

SUPREME COURT OF WYOMING

Thompson v. Board of County Commissioners of the County of Sublette

Thompson v. Bd. of Cty. Comm'rs of Sublette, 34 P.3d 278 (Wyo. 2001) · No. No. 99-328 · Decided November 8, 2001

SUMMARY

The Supreme Court of Wyoming affirmed a permanent injunction barring Stuart and Mary Thompson from using their agricultural-zoned property for activities associated with a log home business and ski enterprise. The court held that equitable estoppel and laches did not prevent Sublette County from enforcing its zoning regulations, and that the ski-related activities were not incidental to a principal agricultural use.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Lehman, Chief Justice; Lehman, C.J.; Golden, J.; Hill, J.; Kite, J.
JURISDICTION	Wyoming
DECIDED	November 8, 2001
DOCKET	No. 99-328
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Thompsons appealed from a district court order granting the Board of County Commissioners a permanent injunction barring use of their property for activities associated with a log-home business and ski enterprise because the activities violated county zoning regulations.
STANDARD OF REVIEW	Whether laches or equitable estoppel is available as a defense is reviewed for abuse of discretion, including whether the district court could reasonably reach its conclusion and whether its ruling was arbitrary or capricious. The zoning question was reviewed as an application of law to facts; the reviewing court defers to basic factual findings but corrects misapplications of law.
PRECEDENTIAL VALUE	published precedential opinion

PARTIES

Stuart Thompson, Mary Thompson v. Board of County Commissioners of the County of Sublette

TOPICS

zoning

municipal law

equitable relief

appellate procedure

standard of review

PRACTICE AREAS

zoning

municipal law

administrative law

equitable remedies

appellate procedure

QUESTIONS PRESENTED

1. Whether the district court erred in rejecting the Thompsons' equitable-estoppel defense to the county's request for injunctive relief.
2. Whether the district court erred in rejecting the Thompsons' laches defense.
3. Whether activities associated with White Pine were authorized under the county zoning regulations as winter-sports uses incidental to a principal agricultural use in an A-1 zone.

HOLDINGS

1. The district court did not abuse its discretion in rejecting the Thompsons' equitable-estoppel defense because the county was acting in a governmental capacity, no recognized proprietary-capacity exception applied, and the Thompsons failed to establish rare and exceptional circumstances or affirmative misconduct sufficient to estop the county from enforcing its zoning regulations.
2. The district court did not abuse its discretion in rejecting the Thompsons' laches defense; laches did not bar the county from enforcing its zoning resolutions.
3. The White Pine activities on the Thompsons' property were not authorized as winter-sports uses incidental to a principal agricultural use because the property's primary use was for Logcrafters operations rather than agriculture.

KEY QUOTATIONS

“The state, and likewise the county, may not be estopped for the unauthorized acts or errors of its officers and employees.” (282)

“Neither the doctrine of estoppel nor the doctrine of laches prevents the board of county commissioners from fulfilling its duty to enforce the local zoning resolutions.” (283)

FACTUAL BACKGROUND

The Thompsons owned land in Sublette County zoned A-1 agricultural and used it partly for ranching. They also used the property for storage, equipment maintenance, administrative offices, and design work associated with Logcrafters, a log-home business, and White Pine, a ski enterprise. The Thompsons claimed that county officials represented that the operations were permissible and that they invested approximately \$170,000 in improvements in reliance on those representations. After neighbors complained about traffic, dust, noise, heavy

equipment, and declining property values, the Board sought and obtained an injunction enforcing the county zoning regulations.

PROCEDURAL HISTORY

The Board filed a complaint for injunctive relief in the Sublette County district court in September 1998. Following a bench trial on August 23, 1999, the district court determined that the challenged activities were not authorized in an A-1 agricultural zone and entered a permanent injunction. The Wyoming Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Goshen Irr. Dist. v. State Bd. of Control, 926 P.2d 943, 949 (Wyo. 1996)
- Squaw Mountain Cattle Co. v. Bowen, 804 P.2d 1292, 1297 (Wyo. 1991)
- Moncrief v. Sohio Petroleum Co., 775 P.2d 1021, 1025 (Wyo. 1989)
- Vaughn v. State, 962 P.2d 149, 152 (Wyo. 1998)
- Rodgers v. State, ex rel. Workers' Compensation Div., 939 P.2d 246, 249 (Wyo. 1997)
- Sare v. Sheridan County Bd. of County Comm'rs, 784 P.2d 593, 595 (Wyo. 1989)
- Big Piney Oil & Gas Co. v. Wyoming Oil & Gas Conservation Comm'n, 715 P.2d 557, 560-61 (Wyo. 1986)
- In re General Adjudication of All Rights to Use Water in the Big Horn River System, 753 P.2d 76, 89-90 (Wyo. 1988)
- Wells v. Bd. of Trustees of Laramie County Sch. Dist. No. 1, 3 P.3d 861, 867 (Wyo. 2000)
- State Highway Comm'n v. Sheridan-Johnson Rural Electrification Ass'n, 784 P.2d 588, 592 (Wyo. 1989)
- Robert W. Anderson Housewrecking & Excavating, Inc. v. Bd. of Trustees, School Dist. No. 25, Fremont County, 681 P.2d 1326, 1329-30 (Wyo. 1984)
- George W. Condon Co. v. Bd. of Comm'rs of Natrona County, 56 Wyo. 38, 103 P.2d 401, 403 (1940)
- Lawrence v. Zoning Bd. of Appeals of Town of North Branford, 158 Conn. 509, 264 A.2d 552 (1969)