



Town of Wheatland Board of Adjustment

Minutes – June 18th, 2024

Call to Order – Roll Call

Chairman Daryl Tiltrum called the meeting to order at 7:00 PM in the Town Hall Council Chambers, 600 9th Street, Wheatland, Wyoming.

Members Present: Chairman Daryl Tiltrum, Vice Chairman Clinton Butler, Member Kimber Crawford, and Member Justin Brennen
Staff Present: Planner Douglas Dumont

General Citizen Comments

No general citizen comments were received.

Declaration of Conflicts of Interest

Chairman Tiltrum inquired if any members had conflicts of interest regarding the scheduled business. None were noted.

Scheduled Business

Request: A variance request by Robert Herrin to increase a portion of his northside fence from 6 feet to 8 feet.

Location: 1552 Elliott Street, Wheatland, Wyoming.

Planner Dumont introduced the application, explaining that Robert Herrin was requesting a variance to build an 8-foot privacy fence for a 70-foot portion of his north property line. The fence would consist of a 2-foot privacy portion extending from the current 6 feet, with the bottom 6 feet remaining open. The purpose of the variance, according to Herrin, was to address ongoing harassment from his neighbor, Lisa Johnston, which had caused him significant distress, including physical, mental, and financial strain.

Herrin stated that the harassment involved his neighbor installing a spotlight directed into his yard, setting up cameras aimed at his property, and verbally harassing him. He reported that this had led to his diagnosis of high blood pressure and depression, which the fence would help mitigate by restoring his privacy and sense of security.

Agency Comments:

- **Electrical Superintendent Preston Meyer:** No objection, but noted the limited effectiveness, as the neighbor could raise her cameras in response.
- **Wheatland Police Department Chief Doug Willadsen:** No objection.
- **City Attorney Doug Weaver:** No objection but suggested ensuring the fence would not block sunlight entering the neighbor's home.
- **Wheatland Fire Department Chief Bob Glasson:** No objection.
- **City Engineer John Wetstein:** No objection.

Neighbor Comments:

- **Keith Honke, President of Rolling Hills Bank:** No objection to the request.
- **Lisa Johnston:** In opposition. She explained that she had had no contact with Herrin for over seven months. She emphasized that the cameras installed on her property were for

her own security, not to monitor Herrin, and expressed concern that an 8-foot fence would block sunlight from entering her home, which was important for her disabled son. She also suggested that the proposed fence might be a "spite fence" and believed it was being built primarily to cause her discomfort.

Board Discussion:

Members of the Board discussed the pros and cons of the request. The pros included increased privacy and potential health benefits for Herrin, while the cons focused on noncompliance with municipal code, the possibility that the fence would not be a permanent solution, and the potential for future neighbor disputes.

Several possible stipulations were considered, including ensuring that the fence did not block sunlight, requiring the fence to extend along a longer portion of the property for visual appeal, and ensuring Herrin would be responsible for maintaining the fence and avoiding encroachment on the neighbor's property.

Public Comments:

- **Robert Herrin:** Emphasized his desire for privacy and relief from harassment. He noted the financial strain and the emotional toll the situation had taken on him. He expressed that the fence would allow him to regain his peace of mind and enjoy his remaining years in Wheatland.
- **Lisa Johnston:** Reiterated her opposition and stated she believed the fence would not serve the purpose Herrin claimed and that it would negatively impact her home by blocking sunlight.

Board Decision: After reviewing the testimony and the application materials, Chairman Tiltrum called for a motion. Member Brennen motioned to deny the request based on concerns about noncompliance with the Wheatland Municipal Code and the potential for future disputes. Member Crawford seconded the motion.

Upon roll call, the vote was:

- YES: Vice Chairman Butler, Member Brennen, and Member Crawford
- NO: None

Motion Declared Carried. The variance request was denied.

Approval of Minutes

Vice Chairman Butler motioned to approve the minutes of the February 20, 2024, regular meeting. Member Crawford seconded the motion.

Upon roll call, the vote was:

- YES: Vice Chairman Butler, Member Brennen, and Member Crawford
- NO: None

Motion Declared Carried. The minutes of the February 20, 2024, meeting was approved.

Adjournment

There being no further business, the meeting was adjourned at 7:38 PM.

Approve:

Attest:

Board of Adjustment Chairman

Town of Wheatland Planner