STOP
Additions to Living Quarter Buildings
Before submitting your permit . . .
Have you done the following?

Before application is complete the following must be attached.

☐ Enclosed fee
☐ Owner’s signature
☐ Copy of recorded deed
☐ Complete site plan showing the following:
  1. Property Lines
  2. Water Lines, include Well if existing
  3. Electrical lines
  4. Replacement drain field
  5. Driveway
  6. Septic System
  7. All existing buildings on site
☐ Small Wastewater Permit Application (if existing system requires modification)
☐ Acknowledgement Receipt form or signature for "Information Regarding Building in Lincoln County, WY" (applies to all with living quarters)
☐ Does this project require an electrical wiring permit? Refer to http://wyofire.state.wy.us/electricalsafety/wiringpermit.html

☐ Return to:  
   **North Lincoln County:**  
   Lincoln County Planning, Afton Office  
   421 Jefferson St. Suite 701, Physical: 61 E. 5th Avenue,  
   Afton, WY 83110  
   (307) 885-3106, Fax # (307) 885-3774

   OR

   **South Lincoln County:**  
   Lincoln County Planning, Kemmerer Office  
   925 Sage Avenue Suite 201  
   Kemmerer, WY 83101  
   (307) 877-9056, Fax 307-877-6439
RESIDENTIAL USE PERMIT APPLICATION  
LINCOLN COUNTY, WYOMING  
www.lcwy.org

APPLICANT/OWNER(S)  

NAME: ________________________________  
MAILING ADDRESS: ___________________________  
PHONE: ________________________________  
EMAIL: ________________________________  

BUILDER/REPRESENTATIVE  

NAME: ________________________________  
MAILING ADDRESS: ___________________________  
PHONE: ________________________________  
EMAIL: ________________________________  

Fee: $50.00 (check, money order, cash)  
House Additions, Building Additions with Living Quarters

FOR OFFICE USE ONLY  
Date Rec’d: ________________________________  
Date Accepted: ________________________________  
Zone: ________________________________  
Permit #: ________________________________  
PIN #: ________________________________  
Physical Address: ________________________________  

I (PROPERTY OWNER) ACKNOWLEDGE RECEIVING THE COUNTY INFORMATION PACKET THAT PROVIDES INFORMATION ON BUILDING CODES, BUILDING INSPECTIONS AND INSPECTORS, AND CONTRACTOR INFORMATION AND/OR THAT I HAVE COMPLETED THE ATTACHED REQUIREMENT FORM AND SUBMITTED WITH THIS APPLICATION.

SIGNATURE: ________________________________  
DATE: ________________________________  

PROJECT LOCATION: TOWNSHIP/RANGE/SECTION  
OR SUBDIVISION NAME and LOT NUMBER  

Will the proposed development be consistent with private restrictions or covenants? [ ] Yes [ ] No [ ] NA ________ (INITIAL)

LEGALLY DESCRIBED LOT OR PARCEL SIZE: ________________________________ SQUARE FOOT OR ACRES

DESCRIPTION OF PROPOSED BUILDINGS/STRUCTURES:

Width ________________________________ Length ________________________________ Height ________________________________ TOTAL s.f. ________________________________

Attach a site plan with details of the project including the dimensions of the property and proposed structure(s). Attach a copy of the deed or documentation of ownership. If the project requires new or additional on-site sewage treatment, a Small Wastewater Facility Permit from the Planning Office shall be obtained. Projects using wells or springs must obtain a permit to Appropriate Groundwater from the State Engineer.

Refer to current Lincoln County Land Use Regulations.

Signing this permit application authorizes county personnel the right of ingress and egress from said lands for any and all inspection purposes necessary to the exercise of this permit. I further understand that, upon issuance of a Residential Use Approval, I must build and/or use the land according to the requirements of the Lincoln County Land Use Regulations.

This permit shall become null and void two years from the issuance. A renewal may be requested prior to the expiration date. I certify to the best of my knowledge, that the information and materials submitted with this application are true and correct.

_________________________  ________________________________  
OWNER or AUTHORIZED SIGNATURE  DATE  

_________________________  ________________________________  
APPLICANT’S SIGNATURE (If Not the Owner)  DATE

APPROVAL to Proceed  
by County Administrator  ________________________________  DATE:

If you need assistance or information, contact the Planning Office at (307) 877-9056  
Fax # (307) 877-6439, 925 Sage Ave. Suite 201, Kemmerer, WY 83101  
OR  
the Planning Office at (307) 885-3106  
Fax # (307) 885-3774, 421 Jefferson St. Suite 701, 61 E. 5th Ave., Afton, WY 83110
DRIVEWAY ACCESS STANDARDS

What type of road does your proposed driveway access onto?

[ ] Private

[ ] State - All driveways accessing State Roads shall obtain proper access permits from Department of Transportation.

[ ] County - If your proposed permit requires a new or modified access onto a County Road, complete the following:

NAME AND NUMBER OF COUNTY ROAD onto which driveway connects:

DRIVEWAY WIDTH: __________________________ DRIVEWAY RADIUS: __________________________ (12.5 ft. min.)

BASE material and depth: __________________________ (8" min. coarse stone)

SURFACE material and depth: __________________________ (4" min. crushed gravel)

CULVERT diameter and gauge: __________________________ (18" min., 16 ga. min.)

PROVIDE A SITE PLAN showing: property line, county road, driveway width, radius, slope, and other details to show compliance with county driveway access standards (refer to the Land Use Regulations originally adopted May 4, 2005 and any subsequent amendments before preparing this application - specifically refer to Land Use Regulations Chapter 6).

Applicants shall refer to the Land Use Regulations originally adopted May 4, 2005 and any subsequent amendments before preparing this application.

Signing this permit application authorizes county personnel the right of ingress and egress from said lands for any and all inspection purposes necessary to the exercise of this permit.

I certify, to the best of my knowledge, that the information and materials submitted with this application are true and correct. Further, I certify that I have received, read and understand the conditions attached with this application.

______________________________  ______________________________
OWNER or AUTHORIZED SIGNATURE  DATE

APPROVAL for CONSTRUCTION

BY ADMINISTRATOR: __________________________ DATE: __________________________

INSPECTION PERFORMED BY:

CO Road Supv or CO Engineer: __________________________ DATE: __________________________

APPROVAL by ADMINISTRATOR: __________________________ DATE: __________________________

If you need assistance or information contact the Planning Office at (307) 877-9056
Fax # (307) 877-6439, 925 Sage Avenue Suite 201, Kemmerer, WY 83101
OR the Planning Office at (307) 885-3106
Fax # (307) 885-3774, 421 Jefferson St. Suite 701, Afton, WY 83110
This Driveway Access permit is granted subject to the following conditions:

1. That the PERMITEE comply with all applicable laws, regulations and the Site Plan submitted herewith. In the event that PERMITEE fails to comply, PERMITEE agrees to immediately correct any deficiencies to the satisfaction of COUNTY or the Permit may be revoked and/or the access may be removed by COUNTY at the PERMITEE’S expense.

2. That this Permit will not be modified, transferred or assigned without the written consent of the COUNTY, such consent will not be unreasonably withheld.

3. That the PERMITEE agrees to defend, hold harmless, and indemnify the COUNTY, its agents and employees, from and against all lawsuits, claims, damages, losses, and expenses arising wholly, in part or in connection with the existence of, construction, alteration, repairs, uses, or removal of the access.

4. All COUNTY property affected by the work under the Permit shall be restored to a condition equal to or exceeding that existing prior to construction.

5. That installation of the FACILITIES must begin within one year from the date the Permit is granted and be completed in a timely manner thereafter, unless an extension of time is granted in writing by the COUNTY.

6. That in the event the PERMITEE shall become in breach or default of any term, condition or covenant of this Permit, the COUNTY in its sole discretion may declare this Permit to be null and void.

7. That the failure of the COUNTY to insist in any specific instance upon a performance or other provision of this Permit, or to exercise any right or privilege herein conferred, shall not be construed as waiving the condition, provision, right or privilege, but the same shall continue and remain in full force and effect.

8. That in the event the COUNTY brings suit or other legal action to enforce the terms, conditions, or covenants herein against the PERMITEE, the COUNTY shall be entitled to recover reasonable costs and expenses thereof, including attorney fees, from the PERMITEE should the COUNTY prevail.

9. That this Permit is the only and entire contract covering the subject matter herein and no other representation, oral, or otherwise, has been made by the COUNTY.

10. That the terms, conditions, and covenants herein contained are binding upon the administrator, employees, agents, contractors, and subcontractors of the PERMITEE.

11. That if any term, condition or provision of this Permit is determined, to any extent, to be invalid or unenforceable, the remainder of this Permit shall not be affected thereby and shall be valid and be enforced.

12. That this Permit shall be interpreted and enforced in accordance with the laws of the State of Wyoming. By granting said Permit, COUNTY does not waive government immunity.

13. That the PERMITEE has fully read and understood each condition herein stated and hereby accepts this Permit subject to the terms and conditions herein.
SAMPLE SITE PLAN

GENERAL NOTES

The site plan shall show the location of property lines, all existing and proposed buildings, all wells within 100 ft., septic tank, disposal field, water lines, streams or surface body of water, ditches. Distances from these items to the disposal field/septic tank shall also be shown.

The site plan shall also include: a north arrow, driveways, access roads and direction of drainage.

An area shall be designated on the site plan as a replacement area for the disposal field.

The septic tank inlet pipe should be laid in a straight line. Any single or cumulative change of alignment of 22.5 degrees or greater shall be served by a surface cleanout.

There shall be no pipe couplings within the tank excavation area. Solid schedule 40 or cast iron pipe shall extend to firm, undisturbed earth.

ISOLATION DISTANCES

<table>
<thead>
<tr>
<th>FROM</th>
<th>TO SEPTIC TANK</th>
<th>TO DISPOSAL FIELD</th>
</tr>
</thead>
<tbody>
<tr>
<td>WELLS (includes neighbors')</td>
<td>50 ft.</td>
<td>100 ft.</td>
</tr>
<tr>
<td>PROPERTY LINES</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>BUILDING FOUNDATION: (w/o foundation drains)</td>
<td>5 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>(w/ foundation drains)</td>
<td>5 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td>POTABLE WATER PIPES</td>
<td>25 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td>SEPTIC TANK</td>
<td>—</td>
<td>10 ft.</td>
</tr>
<tr>
<td>STREAM, DITCH OR SURFACE BODY OF WATER (Intermittent or seasonal Included)</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
</tbody>
</table>
Acknowledgement Receipt Form

I am the landowner / homeowner (circle one) of the property located at (describe property from application)

I acknowledge receipt of the "Information Regarding Building in Lincoln County, Wyoming" packet that accompanied the Residential Use Permit Application.

Name:__________________________________________
Mailing Address:____________________________________
City:________________________________________ State:__________________________ Zip Code:__________________________
Phone:__________________________________________ Mobile:________________________________________
Email:__________________________________________

Signed:________________________________________
Date:__________________________________________

NOTICE
This form must be completed by landowner/homeowner and must be submitted with the Residential Use Permit Application for the application to be considered complete. Lincoln County will not consider any application for approval without this completed form.
This information packet accompanies Lincoln County, Wyoming Residential Use Permit Application (aka Building Permit)

INFORMATION REGARDING BUILDING IN LINCOLN COUNTY, WYOMING

This information applies to “Residential New Construction” but can also be applied to any new additions to existing residential buildings in Lincoln County, Wyoming
INFORMATION REGARDING BUILDING IN LINCOLN COUNTY, WYOMING

This information applies to "Residential New Construction" but can also be applied to any new additions to existing residential buildings in Lincoln County.

DO NOT ASSUME ANYTHING. ALWAYS GET DOCUMENTATION WITH A COPY OR DUPLICATE WITH ORIGINAL SIGNATURES AND KEEP FOR LIFETIME OF OWNERSHIP OF BUILDING

OVERVIEW OF RECOMMENDATIONS
(REFER TO EACH SECTION FOR DETAILED INFORMATION)

✓ Building Codes - recommend minimum IRC 2006 for 1 & 2 family dwellings or the IBC 2006;
✓ Recommended Minimum Residential Design Criteria - see attached map to identify zone;
✓ Building Plan Review & Building Inspections - recommend 6 inspections by a certified IRC inspector;
✓ Informational Tools on Hiring a Contractor;
✓ Informational Tools on Hiring an Inspector;
✓ Informational Tools on How/What to talk to Bank or Mortgage Company;
✓ Recommend landowner/homeowner stay involved and communicate throughout entire building process with all parties (builder, contractor, inspector, bank/mortgage company, etc.).

❄ Note: The landowner/homeowner will be required to sign a separate document or on application form acknowledging receipt of this packet that is included with the Lincoln County Residential Use Permit Application (building permit).

NOTED BELOW IS INFORMATION YOU SHOULD CONSIDER BEFORE STARTING CONSTRUCTION

DISCLAIMER: All information provided herein is provided for informational purposes only and does not constitute legal advice or a contract between Lincoln County and any person or entity. The information is subject to change without prior notice and is not guaranteed to be current. If you need legal advice, help with contracts, etc., you should contact an attorney.
Lincoln County is a government entity and does not waive government immunity by providing this information. Lincoln County assumes no responsibility for any errors or omissions in these materials and does not warrant or guarantee any of the information contained herein. In no event shall Lincoln County be responsible or liable, directly or indirectly, for any damage or loss caused or alleged to be caused by or in connection with the use of or reliance on any such content. The user of this information assumes the entire risk related to its use.

General Information

Many people across Wyoming do not think that we have building codes. People building outside of city limits or in cities that do not have a building department do not realize that there are building codes that can be used for the construction of all homes. Although Lincoln County does not require inspections for residential construction, you may want to consider having inspections done on residential construction projects for several reasons.

If a home does not have inspections during its construction, it may not qualify for some of the financing available in Wyoming. Even if you plan to live in this home forever, your estate will eventually have to deal with the house. The fact is the average American moves every 7 years, and while you may save some money by not hiring an inspector to perform the code compliant inspections throughout the building process, you may miss a significant number of potential buyers when you eventually sell the house.

Inspections are not only for the banks and for future potential buyers. Inspections are a set of eyes from an independent third party helping you build a home to meet minimum health and safety standards. The codes are not strict standards but minimum health and safety standards.

A good inspector will go through the structure multiple times throughout the building process and catch items that do not meet these minimum health and safety standards. Most owner-builders appreciate another person going over their work with them because they want it to be built correctly to avoid problems in the future.

Communication is key between contractor, inspector and you, the homeowner, to keep things (schedule, construction timeframe of different phases, occupancy, etc.) on track throughout the entire project.

Bank or Mortgage Company

Most banks and/or mortgage companies have their own requirements for new construction of residential buildings. Some may include inspection requirements, contractor requirements and requirements that you have to perform in addition. They may also provide you with information about different financing options that require different lengths of time which may impact your contractor.
They may require criteria to be able to resale for default that you will have to include in your upfront construction. You need to talk to your bank or mortgage company and get all the necessary criteria which may affect the different phases of your project (the before phase, the during phase, the end phase, and after construction ends and you can occupy the building). Be specific and detailed in your discussions so there is no point that an assumption will occur which may be wrong.

**Contractor**

Hiring a building contractor is no easy task and there seems to be an abundance of them and can be daunting. Almost everyone has heard the horror stories - scams, shoddy workmanship, disappearance prior to completion but after they have a large portion of your money, and more. The Better Business Bureaus have more complaints on building contractors than almost anything else. Some people will tell you to only deal with a licensed contractor, but licensing does not necessarily mean you will get a reliable and qualified contractor. It is up to you to protect yourself and be diligent in your determination of a contractor that will fit you and your requirements. Sometimes word of mouth from friends, associates, neighbors etc. will lead you to competent, reliable and qualified contractors - particularly if the contractor is local and has been doing business locally for some time (prefer years to months in timeframes), and sometimes those same people can identify those to stay away from. You will also need to have informative conversations with your bank or mortgage company on what they will require from you to be able to hire a contractor (and they may also have some contractors that they will recommend and some they will not recommend from their past clients).

Questions involving licensing may be part of the conversation and you will need to get clarification from your bank/mortgage company if they require a "licensed" contractor and what that means to them. The questions regarding unlicensed versus licensed are confusing for all of us, including contractors. Some states require a license and some don't. Some cities and counties require a license and some don't. In Lincoln County we do not have contractor licensing administered by the County. Some of the incorporated towns in the county have "licensing" which in most cases may just be mostly a small fee to obtain their company name, address, and phone number to contact them but there is no verification and no insurance included and after or during the information that was provided on their "license" may not be accurate. You may want to ask your town what their licensing requirements entail and whether they include insurance requirements. You may also want to ensure that the information of the licensed contractor is current and accurate. The State of Wyoming does some "licensing" which currently equates to a small fee to obtain their company name, address, phone number to contact them but no verification of information provided and there is no insurance requirement either.

Thus, when choosing a contractor is back to word of mouth can be very helpful, including recommendations from family, friends, neighbors, business associates, etc. (please note that Lincoln County will not give any recommendations). Also, you will likely want to talk to the prospective contractors and take notes so you do not confuse them later when you want to make a decision. You may want to ask about their projects - how long they have been building, what building codes they have
had to build to, and what inspectors they may have had to work with in the past. Ask them for references locally that you can contact and ask about their work, their knowledge, competency, and the timeframe (were they always late in completing items, etc.). Verify their address and phone number (get business phone number as well as cell number) - and see if they have a website with any comments on it. You can ask them about their insurance and may request the cost of adding you on their insurance to cover any problems/errors that may arise. Beware of unsolicited phone calls or visits, high pressure sales pitches or scare tactics, required large down payments during the construction phases, no verifiable address or phone number(s), unwillingness to give you pricing information, unwillingness to sign a written contract, unwillingness to work with an independent inspector, and lack of insurance.

**Building Codes**

Lincoln County recommends that you work with your contractor and your inspector to determine which building code to use, and ensure you have it documented in a contract what code you have agreed upon. You may have heard the term "IBC" or IRC" which are both building codes as defined by the ICC. The International Residential Code (IRC) pertains to 1 and 2 family dwellings and townhouses. Many builders and inspectors use the 2006 edition is recommended by Lincoln County, or the IBC (International Building Code 2006). The IRC 2009 and IRC 2012 incorporates energy requirements, as well as other changes to the 2006 code. If you choose the 2009 or 2012 code with the energy requirements, it will cost you extra on the construction versus the 2006 code without the extra energy requirements, so you should talk to your contractor about the various building codes and determine which will work best for you. IBC for the same years noted for IRC will also work. The main concern is that you have in writing from your contractor the building code you have agreed upon as that is what you will enforce.

Lincoln County also recommends that you also consider the Recommended Minimum Residential Design Criteria for Lincoln County in the zone noted for the area the property is in (see map attached). The Recommended Minimum Residential Design Criteria for the five (5) identified zones within Lincoln County (outside of any of the incorporated towns) include Live Roof Snow Load, Seismic Zone, Max Wind, Foundation Depth, and Design Temperature. Homeowners and contractors are potentially at risk if the criteria they build to is below what is identified in the zone the property is located in. You should notify both your contractor and your inspector what the recommended criteria are and whether your plans meet those criteria before starting construction.

**Building Inspections**

Lincoln County recommends that you contract with a certified building inspector to perform a minimum of six (6) inspections. You should decide with your builder and inspector which types of inspections will be completed. Six (6) common inspections are:
1. **Plan Review/Inspection** - This is the first inspection to make sure your project is started on the right track. The inspector needs to review your plans to check the footing and foundation are properly sized, but also help you identify areas that may require attention such as; windows that need safety glass, the spacing of bathroom fixtures and any additional requirements your appliances may have. At the plan inspection the inspector can let you know if they foresee any additional required inspections, but it is important to remain in contact with your inspector if you are unsure whether they need to look at a phase or not.;

2. **Footing Inspection** - This is the first onsite inspection. A footing inspection is done when the footing is formed; the reinforcement rebar is in place and tied up. The footing inspection is done before the concrete is poured.;

3. **Foundation Inspection** - The foundation inspection is done when the forms are in place and the vertical and horizontal rebar is in place and tied. The anchor bolts should be on site. The inspection is done when all of this is complete but before the concrete is poured.;

4. **Rough Framing, Plumbing, Electrical & Mechanical Inspection** - While this is a big inspection it is important the building is inspected at this phase because framing issues may arise when plumbing, electrical and mechanical are installed. For this inspection all rough framing should be complete. All the electrical should be run which includes all outlets, and smoke alarms. The electrical panel should also be made up. Both the potable water and drain waste vent system should be complete and pressure tested. Any rough mechanical ducting and like systems should be in place at this time. When these items are in place a rough framing, plumbing, electrical and mechanical inspection can be completed.;

5. **Insulation / Vapor Barrier** - This inspection is done when the insulation and vapor barrier is in place and sealed.; and

6. **Final Inspection** - The final inspection is done when everything is complete. This includes, but is not limited to; exterior and interior paint, floor coverings, cabinetry, bath fixtures, light fixtures, outlet covers, handrails, guardrails, installation of smoke detectors, all electrical systems, mechanical systems and plumbing fixtures, and the exterior grading.

*Note that the State of Wyoming requires an electrical permit through them for this type of construction and they will also typically do an inspection of the electrical for compliance.*

These inspections could cost you between $150.00 to $300.00 per inspection but may be worth the extra cost depending on your bank/mortgage company and or when/if you decide to sell. The inspections will also be helpful in dealing with your contractor (and his sub-contractors if any) to ensure compliance to the building code you have agreed upon, and ensure the enforcement of the contract between both of you.
BUILDING INSPECTOR

Lincoln County recommends that you, the homeowner, may want to contract separately (independent of your contractor) with a certified building inspector to provide any inspections during the construction. Ensure your certified building inspector utilizes a contract to put your agreement with them in place and both parties sign. Ensure the inspector and your contractor have each other's contact information and the needs of both are clear to the inspector and contractor - i.e. it would be helpful to ensure their meeting or speaking to each other and reviewing what each will need prior to the first inspection so no hold-ups on either side.

To select a certified inspector, you will need to ask for their certification, including the title, date it expires (do not deal with an inspector who does not have a current certification), and the issuer. A copy of the certification would be helpful for you in verifying that it is valid (it could be emailed or you can write down the information). To verify, check the issuer out over the internet and find out what type of training the potential inspector had. If he/she is an IRC or IBC certified inspector, you can go to the ICC website and check them out under their title. Obtain their inspection pricing upfront, including any re-inspection costs if an inspection fails, as well as any extra mileage charge, if any. Once you have determined who you may want for an inspector, if the person is unknown to you, you may want to ask friends, business acquaintances or associates, neighbors or any others for experiences or recommendations. You may also ask the inspector for personal references. You may want to sign the contract in person so you can meet the inspector (ask them to bring photo identification as well as the original certification to ensure you are entering into a contract with the person noted in the contract); and you might consider bringing an extra contract copy to get original signatures for both parties (one for the inspector and one for you).
Recommended Minimum Residential Design Criteria for Lincoln County

<table>
<thead>
<tr>
<th>ZONE</th>
<th>ROOF SNOW LOAD</th>
<th>SEISMIC ZONE</th>
<th>MAX WIND</th>
<th>FOUNDATION DEPTH</th>
<th>DESIGN TEMPERATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>100 lb/sq. ft.</td>
<td>D-2</td>
<td>80 B</td>
<td>36&quot;</td>
<td>-40°F</td>
</tr>
<tr>
<td>1</td>
<td>80 lb/sq. ft.</td>
<td>D-2</td>
<td>85 B</td>
<td>36&quot;</td>
<td>-40°F</td>
</tr>
<tr>
<td>2</td>
<td>70 lb/sq. ft.</td>
<td>D-2</td>
<td>85 C</td>
<td>42&quot;</td>
<td>-30°F</td>
</tr>
<tr>
<td>3</td>
<td>70 lb/sq. ft.</td>
<td>D-1</td>
<td>90 C</td>
<td>42&quot;</td>
<td>-30°F</td>
</tr>
<tr>
<td>4</td>
<td>50 lb/sq. ft.</td>
<td>C</td>
<td>100 C</td>
<td>36&quot;</td>
<td>-30°F</td>
</tr>
</tbody>
</table>

Disclaimer: Lincoln County is a government entity and does not waive government immunity by providing this information. Lincoln County assumes no responsibility for any errors or omissions in these materials and does not warrant or guarantee any of the information contained herein. In no event shall Lincoln County be responsible or liable, directly or indirectly, for any damage or loss caused or alleged to be caused by or in connection with the use of or reliance on any such content. The user of this information assumes the entire risk related to its use.

Map created by Dosty Dearden, GIS, on July 8, 2014 using the most accurate information available. This map is for informational purposes only and shall not be construed to be an official survey of any data presented.
GENERAL INFORMATION REGARDING SETBACKS & EASEMENTS

The information below includes general information regarding setback and easements for building within Lincoln County, Wyoming. The information contained is not all inclusive. Additional information can be viewed in the Land Use Regulations. Any questions, please contact the Office of Planning and Development (Planning Office).

**Setbacks**

Lincoln County, Wyoming Land Use Regulations define Setback Area as the *Distance between the foundation of a structure and property line, road right-of-way, or constructed road, whichever is less* (see Chapter 7 Land Use Definitions).

**Chapter 6 Section 20 of the Land Use Regulations for Setbacks:**

A. Any development within County rights-of-way or road easements, except by an approved county road license, is not allowed and shall be removed by the property owner immediately upon discovery.

B. Setback standards for all permits are as follows:
   1. Side and Rear Setback. A minimum of ten (10) feet from the property line.
   2. Front Setback, as measured from lot line or right-of-way, whichever is more restrictive:
      a. Fifteen (15) feet to front of building without parking area;
      b. Twenty (20) feet to front of building with parking area.

3. Building Setback to U. S. Highway 89 right-of-way shall be a minimum of fifty (50) feet. If topographic or other site conditions require a relief of setback, then the variance procedure shall be followed.

4. Commercial structures shall have a minimum set back from all lot lines of 1’ per 1’ building height unless two hour fire walls are constructed.

C. Alterations of Front, Side and Rear Setbacks for all permits. When the following condition is met, the Administrator may approve a variance of setback without following all of the Variance Procedures outlined in Chapter 3:

The adjoining property holder(s) being affected shall give written authorization to the applicant, indicating the proposed development is acceptable to them.
Setbacks are required specifically for safety, legal and aesthetic reasons. They provide a buffer that is meant to prevent encroachments over property lines, safety from possible traffic accidents flying into your property, snow removal, buffers from other land uses such as industrial and commercial, and incidentally provide open area around your structures. Setbacks establish the permitted location of structures and other improvements on a site. The Residential Use Building permit is a contract that you will put your structures where your site plan indicates. Inside these setback lines is referred to as the build-able area, development area and/or building envelope. A build-able area is the space created by the designated setbacks and height restrictions. It can be considered the specific area free from easements, property lines and other restrictions on where you can situate your structure on your property. The entire structure must fit within the build-able area, and all structures whether primary or accessory must be within the build-able area. It is important to note that a build-able area may be designated on your lot if it falls within a platted subdivision and may differ in size from the designated setbacks.

**Easements**

Lincoln County Land Use Regulations define Easement as *Authorization by a property owner for the use of, by another, and for a specified purpose, any designated part of his/her property* (see Chapter 7 Land Use Definitions).

**Chapter 6, Section 21: IRRIGATION FACILITIES AND SURFACE WATER**

Development shall have a minimum setback of 150 horizontal feet from the bank high-water line of Salt River in the 100 year floodplain. Other development shall have a minimum setback of 50 horizontal feet from the bank high-water line of streams and rivers.

1. Streams and rivers shall include, but are not limited to, the following waterways:

   Bear River, Black's Fork, Coal Creek, Corral Creek, Cottonwood Creek, Crow Creek, Dry Creek, Flat Creek, Fontenelle Creek, Green River, Grey's River, Ham's Fork, LaBarge Creek, Pine Creek, Pole Creek, Salt River, Smith's Fork, Spring Creek, Strawberry Creek, Stump Creek, and Swift Creek

2. Development shall have a minimum setback from irrigation facilities. For canals and ditches, the easement is measured from the average high-waterline. In the event that an easement of record exists, the more restrictive setback shall be used. The area of the setback shall be determined by the type of facility: (ALL PERMITS)

   a. Canals shall have a fifty (50) foot setback on the down-slope side and a twenty (20) foot setback on the up-slope side.
b. Ditches shall have a twenty (20) foot setback on both sides.
c. Pipelines shall have a ten (10) foot setback on both sides of the centerline.
d. Other structures shall have a reasonable setback for operation and maintenance.

Easements can be defined as a limited right to make use of another’s property. Easements can be agreements between different entities and commonly grant access to another’s property to allow utility lines above and below ground, waterway easements for ditches and canals, and transportation easements for roads, bike paths or trails. Structures are not allowed in easements because maintenance like road grading, digging up the utility line, or cleaning ditches is often required. Do not build your structure into an easement! Although your plat may not indicate any easements in your lot, it is always good practice to double check with local utility companies, the exceptions page in your Title Commitment, deed restrictions, or other documents filed with the County Clerk. Be aware of evidence that may point to an existing easement such as roads accessing

**Locating setbacks and easements.** The only person that can make a legal determination of property setbacks and easements is a Professional Land Surveyor. Lincoln County Land Use Regulations require your buildings be within the setback requirements; however, they do not require that your property corners or setbacks be located by a Professional Land Surveyor. However if you have doubts as to where your corners are at, it is highly recommended you seek the services of a Professional Land Surveyor.
2.3 RESIDENTIAL USE PERMIT PROCEDURES

A. The following procedures apply to Residential Use Permits. Residential Use permits are for uses indicated as residential uses on the Land Use Table in Section 7.3 of these Land Use Regulations.

1. A pre-application conference is suggested, but not required, for residential building permits. The purpose of the pre-application conference is to ensure the applicant is familiar with the procedure and content of these Land Use Regulations, including required standards, Comprehensive Plan Goals and Objectives, and any hazards and/or special conditions associated with the site. The pre-application conference is intended to be a service to the applicant, not a regulatory proceeding. The applicant may submit a sketch plan as the basis for discussion at the pre-application conference.

2. A complete application for a permit shall be submitted in accordance with Section 2.4.

3. Incomplete applications, as determined by the Administrator, shall not be accepted and may be returned to the applicant. Within seven (7) days the Administrator shall review the application for completeness. If the application is deemed to be incomplete, the Administrator shall notify the applicant, by mail or by phone, if possible, of the deficiencies in the application and how they can be eliminated.

4. When the permit application is complete, the Administrator shall accept the application and note the date upon which the application is accepted. The Administrator then shall review the application in terms of compliance with standards which apply to permits processed under the Residential Use Permit procedure. Within fourteen 14 days, the Administrator shall notify the applicant of the result of the review of the standards and approve, approve with findings, deny, or extend the review period of the permit application.

5. The administrator shall only approve the application if the following findings are made:

   a. The proposed permit is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
   b. The proposed permit is consistent with these Lincoln County Land Use Regulations.

6. The Administrator shall prepare a staff report to the Board of County Commissioners which shall include a description of the permit type, the applicant's name, the permit location, and a description of the permit.

The Administrator is authorized to inspect all development for compliance with the Comprehensive Plan, and the requirements of these Land Use Regulations.
Table 2.2

Residential Use

Step 1: Pre-Application Conference (Suggested not required)
Zoning, density, access, septic issues

Step 2: Make Application
- Site plan
- Deed
- Easements
- Signatures
- Fees
- Apply for small wastewater permit, if applicable. (Site plan, perc test, signatures, and fees) (Enhanced system)

Step 3: Action by Planning Office
- Review for completeness within 7 days.
- Compliance review.
- Approval or denial within 14 days.
- If approved, assign address.
- Post green tag.
- Commence construction within 2 years.
- Make report to Board of County Commissioners of Permit Approval
B. Appeals

1. Appeals of the decisions made by the administrator shall be sent to the Board of County Commissioners. The application shall be forwarded to the Board of County Commissioners for consideration following the procedures below.

2. The Board of County Commissioners shall hold a public review of the application.

3. There shall be at least a quorum of County Commissioners in order to entertain motions to approve, deny, or table the application. In approving or denying the application the Board shall make findings of fact which shall include but are not limited to:

   a. The proposed Residential Use Permit is consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
   b. The proposed Residential Use Permit will not have any significant adverse impacts on neighboring properties.
   c. The proposed Residential Use Permit is consistent with these Lincoln County Land Use Regulations.

4. The County Commissioners shall notice the applicant in writing as to the action the Board makes on the application.

2.4 RESIDENTIAL USE PERMIT APPLICATION REQUIREMENTS

A. The following are the requirements for Residential Use Permits
   (applies to Single and Two-Family Dwellings, Townhouses, Duplexes, Twin Homes and Guest Houses - see Land Use Regulations Chapter 7)

1. Applications for a residential use permit shall contain the below listed information needed to determine the development's compliance with applicable standards of these Land Use Regulations. The Administrator shall prepare all the necessary forms. Only items relevant to the proposed development will be required.

2. A copy of the recorded deed and easements pertaining to the property to be developed shall be attached to the application by the applicant. A real estate contract, letter of consent, or similar document, which gives the applicant the right to develop, will also be accepted.

3. If the applicant does not have title to the property, the applicant shall obtain a copy of an instrument which gives the applicant permission to develop said property.

4. Each application shall include a plan sheet, which contains information relevant to the application. The following items shall be provided:
a. A site plan is required. A scaled site plan is encouraged, but not required.
b. Locate all lot or parcel lines on the site plan. Label the length of property lines on
the site plan. Indicate size of parcel, in acres or square feet, on the site plan.
c. Locate and label the width of all existing and proposed easements on the property
on the site plan. Include road, railroad, and utility easements on the site plan.
d. Locate existing and proposed on-site sewer and water systems. Include septic tanks
and leach fields on the site plan.
e. The site plan shall indicate the location of existing and proposed structures
including: buildings, garages and other accessory buildings, location of on-site
parking, driveways, wells, potable water supplies and springs. Show and indicate
by name, if applicable, adjoining access roads.
f. The site plan shall illustrate how drainage will be directed away from buildings and
driveways and how water drainage will be managed. The location of existing and
proposed culverts, including their diameter and material shall be shown. Include
location of any existing or proposed ditches, canals, or other irrigation structures on
the site. If the lot is next to a stream or river, indicate the distance between mean
high-water line and proposed buildings.

5. A topographic and/or boundary survey stamped by a Wyoming licensed professional
surveyor and/or a Wyoming licensed professional engineer may be required under one
or more of the following conditions:

a. Where the site of the development is located in a flood plain or flash flood area, or
where other hazard, ponding, or drainage problems might occur;
b. Where the development is situated so that drainage has the potential of damaging
downhill private or public properties; and
c. Where there are known or suspected problems with property boundaries, including,
but not limited to: property overlap, vague legal descriptions, development which is
suspected to be located in State or County rights-of-way, and contested land
ownership.
d. The Administrator shall determine appropriate contour intervals based on the
steepness of terrain and potential risks associated with the given site conditions.

6. Other information as required by standards of these Land Use Regulations.

2.5 OTHER TYPES OF PERMITS

A. Driveway Access Permit

1. A driveway access permit is required for all private driveways/roadways accessing onto
a County road. This permit shall follow the Residential Use Permit Procedure.
2. Data requirements include a site plan meeting county driveway access standards as
specified in Land Use Regulations Chapter 6, Development Standards.
3. If the development of a driveway access is part of another permit application, a separate
Driveway Access Permit is not required.