water Quality Certification for USACE Section 404 Permits' at <https://deq.wyoming.gov/water-quality/watershed-protection/cwa-section-401-turbidity-wetland/401-water-quality-certification/>.

If the dredged or fill activity occurs on a stream or wetland that is not considered a water of the United States, then the project proponent would need to work with the Wyoming DEQ to secure proper coverage for the activity.

For activities that will clear, grade or otherwise disturb 1 or more acres of land and there is a potential for discharge of storm water to surface waters of the state, coverage under a stormwater permit must be obtained from the Wyoming DEQ. More information regarding stormwater permits can be found at <https://deq.wyoming.gov/water-quality/wypdes/discharge-permitting/storm-water-permitting/>.

For any point source discharge to surface waters not related to stormwater runoff or dredged/fill material such as discharges from gravel crushing and washing operations, cofferdam or site dewatering, vehicle or machinery washing, drilling fluids or cuttings, or other material processing operations, coverage under a Wyoming DEQ WYPDES temporary discharge permit may be required. More information on temporary discharge permits can be found at <https://deq.wyoming.gov/water-quality/wypdes/discharge-permitting/>.

Eric

On Tue, Feb 13, 2024 at 10:47 AM Jennifer Cramer <[Jennifer.Cramer@parkcounty-wy.gov](mailto:Jennifer.Cramer@parkcounty-wy.gov)> wrote:

Good Morning,

## Jennifer Cramer

---

**From:** Anne Lawler  
**Sent:** Tuesday, February 13, 2024 12:17 PM  
**To:** Jennifer Cramer  
**Subject:** RE: Agency Notice - Mountain View Mouldings Special Use Permit (SUP-259)

1<sup>st</sup> half of this property is paid. 2<sup>nd</sup> half due May, 10<sup>th</sup> 2024.

Thank you,

Anne Lawler  
1<sup>st</sup> Deputy  
Park County Treasurer  
307-527-8630

### Please note new e-mail

**Anne.Lawler@parkcounty-wy.gov**

---

**From:** Jennifer Cramer <Jennifer.Cramer@parkcounty-wy.gov>  
**Sent:** Tuesday, February 13, 2024 10:47 AM  
**To:** charlie@pvfd.net; Jason Brost <jason.brost1@wyo.gov>; patrick.street@wyo.gov; Skip Hart <skiphart3@yahoo.com>; Mary McKinney <Mary.McKinney@parkcounty-wy.gov>; Anne Lawler <Anne.Lawler@parkcounty-wy.gov>; Ben McDonald <Ben.McDonald@parkcounty-wy.gov>; Brian Edwards <Brian.Edwards@parkcounty-wy.gov>; Corey Class <corey.class@wyo.gov>; Game and Fish - Jason Burckhardt <jason.burckhardt@wyo.gov>; Game and Fish - Laura Burckhardt <laura.burckhardt@wyo.gov>; Game and Fish - Tony Mong <tony.mong@wyo.gov>; Game and Fish - Sam Hochhalter <sam.hochhalter@wyo.gov>; Eric Hargett <eric.hargett@wyo.gov>  
**Subject:** Agency Notice - Mountain View Mouldings Special Use Permit (SUP-259)

Good Morning,

Attached is an application, narrative and site plans from John Hershberger on behalf of Mountain View Mouldings for a special use permit (SUP-259). The Applicant is requesting approval to operate a moulding business (classified as a cottage industry use). The business will operate out of an existing 3,680 square foot shop and a proposed 1,280 square foot storage building. The use is proposed within a 37.46-acre parcel owned by John R. & Iva H. Hershberger and it is located approximately 5 miles southeast of Powell. The site is located on the north side of County Lane 10H, within Lot 49A, Resurvey, T55N, R98W of the 6th P.M., Park County, Wyoming. The property is located in the General Rural Powell (GR-P) zoning district in the Cody/Powell Rural Planning Area.

The Property Tax Identification Number is 01559804901000. Here is a link to view the parcel on the Park County MapServer: [Park County, Wyoming, MapServer \(greenwoodmap.com\)](https://greenwoodmap.com)

## Jennifer Cramer

---

**From:** Jason Brost <jason.brost1@wyo.gov>  
**Sent:** Tuesday, February 13, 2024 11:32 AM  
**To:** Jennifer Cramer  
**Subject:** Re: Agency Notice - Mountain View Mouldings Special Use Permit (SUP-259)

**CAUTION:** This email originated from outside of Park County Government.

Jennifer, please disregard my last email, this project will need a full plan review through the State Fire Marshals office. Thank you.

Jason Brost  
Fire Inspector I , Big Horn Basin  
Department of Fire Prevention/Electrical Safety  
307-431-1976  
[Jason.brost1@wyo.gov](mailto:Jason.brost1@wyo.gov)

On Tue, Feb 13, 2024 at 11:05 AM Jason Brost <[jason.brost1@wyo.gov](mailto:jason.brost1@wyo.gov)> wrote:

Good morning Jennifer, depending if John Hershberger will be open to the public will determine where he will fall into a plan review or not on the fire side, however he will need a electrical plan review through the state if he plans on running new wire.

Being it's an existing building and how much he plans on remodeling will determine a lot as well.

Jason Brost  
Fire Inspector I , Big Horn Basin  
Department of Fire Prevention/Electrical Safety  
307-431-1976  
[Jason.brost1@wyo.gov](mailto:Jason.brost1@wyo.gov)

On Tue, Feb 13, 2024 at 10:47 AM Jennifer Cramer <[Jennifer.Cramer@parkcounty-wy.gov](mailto:Jennifer.Cramer@parkcounty-wy.gov)> wrote:

Good Morning,

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## Jennifer Cramer

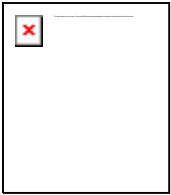
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**From:** Corey Class <corey.class@wyo.gov>  
**Sent:** Monday, February 26, 2024 11:23 AM  
**To:** Jennifer Cramer; Tony Mong; Luke Ellsbury; Sam Hochhalter  
**Subject:** Re: Agency Notice - Mountain View Mouldings Special Use Permit (SUP-259)

**CAUTION:** This email originated from outside of Park County Government.

We have no terrestrial wildlife comments on this proposed project.  
Thanks.

**Corey Class**  
**Cody Wildlife Management Coordinator**  
**Wyoming Game and Fish Department**  
**NEW 2 Tilden Trail**  
**Cody, WY 82414**  
**NEW Office: (307)586-2858**  
**Cell: (307)399-9241**  
[corey.class@wyo.gov](mailto:corey.class@wyo.gov)



[wgfd.wyo.gov](http://wgfd.wyo.gov)

On Tue, Feb 13, 2024 at 10:47 AM Jennifer Cramer <[Jennifer.Cramer@parkcounty-wy.gov](mailto:Jennifer.Cramer@parkcounty-wy.gov)> wrote:

Good Morning,

Attached is an application, narrative and site plans from John Hershberger on behalf of Mountain View Mouldings for a special use permit (SUP-259). The Applicant is requesting approval to operate a moulding business (classified as a cottage industry use). The business will operate out of an existing 3,680 square foot shop and a proposed 1,280 square foot storage building. The use is proposed within a 37.46-acre parcel owned by John R. & Iva H. Hershberger and it is located approximately 5 miles southeast of Powell. The site is located on the north side of County Lane 10H, within Lot 49A, Resurvey, T55N, R98W of the 6th P.M., Park County, Wyoming. The property is located in the General Rural Powell (GR-P) zoning district in the Cody/Powell Rural Planning Area.



**Park County Weed & Pest Control District**  
**1067 Road 13**  
**Powell, WY 82435**

Phone: 307-754-4521 Powell

Phone: 307-527-8885 Cody

Fax: 307-754-9005

[www.parkcountyweeds.org](http://www.parkcountyweeds.org)

Park County Planning and Zoning  
1002 Sheridan Ave. Suite 109  
Cody, WY 82414

February 29, 2024

**RE: Mountain View Mouldings SUP-259**

Dear Park County Planning and Zoning Commission,

Park County Weed and Pest Control District (PCWP) has completed the initial inspection of the proposed **Mountain View Mouldings Special Use Permit** located at 275 Lane 10 H Powell, WY. The purpose of this SUP is the is to process wood timbers for construction of cabins. During this inspection, the following noxious species were found to be present including (but not limited to):

**N/A-no disturbances planned at this time.**

As stated, there are no further disturbances planned for this particular SUP so a Long-Term Noxious Weed Management Plan **WILL NOT** be required. There was some concern regarding products being sourced from Wisconsin in a Federal and State quarantine area for **spongy moth/gypsy moth *Lymantria dispar***. We did contact agencies in Wisconsin regarding the shipment of products from those quarantine areas. As Wyoming currently is free of this particular invasive pest, we did our due diligence in ensuring the products would be safe being shipped to Park County. We also visited with the applicant and he did state that the timbers would be “kiln” dried so heat treated products. At this time, there are no concerns as the Wisconsin Department of Agriculture and Animal Plant and Health Inspection Services (APHIS) have contacted the source provider in that State. Wyoming could require a Phytotoxicity Permit; however, we feel that it is not necessary as the original raw material is actually coming from Colorado.

We recommend bare ground control around outbuildings and reseeding disturbed areas to a perennial grass mix within 1 year to prevent annual weed establishment if applicable. Applicant is also responsible for the control any noxious species as defined in Wyoming Statutes §11-5-101 inclusive that may be present elsewhere on the property. Park County Weed and Pest Control District staff can provide technical assistance or referrals if necessary and does offer cost share on herbicides to control noxious weed species as well as on perennial grass seed we carry. We appreciate your cooperation in this matter.

Sincerely,

Assistant Supervisor

cc: John Hershberger

**Brian J. Edwards, P.E.**  
*County Engineer*

**Louis "Chip" Ash**  
*Cody District Road & Bridge Foreman*

**Delray Jones**  
*Powell District Road & Bridge Foreman*

**Travis Ball**  
*Solid Waste Division Manager*



**PARK COUNTY, WYOMING**  
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Road & Bridge and Engineering  
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Solid Waste Division  
(307) 527-1818

April 3, 2024

Park County Planning & Zoning Department  
Attn: Ms. Joy Hill, Director  
1002 Sheridan Avenue, Suite 109  
Cody, WY 82414

RE: Engineering Review – Special Use Permit Application  
SUP 259- Mountain View Mouldings  
275 Lane 10H– Powell, WY 82435

Joy:

The following comments are hereby provided for your use and consideration in processing the application for a special use permit (SUP-259) for a proposed moulding processing facility located at 275 Lane 10H, southeast of Powell. These comments are based on the completed application and supporting documents submitted via email from your office dated February 13, 2024.

The proposed use is projected to involve a 3680 sq. ft. facility on a +/- 37.46-acre tract owned by John and Iva Hershberger (Applicant).

1. The property has legal access via Park County Lane 10H. Park County Lane 10H is administered and maintained by the Road & Bridge Division of the Park County Public Works Department.
2. The proposed use will not require an additional address. Additional addresses for the proposed facility can be obtained with a request for address assignment from PCPWD.
3. There is one (1) existing permitted access point to Park County Lane 10H. County Lane 10H is a paved road classified as a "Local Access Road" by *Park County Road & Bridge Standards*. The proposed development will likely result in an increase in traffic on County Lane 10H. However, the proposed use will not result in a change in classification for the roadway.



4. A drainage and erosion control plan will not be required at this time. However, in no case shall activities associated with the proposed use result in an increase in storm water runoff to the County ROW (Lane 10H) or adjacent properties. There will be no further requirements from this office regarding drainage and erosion control.
5. A geotechnical report will not be required due to the type and size of the facility proposed.
6. Parking will not be allowed within the County ROW resulting from this development. It appears that there is adequate space for tractor trailer delivery at this time. Should the need arise for additional parking and turn around areas, it is recommended that the applicant prepare an all weather crushed gravel surface to accommodate.
7. Any and all improvements shall comply with the latest edition of the *Park County Development Standards and Regulations*, including but not limited to requirements pertaining to setbacks, Right-of-Way (ROW) permitting, and addressing. This review and associated comments contained herein are not intended to address all aspects of the proposed development.

On behalf of Park County Public Works Department, I sincerely appreciate the opportunity to review this application and associated information. If you have any questions or if you require further clarification regarding the above comments, please do not hesitate to call or email me.

Sincerely,

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Ben McDonald – Project Manager  
Park County Public Works Department  
ben.mcdonald@parkcounty-wy.gov  
[www.parkcounty-wy.gov](http://www.parkcounty-wy.gov) or “like” us on Facebook