



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Marissa Pomerleau, Planning Technician

DATE: September 17th, 2019

TITLE: Review and action on a Subdivision Permit and Plat for Talbert Corner, a portion of land in the S1/2 SE1/4, Sec. 30, T.17N., R.63W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, LLC, on behalf of Joshua Imel, ET UX, has submitted a Subdivision Permit and Plat application for Talbert Corner, located northwest of the intersection of County Roads 143 and 228. The application has been submitted for the purpose of subdividing 7.16 acres from the existing 68.73-acre parcel.

BACKGROUND

The subject property has a residence and associated structures located in the southeast portion of the property, which will remain on Tract 1 of the new subdivision. The surrounding area consists of agricultural and agricultural residential properties of varying acreage.

Pertinent Regulations

Section 2-1-101 (a-e) of the Laramie County Land Use Regulations governing the criteria for a subdivision permit and plat.

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Ag and Range Land (AGR). Areas in this category are generally located on the outlying portions of the county with public utilities being absent and limited road access. This land use category discourages freestanding residential uses not associated with agricultural purposes, with agricultural, livestock, and associated residences as the primary uses.

This property also falls within an area that the Laramie County Comprehensive Plan defines as a Rural Center. Within these areas, both commercial and public services are not as readily available. Rural Centers are areas with anticipated future development consisting of gas stations, limited grocery services, post offices, schools, and emergency service stations. Although this proposed subdivision would create freestanding single-family residences, the Comprehensive Plan does support expansion of existing development in areas identified as rural centers.

This property lies outside of the PlanCheyenne Boundary and the Zoned Boundary, and therefore cannot be impacted by these guidelines or regulations.

This proposed plat would create one (1) tract for which Community Facility Fees will be due prior to recordation. Water and sewage disposal shall be provided by individual well and septic systems. With a proposed lot size of 7.16 acres, the minimum acreage requirements for septic system permits are met.

Per Section 2-1-101(c)(vi), subdivisions of five (5) or fewer divisions of land are exempt from a Department of Environmental Quality Chapter 23 Review pursuant to W.S. 18-5-306.

This parcel lies within the Zone 3 designation of the AMEC Memo. According to Section 2-1-103 (c)(i) of the Laramie County Land Use Regulations, tracts within Zone 3 are required to be a minimum average of 22 acres. Due to the fact that the original tract is 68.73 acres, this memo would allow for a maximum of three tracts to be created. With the remainder 61.57-acre tract, this proposed 7.16-acre tract meets the minimum density requirements. Therefore, a document shall be recorded limiting the further subdivision of the remainder parcel to no more than one more division.

A letter requesting waiver of traffic and drainage studies was submitted by the applicant, a copy of which is attached. The County Engineer has concurred with this request based on the justification provided in the letter. Agency comments pertained to the name of the proposed subdivision and corrections to the plat. A revised plat was submitted on July 29th, 2019 which has addressed all agency comments.

Public notice was published and neighbor notice letters were sent via certified mail per Section 1-2-104 of the Laramie County Land Use Regulations. Staff received no comments from the public nor any adjacent landowners.

A public hearing of this application was held on August 22nd, 2019 by the Laramie County Planning Commission. Upon presentation of the Staff Report, recommendations, and findings the Planning Commission discussed the proposed tract size of the subdivision in regards to the requirements stated in the AMEC Memo. No public comment was received. The Planning Commission then voted (2-1) to recommend approval of the application to the Board with one condition.

A public hearing of this application was held on September 3rd, 2019 by this Board of County Commissioners. Upon presentation of the Staff Report, recommendations, and findings the Board discussed the proposed plat and its one condition. The Board voted (3 – 2) to postpone the project to allow for a deed restriction to be drafted by the applicant, the Planning Director, and the County Attorney and subsequently reviewed and voted upon at the next available Board public hearing.

The deed restriction has since been submitted to the Planning Office by the above-referenced parties and is included in this staff report.

The attached resolution shall serve as the subdivision permit upon approval by the Board.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Board find that:

- a. This application meets the criteria for a subdivision permit and plat pursuant to section 2-1-101 (a-e) of the Laramie County Land Use Regulations.

and that the Board approve the Subdivision Permit and Plat for Talbert Corner with the following condition:

1. A document shall be recorded limiting the further subdivision of the remainder parcel, being drafted by Laramie County Staff.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Talbert Corner with one condition, and adopt the findings of fact a of the staff report.

ATTACHMENTS

- Attachment 1: Location Map**
- Attachment 2: Aerial Map**
- Attachment 3: Comprehensive Plan Map – Revise August 23rd, 2019**
- Attachment 4: Applicant Traffic/Drainage Study Waiver Request Letter**
- Attachment 5: Agency Comments Report**
- Attachment 6: WGF Comments Letter**
- Attachment 7: Deed Restriction**
- Attachment 8: Plat – Revised July 29th, 2019**
- Attachment 9: Resolution**

Laramie County, Wyoming

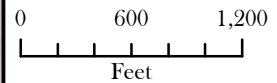


Talbert Corner,
1st Filing
Subdivision
Permit & Plat
PZ-19-00180

Location Map

 Subject Property

July 2019




Cheyenne Laramie County GIS Cooperative


Legend

 Property Lines

Streets

Classification

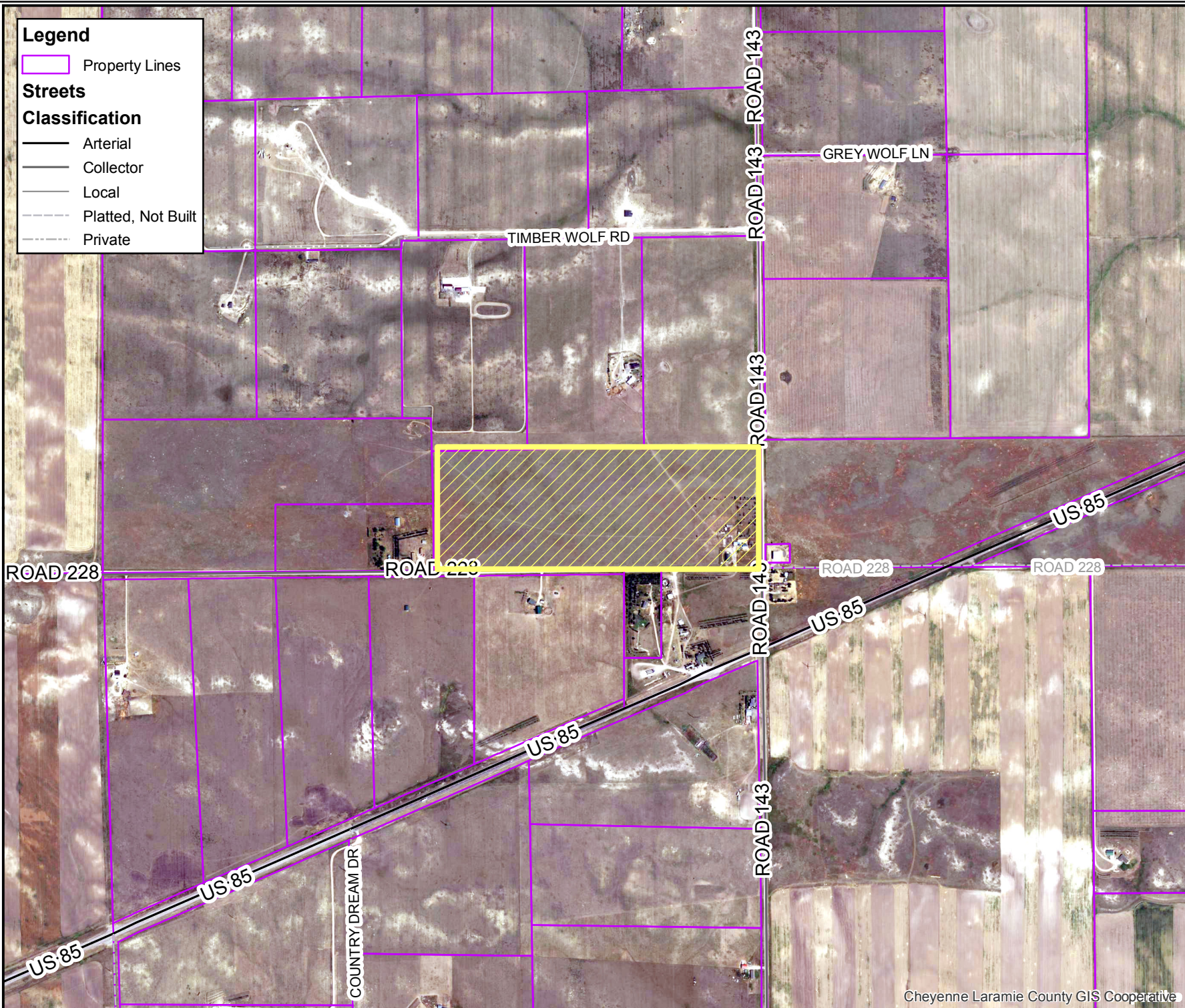
 Arterial

 Collector

 Local

 Platted, Not Built

 Private



This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.

Laramie County, Wyoming

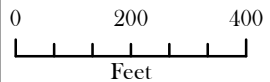


Talbert Corner,
1st Filing
Subdivision
Permit & Plat
PZ-19-00180

Aerial Map

 Subject Property

July 2019





Legend

 Property Lines


Streets

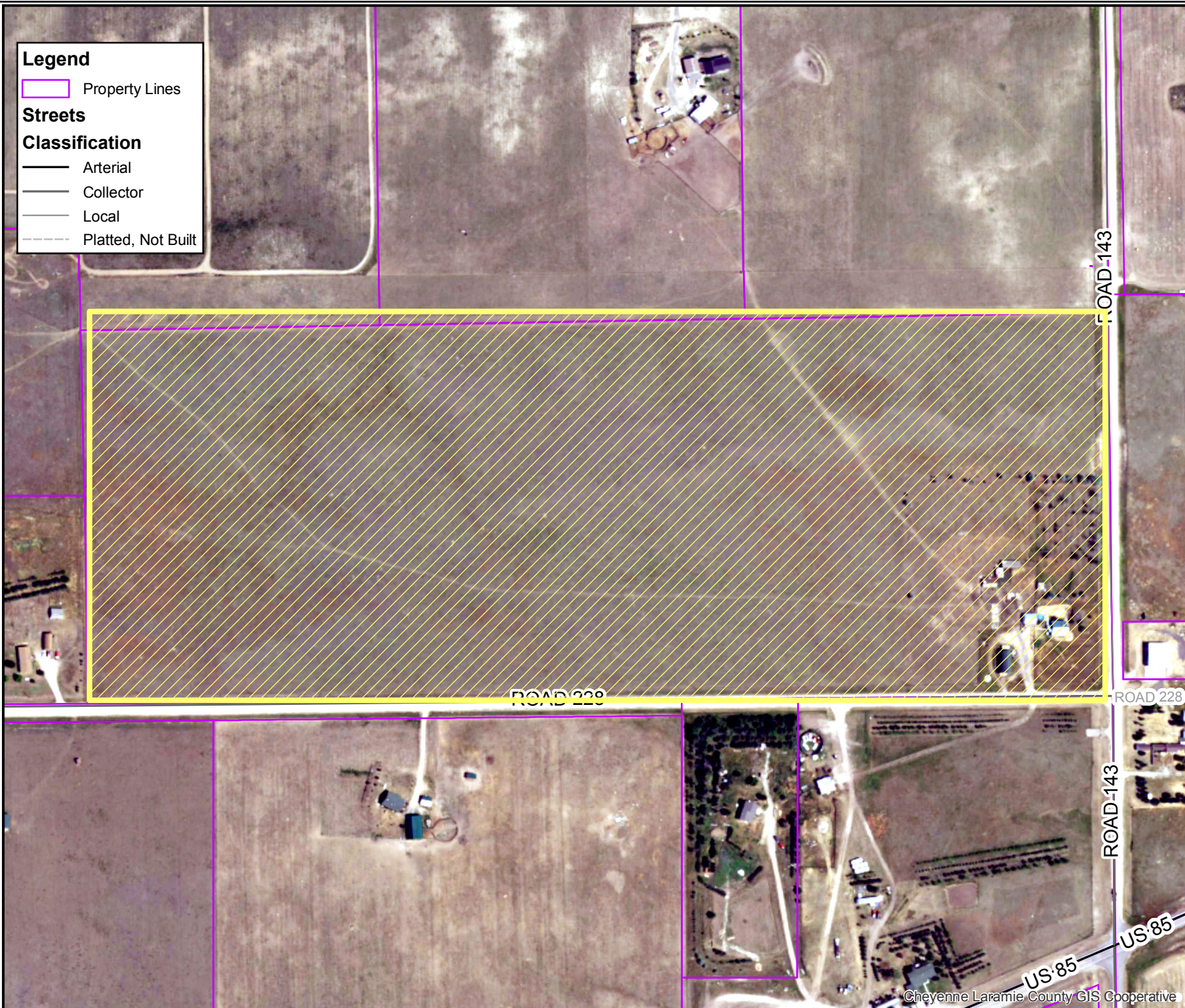
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Cheyenne Laramie County GIS Cooperative

Laramie County, Wyoming



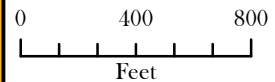
Talbert Corner
Subdivision
Permit & Plat

PZ-19-00180

Comprehensive
Plan Map

 Subject
Property

August 2019




Cheyenne Laramie County GIS Cooperative

Legend

Future Land Use Overlay Districts

OTHER

 Rural Center (RC)






Future Land Use Districts

OTHER


 Ag & Range Land (AGR)

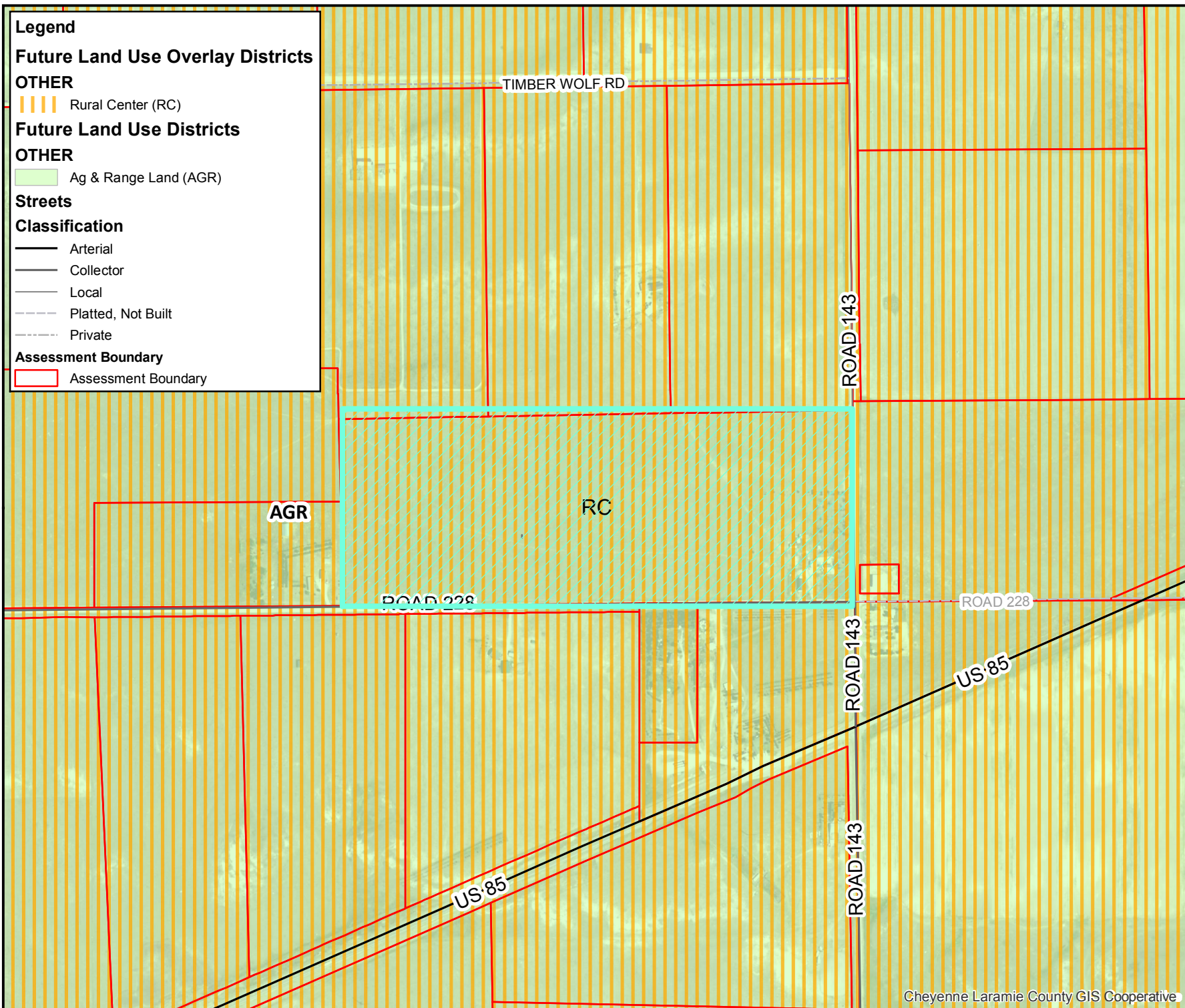
Streets

Classification

-  Arterial
-  Collector
-  Local
-  Platted, Not Built
-  Private

Assessment Boundary

 Assessment Boundary



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**Steil
Surveying
Services**

Professional Land Surveyors & Development Specialists

**LARAMIE
COUNTY**

JUN 27 2019

**PLANNING & DEVELOPMENT
OFFICE**

June 26, 2019

Laramie County Planning & Development Office
3966 Archer Parkway
Cheyenne, WY 82007
(307) 633-4303

InRe: Request for waiver of the Traffic Study, Drainage Study & ESIR requirements for a PDP & Final Plat, to be known as Talbert Corner, a subdivision situated in the S1/2SE1/4 of Section 30, Township 17 North, Range 63 West of the 6th P.M., Laramie County, Wyoming (Approximately 7.16 acres)

To whom it may concern:

Steil Surveying Services, agent for the owners, Joshua Imel and Amber Imel, husband and wife, intends to plat the above-noted property into one (1) residential tract to separate the existing residential use on the property from the larger agricultural parcel. Following the pre-application meeting, this letter is submitted requesting a waiver from the requirements for a Preliminary Development Plan (PDP), Traffic Study, Drainage Study, and Environmental Impact Study (ESIR) pursuant to Sections 2-1-100 (b)iii, 3-1-105, and 2-2-133 of the Laramie County Land Use Regulations.

The proposed tract will not establish any additional uses or affect any change to the existing uses. The existing residential use, addressed at Road , heyenne, WY, will continue to utilize the existing access point onto County Road . The proposed Tract will meet all applicable regulations and will not generate any additional impact to traffic and drainage in the area.

A trip generation estimate was prepared and is summarized in the following table:

TRAFFIC AND TRIP GENERATION BY USE⁺	
SINGLE-FAMILY RURAL RESIDENTIAL	
AVERAGE DAILY TRIPS	
Existing to remain	1 Units (Tracts) x 6 ADT = 6 AVERAGE DAILY TRIPS (ADT)
A.M./P.M. PEAK-HOUR TRIPS	
Existing to Remain	1 Units (Tracts) x 1.6/Unit = 1.6 PEAK HOUR TRIPS
⁺ Calculation based on ITE Trip Generation, 8 th Edition	

There is no SFHA on the property(ies) per FEMA FIRM Panel No.56021C F. There is no history of, or potential for, drainage problems at the site, or downstream of the site as a result of this subdivision.

Given the absence of any additional development on the site, the absence of existing drainage, traffic or sediment control problems in the area, the discussions during the pre-application meeting, and conformance with applicable sections of the Laramie County Land Use Regulations and other applicable state and local regulations, we respectfully submit this request on behalf of the owner. Please contact us with any questions or concerns.

Thank you,

Casey L. Palma, AICP
Steil Surveying Services, LLC
CPalma@SteilSurvey.com

County Engineer: Scott Larson COMMENTS ATTACHED 07/16/2019

Engineer Review

1. I concur with the request for a waiver of a detailed Drainage Study and Traffic Study since this development will have a negligible impact on both.
2. It would be helpful if the Legend included a line type description/definition.

Surveyor Review

1. The State Plane Coordinates shown on the plat appear to have been adjusted to shorten/simplify them. The adjustment "formula" should be shown on the plat.

Environmental Health Department: Roy Kroeger COMMENTS ATTACHED

07/16/2019

Laramie County Small Wastewater System Regulations

The 7.16 acre is already developed and no additional small wastewater systems will be allowed on the existing lot.

Wyoming Game & Fish: Meghan Lockwood COMMENTS ATTACHED 07/19/2019

Comments attached.

Planners: Marissa Pomerleau COMMENTS ATTACHED 07/19/2019

1. The name on the Plat should be updated to Talbert Corner, 1st Filing in order to reflect the correct filing number.
2. In the Dedication, the legal should be corrected to match the legal stated in the title.

AGENCIES WITH NO COMMENTS:

County Assessor
County Real Estate Office
County Public Works Department
RT Communications
Building Dept.
Planners

AGENCIES WITH NO RESPONSE:

County Attorney
County Treasurer
County Conservation District
Department of Energy (WAPA)
Wyoming State Engineer's Office
US Post Office

Combined Communications Center
Emergency Management
Fire District No. 3
Sheriff's Office
High West Energy
Laramie County Weed & Pest



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

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DIRECTOR
BRIAN R. NESVIK

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PETER J. DUBE – Vice President
RALPH BROKAW
GAY LYNN BYRD
PATRICK CRANK
RICHARD LADWIG
MIKE SCHMID

July 15, 2019

WER 4502.142
Laramie County Planning and Development Office
PZ-19-00180
Talbert Corner, 1st Filing
Laramie County

Marissa Pomerleau
Laramie County Planning and Development Office
3966 Archer Parkway
Cheyenne, WY 82009

Dear Ms. Pomerleau,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed PZ-19-00180 - Talbert Corner, 1st Filing located in Laramie County. We have no terrestrial wildlife or aquatic concerns pertaining to this subdivision permit application.

Thank you for the opportunity to comment.

Sincerely,

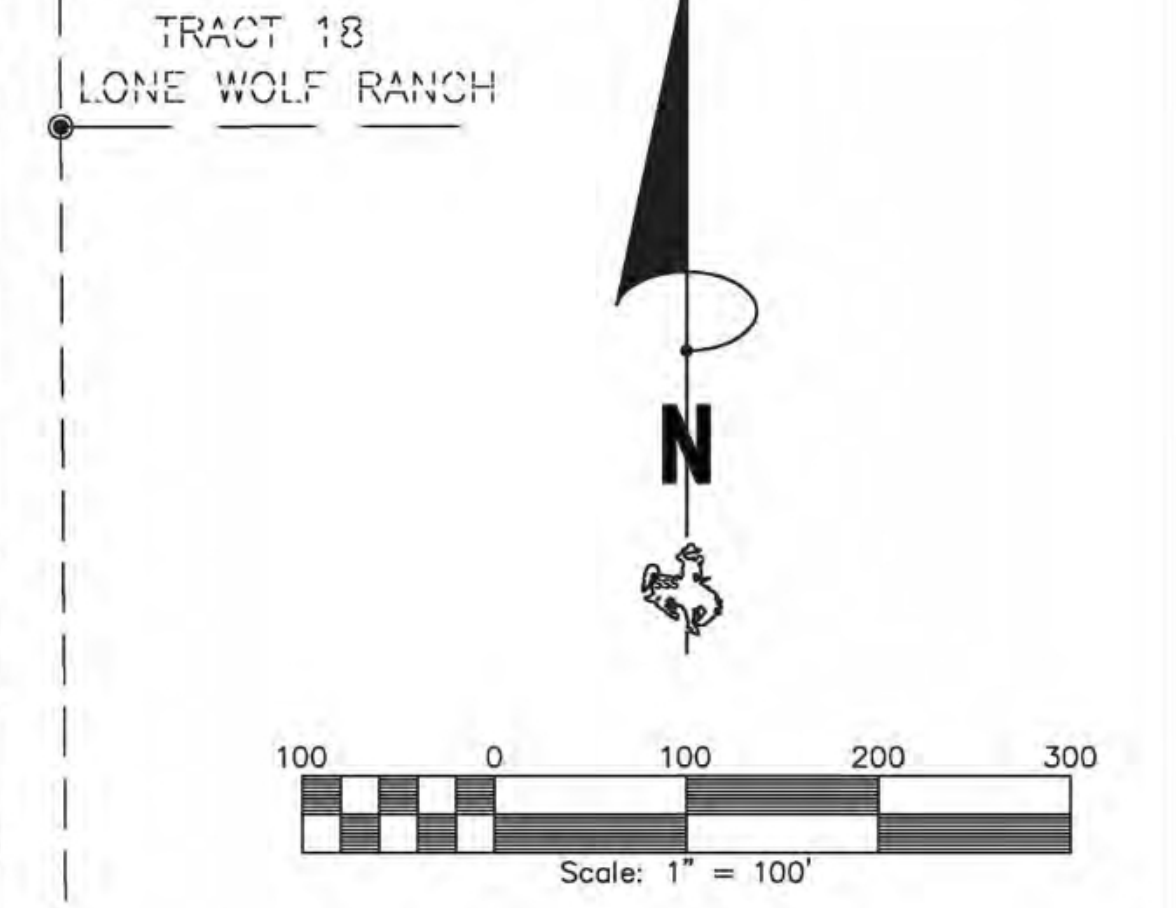
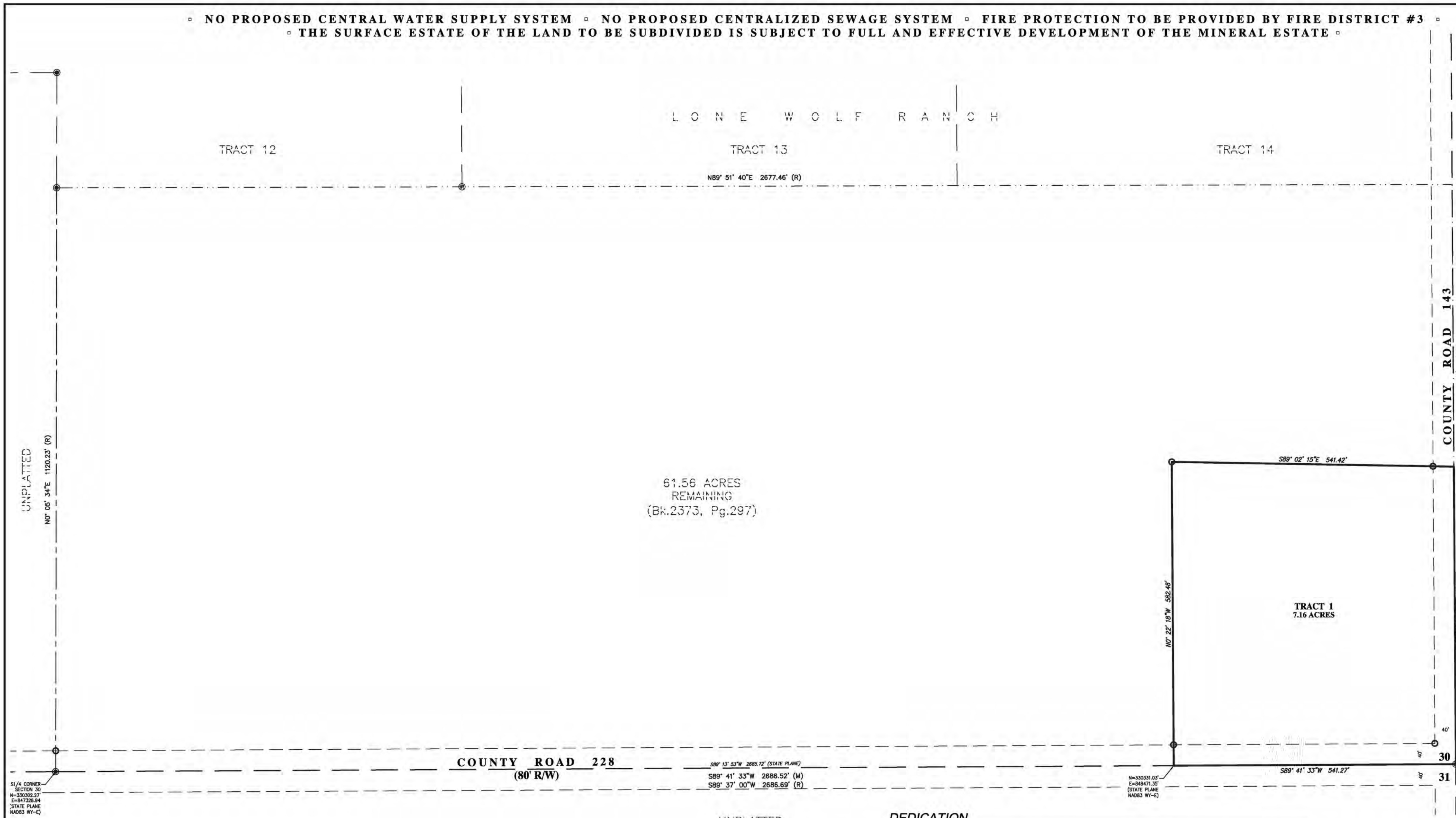
Amanda Withroder
Habitat Protection Supervisor

AW/mf/ml

cc: U.S. Fish and Wildlife Service
Bobby Compton, Wyoming Game and Fish Department
Chris Wichmann, Wyoming Department of Agriculture, Cheyenne

"The property referenced herein is subject to the following deed restriction and/or covenant, said restriction/covenant is to run with the property. The Parties to this deed agree and warrant that this restriction/covenant is intended and represents a material inducement to this transfer of ownership and the said restriction inures to any successors and assigns. Said restriction/covenant is as follows: Pursuant to Laramie County Board of Commissioners Order and condition on the approval of the plat of Talbert Corner subdivision (7.16-acres) on the 17th day of September, 2019 (Resolution # _____) : **any further subdivision of the remaining portion** of that land described in Deed Book 2373, Page 297 (situated in the S1/2SE1/4 of Section 30, Township 17 North, Range 63 West of the 6th P.M., Laramie County, Wyoming) (±61.56-acres) **shall be limited** by Laramie County Land Use Regulations (as amended) in particular, under the currently adopted (2019) Section 2-1-103 (c)(i) : "*Lot size shall be determined by the requirements of the applicable zone district where zoning exists, or by the density designations found in the AMEC Memo dated January 31, 2014*". Said memo is recorded as Attachment A to this document." The parent parcel is a 68.73 acre parcel under which the applicant would be allowed 3 parcels under the currently adopted AMEC Memo minimum requirements. The county and owner have agreed to allow one of the parcels to be a 7.16 acre parcel with the remainder to be allowed 1 more split under current regulations. If regulations were to change in the future allowing more households per acre then this restriction may not apply.

NO PROPOSED CENTRAL WATER SUPPLY SYSTEM NO PROPOSED CENTRALIZED SEWAGE SYSTEM FIRE PROTECTION TO BE PROVIDED BY FIRE DISTRICT #3
 THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE



LEGEND

- FOUND 1 1/2" ALUMINUM CAP STAMPED "ILLEGIBLE"
- SET 1 1/2" ALUMINUM CAP STAMPED "SSS P.L.S. 5910" on 3/4" x 24" REBAR
- FOUND 3/8" REBAR
- FOUND 1 1/2" ALUMINUM CAP STAMPED "P.L.S. 9063"
- (M) DENOTES MEASURED DATA THIS SURVEY
- (R) DENOTES DATA PER RECORD
- BOUNDARY OF EXISTING PARCEL
- SECTION LINE (S.30 BOUNDARY)
- N/4 CENTERLINE OF SECTION 30
- RIGHT-OF-WAY EASEMENT

NOTES

1. BASIS OF BEARINGS: SOUTH LINE OF SOUTHEAST QUARTER OF SECTION 30 BEING S89° 13' 53"W. DISTANCES ARE GROUND DISTANCES. (WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET, ARE SHOWN)
2. ALL TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH A 1 1/2" ALUMINUM CAP STAMPED "SSS PLS 5910 ON A 3/4" x 24" LONG REBAR.
3. NO PORTION OF THIS PLAT FALLS WITHIN A FEMA 100-YEAR SPECIAL FLOOD HAZARD AREA AS SHOWN ON F.I.R.M. PANEL #5602100625F; DATED JANUARY 17, 2007.
4. ALL WELLS AND SEPTIC SYSTEMS SHALL COMPLY WITH ALL APPLICABLE ORDINANCE(S), RULES AND REGULATIONS.

61.56 ACRES REMAINING (Bk.2373, Pg.297)

TRACT 1
7.16 ACRES

S1/4 CORNER SECTION 30 N=330328.27 E=847328.94 STATE PLANE NAD83 WY-2

N=330331.03 E=848471.35 STATE PLANE NAD83 WY-2

SE Cor. S.30 N=330338.29 E=848012.47 STATE PLANE NAD83 WY-2

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT: Joshua Imel and Amber Imel, husband and wife, owners in fee simple of a tract of land situated in the South Half of the Southeast Quarter (S1/2SE1/4), Section 30, Township 17 North, Range 63 West of the 6th P.M., Laramie County, Wyoming, more particularly described as follows:

Beginning at the Southeast Corner of said Section 30; thence S.89°41'33"W., along the South line of said Section 30, a distance of 541.27 feet; thence N.00°22'18"W., a distance of 582.48 feet; thence S.89°02'15"E., a distance of 541.42 feet to the East line of the SE1/4; thence S.0°22'18"E., along said East line, a distance of 570.48 feet to the point of beginning. Containing 7.16 acres more or less.

Subject to Laramie County Road right-of-way over the South and East 40 feet thereof and any other easements, covenants and restrictions legally acquired.

Have caused the same to be surveyed, platted and known as TALBERT CORNER, and do hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed and in accordance with their desires, do hereby grant the easements for the purposes indicated hereon.

Joshua Imel Amber Imel

ACKNOWLEDGEMENT

STATE OF WYOMING }
 COUNTY OF LARAMIE } SS

The foregoing instrument was acknowledged before me this ___ day of _____, 2019 by Joshua Imel and Amber Imel, husband and wife.

Notary Public, Laramie County, Wyoming

My Commission Expires: _____ REVISED: 2/5/2019

2019 DWG\19128 IMEL SEC. 30-17-63\19128 PLAT S30-17-63.dwg
 © COPYRIGHT 2019 STEIL SURVEYING SERVICES, LLC ALL RIGHTS RESERVED

CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, a Professional Land Surveyor in the State of Wyoming, for and on behalf of Steil Surveying Services, LLC, hereby state, to the best of my knowledge, information and belief, that this map was prepared from field notes taken during an actual survey made by me or under my direct supervision; and that this map correctly shows the results of said survey and that the monuments found or set are as shown.

TALBERT CORNER

SITUATED IN THE S1/2SE1/4 SECTION 30, T.17N., R.63W., OF THE 6TH P.M. LARAMIE COUNTY, WYOMING.

PREPARED APRIL, 2019

APPROVALS

Approved by the Laramie County Planning Commission this ___ day of _____, 2019.

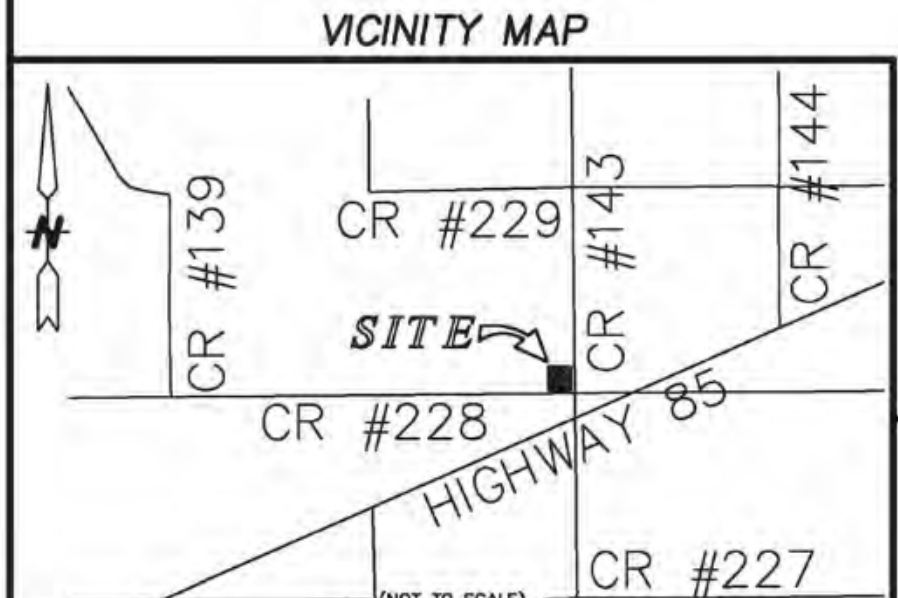
Chairman

Approved by the Board of Commissioners of Laramie County, Wyoming this ___ day of _____, 2019.

Chairman

ATTEST: _____
 County Clerk

FILING RECORD



STEIL SURVEYING SERVICES, LLC
 PROFESSIONAL LAND SURVEYORS
 PLANNING & DEVELOPMENT SPECIALISTS
 1102 WEST 19th ST. CHEYENNE, WY. 82001 ○ (307) 634-7273
 756 GILCHRIST ST. WHEATLAND, WY. 82201 ○ (307) 322-9789
 www.SteilSurvey.com ○ info@SteilSurvey.com

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT
FOR A PORTION OF LAND IN THE S1/2 SE1/4, SECTION. 30, T.17N., R.63W., OF
THE 6TH P.M., LARAMIE COUNTY, WY,
TO BE PLATTED AND KNOWN AS TALBERT CORNER.**

WHEREAS, Wyoming State Statutes §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, the Laramie County Board of Commissioners adopted the Laramie County Land Use Regulations; and

WHEREAS, the proposed subdivision and plat is in accordance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations; and

WHEREAS, this resolution is the subdivision permit for Talbert Corner.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

The Laramie County Board of Commissioners finds that:

- a. This application is in conformance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations.

and the Board approves the Subdivision Permit and Plat for Talbert Corner with the following condition:

1. A document shall be recorded limiting the further subdivision of the remainder parcel, being drafted by the County Staff.

**PRESENTED, READ AND ADOPTED THIS _____ DAY OF
_____, 2019.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

Linda Heath, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Mark T. Voss, Laramie County Attorney