

Sublette County, Wyoming
Planning and Zoning Commission
Official Minutes

March. 17th, 2022

The regularly scheduled meeting of the Sublette County Planning and Zoning Commission was held in the Commissioners Room of the Sublette County Court House on this date. Present were Sublette County Planner Dennis Fornstrom & Associate Planners Tess Soll. Commissioners, Maiké Tan, Pat Burroughs, Ken Marincic, Chris Lacinak (by telephone), and Deputy County Attorney Clayton Melinkovich were present. Comm. Greenhalgh was absent.

Comm. Tan called the meeting to order at 6:07 PM. Approximately 10 members of the public were present.

First Order of Business:

Comm. Tan introduced approving the meeting minutes from the Feb. 17th meeting.

Action #1

A motion by Comm. Burroughs for approval of the Feb. 17th meeting minutes with one correction was made and seconded by Comm. Marincic and the motion carried 3/0. One abstention by Comm. Marincic.

Items on the agenda were introduced by Comm. Tan as follows:

Agenda Item #1.

Item #1 is an application by Charles Prior requesting a variance to the setback requirement of Ch. III, Sec 4, Setback requirements for the R-R, Rural Residential Zoning District. The subject property is located at 3 Flint Trail in Pinedale, WY. Mr. Fornstrom presents the application. Mr. Prior would like to extend an existing shop building and would like a setback variance of 5ft to the front setback that addresses Flint Trail. Mr. Fornstrom states the current regulations do not support a variance in this instance as this is interpreted through Sublette County Zoning Regulations as a self-inflicted situation, where the original building was put in a location that did not allow for an extension in the future. Comm. Burroughs asked Mr. Fornstrom to point out other buildings in the neighborhood using the GIS, to examine if this neighborhood has other buildings encroaching on setbacks. Comm. Burroughs asks Mr. Fornstrom to explain why this is a self-inflicted situation. Comm. Tan asks the board for additional questions before the applicant speaks. No other questions.

Mr. Prior addresses the board regarding his request. Mr. Prior proceeds with a detailed explanation explaining the history of the building, the present use of the building, why he chose the location on his property for the building, viewshed by neighbors, and thought process for a 20ft addition. Mr. Prior stated he went to many of his neighbors to explain what his plans were and none took issue with his building addition.

Comm. Marincic states he feels hesitant with this variance request because it could be seen as a privilege. Comm. Tan asks Mr. Prior if he would consider extending the other side of the building away from Flint Trail. Comm. Tan asks Mr. Fornstrom if the P&Z office has received any public comment on this application. The office has received none. Comm. Tan now asks for public comment.

Comments:

In general, comments included what a great neighbor Mr. Prior is and there is no issue in the neighborhood with Mr. Prior's request.

Jake Rich

Randy Williams

Shane Danzy

Mr. Prior reiterates how great the neighborhood is, and asks for additional questions from the board. None from the board at this time.

Comm. Tan asks for any other statements or questions.

Comm. Lacinak gives a summation of his opinion regarding variances and the criteria for them. Comm. Lacinak acknowledges the community support for Mr. Prior and his variance request.

Comm. Burroughs asks Mr. Melinkovich for thoughts and opinions regarding the application. Mr. Melinkovich summarizes the variance regulations once more to the public and states it is up to the P&Z board to give its recommendation on this application.

Julie Mackey gives a statement in support of Mr. Prior.

Comm. Burroughs acknowledges how great Mr. Prior is and his neighborhood who has come and supported him, the issue is the applicant's request does not fall within the criteria to grant a variance.

Boards members discuss amongst themselves the definition of self-inflicted.

Action #2

A motion by Comm. Marincic for the denial of Mr. Priors' request for variance was made and seconded by Comm. Burroughs and the motion to deny carried 4/0.

Agenda Item #2

Item #2 is a request by Double J Ranch, LLC for a conditional use permit to operate a guest ranch from their property, 491 St HWY 354 Daniel, WY pursuant to Ch. V of the Sublette County Zoning Regulations. Mr. Fornstrom presents the application. The property is described as approximately 3,000 acres, with a main lodge, cookhouse, and additional cabins that were initially meant for friends, family, and employees. Presently, this location is using the additional dwelling units for guests and hosting events. Mr. Fornstrom states the granting of a CUP would bring this property and current operations on the property into compliance with Sublette County Zoning Regulations. Mr. Fornstrom refers the board to Associate Planner Ms. Soll and JJ Healy (property owner) to answer additional questions.

Comm. Tan asks for board questions. Comm. Burroughs asks Mr. Healey when the cabins were built and for what purpose, septic details and kitchen facilities, guest capacity, and access to the property. Mr. Healey and Ms. Zupan (ranch manager) answer the board questions in detail.

Comm. Tan asks approximate staff to operate the guest ranch. Mr. Healey states they have two full-time employees and generally obtain 2-4 'interns' to assist with cattle operations and guests; roughly 4-6 maximum staff.

The board seeks more clarification from Ms. Zupan and Mr. Healey as to what activities will go on at the ranch. Ms. Zupan states the ranch will host guests for short stays and will also host weddings and some corporate events.

Ms. Zupan expands upon the cattle aspect operation and running that in conjunction with guest operations and events.

Comm. Lacinak asks for guest capacity numbers, which are 20 people maximum and approximate staff numbers. Comm. Lacinak asks if the P&Z office has received any public comment. None received.

Comm. Burroughs asks if a CUP would run impurity with the property and continue to operate a guest ranch in the event the property came under new ownership. Mr. Fornstrom states CUPs run with the land.

Comm. Tan asks for public comment;

Mrs. Paravicini is the only one to comment and states that Double J has been an excellent neighbor.

Comm. Tan states that she is for a condition on the CUP. For the reason of the ranch changing hands at some point and the next owner going through an approval process. Comm. Lacinak concurs with Comm. Tan, and would like an additional condition, specifying the Double J Ranch to comply with forthcoming Zoning regulations relevant to guest ranches. Comm. Lacinak feels that this is a non-issue as it will not burden the property owner if what has been presented is true. Comm. Lacinak states the purpose of doing this, is to not have a 'grandfathered' situation under 'old regulations'.

Mr. Melinkovich gives the board guidance regarding these proposed conditions. Mr. Melinkovich asks Comm. Lacinak to clarify his proposed condition. The issue of placing an additional burden on the

landowner comes into question. Comm. Lacinak states when reverting back to the current definition of guest ranch, it seems meaningless, and Comm. Lacinak would like to safeguard compliance with future regulations. Comm. Lacinak references STR regulation's as being similar to this proposal. Mr. Melinkovich feels it differs from what was done with the STR regulations.

A discussion commences amongst the board, P&Z staff, and county attorney regarding the conditions proposed and the current and future definition of guest ranch.

Comm. Burroughs proposes two conditions for the Double J Ranch in granting this CUP.

1. The Double J Ranch will comply with rules and regulations as they are adopted by the county
2. This CUP shall be held by the current owner and shall not follow the property if sold.

Comm. Tan states she agrees with the conditions proposed. Comm. Marincic asks Comm. Burroughs to clarify her first proposed condition. Mr. Melinkovich reminds the board that this property is held in corporate ownership, and the land could change ownership, but not the property use.

Ms. Zupan addresses the board as to their concerns.

Mr. Fornstrom states the current definition of guest ranch under the current regulations to the board. Mr. Fornstrom suggests conditioning the CUP upon the applicant providing a business plan and any amendments to that plan would require a visit to the P&Z office. Comm. Lacinak states he agrees as long as the business plan is what was heard before the board at this meeting.

Comm. Tan asks board members for feedback regarding Mr. Fornstrom proposed conditions. Comm. Marincic states he is inclined to take the applicant's request as is, all other board members are in favor of the proposed condition. Comm. Burroughs reiterates her proclivity for the applicant to amend their business plan and bringing it in and being heard. Comm Lacinak states this addresses the issue of future ownership.

Comm. Tan asks for final comments from the board. No additional comments.

Action #3

A motion made by Comm. Burroughs to recommend to the board of county commissioners for the approval for a CUP and allow the Double Ranch, LLC to operate a guest ranch from the property referenced and include one condition placed upon the CUP of providing a business plan that will follow this CUP was made and seconded by Comm. Marincic and motion carried 4/0.

Agenda Item #3

Item #3 is an application by Kasey & Jacklynne Marincic requesting a change in zoning district boundary pursuant to Ch. VII, Sec 2, of the Sublette County Zoning and Development Regulations. This is application is to reclassify Lots 1 and 2 from their current zoning of CH-1 Highway Commercial to I-L Light industrial to operate a firewood business.

Mr. Fornstrom presents the application. Mr. Fornstrom outlines the zoning of the three lots, one being RM that will not be re-zoned, and discusses the history of this property and other similar properties in Daniel. The Marincics plan to use the RM zoning of one acre as the residential portion of the property, and the other two lots to operate the firewood processing businesses. The applicants have struck several uses of the L-I zoning on their application that they have no intentions of utilizing. Mr. Fornstrom asks the applicants to address the board.

The applicants indicated their only intention is to operate a firewood business with the current wood on the property. This processing would take approximately 8 years to complete. The processing would be done a few weeks out of the year, primarily in the summer months. The applicants indicate a self-imposed curfew and stated they plan to build a shop building that would house the majority of equipment to process the wood, and cut down on noise.

Comm. Burroughs asks if down the road the applicants would come back for a zone change as their firewood business ends and they would like to go in a different direction. The applicant indicated yes, that would most likely happen.

Comm. Lacinak asks what the purpose is of keeping the RM zoning on the one-acre lot. The applicants would like their main residence to be on the RM piece as they would not be restricted to an 1100 sq house. Comm. Lacinak asks additional questions regarding L-I setbacks and signage.

Comm. Tan asks for public comments.
Comments were related to noise and size of operation
Julie Mackay
Mrs. Mackey

Discussion between the board, public, and P&Z office regarding the history of zoning in Daniel.

Comm. Lacinak addresses the board and suggests a condition be placed upon the rezoning similar to the Double J ranch condition of providing a business plan. Comm. Lacinak goes on in suggesting that if the applicant would like to do other uses with the L-I, they would amend their business plan and be heard. Comm. Tan agrees, Comm. Marincic feels no condition is necessary. Comm. Lacinak feels if it does not burden the applicant, perhaps it's fine to move forward with conditions. Further discussion regarding conditions follows amongst the board. Comm. Burroughs and Comm Marincic would approve the application as presented.

Action #4

A motion made by Comm. Burroughs to approve the re-zone of Lots 1 and 2 to light industrial L-I and be conditioned upon providing a business plan as presented by the applicant in the application, and the motion was seconded by Comm. Lacinak and motion carried 4/0.

Comm. Tan calls the Planning and Zoning meeting to adjournment at 8:22 pm.

PLANNING AND ZONING COMMISSION
SUBLETTE COUNTY, WYOMING


Maile Tan, Vice Chairman

Attest:


Dennis Fornstrom, Sublette County Planner

*** Please note that a digital audio recording of the meeting is available at the Planning and Zoning Office.