



PLANNING AND ZONING COMMISSION MEETING AGENDA

May 11, 2022

7:00 p.m.

ROLL CALL

APPROVAL OF MINUTES

1. Review and approval of the April 13, 2022, Planning & Zoning Commission Meeting Minutes. – [Report Packet Page 2](#)

ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

1. Review and acceptance of all staff reports and correspondence into the record.

PUBLIC HEARINGS

1. None.

UNFINISHED BUSINESS

1. None

NEW BUSINESS

1. Request for a **Conditional Use Permit** by Albert R. Battisti, Jr., for an oversized detached garage.
(Project #: PZ-22-00165, Staff Representative: Cathy Greene, City Planner) – [Report Packet Page 12](#)

NOTIFICATION OF MINOR SITE PLANS AND STAFF APPROVED CONDITIONAL USE PERMITS

1. Approval of a Sign permit to be located at 2421 Foothill Blvd, submitted by YESCO representing the White Mountain Mall.
(Project #: PZ-22-00153, Staff Representative: Cathy Greene, City Planner)
2. Approval of a Minor Site Plan at 3320 Yellowstone Road, submitted by Kandi Pendleton, Sweetwater County Events Complex represented by Plan One Architects..
(Project #: PZ-22-00152, Staff Representative: Cathy Greene, City Planner)
3. Approval of a Floodplain Project for an emergency repair of a nonconforming front porch at 810 Pilot Butte, submitted by Wade Bloedow, Contractor.
(Project #: PZ-22-00166, Staff Representative: Cathy Greene, City Planner)

PETITIONS AND COMMUNICATIONS

1. Written petitions and communications.
 - a. Update on City Council actions – none
 - b. April Business License Report – handout
2. Petitions and communications from the floor.

ADJOURNMENT

**PLANNING AND ZONING
COMMISSION MINUTES**
April 13, 2022
Wednesday, 7:00 p.m.
City Hall, Rock Springs, Wyoming

Commissioners Present:	Vice Chairman Cody Wylie Dan Kennedy Zane Isaacson	Blake Manus Kevin Hardesty Emily Lopez Ken Fortuna
Staff Present:	Laura Leigh, City Planner Cathy Greene, Senior Administrative Planning Technician Ryan Schmidt, City Engineer	

CALL TO ORDER

Vice Chairman Wylie called the meeting to order at 7:00 p.m.

ROLL CALL

After roll call it was determined that a quorum was present to proceed.

APPROVAL OF MINUTES

Vice Chairman Wylie asked the Commission for any corrections or additions to the Minutes from the March 9, 2022, Planning and Zoning Commission Meeting.

With no corrections or additions, Vice Chairman Wylie asked for a motion to accept the Minutes as presented.

Commissioner Lopez: Motion to approve the Minutes as presented.

Commissioner Hardesty: Second.

Vote: All in favor. Motion carried unanimously.

ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

Vice Chairman Wylie asked for a motion to accept all correspondence and Staff Reports into the record.

Commissioner Lopez: Motion to accept all correspondence and Staff Reports into the record.

Commissioner Kennedy: Second.

Vote: All in favor. Motion carried unanimously

CHANGES TO THE AGENDA

None.

PUBLIC HEARINGS

1. Request to amend the Master Plan Land Use Map from HDR to C and amend the Official Zoning Map from R-3 to B-2 (CD), filed by Spencer Berry (Project # PZ-22-00065).

Commissioner Kennedy made a motion to remove this item from the table.

Commissioner Lopez: Second

Vote: All in favor. Motion carried.

Commissioner Kennedy stated he would be abstaining from this item as his employer, JFC is listed as the surveyor.

Staff Report

Ms. Greene presented the Staff Report to the Commission.

Notifications were: Were sent out

Commissioner Questions for Staff

None.

Commissioner Questions for Applicant

Vice Chairman Wylie asked the applicant or a representative for the project to come forward.

Mr. Spencer Berry came forward to explain his proposed reasons for the zone change and master plan amendment. He feels it will be a good transition between the houses and the interstate, giving a good buffer for the sound. He feels it will be good with City Zoning and be nice to rectify the unfinished development that is there. He said the project will be in three phases, first thing will be to get a fence around the perimeter of the project and asphalt.

Commissioner Fortuna asked if he planned on putting storage units on the full fourteen acres; Mr. Berry stated that they are proposing five acres of storage units and six acres of asphalt and retention basin.

Commissioner Lopez asked if it was all covered storage; Mr. Berry said yes.

Public Comments

Vice Chairman Wylie asked for anyone in favor of the project to come forward.

There were none.

Vice Chairman Wylie then asked for anyone opposed to the project to come forward.

Leisa Mathews came forward she lives adjacent and has been there for twenty years. She has issues as they have kids and grandkids that use the land. The noise isn't an issue they don't mind that but putting a business in their front yard with all that traffic does concern her. It's not going to improve their lives and they don't want it there. She stated she didn't receive any notice and she doesn't read the Rocket Miner, she stated she wants to reschedule this when she can get all her neighbors in here.

Nicody Wright recently moved in on Emigrant and has a couple of concerns: unknown what will happen with property values; he is curious what the setbacks off his back yard will be; is concerned about entrance off Emigrant and traffic as kids play, if this moves forward he would only want one entrance; half the neighborhood walks their dogs there and feels a lot of neighbors could get together and remove the rebar.

Amber Randall lives on Stratton Circle near the walking trail and is a marketing coordinator and gave the statistics of how to reach the Community and the Rocket Miner isn't it. She understands the safety concerns as her son was taken by ambulance from an accident on that lot, it had nothing to do with rebar, it was a rock and could have happened anywhere. She would never have bought her home if that was a business zone, she is not opposed to development she would love to have a noise barrier and something to cut down the dust, either more houses or apartments. She has specific questions, which are:

- Hours of operation
- Fencing materials
- Will it be well lit and monitored
- Walking path to park, who will maintain it, would developer be willing to help
- How long is construction anticipated
- Lack of housing and concerns of homeless renting and living in storage units

Paula Brown lives at the end of Gunn Circle and her windows look straight out at this, yes it would be nice to have something to cut back the sound and dust, but not storage units. Inquired about hours and has traffic concerns especially at college. Questioned what happened if this gets rezoned and they don't finish, can other commercial items go in.

Mr. Berry came forward to address some of the concerns he informed everyone that the traffic was a concern with the City and they have moved the gate in to help deal with traffic and the second entrance is a requirement by the fire department. They will recommend to their customers to not use the second entrance and use the primary one on Pacific. There are plans to have a staffed office, security cameras and lighting (which will be in accordance with code). Their proposed gate hours will be by 7 a.m. to 10 p.m. and they will not let anyone reside in these units. Regarding construction time frame, they are hoping to have Phase one built by this winter. The setback he believes is 40 feet. The walking trail that was referenced is not on this property.

Commissioner Fortuna asked what type of fencing they are proposing, Mr. Berry said chain link with slats for screening as required.

Vice Chairman Wylie then asked for a staff recommendation.

Staff Recommendation

Ms. Greene reiterated that 51 notifications were sent out February 22nd (with proposed site plan) and letters regarding the item being tabled March 3rd, which Ms. Greene read into record. Along with legal notification in the Rocket Miner as required by State Statute. A lot of the concerns and questions that were brought up will be addressed during the site plan review process. We will find out whose walking path it is and who is responsible for the maintenance of such. Ms. Greene stated that the B-2 Zoning District does allow for 110 different permitted uses, however they are proposing to only allow storage units with the CD (conditional use district). Ms. Greene reiterated that there are stipulations and time frames on this zone change as reviewed during the staff report. Unfortunately no matter how it gets developed there will be additional traffic on and off the property. With that said, staff does recommend approval.

Commissioner Lopez inquired about the history and whether or not the City has received any development proposals; Ms. Greene stated no, she even checked with the building department and the reason it was not completed was financial.

Commissioner Fortuna asked about traffic counts; Laura Leigh said we do not but the Commission could require the applicant to provide traffic counts.

Commission Vote

Commissioner Fortuna: Motion to approve with staff recommendations also have Mr. Berry provide traffic study before site plan is approved.

Commissioner Hardesty: Second.

Vote: Commissioner Kennedy Abstained, Commissioner Lopez Opposed all others in favor, motion passes.

UNFINISHED BUSINESS

1.) Required Update on a Request for Major Site Plan Approval, submitted by FedEx Freight, Inc., located at 600 Mitchelson Street. (Project #PZ-20-00339).

Staff Report

Ms. Leigh presented the Staff Report to the Commission.

Walter Eggers, representing Fed Ex Freight gave an update for the six month update as requested at the October 2021 meeting. Both Amy Iberland, MJR Rental Attorney along with Amy Strickland, the Attorney for Fed Ex are both on the phone as well.

Ms. Rasmussen came forward and said the waterline is scheduled and asked if there were any questions for her.

Staff Recommendation

Ms. Leigh recommended the Commission request a construction schedule and time frame instead of six month updates.

Mr. Eggers understands the City would like that instead of six month updates, but there are a lot of moving parts with the water and other pieces and to put a date on it will be difficult, maybe in a few months they can come up with a date.

Amy Iberland representing MJR Rentals stated that these items are very expensive and difficult to budget and have a timeframe to have them completed.

Ms. Leigh recommends that the Commission require a three month update in July for them to provide a date construction completion.

Commission Vote:

Commissioner Lopez: Motion to approve PZ-20-00339 with staff recommendation to attend July meeting with a construction completion date.

Commissioner Hardesty: Second

Vote: Commissioners Kennedy and Wylie abstained, all others in favor, motion passes.

2.) Request for Final Plat Approval of the Estates at Mustang Ridge, Phase 1 Subdivision, filed by Amundsen Construction, Inc. (Project #PZ 22-00034)

Staff Report

Ms. Leigh turned this item over to Mr. Ryan Schmidt for an update on the required drainage report. Mr. Schmidt explained they have received and reviewed the report and it does meet the requirements of the City Ordinance.

Ms. Leigh recommended approval to forward to City Council and explained the process of what was still needed before this item could be scheduled for Council. Since drainage has been an issue of concern it was held until this was approved before approval was recommended to forward.

Commissioner Questions for Staff

Commissioner Lopez questioned that these items were still missing; Ms. Leigh said no it is typical for these to still be due, it just won't be scheduled for Council until these items are submitted. Staff just recommended this project was just not move forward until the drainage report was approved, in case it required lot line changes, phase changes, etc.

Commissioner Lopez: motion to remove this from the table.

Commissioner Hardesty: Second.

All in favor. Motion passes.

Commissioner Questions for Applicant

Vice Chairman Wylie asked the applicant or a representative for the project to come forward.

Jason Ditton with Western Engineers and Geologists came forward and was available for any questions.

Public Comments

Vice Chairman Wylie asked for anyone who would like to comment on the project to come forward.

Luke Geffre from Thunder Gulch Lane came forward and discussed his concerns (audio is distorted and cuts in and out). He did state he is not against the subdivision but concerned about drainage and discussed his concerns: run off; Summit drainage; Stagecoach; fill on property already which will now cause runoff to spill over into his subdivision, so he is against the timing of this.

Vice Chairman Wylie then asked for a staff recommendation.

Staff Recommendation

Ms. Leigh recommended: approval with all Utility Review Comments and all Final Plat requirements must be met before scheduling for City Council review.

Vice Chairman Wylie asked Mr. Schmidt if Engineering had everything they needed now; Mr. Schmidt said yes, and addressed some of Mr. Geffre's concerns.

Commissioner Kennedy asked about drainage certificates and if there could be a requirement for the certificates to be passed onto the homeowners and discussed how he sees it all over town that after a home owner purchases a home the grading gets changed. Ms. Leigh said it is public record and we would love the contractor pass it along to the homeowner and the next homeowner, but not sure of an answer to resolve that.

Commissioner Fortuna asked if we had the same flood as last year can we say that this drainage plan would handle it; Mr. Schmidt said our developer has designed to the standards required, again if there was an extraordinary event again, there is no guarantee, but further explained what it's designed for.

Commissioner Kennedy spoke about design standards and the norm and the City's requirements are pretty significant. He stated the design criteria they have as engineers

Commissioner Lopez spoke about the need for education and prevention for homeowners, not saying it's someone's fault, but did different contractors grade differently, walk your property once a year, drain away from your foundation, do you have gutters, etc.

Ms. Leigh further explained that the City of Rock Springs does participate in FEMA and therefore everyone, whether in or out of the floodplain can purchase flood insurance, there was further discussion and Ms. Leigh reiterated what was in front of the Commission to be voted on tonight.

Mr. Geffre came forward again and spoke further about drainage issues and asked where this is tying into the system; Vice Chairman Wylie let Mr. Geffre know they appreciated his concerns and would recommend he take his concerns to Council.

Commissioner Kennedy asked if peak run off showed and historical flows; Mr. Schmidt saw a decrease in peak flow and gave further explanation on this.

Mr. Ditton explained they are adding another inlet and ditch, also a temp ditch that will catch and flow northeast at less than historical flows. The function of the design ponds and system also depends on maintenance of said system.

Commission Vote

Commissioner Kennedy: Motion to approve Project PZ 22-00034, with staff recommendations.

Commissioner Hardesty: Second.

Vote: All in favor. Motion carried unanimously.

3.) Request to amend the Master Plan Land Use map from I to LDR and amend the Official Zoning Map from I-2 to R-3, filed by Brian Marincic (Project #PZ 22-00061)

Motion to remove from table was moved, seconded and voted on; motion passed unanimously.

Staff Report:

Ms. Leigh reviewed why we were here tonight and turned it over to the Developer to explain what he has proposed to address staff concerns from the March 2022 meeting.

Mr. Marincic came forward and explained that they adjusted the boundary and have most of the land out of the floodplain and they will increase the industrial setbacks and provide a larger buffer. He tried to reach out to other property owners to encourage them to do the same, deed their floodplain property to the City as I-2 zone, this will keep the City as a property owner between the development and the existing adjacent properties and deed the creek to the City. There will also be a requirement for all properties to install a white vinyl fence in the back yards.

Commissioner Lopez asked about the fencing requirement and who enforces it; Ms. Leigh said it would have to be enforced by the home owners' association/covenants.

Commissioner Kennedy asked if there was a buffer for the I-1 property to the south; Mr. Marincic said, no there is not particularly with Floyd's Trucking. Commissioner Kennedy said his concern is this would impose an additional setback on an existing industrial property.

Commissioner Lopez asked about imposing a buffer to those lots as well; Ms. Leigh said you can do anything you want, she hasn't looked at that area but assumes they could also adjust the boundary like they did along the creek.

Commissioner Kennedy asked if it would affect accessory structures as well; Ms. Leigh said yes.

Public Comment

Mandy Alred, Associate Broker with Remax Realty came forward and brought up the Master Plan and said don't make decisions based on a boom or bust, she is not in favor, just because it's a need it needs to go elsewhere (audio very choppy and didn't pick up).

James Oldham is an adjacent property owner to development discussed his move here and his employee status and he rides with the boom and bust. He talked about situation in Utah and Industrial Zoning, so they were cautious when they came to Rock Springs. He doesn't support it, but doesn't live here either. He has a rail spur on his property and may want to do something with it, he discussed the valuation impact and lastly a possible berm.

Commissioner Kennedy stated if his property was Zone I-2, he would have every right to do anything allowed in the I-2 Zone.

Vice Chairman Wylie asked if they have ever had concerns or complaints from El Rancho Trailer Park; Mr. Oldham wasn't sure where the trailer park was located and said those are different demographics.

Staff Recommendation:

Ms. Leigh discussed conditionally permitted uses in I-2 and recommends approval for this to move to City Council.

Mr. Oldham questions the buffer.

Mr. Marincic answered with details together with showing Mr. Oldham the plan.

Ms. Leigh clarified the 200' distance that continues to come up is just a notification parameter.

Commissioner Lopez spoke with commission regarding public hearing notices and changing zones and how an early item on the agenda was removed from residential and converted to business and now we are looking at changing industrial to residential.

Commissioner Fortuna questioned the applicant to readjust a couple lots to not affect adjacent properties on the area in questions; Mr. Marincic said no, this is the best plan he can do and financially make this work.

Mr. Oldham said, I like this guy referring to the applicant and could the freight/trucking guy get an exemption to the setback.

Commission Vote

Commissioner Kennedy: Motion to approve Project PZ 22-00061, with staff recommendations.

Commissioner Hardesty: Second.

Vote: Commissioner Lopez Opposed, others in favor. Motion carried.

Ms. Leigh reminded everyone this would move on to City Council on May 17th as a recommendation.

4.) Request for Preliminary Plat Approval for the Hidden Hills Subdivision, filed by Brian Marincic (Project #PZ 22-00062)

Motion by Commissioner Lopez and a second by Commissioner Isaacson to remove from table, all in favor, motion carries.

Staff Report:

Ms. Leigh presented the staff report to the Commission, this is the preliminary plat that goes along with the Zone Change they just voted on.

Commissioner Lopez asked about the southeast corner abutting Floyd's property and what the setbacks would be verses what they were.

Staff Recommendation:

At a minimum, staff recommends the following conditions of approval be attached if approved:

- 1) All comments submitted by the Utility Review Committee shall be met and any modifications to the Preliminary Plat shall be submitted prior to scheduling for City Council review.
- 2) The Master Land Use Plan and Zoning Map Amendments shall be approved. The City Council will review the Preliminary Plat at the same meeting as the third and final reading of the Ordinance to amend the zoning (the Preliminary Plat cannot be approved if the zoning is not amended to R-3).
- 3) The Final Plat shall conform to the Preliminary Plat. Any modifications will require resubmittal of the Preliminary Plat.
- 4) The Final Plat shall not be submitted until the Zoning Map Amendment is approved.

Commission Vote

Commissioner Hardesty: Motion to approve Project PZ 22-00062, with staff recommendations.

Commissioner Fortuna: Second.

Commissioner Lopez Amended the motion for the applicant to get the Planning and Zoning Department to come up with something to remedy the setback on those properties (audio very choppy and didn't pick up).

Ms. Leigh stated that would have been under the Zone Change process previously reviewed, there was further discussion on this, however Commissioner Lopez's amendment to the motion failed for no second.

(audio very choppy and didn't pick up).

Ms. Leigh confirmed that there is a motion with a second on the floor, there was an amendment that didn't get a second.

Vote: Commissioner Lopez Opposed, others in favor. Motion carried.

Ms. Leigh stated this would not go to City Council until the Zone change is approved.

NEW BUSINESS

None.

NOTIFICATION OF MINOR SITE PLANS / STAFF APPROVED CONDITIONAL USE PERMITS

- 1) 3/8/2022 – PZ-22-00077 – Special Purpose Fence – Irving Guterrez, 1422 9th Street
- 2) 3/23/2022 – PZ-22-00102 – Minor Site Plan Approval – Change of Use Site Plan, Nell's Coffee, 204 Elk Street
- 3) 3/23/2022 – PZ-22-00103 – Parcel Consolidation, Bertha Ramos, 534 4th Avenue West
- 4) 3/30/2022 – PZ-22-00110 – Wireless Communications Facility Eligible Facility Request – New generator and concrete pad, Crafton Communications, 925 Stagecoach Blvd.

PETITIONS AND COMMUNICATIONS

- 1) **Written petitions and communications.**
 - a. **Update on City Council Actions - none**

- 2) **Petitions and communications from the floor.**

Ms. Leigh stated that it would be her last meeting as she is moving out of State and announced that Ms. Greene is the new City Planner.

Ms. Greene confirmed Commissioner Hardesty was correct, the wrong staff report for the PZ-22-00065 was attached, the correct report will be emailed to the Commissioners and a revision made on the packet for the record.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:21 p.m.

These minutes approved by the Rock Springs Planning and Zoning Commission by vote this
_____ day of _____ 2022.

Cathy Greene, Secretary, Planning & Zoning Commission



PLANNING & ZONING COMMISSION STAFF REPORT

Prepared: May 4, 2022

Meeting: May 11, 2022 at 7:00 p.m.

REPORT SUMMARY			
Agenda Item:	New Business #1	Project Number:	PZ-22-00165
Project Name:	Battisti - Oversized Detached Garage		
Project Address:	915 Remington Blvd.		
Property Legal Description:	Gunsight Estates Phase I, Lot 27		
Project Description:	Consideration of a Planning and Zoning Commission Conditional Use Permit to allow for the construction of a detached garage exceeding 1,200 square feet. Applicant has also requested an Administrative Conditional Use Permit for the mean height of the proposed garage to exceed mean height of the primary structure by one foot.		
Applicant:	Albert R. Battisti, Jr. 915 Remington Blvd. Rock Springs, WY 82901	Property Owner:	Albert R. Battisti, Jr. 915 Remington Blvd. Rock Springs, WY 82901
Engineer:	N/A	Surveyor:	N/A
Public Notification:	Adjacent Property Letters Mailed 5/2/2022; Public Hearing Notice – Not Required for Conditional Use Permits		
Current Master Plan Land Use Designation:	LDR (Low Density Residential)	Proposed Master Plan Land Use Designation:	N/A
Current Zoning District	R-1 (Low Density Residential)	Proposed Zoning District	N/A
References:	<ul style="list-style-type: none"> • Rock Springs Zoning Ordinance §13-801 Residential Zoning Districts • Rock Springs Zoning Ordinance §13-815.E. Accessory Buildings, Uses and Equipment • Rock Springs Zoning Ordinance §13-905 Procedure for Conditional Use Permit Approval 		
Exhibits:	<ul style="list-style-type: none"> A. Application B. Site Plan and Elevation Drawings C. Adjacent Property Owner Letter 		

REQUEST:

The applicant, Albert R. Battisti, Jr., is requesting Conditional Use Permit approval for the construction of a 1,300 square foot detached accessory garage (26' x 50') to be located at 915 Remington Blvd, Rock Springs, Wyoming. The application is included as **Exhibit A** and the location is shown in **Figure 1**.

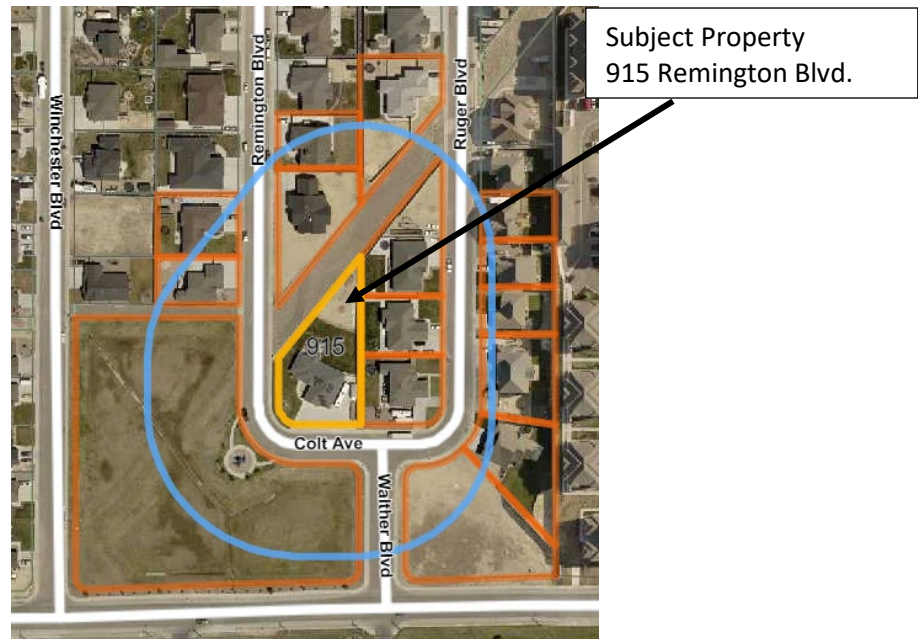


Figure 1: Location Map

ANALYSIS OF PETITION:

In accordance with §13-815.E(4) of the Rock Springs Zoning Ordinance, “No residential accessory building or garage shall exceed 1,200 square feet of floor area unless granted a Conditional Use Permit” by the Rock Springs Planning and Zoning Commission. The proposed 26' x 50' structure exceeds the maximum allowable square footage by 100 square feet. The applicant has also shown an existing storage shed with a total of 180 square feet. Combined this brings the grand total of accessory structure square footage to 1,480, which is 280 square feet over the allowable 1,200 square feet. The site plan is included in **Exhibit B**.

Setbacks: Detached accessory structures require a setback of three (3) feet from side and rear property lines and a six (6) feet separation from the principal structure. The required three (3) feet side and rear yard setback is measured from eaves, gutters, and awnings, while the six (6) feet separation is measured wall to wall. As depicted on the site plan, the proposed structure will be located five (5) feet from the side property line, allow for the 24" eave proposed. The proposed structures is also shown twenty (20) feet from the primary structure, exceeding the six (6) feet requirement.

Lot coverage: The subject property is a corner lot with a deep “pie shaped” rear yard, having a total lot area is 22,059 square feet with an allowable lot coverage of 11,029.5 square feet. Based on the measurements provided on the site plan, the proposed and existing structure coverage is approximately 6,280 square feet, which falls under the maximum lot coverage of 50%.

Height: In accordance with Section 13-815.E.7 of the Ordinance, “no accessory building in any district shall exceed the height of the principal building except by Conditional Use Permit”. Building height is defined as the vertical distance from the average contact ground level at the front wall of the building to the mean height level between eaves and ridges for gable and hip or gambrel roofs. The mean

height of the house is 19.5 feet and the mean height of the proposed garage is 20.5 feet. Furthermore, Section 13-815.E.7 of the Ordinance states that this requirement applies unless granted Conditional Use Permit approval by the Zoning Administrator.

Driveway: As shown on the photos in **Figures 2 and 3**, the property already has an expanded driveway meeting the detached garage driveway requirement. Also, it does not exceed the 65% maximum driveway width.

PUBLIC NOTIFICATION:

Adjacent Property Owner Notice letters were mailed to property owners located within 200 feet of the boundaries of the subject property on May 2, 2022 (Refer to **Exhibit C**). To date, no comments have been received. Staff will advise the Commission of any comments received after the date of this report.

PROPERTY PHOTOS:

The following photos show the project site:



Figure 2: Reagan Ave view – photo from Google Maps

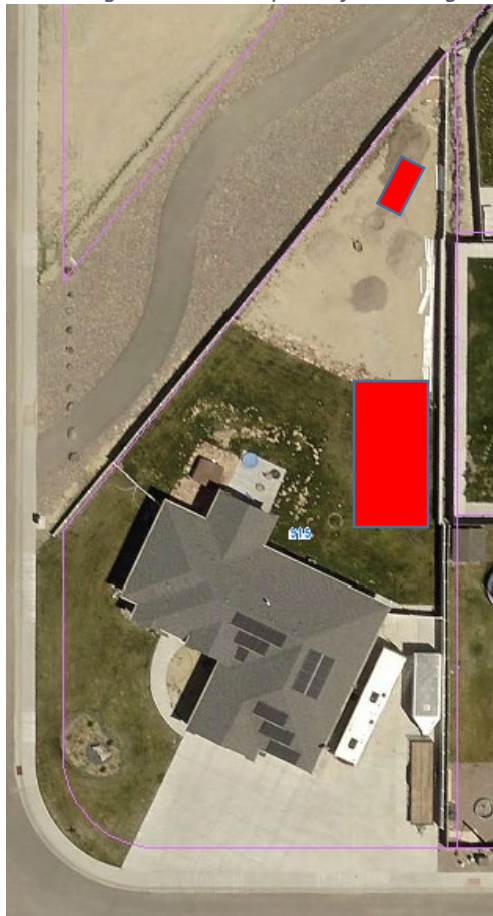


Figure 3: Aerial view – photo from City GIS (NTS)

PROCEDURE:

Conditional Use Permits are reviewed in accordance with §13-905. The Planning and Zoning Commission grants the final determination of the Conditional Use Permit. They are not forwarded to the City Council for review. As noted in §13-905.D., the Commission “shall consider the effect of the proposed use upon the health, safety, and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land, and the effect of the proposed use on the Comprehensive Plan. The Commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary, or it may deny the application.”

Staff will provide a formal recommendation after public comment at the Planning & Zoning Commission Meeting. At a minimum, staff recommends the following conditions of approval be attached:

1. Construction shall conform to the approved site plan and application, including required setbacks from property lines.
2. Drainage shall not impact adjacent properties and appropriate erosion control measures shall be utilized, both during construction and when construction is complete.
3. The use of the garage shall be limited to typical residential uses (i.e. storage of personal vehicles). Any Home Occupations within the garage shall comply with the City’s Home Occupations Requirements.
4. Planning approval does not constitute building permit approval. Contact the City of Rock Springs Building Department to obtain a building permit for the garage.

EXHIBIT A

APPLICATION



CITY OF ROCK SPRINGS CONDITIONAL USE APPLICATION

Planning & Zoning Division
212 D Street Rock
Springs WY 82901
307.352.1540 (phone)
city_planner@rswy.net

City Use Only:

Date Received

4-19-2022

File Number:

P2-22-0016S

A. PROJECT/BUSINESS NAME:

Battisti Detached Garage

B. PROPERTY ADDRESS:

915 Remington

(IF THE PROPERTY DOES NOT HAVE AN EXISTING ASSIGNED ADDRESS, LEGAL DOCUMENTATION OF THE LOCATION MUST BE SUBMITTED – i.e. Property Tax ID Number, Legal Description, etc.)

C. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Primary Contact Person (Applicant):

Albert R. Battisti Jr.
Name

307-389-9047
Phone Number

ARBattisti@msn.com
Email Address

915 Remington Blvd
Mailing Address

Rock Springs
City

WY
State

82901
Zip

Property Owner Information:

Albert R. Battisti Jr.
Name

307-389-9047
Phone Number

ARBattisti@msn.com
Email Address

915 Remington Blvd
Mailing Address

Rock Springs
City

WY
State

82901
Zip

Engineer Information (if applicable):

Engineer's Name

Email

Company Name

Phone Number

Fax Number

Mailing Address

City

State

Zip

Surveyor Information (if applicable):

Surveyor's Name

Email

Company Name

Phone Number

Fax Number

Mailing Address

City

State

Zip

C. CONDITIONAL USE PERMIT(S) REQUESTED (check all that apply):

**C.U.P. Requiring
Planning and Zoning Commission Approval**

- ☐ Adjusted Front Setback
- ☐ Bed and Breakfast Inn
- ☐ Corner Side Yard Attached Carport
- ☒ Detached Garage Exceeding 1,200sf
- ☐ Gas Pumps & Fueling Stations
- ☐ Lot Coverage Exceeding 50%
- ☐ Off-Site Parking
- ☐ Unpaved Parking Area (B-2 Zoning District)
- ☐ Use of Explosives
- ☐ Wireless Communication Facility in Residential Zoning District
- ☐ Other, please specify: _____

**C.U.P. Requiring
Staff Level Approval**

- ☐ Accessory Structure Exceeding Height of Primary Structure
- ☐ Special Purpose Fence
- ☐ Unpaved Parking Area (Industrial)
- ☐ Land Reclamation, Mining, & Soil Processing
- ☐ Garage Exceeding Three (3) Doors
- ☐ Driveway Access Exceeding 65% Street Frontage
- ☐ Sign
- ☐ Other, please specify: _____

D. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:

1. Provide a detailed description of the intended Conditional Use, including proposed use, length of use (permanent or temporary), hours of operation, etc.

I am requesting to build a garage/shop to be used for storage (A vintage truck) and for working on vehicles and home improvements.

2. Describe all existing and proposed structures and uses located on this property. **A site plan shall accompany this application.** Please refer to the attached Site Plan Checklist.

(1) 10x18 shed on skids. It is not a permanent structure. There are no other structures besides my main house.

3. Describe the effect of the proposed Conditional Use upon the health, safety, and general welfare of the occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land.

There will be no effects because it will be a garage/shop in my back yard. No traffic conditions will be affected. Our lot is 22,059 sq feet so we have more than adequate room for a 26x50 shop/garage.

E. SUBMITTAL REQUIREMENTS:

All items shall be submitted together as a consolidated packet. Incomplete applications will not be reviewed and will be returned to the applicant.

For items requiring review by the Planning and Zoning Commission, the City of Rock Springs must receive the complete application by the submission deadlines found in the "Applicant's Guide to Conditional Use Permits" supplemental handout. Applications submitted after the submission deadlines will be postponed until the following month's Planning & Zoning Commission Meeting.

Initial next to each item to verify that the item is attached to this application:

MANDATORY ITEMS:	
<i>AB</i>	Filing Fee of \$60.00 (Checks made payable to the City of Rock Springs)
<i>AB</i>	Completed Application (signed by Applicant and Property Owner)
<i>AB</i>	Two (2) full sized site plan drawings (printed to scale) – see attached Site Plan Checklist
<i>AB</i>	One (1) reduced site plan (no larger than 11" x 17") – only if full-size site plan is larger than 11" x 17"
OPTIONAL ITEMS (BUT <u>STRONGLY ENCOURAGED</u> TO PREVENT DELAYS IN APPROVAL):	
<i>AB</i>	Building Elevations / Architectural Drawings
<i>AB</i>	Floor plans of building interior to show areas of use
<i>AB</i>	Property photos
<i>AB</i>	Additional information to support the Conditional Use request

F. SIGNATURES REQUIRED:

Applicant Certification:

I, the applicant, hereby certify the following:

- I have read, reviewed and understand the attached Site Plan Checklist, Conditional Use Review Procedures & Submission Deadlines.
- I understand that incomplete applications will not be processed and will result in delays.
- The information provided with this application, and attached information, is true and correct, and false or inaccurate information used by an applicant to secure compliance with the Zoning Ordinance shall be reason to deny or revoke any application or permit.
- I understand that it is the responsibility of the applicant and/or property owner to secure any and all required Local, Federal and State Permits (i.e. Building Permits, DEQ permits, County Permits, etc.) and I agree to contact those agencies accordingly.

Applicant's Signature: *Walter B. Butler Jr.*

Date: 4-18-22

Property Owner Consent:

By signature hereon, I certify that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing.

Owner's Signature: *Walter B. Butler Jr.*

Date: 4-18-22

EXHIBIT B

SITE PLAN AND ELEVATION DRAWINGS

REMINGTON BOULEVARD

20' Setback
Pipeline Right of way

Rest of Backyard is Unpaved yard

Shed on Skids - Not Permanent Structure

Proposed Garage/Shop
Electrical installation only
NO sewer/water

LOT 30

LOT 29

LOT 28

corner vision triangle - no fences, shrubs, etc higher than 30"

SETBACKS
FRONT = 20'
REAR = 20'
CORNER SIDE = 20'
INTERIOR SIDE = 6' / 10'



Scale: 1"=20'

Foundation Plan - 915 Remington Blvd.
Gunsight Estates - Phase 1
Lot 27



William H. Smith and Associates, Inc.
Surveyors Engineers Planners Est. 1967

404 "N" Street - Suite 201 | Rock Springs, WY 82901
Phone 307-362-6065 | Fax 307-362-6064

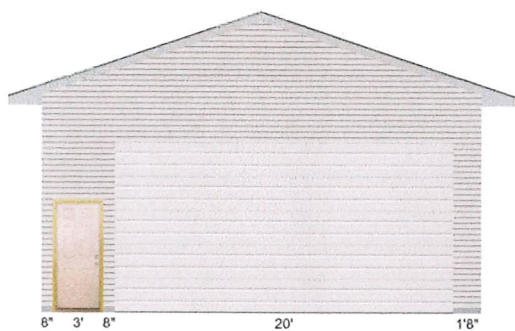
Project Info:
Engineer: SMA
Designer: APH
Date: AUGUST 15, 2016
Project No: 15-04H

Sheet 1 of 1

Dimensions

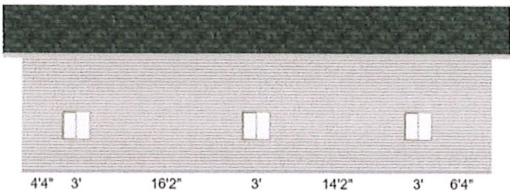
Wall Configurations

*Illustration may not depict all options selected.



ENDWALL B

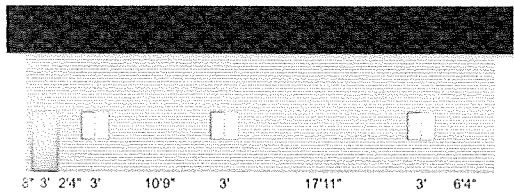
Mastercraft®; 36"W x 80"H Primed Steel 6-Panel
Ideal Door®; Commercial 20' x 10' White Insulated Garage Door



SIDEWALL D

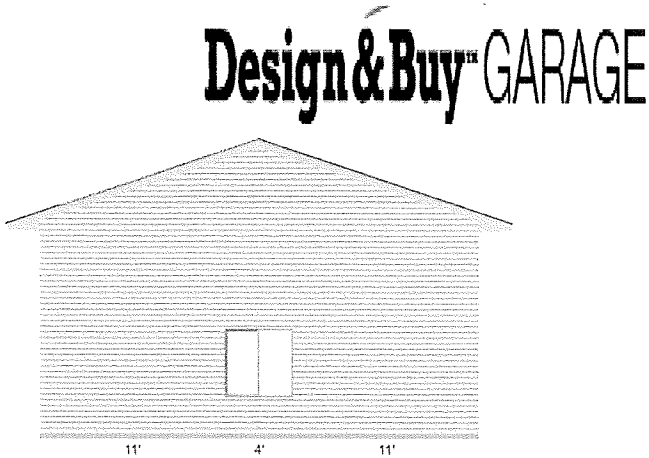
36"W x 36"H JELD-WEN®; Vinyl Slider
36"W x 36"H JELD-WEN®; Vinyl Slider
36"W x 36"H JELD-WEN®; Vinyl Slider

Date: 4/18/2022 - 9:31 PM
Design Name: Garage Design
Design ID:
Estimated Price:
**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*



SIDEWALL C

- Mastercraft®; 36"W x 80"H Primed Steel 6-Panel
- 36"W x 36"H JELD-WEN® Vinyl Slider
- 36"W x 36"H JELD-WEN® Vinyl Slider
- 36"W x 36"H JELD-WEN® Vinyl Slider



ENDWALL A

- 48"W x 48"H JELD-WEN® Vinyl Slider

**Some items like wainscot, gutter, gable accents, are not displayed if selected.*

Date: 4/18/2022 - 9:31 PM
Design Name: Garage Design
Design ID:
Estimated Price:

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

Design & Buy™ GARAGE

How to recall and purchase your design at home:



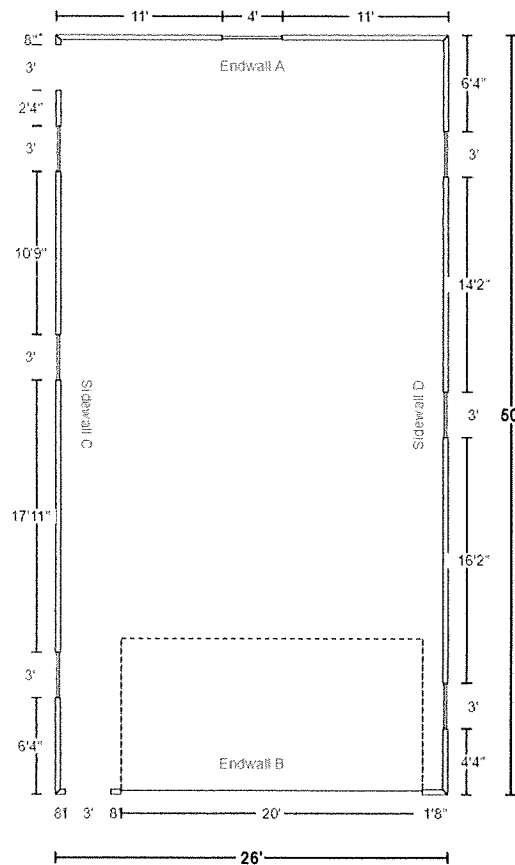
OR

1. Go to the Design & Buy website, enter "Design & Buy" in the search bar
2. Select the Garage Designer
3. Recall your design by entering Design ID: 324353371380
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 324353371380 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions

Garage Image



Date: 4/18/2022 - 9:31 PM
Design Name: Garage Design
Design ID:

Estimated Price:

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

Design & Buy™ GARAGE

Materials

Building Info

Building Location Zip Code:	82901
Building Width:	26'
Building Length:	50'
Building Height:	12'
Curb:	Poured Curb
Curb Height:	4"
Wall Framing Stud:	2" x 6"
Roof Framing:	Truss Construction
Truss Type:	Common
Roof Pitch:	4/12 Pitch 6/12
Eave Overhang:	24"
Gable Overhang:	24"
Custom Garage Plan:	No I do not need a custom building plan

Wall Info

Siding Material Types:	Vinyl
Vinyl Siding:	ABTCO® Harbor Ridge Double 4" - White
Accent Material Type:	Vinyl
Vinyl Accent:	Cedar Impressions® Double 7" Staggered Perfection Shingles - Colonial White
Endwall A Accent:	no gable accent
Endwall B Accent:	no gable accent
Wainscot Material Type:	None
Wall Sheathing:	7/16" OSB (Oriented Strand Board)
House Wrap:	Tygar House Wrap 9' x 100'
Gable Vents:	Novik® 16" Octagon Gable Vent - White

EXHIBIT C

ADJACENT PROPERTY OWNER LETTER

May 2, 2022

Dear Property Owner / Interested Party:

This letter is to inform you that a request has been made by Albert Battisti, Jr., for a Conditional Use Permit on property located at 915 Remington Boulevard. Records show that this property is adjacent to or within two hundred (200) feet of property you own. The following summarizes the application:

A request from the applicant for a 1,300 square foot detached garage with a mean roof height exceeding the mean house height by approximately one (1) foot, site plan is attached.

In accordance with Section 13-815.E.5 of the Rock Springs Zoning Ordinance, "no permit shall be issued for the construction of any number or type of accessory buildings with a maximum total combined square footage of 1,200 square feet. If total combined square footage is over 1,200 square feet, a Conditional Use Permit shall be required prior to obtaining a building permit".

In accordance with Section 13-815.E.7 of the Rock Springs Zoning Ordinance, "no accessory building in any district shall exceed the height of the principal building except by Conditional Use Permit". Building height is defined as the vertical distance from the average contact ground level at the front wall of the building to the mean height level between eaves and ridges for gable and hip or gambrel roofs. Furthermore, Section 13-815.E.7 of the Ordinance states that this requirement applies unless granted Conditional Use Permit approval by the Zoning Administrator.

The Rock Springs Planning and Zoning Commission will consider the application at a public meeting on Wednesday, May 11, 2022 at 7:00 p.m. in the City Council Chambers. You may attend said meeting or submit written comment **no later than 5:00 p.m. on May 11, 2022.**

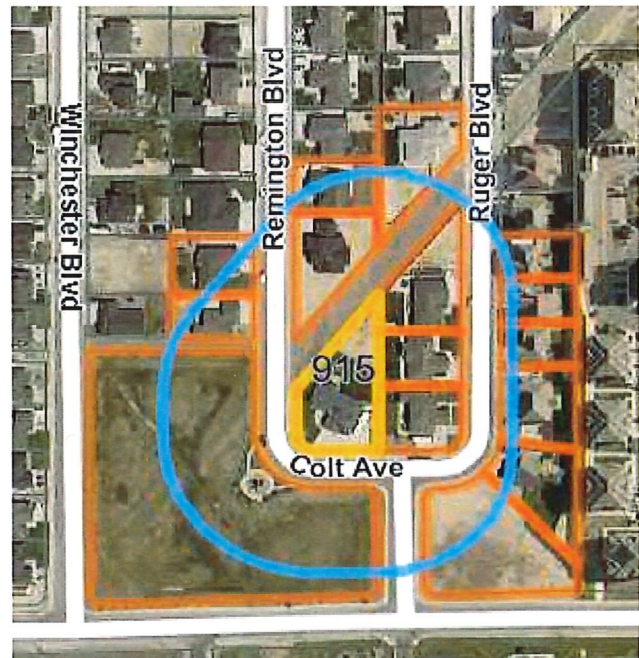
If you have any questions regarding this information, please contact the Planning and Zoning Division at (307) 352-1540.

Sincerely,



Cathy Greene
City Planner

Enc.



ANNALA KOLBE B & JESSICA A
1007 RUGER BLVD
ROCK SPRINGS, WY 82901

BOND TAMIE
918 RUGER BLVD
ROCK SPRINGS, WY 82901-6186

CITY OF ROCK SPRINGS
212 D ST
ROCK SPRINGS, WY 82901-6235

LEW WING S & MANDY E
101 WILD ROSE LN
ROCK SPRINGS, WY 82901-5676

PERRY NATHAN D & ERIN L
919 RUGER BLVD
ROCK SPRINGS, WY 82901-6186

SIMPSON ANTHONY R &
ROBERTSON SHIRLEY R
1804 ELK ST LOT 161
ROCK SPRINGS, WY 82901-4074

BATTISTI ALBERT R & PAMELA
915 REMINGTON BLVD
ROCK SPRINGS, WY 82901-6184

BOUDREAU MICHAEL A
1013 REMINGTON BLVD
ROCK SPRINGS, WY 82901-6174

FULLMER DEANAH D
909 RUGER BLVD
ROCK SPRINGS, WY 82901-6186

LUKACIK NOEL & ZEDELLA PHYLICIA
1003 RUGER BLVD
ROCK SPRINGS, WY 82901-6187

PYER STEPHEN & SHAWN
1018 RUGER BLVD
ROCK SPRINGS, WY 82901-6187

BETTOLO PATRICK L & BETHANY N
1002 RUGER BLVD
ROCK SPRINGS, WY 82901-6187

CHAVEZ MARCELO & NANCY Y
915 RUGER BLVD
ROCK SPRINGS, WY 82901-6186

KERSHISNIK FAMILY TRUST VEDA
KERSHISNIK TRUSTEE
1002 REMINGTON BLVD
ROCK SPRINGS, WY 82901-6174

MENDOZA MANUAL & MICHELLE
914 RUGER BLVD
ROCK SPRINGS, WY 82901-6186

SANTA BRENT A & AMELIA M
1006 REMINGTON BLVD
ROCK SPRINGS, WY 82901-6174