



**Joey Krueger, P.E.**  
Project Engineer - Civil

May 24, 2023

**Re: Cody Temple Special  
Exemption Request**  
Cody, WY

City of Cody Planning & Zoning Board  
1338 Rumsey Ave  
Cody, WY 82414  
307-527-7511

Dear Planning & Zoning Board,

We are requesting a Special Exemption for Parcel Tract B2 – ROS P-197 (address TBD) to allow for construction of the Cody Temple by The Church of Jesus Christ of Latter-Day Saints. This Special Exemption request is in regards to the maximum allowable height of 30 feet in Rural Residential zoning areas.

The maximum proposed height of the Cody Temple is 100'-11". The lower 24 feet will be occupied, while the height above that level will consist of unoccupied space composing the Temple spire.

Regarding the stipulations found in the Cody City Code Ordinance 10-14-2 Section C.2. (Approval Standards), please see the responses below:

*Approval Standards: No special exemption shall be approved unless the Planning and Zoning Board finds:*

- a. *The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties;*

The site is currently zoned Rural Residential (RR). The proposed Temple is set back approximately 200 feet from the nearest point along the east property line, which is adjacent to existing public utility easements that are approximately 80 feet wide in total. This creates an ample setback from the existing residential property boundaries to the east of the proposed Temple site. The proposed Temple is set back approximately 300 feet from the nearest point of the Cody Canal, which acts as an additional buffer between the proposed project site and the residential property boundaries to the south of the property.

- b. *The special exemption is designed to be compatible with adjacent land uses and the area or neighborhood;*

As described above, the proposed Temple will have ample setbacks from property lines that exceed the minimum requirements for Rural Residential zoning. In the Cody Master Plan, the current and future land use of the property to the south and west is open space/agricultural, while the current and future land use of the properties to the north and

east is as rural residential. Use of this property to construct a house of worship is within the allowable conditional uses of the property (please see our conditional use permit request for further details) and the attention to detail of the architectural and landscaping features of the site will have a positive aesthetic impact on the surrounding area.

- c. *The special exemption is the minimum deviation from the specifications of this title necessary and adequate for the proposed activity, structure or use;*

Yes. The special exemption request addresses only the maximum allowable height of the structure. As noted above, the occupied space of the proposed Temple will only be 24 feet in height. The height of the spire over and above the allowable 30 feet maximum is a key component of the architectural aesthetic of the proposed Temple. The portion of the building above the 30 foot maximum is only the tower/spire. As it sits at the center of the building (near the center of the site) the visual impact of this vertical element is minimized.

- d. *The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than a special exemption;*

No. The special exemption request addresses the maximum allowable height of the structure, which is constrained by the current zoning designation. Along with a requested conditional use permit, the special exemption request is necessary to address the proposed height of the Temple structure.

- e. *Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use; and*

Yes. As part of the proposed Temple development, the project will extend the section of curb and gutter and bike lane from where it currently ends on Skyline Drive to the proposed public right-of-way street intersection that will serve as access to the Temple site. Additionally, potable water, irrigation water, sanitary sewer, and power are available in the vicinity of the proposed project site to tie in the necessary utilities. Extension of the potable water line and sanitary sewer main will be shown in the proposed public right-of-way street along the south frontage of the property, though as discussed in the conditional use permit application, the cost of extending these utilities is expected to be covered by the owner of the adjacent property, Glenn Nielson, as extension of these utilities is to address potential future development of those properties.

- f. *The special exemption is consistent with the goals, policies and future land use map of the master plan.*

Yes. As noted above, the surrounding land uses are agricultural and rural residential, and these properties are to remain as such in the future land use map published in the Cody Master Plan. A conditional use and special exemption for height to construct a house of worship does not conflict with the future land uses as laid out in the Cody Master Plan.

We believe that the Cody Temple will be a valuable addition to the community and appreciate your willingness to consider this Special Exemption request.

Should you have any questions, or require additional information, please do not hesitate to reach out.

Sincerely,

A handwritten signature in blue ink that reads "Joey Krueger". The signature is written in a cursive, flowing style.

**Joey Krueger, P.E.**  
Project Engineer - Civil