

THIRD READING 13 NOVEMBER 2007

The Town of

Star Valley Ranch, Wyoming

ORDINANCE: 2007-06

APPENDIX 11-1 – BUILDING AND CONSTRUCTION SITE REQUIREMENTS

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF STAR VALLEY RANCH, WYOMING

TOWN OF STAR VALLEY RANCH CODE

Chapter 11 - Buildings

Article -

Any buildings or structures that now exist or for which a building permit has been issued prior January 1, 2008 are exempt from the requirements of this appendix. Any new building and construction site development and any exterior modifications or changes to an existing building or site which for which a permit is issued subsequent to January 1, 2008 are subject to the requirements of this appendix.

The need to meet the requirements of this Appendix does not eliminate the need to also meet the requirements of a homeowners association and abide by the regulations of this or other homeowners associations that exist or may come to exist within the Town. Should there be a difference in the requirements of a homeowners association and the Town or a requirement by one that is not required by the other, the most restrictive requirement will apply. All structures for which a building permit was issued by the Star Valley Ranch Association prior to January 1, 2008 are governed by the permits and requirements of that Association.

1. No building, fence, structural wall, or other structure shall be commenced, constructed, erected or moved upon any lot or parcel, nor shall any exterior structural addition or change be made until the plans and specifications showing the nature, kind, shape, heights, materials, colors and location of same shall have been submitted to, and approved, and a building permit issued by the Town of Star Valley Ranch. All buildings, structures or other items to be installed or placed on the property are to be in harmony of exterior design and location to the surrounding structures and topography.

2. Minimum residential building setback lines are hereby established. No building or building parts including decks, porches and roof overhangs shall be located any nearer than:

30 feet from the front property line

30 feet from a side property line if that property line adjoins a Town road or street right of way

10 feet from side property lines

30 feet from golf course or other common area recreational property

10 feet from rear property line unless the rear of the property adjoins golf course or other common area recreational property

25 feet from the high water mark of any stream

30 feet from any delineated wetland edge

3. Any change from the approved plans in location or footprint of a structure or any other change that would violate any of the provisions of this appendix or this ordinance requires submission of a written request and Town approval prior to proceeding with the change. Minor changes such as a change in location or size of a window or a change in location of an interior wall will not require approval.
4. The Town of Star Valley Ranch Building Permit and the Lincoln County Wastewater Permit (if new construction) shall be displayed at the front of the lot before any site work or construction commences.
5. All new building construction or modification, change, or alteration thereto erected or placed on any lot or parcel shall meet or exceed the requirements of the State of Wyoming, Lincoln County, and Town of Star Valley Ranch and the 2003 edition of the International Code Council (ICC). The plans and/or specifications for any new construction shall display in a prominent location that "all construction will meet or exceed the requirements of the 2003 edition of the ICC".
6. Residential lots shall be used solely for private, single family residential purposes.
7. Buildings and impervious surfaces shall not cover more than 40% of the lot surface.
8. Construction activities that generate noise will be limited to the hours between 7:00 AM and 8:00 PM.
9. During the period of new construction, no part of the building under construction or structures of a temporary nature, trailers, basement, tent, shack, garage or other outbuildings shall be used at any time as a residence or sleeping quarters. The home shall not be lived in until an acceptable final construction inspection has been completed and the report furnished to the Town.
10. All new building construction or modification, change or alteration thereto erected or placed on any lot or parcel must meet the following architectural requirements.
 - A. The floor area (square feet) for all new residential structures shall be noted on the plans and shall not be less than 900 square feet of living space on the main floor.
 - B. The roof pitch of the main or core portion (excluding dormers and deck or patio covers) of any new residential structure shall be no less than (5) vertical inches for each (12) horizontal inches (5/12). Additions to existing buildings may continue the roof pitch of the original structure.
 - C. All roof overhangs on gable ends shall extend a minimum of 12 inches beyond the adjoining wall. All roof overhangs on eaves on pitch sides shall extend a minimum of 18 inches beyond the adjoining wall.
11. All exterior building materials shall be new and unused unless otherwise approved.

12. A minimum 100 pounds per square foot snow load design is required. It shall be the responsibility of the owner to assure that the snow load design is adequate for their specific building.
13. Spark arresters shall be placed on all chimneys except those used exclusively for venting propane or natural gas burners.
14. Every lot or parcel improved with a residential structure shall have thereon a frost-free hydrant installed on the water service line leading to the house. The location of the hydrant shall be shown on the plot plan.
15. A properly maintained portable toilet shall be in place prior to beginning excavation or construction unless prior arrangements have been approved by the Town.
16. Building sites shall be maintained, clean and free of debris. A vehicle or container dedicated to debris removal shall be maintained on site at all times during construction. Debris shall be disposed of by the owner to a location outside of the Town of Star Valley Ranch.
17. No open fires will be permitted to dispose of construction, demolition, or yard debris.
18. It is the owner's responsibility to establish all property boundaries. Survey markers shall be located or established at all corners of the property or parcel and the markers shall be further identified with a minimum three (3) foot high post or lath placed adjacent to the survey marker with the top one (1) foot of the post or lath painted with a bright color. The corners of the property shall be located and identified prior to applying for a building permit.
19. Construction materials, portable toilet, construction vehicles and equipment shall be confined to the construction site. Parking of construction vehicles or storage of construction materials or items on the road right of way or trespassing on or damage to neighboring properties will not be permitted.
20. The location of propane tanks shall be shown on the plot plan, shall comply with the minimum setback lines, and shall be a minimum of ten (10) feet from any residential structure. All propane tanks shall be buried or obscured from view from the street, common property, and adjacent properties by vegetation or an architectural screen.
21. Any changes to the grade of the land on a lot or parcel shall be maintained so as to prevent additional deposits of sediment upon adjacent streets, adjoining lots or common areas. Driveways must be constructed in a manner that does not impede existing drainage from the road surface. The owner is responsible for installing and maintaining any culverts or other devices necessary to assure that drainage water is not forced to move from ditches to the roadway because of the driveway installation.
22. All retaining walls or facings with a total projection in excess of (4) four feet shall be designed as structural members keyed into stable foundations capable of sustaining the design loads, and shall be designed by a professional engineer registered in the State of Wyoming.

23. Any building or structure shall be finished or prosecuted to completion within two (2) years of issuance of an approved building permit. Completion includes removal of construction debris, final grading of land, planting of ground cover on exposed soil, control of weeds and in the case of a new residence an approved final building inspection.

Requests for a variance to these restrictions or requirements will be considered when special circumstances or conditions exist. Variance means deviations from the terms of these regulations that would not be contrary to the public interest due to special circumstances or conditions, when the literal enforcement of the provisions of these regulations would result in undue and unnecessary hardship.

Procedure:

1. Review and Recommendation of Planning and Zoning Board. The Planning and Zoning Board shall place the variance request on the agenda for a regularly scheduled Planning and Zoning Board meeting. The Planning and Zoning Board will solicit public comments during the meeting on the application for a Variance. At the public meeting, the Planning and Zoning Board shall consider the application, the relevant support materials, and the public statements provided at the public meeting. The Planning and Zoning Board shall provide a recommendation to the Town Council either to approve or disapprove the application based upon the Variance Standards.

2. Action by Town Council. The Town Council shall place the variance request on the Agenda for a regularly scheduled Town Council meeting. The Town Council will solicit public comments during the Town meeting on the application for a Variance. At the public meeting, the Council shall consider the application, the relevant support materials, the public statements given at the public meeting, and the recommendation by the Planning and Zoning Board. The Town Council shall approve or disapprove the application based upon the Variance Standards.

Standards - In order to authorize a Variance, the Council must find that all of the following conditions are met:

1. Special conditions and circumstances exist. There are special circumstances or conditions which are peculiar to the land or building for which a variance is sought that do not apply generally to land or buildings in the neighborhood.

2. Not a result of applicant. The special circumstances and conditions have not resulted from any act of the applicant that was intended to circumvent these regulations.

3. Strict application is unreasonable. The special circumstances and conditions are such that the strict application of the regulations would either deprive the applicant of reasonable use of the land or building or create hardship on the landowner far greater than the protection afforded to the community by the regulation sought to be varied.

4. Minimum variance. The granting of the variance is the minimum necessary to make possible the reasonable use of the land or building.

5. Not injurious to neighborhood. The granting of the Variance will not be injurious to the neighborhood surrounding the land where the Variance is proposed, and is otherwise not detrimental to the public welfare.

6. Harmony with regulations. The granting of the Variance is consistent with the general purposes and intent of these regulations.

The Town of Star Valley Ranch shall have the right to enforce, by any proceeding at law or in equity, all provisions of these requirements and the International Code Council. In addition to enforce any of said provisions, including the defense of any said provisions, the Town shall be entitled to recover its legal fees and expenses in the event that a court shall determine that an Owner has committed one or more violations of said requirements, the International Code Council or to restrain a violation thereof.

PASSED ON FIRST READING THIS 11th DAY OF SEPTEMBER, 2007.

Boyd Siddoway, Mayor

Andrew Moffett, Town Clerk

PASSED ON SECOND READING THIS 16th DAY OF OCTOBER, 2007.

Boyd Siddoway, Mayor

Andrew Moffett, Town Clerk

PASSED ON THIRD READING THIS 13th DAY OF NOVEMBER, 2007.

Boyd Siddoway, Mayor

Andrew Moffett, Town Clerk