



**CITY OF LANDER
VARIANCE REQUEST
INSTRUCTION SHEET
NON REFUNDABLE FEE - \$500.00**

1. Answer All Questions - Answers should be clear, readable and contain all the necessary information. **Petition forms which are not legible will not be accepted.**
2. An example of the information asked for in Question 4 would be: "between 2nd & 3rd Streets on the north side of E-Z Street" or "the northwest corner of the intersection of Cattle Drive and Lois Lane".
3. Question 5 is self-explanatory, simply note what you are requesting. For example, "reduce the side yard setback by 3', from 12' to 9'".
4. For Question 6, carefully read the standards which apply to all variance requests. **These standards must be met before the Board of Adjustment can grant a variance.** On a separate sheet of paper, outline to the Board of Adjustment your reasons for wanting the variance and how those reasons meet the standards mentioned.
5. **A plot plan or drawing must be submitted.** The graphic must be a straight-edged drawn plan (a drawing to scale is preferred but not necessary) delineating the property lines and dimensions, adjacent street(s) and name(s) of that/those street(s), a north arrow, the location of the building(s) on the parcel, the area being requested for a variation.
6. A list of all **property owners, not renters**, and their mailing addresses, within 400 feet of your property must accompany this application. You can obtain this information **from the Fremont County Assessor's office, 332-1117.**
7. The following are the procedures for processing a variance petition:
 - a) Review the request with the City Staff. At this point, you will receive the necessary forms and instructions for filling out and filing said forms.
 - b) The Board of Adjustment meets the second Thursday of the month. By ordinance, a legal notice regarding the case must be published in a newspaper of general circulation at least fifteen (15) days prior to the public hearing. Our office requires submission of all completed material at least twenty-one (21) days prior to the meeting date in order to meet this publication requirement. There will be no exception from the twenty-one (21) day filing deadline date.
 - c) **The petitioner and/or a designated representative must be present at the public hearing to give testimony and answer questions regarding the request. Please see the attached *Rules of Procedure* for the Lander Board of Adjustments. If no one is present at the hearing, the request may be denied at the discretion of the Board.**
 - d) All public hearings are held by the Board in the City Council Chamber, 240 Lincoln Street, starting at 6:30 p.m.
 - e) After the case is heard, the Board will deliberate the facts of the case and make their decision. You will be notified of their decision in writing no later than thirty (30) days after the date of the public hearing.

Your meeting date will be: Dec 19th
Return form by: _____

**CITY OF LANDER
VARIANCE APPLICATION**

CASE # 24.01 V

(For Office Use Only)

Date Received: 11/26/24 Board Action: _____

Fee: \$500 Date of Action: _____

Hearing Date: 12/19/24

Variance Request Is From What Section of the Ordinance: Nonconforming lot.

Date Notices Sent: _____

1. Name of Applicant: Daniel W, Hazel M Brossman

Address: 683 Mount Hope Drive Phone: 349-9199

Interest in Property: Owner

2. Owner (Indicate if different than above) _____

Address: _____ Phone: _____

3. Legal Description of Property: Tract in NWNE Section 20, T33N, R99W

4. Street Address of Property: 683 Mount Hope Drive

5. State Specifically The Changes You Are Asking For: Would like to subdivide
the lot roughly in half without being required to place Sidewalk, Curb and Gutter, Permission for a cistern and septic in City limits

6. On a separate sheet of paper please answer fully and completely the questions set forth below: These address those conditions as prescribed by ordinance that must exist in order for the Board of Adjustment to consider granting a variance request.

- a) Please state whether or not the proposed use is a permitted use in the zoning district, and specify the permitted use specifically enumerated in the zoning district which applies;
- b) Please state what extraordinary circumstances exist in your case, such that literal enforcement of the provisions of the code will result in unnecessary hardship. Also, specify what hardships will result if the variance is not granted.
- c) Please state whether or not the extraordinary circumstances were created by the applicant and if not, what created them. Do the circumstances represent the general condition of the district in which your property is located.
- d) Please state whether or not the granting of this variance will substantially or permanently injure any adjacent, conforming property. If not, state the effect the variance, if granted, would have on any such adjacent, conforming property.
- e) Will the variance alter the character of the district in which this property lies. If not, please explain the reasoning for your answer.
- f) Please state whether the variance sought is the minimum variance and least modification that will afford the relief sought. Please state any other relief that may alleviate the condition that exists.

g) Please state how the variance, if granted, would be in harmony with the spirit of the ordinance and what effect, if any, it will have on the public health, safety or welfare.

7. Please submit a plot plan or drawing of the property showing the existing condition of said property and the area of the proposed variance.

Dan Brown 11/26/24
Signature of Applicant Date

Signature of Owner, if different Date

683 Mount Hope Drive, Brossman
Variance Request supporting data

683 Mount Hope is a nonconforming lot because it currently exists in an R-5 zone without the required 50-foot minimum street frontage. See attached deed. A variance from Code section 4-9-4 *Procedures and Requirements for Platting* of the City Subdivision Regulations requires paved streets, curb and gutter, water main, and sewer main to be provided to the far end of the subdivision.

6 a). The proposed use for a residential lot split is a permitted use in the existing R-5 zone. The hardship is providing over 800 lineal feet of water main and improved streets for one single lot surrounded by unincorporated county properties. City Sewer Main is not available within 300 feet and a septic may be approved as allowed for in city code.

b). As it has existed since 2003, this is a nonconforming lot without the required 50' of street frontage. Literal enforcement of the code to subdivide this lot requires 50' frontage on an existing City street, with the construction of water, sewer, power, and street improvements. As the nonconforming lot exists it is a strip of land 800' by 60' accessed only by private drives and unincorporated county roads and subdivisions. See attached map. The hardship is the investment of installing City infrastructure to make it a conforming lot. The infrastructure improvements for about 1000 lineal feet of services will not benefit the landowner nor the City for the foreseeable future.

If the variance is not granted the Land cannot be split in two and there can be no development for additional housing.

c) The circumstance of having a nonconforming lot was not created by us, the current owner. Rather the prior owner was allowed by City and County administration to create the nonconforming city lot surrounded by unincorporated county with no required improvements.

d) granting this variance will not injure adjacent or future properties in the area. This is an R-5 zone but there are no city services and installing about 1000 feet of city services for a single lot would not be a benefit for future owners nor the City.

The County and adjacent subdivision have agreed to allow private drive access from Wind River Drive. The County has stated that a septic system may be an option depending on the number of residences to be served and concurrence with the City Engineer.

e) granting a lot split with rural services (cistern/septic and gravel private drives) inside city limits will not alter the character of the adjacent unincorporated county properties. Some of the adjacent properties have City water permitted outside City limits and have signed annexation agreements, but others have cisterns and septic systems.

f) granting this variance is the minimum variance needed. If a City water private service is desired or required in lieu of a cistern, it could be accommodated with the appropriate 10'-wide easements through adjoining private lot. There is no sewer nearby and it is common to have the County and

City approve a septic system where no sewer systems exist within 300 feet as required in City code 9-8-4. Septic systems within City limits require concurrence by the City engineer. There are no paved streets with curb and gutter within 300 feet to have a cohesive City street drainage system.

g) granting this variance will not change the character of the neighborhood and will not harm the health, safety and welfare of the adjoining properties. Granting a lot split may at some future date provide housing opportunity for one or more dwellings. The number of potential dwellings will be limited by R-5 zoning regulations, an approved septic permit, and water cistern/well capacity.

WARRANTY DEED

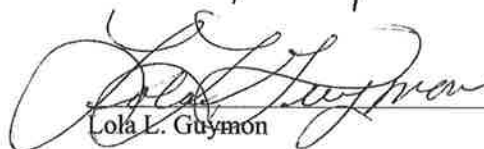
Neil J. Guymon and Lola L. Guymon, husband and wife, Grantors, of 580 Park Street, Lander, Wyoming 82520, for Ten Dollars and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, convey and warrant to Daniel W. Brossman and Hazel M. Brossman, husband and wife, Grantees, of 705 Robbies View, Lander, Wyoming 82520, the following described real estate, situate in Fremont County and the State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of said state, to-wit:

See Exhibit A attached hereto and incorporated herein by this reference.

Subject to all easements, covenants and rights of way of record.

DATED this 5th day of August, 2003.


Neil J. Guymon


Lola L. Guymon

STATE OF WYOMING)
)
COUNTY OF FREMONT)

The foregoing Warranty Deed was acknowledged before me on this 5th day of August, 2003, by Neil J. Guymon and Lola L. Guymon, husband and wife.

WITNESS my hand and official seal.


Notary Public

My commission expires October 24, 2006



Layers Info

1 Parcel(s) [Zoom to parcel\(s\)](#)

- Parcel: 339920100006700
- Account#: R0008257 Property Detail
- Tax ID: 000000000036715 Property Taxes
- Owner: BROSSMAN DANIEL W & HAZEL M
- Mail Addr: 683 MOUNT HOPE DR
- Mail Addr: LANDER, WY 82520
- St Addr*: 683 MOUNT HOPE DR
- Deed: 01244390 (08/132003)
- Location: TWP 33N RNG 09W SEC 20 TRACT IN NWNE
- Tax Classification: Residential
- 1.11 acres

* Where more than one Site Address exists within a parcel, we cannot guarantee the Primary Site Address will be displayed.

Lat / Lon N: 42.82374°, W: 108.71364°
 NAD83 UTM Zone 12 X: 686893,
 Y: 4743777

NAD83 Wyoming West Central USft
 N: 846701, E: 1978255

