

TANER & SUZANNE NORTON  
612 EAST WRANGLER ROAD  
CHEYENNE WY 82009

November 20, 2018

Members of the Laramie County Commission  
Mr. Mark Voss, County Attorney  
C/O Laramie County Clerk's Office  
309 West 20th St.  
Cheyenne, WY 82003

Dear Mr. Voss and Members of the Laramie County Commission,

Thank you for the opportunity to address the Commission. At work, we are both staff to the Wyoming State Building Commission in capacities that develop, build, manage and maintain State owned buildings and grounds. With the knowledge gained from our professional roles, we are acutely aware of the many challenges that are involved in working with various entities that sometimes have competing or conflicting perspectives and beliefs and we sincerely appreciate the efforts that Laramie County staff has expended with genuine intent assist the public greater good. We understand that integrating regulations and processes of multi-disciplinary government divisions can be an enormous task. We would like to commend you for your efforts in preparing to hear this agenda item and for visiting the neighborhood to observe the conditions in person.

We are here today to discuss issues related to the recent development of unimproved property at 609 East Wrangler Road, Cheyenne, Wyoming. While the one item that is the catalyst that initiated our administrative appeal (landscaping and a mature tree) appears to have been addressed in a letter from Laramie County Public Works (LCPW) dated November 1, 2018, the letter leaves us with confusion and concern about the County's intent, *or not*, to protect public property for the public greater good. We are also taken aback at the letter's content identifying property owners by address, the characterization of our concerns, and distribution of the letter to residents of Westview and Round-Up Heights subdivisions. Please see the attached letter and distribution list.

While we work with you to understand what mitigation the County might be willing to implement, we would like to provide additional information in the attachments and detail below.

Oversight of the development of 609 East Wrangler Road has not been required to conform to the following standards of the Laramie County Land Use Regulations (LUR).

1. Drainage & Road Conditions - Final Drainage Report and Approval. (3-1-110)
  - a. Prior to development of 609 East Wrangler Road, surface water drainage from Tract 1, Westview and upslope parcels flowed toward a natural pond area that spans the northern edge of the West half of Tract 1, Westview and the southern edge of the East Wrangler Road Right-Of-Way. Wyoming Statute § 24-1-116 requires that no person shall dam water to cause flow across any public road. If damage is observed, it is to be reported to LCPW,

the damage is to be inspected and reported to the County Attorney who then shall institute proceedings to mitigate the negligence that has caused damage. We began communicating with LCPW about road damage in October 2017.

- b. When development of 609 East Wrangler Road began in May of 2017, culverts were on site for installation. We later learned that in May of 2017, Permit No. CP5334 was issued by LCPW where it was observed that flowline did not exist on the south side of East Wrangler Road and that culvert installation was optional. It appears that a flowline was created on the East half of Tract 1, Westview (711 East Wrangler Road) in the Right-Of-Way when construction occurred when developed in 2003. We believe the permitting process warranted additional scrutiny and direction from LCPW.
- c. Was a drainage report required per LUR § 3-1-110? The driveway approach road base was installed in late spring 2017 and the final driveway surface in late August. We began noting road damage due to drainage in September and October of 2017. In 2018, damage occurred at times when we were home and able to observe the drainage on May 3, May 21, July 21, July 25 and August 14. Photos of these dates with corresponding timestamps can be viewed at this link: <https://www.flickr.com/gp/25957241@N04/44111q>. There may have been other occurrences while we were not home. The road was repaired by the neighborhood on June 8 and during the first week of September.

2. 30' clear road width / travel way. (3-5-109, p. 234)

- a. Wyoming Statute § 24-1-105 states that all county roads established shall not be less than 60 feet. The East Wrangler Road Right-Of-Way is 60 feet.
- b. Where East Wrangler Road will remain a relatively isolated section of the County road network for the foreseeable future, we respectfully request that the LCPW Director and the Planning and Development Director work to approve an alternative geometric design, per LUR § 3-1-110, (d), (i), that provides flexibility of cross sections and landscape needs while also providing a minimum clear travel width, centered on the centerline of the dedicated Right-Of-Way to provide unobstructed access to all properties.
- c. Restriction the public Right-Of-Way as designated by recent markings made at the centerline of East Wrangler Road by the Owner of 609 East Wrangler Road will result in life-safety concerns by limiting access to the neighborhood by emergency response vehicles and other service vehicles.

3. Underground utilities (2-1-102, f)

- a. LUR § 2-1-102, (f) states that all utility facilities shall be located underground through the subdivision.
- b. The new service for 609 East Wrangler Road was provided by routing the utilities overhead though an adjacent subdivision.
- c. While we came to terms with this addition to the neighborhood with a location adjustment and assistance and of a construction staff employee of Black Hills Energy, we recommend that when development of isolated

pockets of undeveloped property occurs, the permitting and approval process for utility service delivery have additional collaboration between LCPW, Planning and Development and adjacent property owners. Had the neighborhood been given the opportunity to consider contributing funds to construct underground utility service in lieu of overhead utility service, some of the current issues may have been avoided.

Thank you for your review of our concerns. We look forward to understanding what mitigation the County might be willing to implement on the newly developed side of East Wrangler Road to promote the health, safety and welfare of our neighborhood.

Sincerely,

A handwritten signature in blue ink, reading "Taner & Suzanne Norton". The signature is written in a cursive, flowing style.

Taner & Suzanne Norton

Attachments





## Laramie County Public Works

13797 Prairie Center Circle  
Cheyenne, WY 82009

Phone: 307.633.4302 / Fax: 307.633.4219

Web: [www.laramiecounty.com/\\_departments/\\_publicworks](http://www.laramiecounty.com/_departments/_publicworks)

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Date: 11/1/18

Dear Laramie County Resident,

The Laramie County Public Works Department was contacted 13 months ago by individuals living at 609 and 612 E. Wrangler Road. Conflict between these individuals had broken out over issues regarding the presence of proposed objects such as utility poles, access markers, garbage receptacles, fence lines, vehicles and existing landscaping in the right-of-way of E. Wrangler Road. After attempting to work with these 2 individuals for the 13 month duration, the County has been unable to resolve the conflict between them to the satisfaction of either party.

This conflict, however, had brought clearly to the attention of the Public Works Department that, over time, many fixed obstructions (i.e. fence lines, tree rows etc.) have crept into the E. Wrangler Road right-of-way in multiple locations. You will find aerial imagery including right-of-way boundaries attached to this letter.

Section 3-5-107 of the Laramie County Land Use Regulations, "Local County Road in Rural Subdivisions," states in part, that "fixed obstructions shall not be placed within the County right-of-way except for improved utility lines and markers, mailbox assemblies or fencing at the right-of-way line."

E. Wrangler Road was never constructed to current county standards due to the timeframe in which it was built. The road has never been placed on the Laramie County Public Works maintenance grid. That means that it is subject to private maintenance, not public maintenance.

It is important to recognize that these obstructions which have moved into the right-of-way over time, of whatever type, do not bring with them any possessory right to property located in the dedicated right-of-way.

The County continues to maintain ownership and control over the right-of-way regardless of any obstructions and may exercise that authority at any time. It is not possible to adversely possess property dedicated to the public.

The South 30 feet of the Section of E. Wrangler Road was initially declared as part of the Westview Subdivision in June of 1947. That section of what is now East Wrangler Road had no name on the Westview plat at that time.

The North 30' half section of E. Wrangler Road was dedicated in 1955 as part of the Roundup Heights Subdivision according to the dedication statement.

E. Wrangler Road currently connects to Yellowstone on the west and dead-ends on Chisholm Trail to the east. Two subdivisions meet on the line which would continue E. Wrangler Road. However, the plats of Bluegrass Subdivision to the north and Deerbrooke Estates to the south do not contain dedications for continuation of E. Wrangler Road.

This means that for the time being E. Wrangler Road will remain a relatively isolated section of the County road network. At this time, none of the obstructions which have crept into the E Wrangler road right-of-way represent a significant impediment to the use of the road for transportation.

As a result of this isolation from the majority of the road network and the lack of public maintenance, Laramie County has no need at this time to enforce its Land Use Regulations and remove any obstructions in the right-of-way of E. Wrangler Road. As a result, the County, at this time is not bringing any civil action or enforcement action in regard to any of the obstructions in this section of roadway.

The neighbor conflict which brought this matter to the forefront was ultimately susceptible of only one fair resolution, and that would have been civil and/or potentially criminal actions by the County against *all* property owners on E. Wrangler Road mandating the removal of any obstructions in the right-of-way and restoration to its original purpose.

The County therefore takes the position that conflicts between landowners on E. Wrangler Road in regard to alleged obstructions in the right-of-way are private civil matters that should be resolved between the parties without intervention by County government.

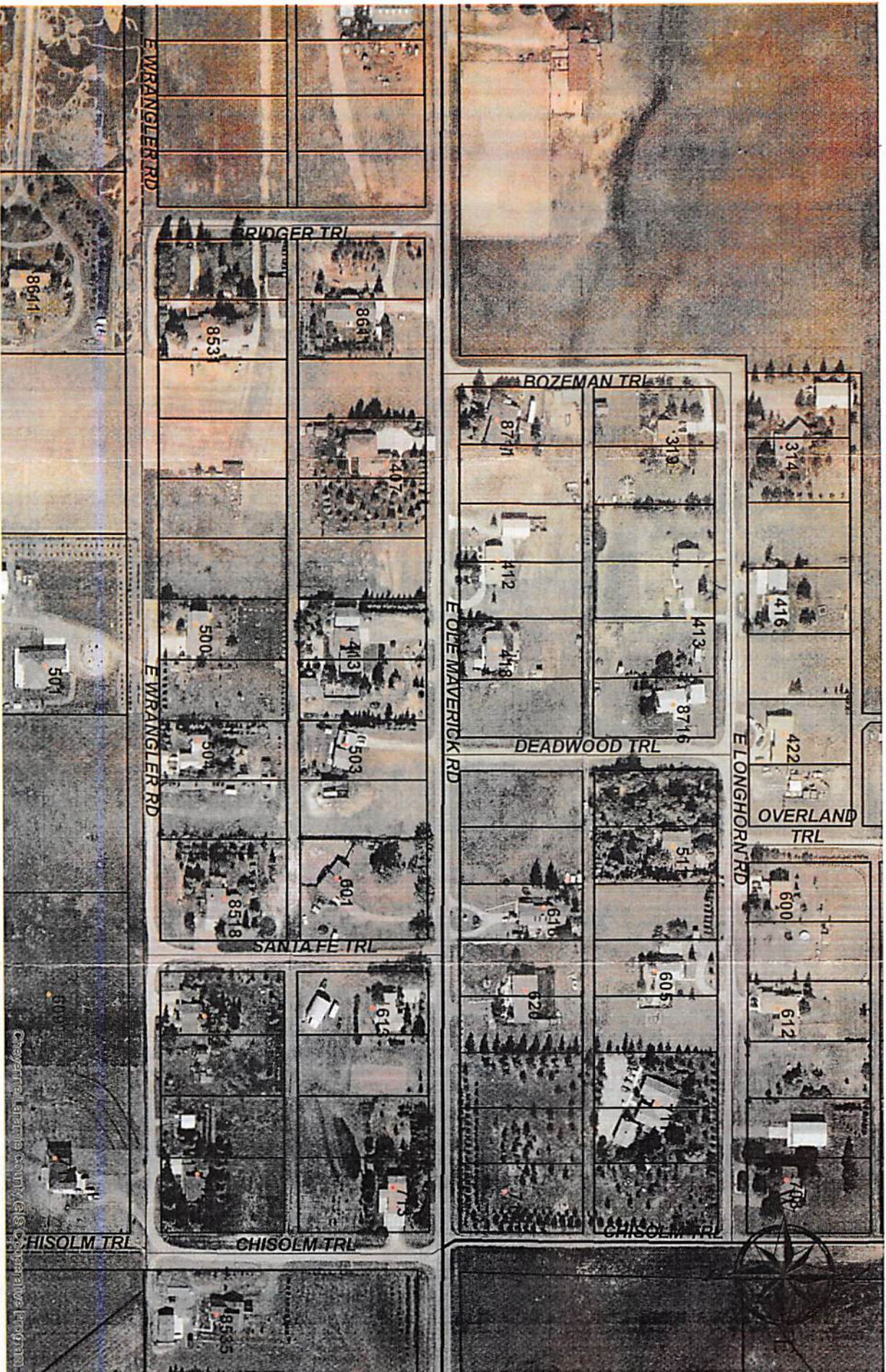
If you have any questions regarding this matter please feel free to contact Public Works.

Regards,

Justin Arnold  
Analyst



Imagery and Right-of-Way Lines for Section 6, Township 14N, Range 66W





Distribution List for Laramie County Public Works Letter Dated 11/01/2018

Name	St Addr
PUSATERI, FRANCES MARIE	412 E OLE MAVERICK RD
GLOTZER, ROBERT ALLAN REV TR ET AL	612 E LONGHORN RD
FOY, MAX A ET UX	314 E LONGHORN RD
CRANE, CONNIE F	601 E OLE MAVERICK RD
FELTNER, DONIV L ET UX	584 E POWELL RD
TURNER, TOM ET UX	504 E WRANGLER RD
KNOPP, MARY LOU REV TR	413 E LONGHORN RD
LINDLY, CAROLINE BURMAN LIV TR	712 E WRANGLER RD
MC CUE, ROBERT T REV TR ET AL	8625 YELLOWSTONE RD
MCINTOSH, TERRANCE L ET UX	8611 YELLOWSTONE RD
MILLER, TOMMY L ET UX	616 E OLE MAVERICK RD
RUSSELL, JOHN S ET UX	416 E LONGHORN RD
ALLEN, TIMOTHY A ET UX	418 E OLE MAVERICK RD
HUFFMAN, MATTHEW W ET UX	600 E LONGHORN RD
LEVINE FAMILY TR	8716 DEADWOOD TR
OBRIEN, TERRANCE L	407 E OLE MAVERICK RD
SITZMAN, BRADLEY W ET UX	8611 BRIDGER TR
GOBLE, SANDRA D ET VIR	605 E LONGHORN RD
NARY, PATRICK J ET UX	711 E WRANGLER RD
NORTON, TANER A ET UX	612 E WRANGLER RD
OWNER NAME WITHHELD	613 E OLE MAVERICK RD
LINDLY, CAROLINE BURMAN LIV TR	CHISOLM TR
VANDEGRIFT, RICHARD E ET UX	713 E OLE MAVERICK RD
TUTTLE, TERRANCE MICHAEL	422 E LONGHORN RD
WERTS, TARY R ET UX	503 E OLE MAVERICK RD
FENDER, JOSEPH D ET UX	92 OLE MAVERICK RD
MONJARAS, JEREMY ET UX	620 E OLE MAVERICK RD
ESCOBEDO, JOHN M	316 E POWELL RD
OBRECHT, MATTHEW D ET UX	500 E WRANGLER RD
BENNETT, PHILLIP ET UX	319 E LONGHORN RD
PRINDLE, BRADLEY J ET UX	609 E WRANGLER RD
RENNEISEN, JOHN W ET UX	413 E OLE MAVERICK RD
WILLIAMSON, MICHAEL R ET UX	511 E LONGHORN RD
ROSS, SHARON RENEE REV TR ET AL	501 E WRANGLER RD
HEMENOVER, BETTY A TR ET AL	8531 BRIDGER TR
SAMSON, COREY W ET UX	708 E LONGHORN RD
FLYNN, DENNIS S ET UX	714 E OLE MAVERICK RD
CAVALLIER, RAYMOND S ET UX	8518 SANTA FE TR
HAMM, THOMAS F II	8711 BOZEMAN TR

PERMIT FEE \$25.00

## LARAMIE COUNTY PUBLIC WORKS DEPARTMENT

2503 E. Fox Farm Road, Cheyenne, Wyoming 82007  
(307) 633-4302 Fax (307) 633-4219Permit No. CP5334

## LARAMIE COUNTY CONSTRUCTION PERMIT APPLICATION

☒ ACCESS DRIVE ☐ UTILITY ☐ ROAD CONSTRUCTION ☐ OTHER**Location of Work** (Include County Road Number, Section/Township/Range, Lot/Block/Tract, Address, if known)E Wrangler RdWestview Subdivision W $\frac{1}{2}$  of tract 1

<u>OWNER</u>	<u>ADDRESS</u>	<u>PHONE</u>
<u>Brad Prindle</u>	<u>5212 Hilltop Ave 82007</u>	<u>402 875 2966</u>

<u>CONTRACTOR</u>	<u>ADDRESS</u>	<u>PHONE</u>
<u>GB Builders</u>	<u>1637 Morningstar Rd</u>	<u>307 421 5223</u>

<u>ENGINEER/SUPERINTENDENT</u>	<u>ADDRESS</u>	<u>PHONE</u>

**DESCRIPTION OF WORK** (Attach copy of construction drawings or construction plans)New home with 2 Access driveways**CONDITIONS:**

1. The permit holder shall notify the County prior to beginning and at completion of work.
2. Access drive location must be clearly staked.
3. All construction shall comply with the Wyoming Public Works Standard Specifications, latest edition, and current Laramie County Standards and Specifications.
4. All roadway construction shall comply with Standard Specifications for Road and Bridge Construction, Wyoming Highway Department, latest edition. All cuts and/or holes will have an asphalt patch within one week after completion of the facility. If weather will not allow, Owner/Licensee will patch temporary and monitor until such time as a permanent patch can be placed.
5. A traffic control plan may be required. Determination shall be made by the County and shall be provided three (3) days prior to work beginning, for all work on public rights-of-way pursuant to the Manual of Uniform Traffic Control Devices, Federal Highway Administration, latest edition. ATTACH TRAFFIC CONTROL PLAN TO PERMIT.
6. Laramie County does not waive its Government/Sovereign Immunity, as provided by any applicable law



including W.S. § 1-39-101 et seq., issuing this permit. Laramie County retains all immunities and defenses provided by law with regard to any action, whether in tort, contract or any other theory of law, based on this permit. Further, the applicant shall indemnify, defend and hold harmless Laramie County for any and all liability for injury, claim or damage which may arise out of the negligent operation, action or omission of the applicant, its officers, agents and employees, during the performance of the duties under this agreement.

7. All provisions of laws and ordinances governing the above-described type of work shall be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the authority of any Governing Body.
8. CALL PUBLIC WORKS DEPARTMENT (633-4302) BEFORE BACKFILLING IN ROADWAY. MECHANICAL COMPACTION WITH MATERIAL PLACED IN LIFTS WILL BE REQUIRED.
9. PERMIT EXPIRES SIX MONTHS FROM APPROVAL DATE. REAPPLICATION REQUIRED ON ALL EXPIRED PERMITS. (OLD PERMITS WILL BE PURGED FROM SYSTEM)
10. PERMIT FEE INCLUDES TWO (2) INSPECTIONS.
  1. INSPECTION FOR LOCATION AND SIZE.
  2. INSPECTION FOR COMPLETION TO STANDARDS.
11. Additional Inspections will be charged at \$25.00 per hour.
12. ACCESS DRIVE PERMIT IS COMPLETE WHEN AN ADDRESS FOR LOCATION HAS BEEN OBTAINED AND A CERTIFICATE OF ADDRESS HAS BEEN ATTACHED TO THE PERMIT. NO CONSTRUCTION OF ACCESS WILL OCCUR UNTIL APPLICATION IS COMPLETE.

**CULVERT INSTALLATION**

Corrugated Metal Pipe with Flared Ends Required

Start Date: 4-28-17

Completion Date: 9-30-17

Culvert Diameter: 12" (Optional)

Culvert Length: Minimum Feet: 30' [20 foot wide driveway]

Maximum Feet: 30' to a [38 foot wide driveway]

I, the undersigned contractor, owner, or engineer hereby certify that this application has been completed truthfully, that I have read the above conditions and understand them fully, and that I will take full responsibility for performance of the type of work under this permit. I understand that failure to complete work according to terms of this permit and applicable law or regulation may result in the County completing said work or removing nonconforming work. The costs of such County action shall be imposed upon my organization or me. I further understand that failure to comply with the terms and conditions of this permit or any other applicable law or regulation may be subject me to criminal penalty and/or any other available legal action.

Garth Bured 4-25-17  
Signature ☒ Contractor ☐ Owner ☐ Engineer Date  
Approved: [Signature] Permit Tech 4-26-17  
Signature Title Date

Inspection Signature: \_\_\_\_\_

**NOTE:** This permit does not apply to utilities as regulated by the Public Service Commission. A Laramie County Utility License is required prior to commencing utility work on County property and County right-of-way.

INSPECTION DATES - 1<sup>ST</sup> INSPECTION \_\_\_\_\_

# WESTVIEW SUBDIVISION ROAD DEDICATION

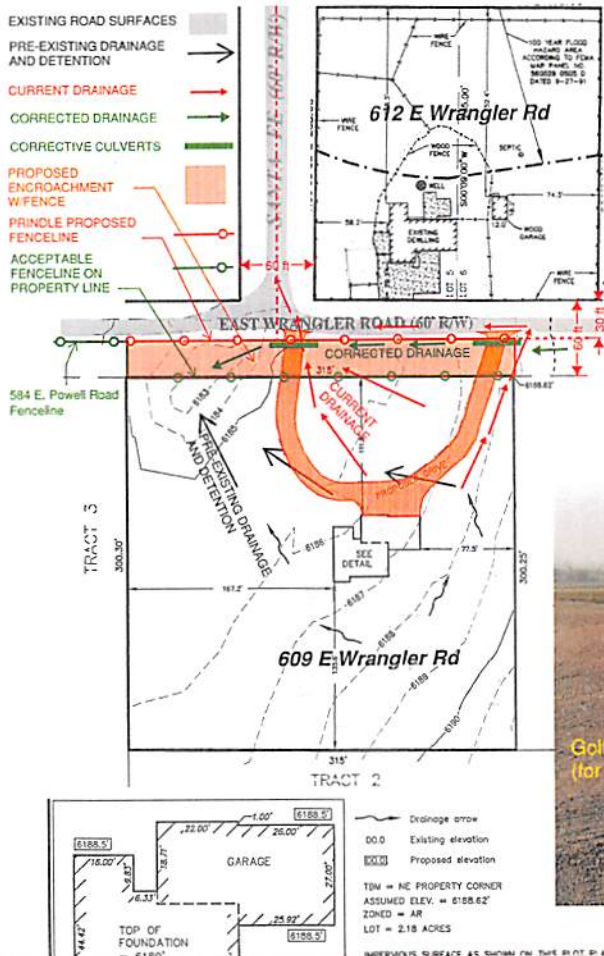
Know all men by these presents that Lupe Laughlin, owner in fee simple of the lands embraced in this plot and description of WESTVIEW does hereby declare this subdivision of the within described lands to be her free act and deed and in accordance with her desires and does hereby dedicate to the use of the public forever all of the roads shown hereon. Dated this 25<sup>th</sup> day of June A.D. 1947

*Lupe Laughlin*

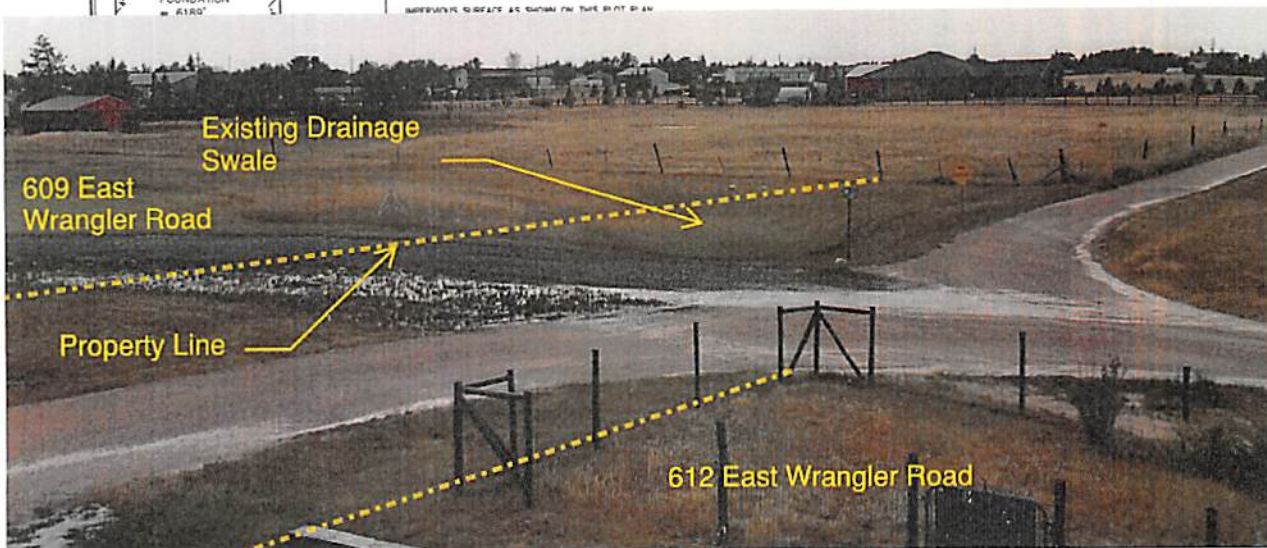
## ROUNDUP HEIGHTS SUBDIVISION ROAD DEDICATION

Know all men by these presents, that Dean Merritt, Helen A. Merritt, Marion E. Lewis and Frances Lewis, owners in fee simple of the land embraced in this plot and description of Roundup Heights, do hereby declare the subdivision of the within described land, as appears on this plat, to be their free act and deed and in accordance with their desires, and do hereby dedicate to the use of the public forever all of the streets and alleys shown hereon.

Witness *Dean Merritt* *Helen Merritt*  
 Witness *Marion E. Lewis* *Frances Lewis*  
 Witness *Dean Merritt* *Helen Merritt*  
 Witness *Marion E. Lewis* *Frances Lewis*



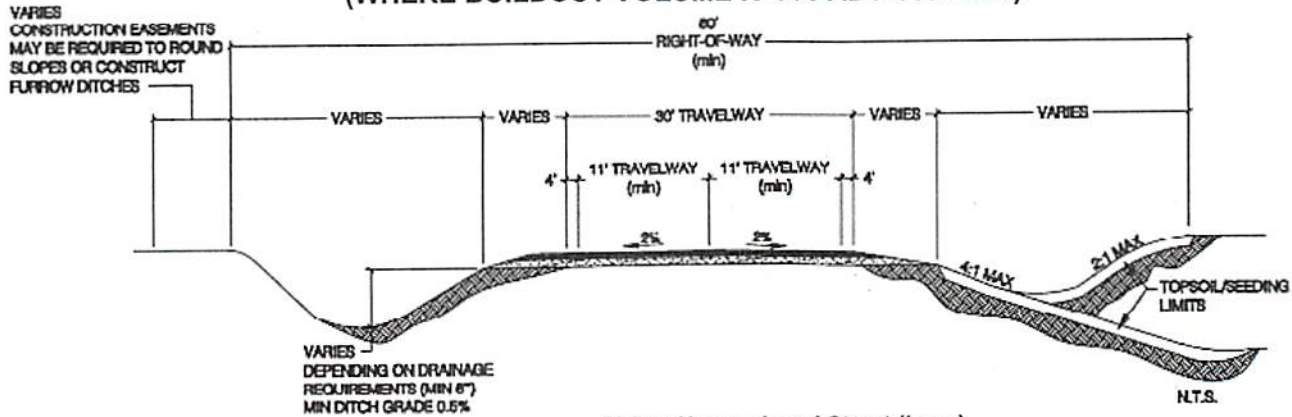
Road Damage on East Wrangler Road from one Rain Event



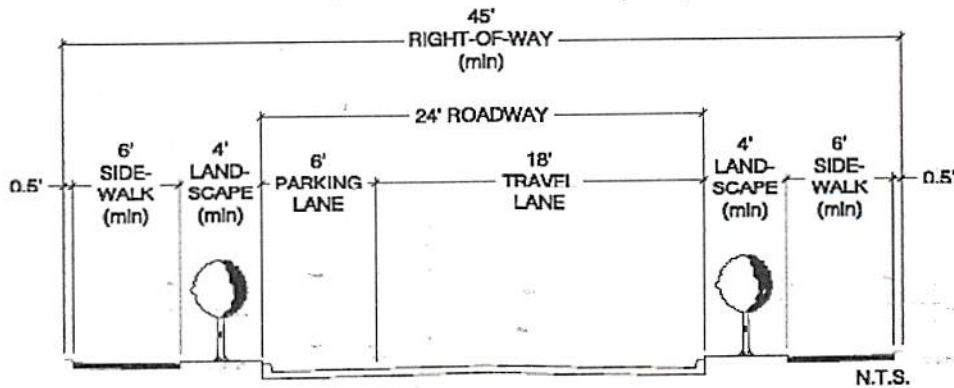
609 E Wrangler Rd Drainage Conditions - View of Intersection of East Wrangler Road and Santa Fe Trail



## LOCAL COUNTY ROAD IN RURAL SUBDIVISION (WHERE BUILDOUT VOLUME IS 500 ADT OR LESS)



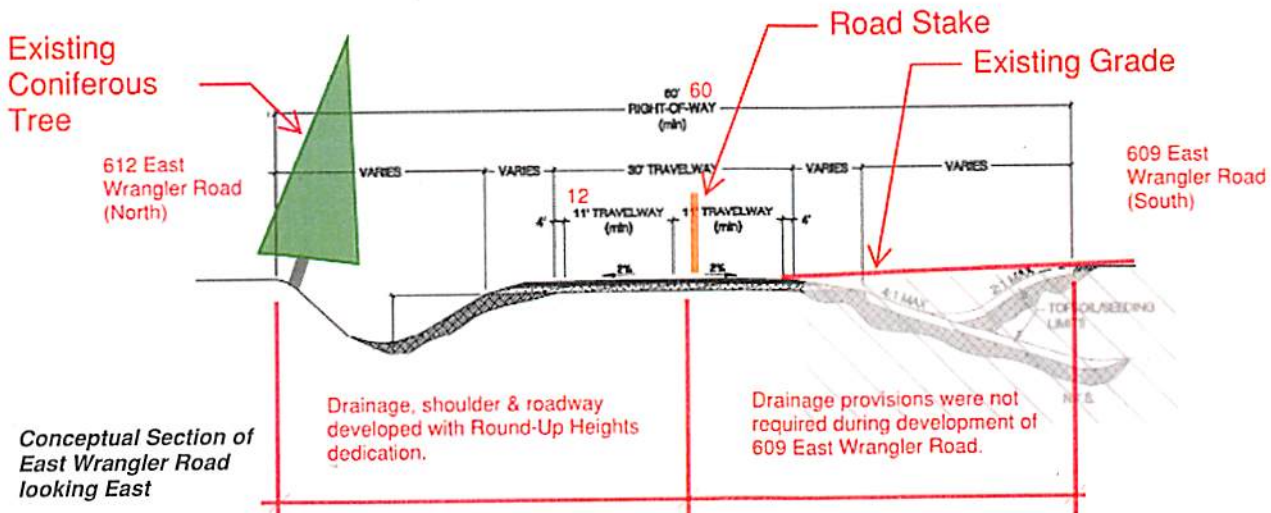
Urban Narrow Local Street (Lane)



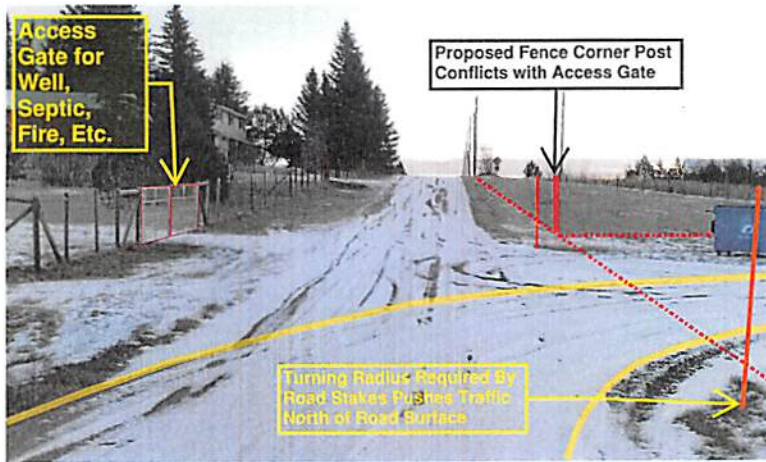
### d. Standards

- i. Geometric Design. The standards to be used in geometric design of streets are shown in Appendix A to this Chapter. Alternative designs may be approved to allow for flexibility of cross sections and landscape needs. Such designs must be approved by the Planning and Development Director and the Director of Public Works.

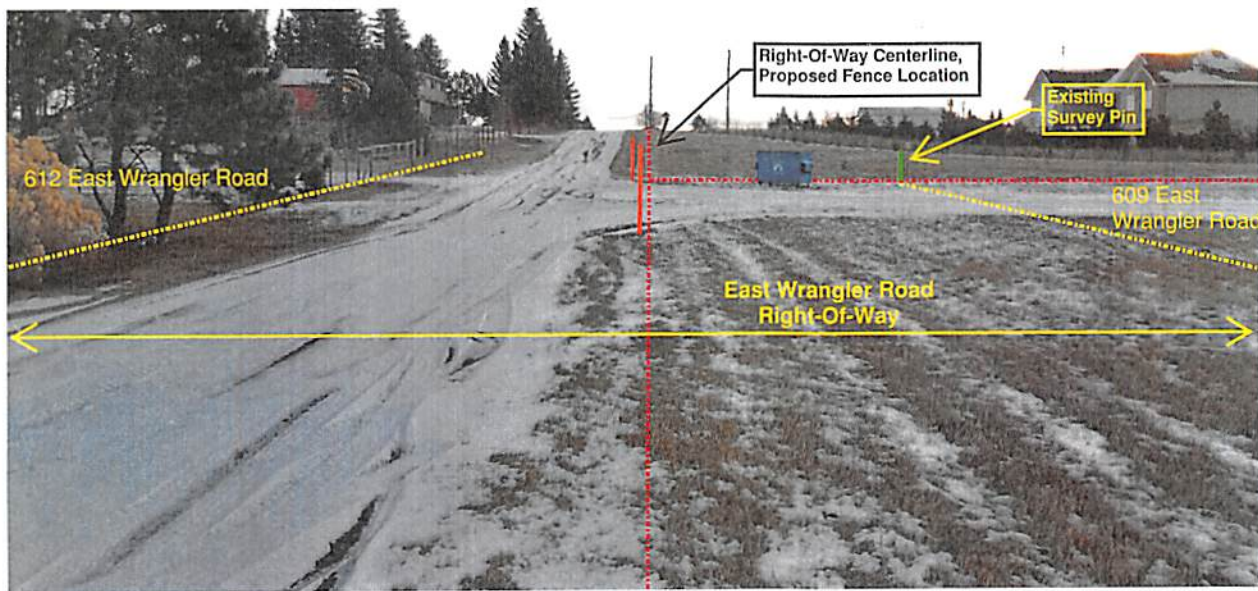
## LOCAL COUNTY ROAD IN RURAL SUBDIVISION (WHERE BUILDOUT VOLUME IS 500 ADT OR LESS)



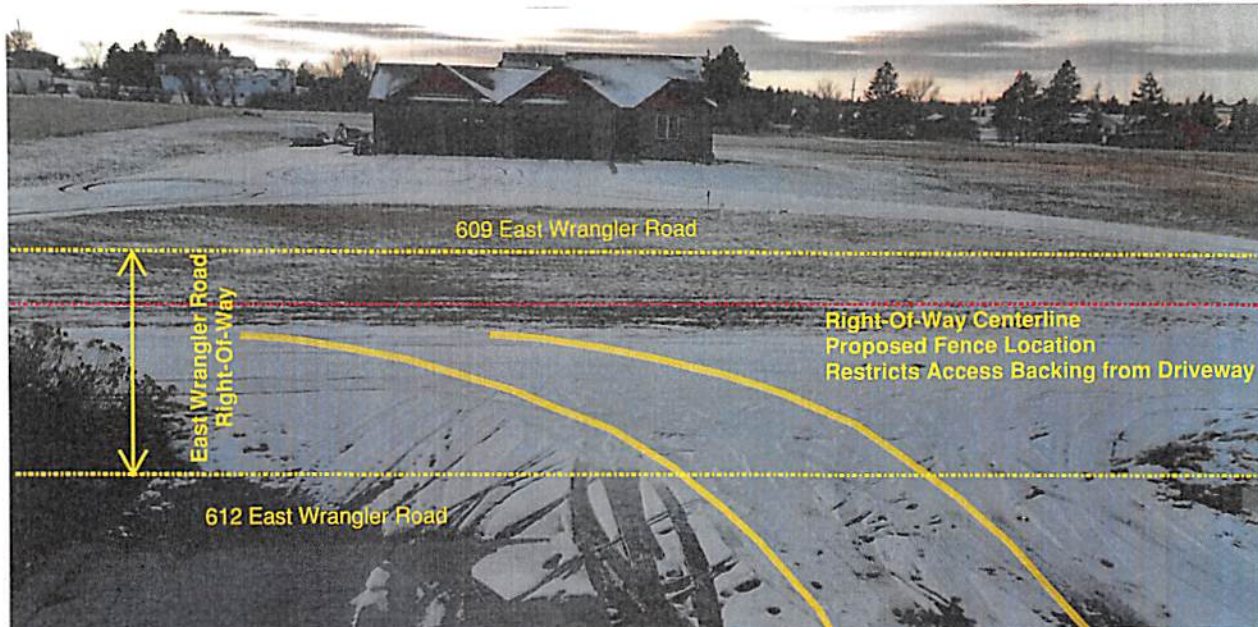




*East Wrangler Road looking East  
East Wrangler Road dead-ends in the west and connects to Chisholm Trail in the east*

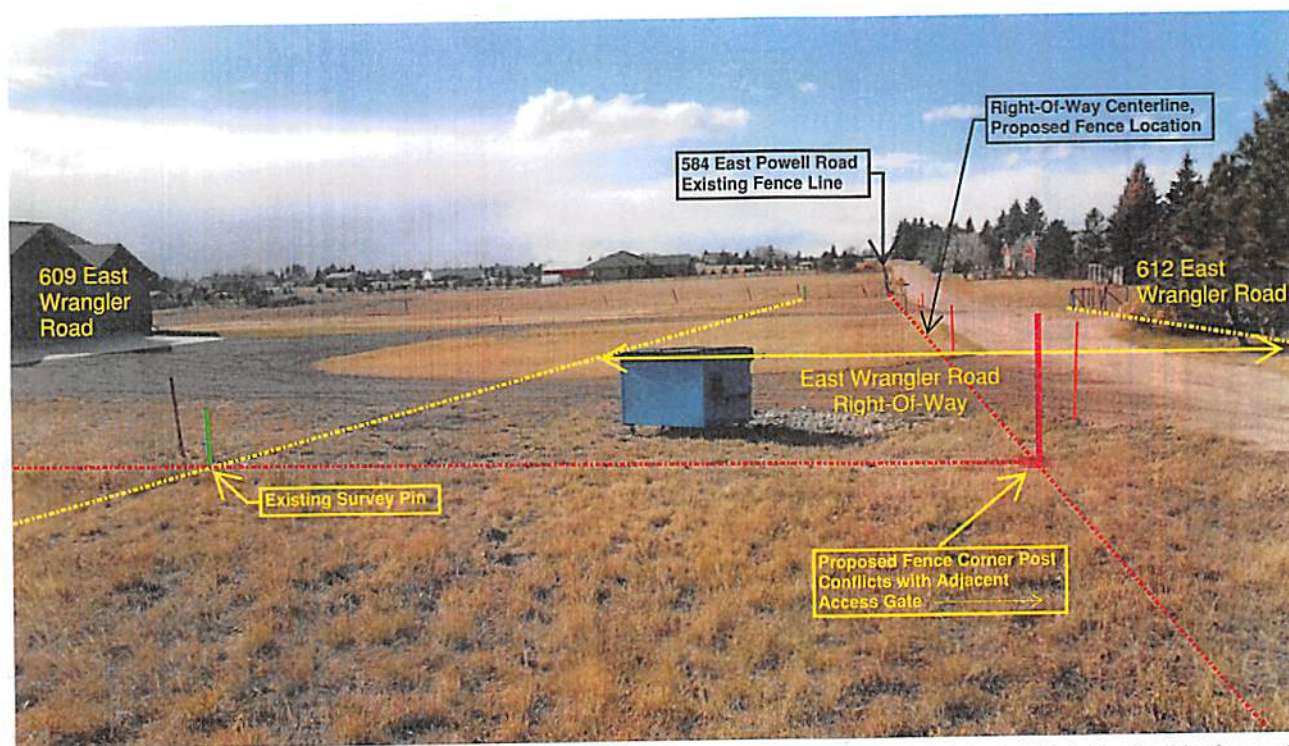


*East Wrangler Road looking East*



*View Across East Wrangler Road looking South*





East Wrangler Road looking West - East Wrangler Road dead-ends in the west and connects to Chisholm Trail in the east



East Wrangler Road looking West - East Wrangler Road dead-ends in the west and connects to Chisholm Trail in the east



