



Town of Alpine

Code Enforcement Officer
Tara Bender

Planning and Zoning Commission
Town of Alpine
250 River Circle
Alpine, WY 83128

Subject:
Encroachment Permit Request - 363 Deer Lane Lot # 302 Riverview Meadows - Dr. Kurt Linford

Dear Planning and Zoning Commission Members,

On Tuesday May 6th, 2025 I received a complaint concerning construction/improvement activity taking place at Alpine Dental - 363 Deer Lane - Lot # 302 Riverview Meadows, Alpine WY. I verified with town staff that no encroachment permit/agreement was in place for any such activity at that address.

I visited 363 Deer Lane the afternoon of May 6th and spoke with property owner Dr. Kurt Linford. Dr. Linford described the scope of the project as he envisioned it, as a parking lot on the east side of the building that would be asphalted and connect to Deer Lane.

Attached are photos of 363 Deer Lane activity from May 6th, 2025.

At the time of my onsite visit Tuesday, clearing and grading activity was taking place with excavation equipment solely on Dr. Linford's private property; though Dr. Linford made clear to me that his intention was to extend the clearing, grading, filling, and asphalt work to very near or in fact in the Town of Alpine streets and rights of way (i.e. Deer Lane/associated easement).

I informed Dr. Linford that any encroachment in any manner in the Town streets and rights of way would first need an encroachment agreement/permit, which he did not have.

Physical: 250 River Circle
Mailing: PO Box 3070
Alpine, WY 83128
Phone: 307-654-7757



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Dr. Linford relayed to me that he had had at least two conversations with Planning and Zoning Administrator Christine Wagner wherein he described the scope of the project and was told he did not need a permit for such a project. These were described as verbal exchanges over the telephone, I cannot verify whether they took place and would be regardless immaterial to the law as it applies to the scope of work Dr. Linford described he intended to complete.

Dr. Linford agreed to submit an Encroachment Permit Application at the Town's offices in person on the evening of May 6th, which he in fact did.

While at the Town offices submitting his encroachment permit application - both myself, and Monica Chenault explained the permit process (i.e. permit would be passed on to Public Works Director, then to the Planning and Zoning Commission, and then to the Town Council) and reiterated that any encroachment in the Town streets and rights of way would first need an encroachment permit, and commencing with such activity without a permit would be a violation of Town of Alpine 196-Ordinance No. 52.

On Thursday May 8th I inspected 363 Deer Lane and observed further clearing, grading, and filling, had taken place since my last visit on May 6th, including in the Town streets and rights of way, in evident violation of Town of Alpine 196-Ordinance No. 52.

Attached are photos of 363 Deer Lane activity from May 8th, 2025.

On May 9th, 2025 I issued a Legal Notice/Stop Work Order (attached) for 363 Deer Lane after I received information that paving may commence at 363 Deer Lane before the permit could be reviewed by the Planning and Zoning Commission and the Town Council.

I will be available during the Commission's meeting May 13th, 2025 to provide any additional information you may require or answer any questions you may have regarding my findings.

Thank you for your attention and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Tara Bender", is written over a horizontal line.

Tara Bender

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May 6th, 2025 - Alpine Dental - 363 Deer Lane - Alpine WY, 83128:



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LEGAL NOTICE

Date: May 9, 2025

WHEREAS, VIOLATION OF:

TOWN OF ALPINE 196 - ORDINANCE NO. 2009-52

These premises, **IT IS HEREBY ORDERED** in accordance with the above **ORDINANCE** that all persons cease, desist from and

STOP WORK

at once pertaining to construction, alterations or repairs on these premises know as:

363 DEER LANE


LOT 302 RIVERVIEW MEADOWS 3RD AD

Town of Alpine, Wyoming

All persons acting contrary to this order or removing or mutilating this notice are liable to arrest unless such action is authorized by the Town of Alpine.



Tara Bender, Code Enforcement Officer



Monica Chenault, Town Clerk