



October 29, 2021

Teton County Planning Commission

RE: Variance Application to Stream Setback for fencing at the Fish Creek Commercial Center (VAR2021-0004)

Dear Planning Commissioners,

Thank you for your dedication to our community, and for addressing this variance application regarding fencing. We respectfully ask you to deny the variance, for the following reasons:

Our community values wildlife and their ability to travel through the ecosystem safely. Our Comprehensive Plan outlines a clear vision to **enhance wildlife permeability**, which is implemented by Land Development Regulations that enforce setbacks in riparian areas and will soon have even-clearer wildlife friendly fencing requirements. The Land Development Regulations clearly state that the minimum creek setback is 50'.

This is a privacy fence, not an agricultural fence. Privacy fences are not and should not be exempt from wildlife friendly fence requirements. The fence in question in VAR2021-0004 is not a wildlife friendly design and should not extend to within 12 inches of Fish Creek.

Such a fence would have devastating impacts on the ability of wildlife to move through the Fish Creek riparian corridor and into surrounding private and public lands. It is a barrier to movement and will likely funnel wildlife towards the road, increasing the probability of a wildlife-vehicle collision.

Approval of this variance would set a damaging precedent exempting privacy fencing from wildlife friendly design. That would contradict the broader effort to update the LDRs with clear language, close loopholes, and better address our Comprehensive Plan's goal of enhancing wildlife permeability. While we respect a private landowners desire for privacy, there are other means to prevent trespassing that don't have negative impacts to wildlife and wildlife movement.

We recommend denial of this variance and we request follow-up enforcement so the fence is rebuilt in compliance with the 50' setback and with a wildlife friendly fencing design.

Sincerely,

Kyle Fowler  
Community Planning Associate