STOP
Auxiliary Buildings (Non-Living Quarters)
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
  3. Electrical lines
  4. Replacement drain field
  5. Driveway
  6. Septic System
  7. Well
  8. All buildings on site

☐ 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, 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

Updated 7/18

APPLICANT/OWNER(S)
NAME: 
MAILING ADDRESS: 
PHONE: 
EMAIL: 

.builder /representative
NAME: 
MAILING ADDRESS: 
PHONE: 
EMAIL: 

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:

<table>
<thead>
<tr>
<th>Width</th>
<th>Length</th>
<th>Height</th>
<th>TOTAL s.f.</th>
</tr>
</thead>
</table>

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.

_________________________ DATE __________________________
OWNER or AUTHORIZED SIGNATURE

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

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

Fee: $50.00 (check, money order, cash)
Auxiliary Buildings (Non-Living Quarters) Garages, Sheds, Outbuildings
FOR OFFICE USE ONLY
Date Rec’d: __________________________ Date Accepted: __________________________
Zone: __________________________ Permit #: __________________________
PIN #: __________________________ Physical Address: __________________________
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.
Site Plan
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>
Recommended Minimum Residential Design Criteria for Lincoln County

<table>
<thead>
<tr>
<th>ZONE</th>
<th>ROOF SNOW LOAD</th>
<th>EISMIC 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>80 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-2</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>

Contact Municipality

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 Destry Dearden, GISP, 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 setback 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.
### 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.