Planning • Building

MEMORANDUM

- TO: Laramie County Board of Commissioners
- FROM: Michael Surface, Senior Planner
- DATE: May 16, 2023
- TITLE: PUBLIC HEARING regarding a vacation of Tracts 10, 11 and 12, West Ridge Estates, 3rd Filing, located in the South ½ South ½ of Section 29, T15 N, Range 68W of the 6th PM, Laramie County, WY., and approval of an Administrative Plat, West Ridge Estates, 5th Filing located in the South ½ South ½ of Section 29, T15 N, Range 68W of the 6th PM, Laramie County, WY

EXECUTIVE SUMMARY

Steil Surveying, on behalf of G and G Enterprises, Chad C. and Autumn D. Christiansen, along with Robert Rickgauer Jr. and Sarah Rickgauer, has submitted a vacation for Tracts 10, 11 and 12, Westridge Subdivision, 3rd Filing. The vacation has been submitted to create an Administrative Plat so the three tracts can be combined into two.

Section 2-1-102 Administrative Plats (c) indicates that if the property has been previously platted, it is deferred to the County Commissioners for approval. This is accomplished by approval of the vacation, along with the Approval Statement signed by the Chairperson and attested by the County Clerk on the plat. While no resolution is required for the recording of an administrative plat, a resolution is required to make record of the existing plat.

BACKGROUND

There is a dwelling situated on Tract 10 and Tract 12. Tract 11 is vacant land. All properties are within the in the LU – Land Use Zoning District

The pertinent Wyoming Statute for this project is as follows.

Wyoming State Statute (34-12-106) "No plat or portion thereof for which a subdivision permit has been obtained pursuant to W.S. 18-5-304 shall be vacated as herein provided without the approval of the county commissioners."

The pertinent Laramie County Land Use Regulations which apply include the following.

Section 2-1-101(m) governing Plat Vacation. Section 2-1-102 governing Administrative Plats Section 1-2-104 governing Public Notice. Section 4-2-114 governing the LU – Land Use Zoning District.

DISCUSSION

Tract 11 is vacant land. The owners of Tracts 10 and 12 are willing to purchase a portion of Tract 11 to increase the size of their property. An administrative plat has been prepared to create two tracts from three, should the vacate request be approved. The vacation would come into effect once the administrative plat and resolution are approved and recorded.

RECOMMENDATION and FINDINGS

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

- a) This application meets the criteria for a vacation approval pursuant to W.S. 34-12-106.
- **b)** This application meets the criteria for a vacation pursuant to Section 2-1-101 (m) of the Laramie County Land Use Regulations.
- c) The application meets the criteria for an Administrative Plat pursuant to Section 2-1-102.

Staff believes that the Board may approve the Vacation of Tracts 10, 11 and 12, West Ridge Estates, 3rd Filing, located in South ½ South ½ of Section 29, T15 N, Range 68W of the 6th PM, Laramie County, WY., and that the Board may approve the Administrative Plat for West Ridge Estates, 5th Filing located in the South ½ South ½ of Section 29, T15 N, Range 68W of the 6th PM, Laramie County, WY.

PROPOSED MOTION

I move to approve the Vacation of Tracts 10, 11 and 12, West Ridge Estates, 3rd Filing, located in the South ½ South ½ of Section 29, T15 N, Range 68W of the 6th PM, Laramie County, WY., and will become effective upon the recording of the Administrative Plat known as West Ridge Estates, 5th Filing, nd adopt the Findings of Fact a., b., and c. The vacation does not abridge or modify any rights and privileges of any proprietors of the plat.

ATTACHMENTS

- Attachment 1: Project Map
- Attachment 2:Public Agency Review/Applicant ResponsesAttachment 3:Vacate MapAttachment 4:Proposed Administrative Plat

- Attachment 5: Resolution



Laramie County Wyoming MapServer

PZ-23-00037

Vacation and Administrative Plat

Vacate Tracts 10, 11, and 12 -Westridge Estates, 3rd Filing To Create Administrative Plat for Westridge Estates, 5th Filing

LU - Land Use Zoning District

Fire District - LCFA

Comprehensive Plan - RAI - Rural Ag Interface



Public Agency Review with Applicant Response PZ-23-00037 Administrative Plat

Planners: Planners, Michael Surface

This admin plat requires a vacate of the three subdivision lots before the admin plat can be approved.

County Assessor: County Assessor, Dawn Lanning No Comments

County Attorney: County Attorney, LC Attorney's Office

Despite the comment on the 2017 plat, it can be vacated so long as the owners of ALL lots on the 2017 plat consent to the vacation. See W.S. 34-12-106

County Engineer: County Engineer, Scott Larson

Engineer Review

1. I concur with the request for a waiver of a detailed Drainage Study and Traffic Study since this development will have negligible impact on both.

2. As indicated on the plat, West Ridge Estates 3rd Filing dedicated the 40' of ROW for County Road 216. If the vacation statement indicates that the intent is to vacate all of West Ridge Estates 3rd Filing, wouldn't that mean the dedicated ROW is eliminated with this 5th Filing? I am not sure that is the intent, but wouldn't that be the result if you vacate the entire 3rd filing?

Surveyor Review

1. There are no boundary ties shown at the northeast corner of TRACT 2 on this plat for the 20' DRAINAGE EASEMENT (PER RECORDED PLAT OF WEST RIDGE ESTATES 3RD FILING, BOOK 2513, PAGE 2184), where said easement crosses the northeast corner of TRACT 2.

<u>County Public Works Department:</u> County Public Works Department, Molly Bennett 1. Due to the internal roads being dedicated to the public, access permit applications through Public Works will be required for each tract. Call (307-633-4302) or email (permits@laramiecountywy.gov) Public Works for more information. 2. A note shall be added to the plat under notes indicating "there will be no public

maintenance of internal roadways/access easements."

County Real Estate Office: County Real Estate Office, Laura Pate

New deeds will need to be drawn up and submitted to show who will own each of the new lots, Subdivision Plat's cannot transfer ownership.

G & G and the Christiansen's will need to do a deed for Tract 1 transferring ownership to the Christiansen's.

G & G and the Rickgauer's will need to do a deed for Tract 2 transferring ownership to the Rickgauers's.

The new deeds should be submitted with the Plat map so there won't be any question on the ownership of the new lots.

The resolution attached was where West Ridge Estates 3rd Filing was approved. Can we see the copy of the resolution to Vacate Tracts 10, 11, 12 West Ridge 3rd Filing?

As you are going to Vacate Tracts 10, 11, 12 West Ridge EStates 3rd Filing, this legal is no longer valid for the dedication, nor the Title Block.

It should read "An Administrative plat of a Portion of Section 29 T15N R68W, FKA Tracts 10, 11, 12 West Ridge Estates 3rd Filing."

County Treasurer: County Treasurer, Tammy Deisch tract 11 1st 1/2 2022 taxes delinquent - 2nd 1/2 due 05/10/23 tract 10 and 12 1st 1/2 2022 taxes paid - 2nd 1/2 due 05/10/23

Intraoffice: Planners, Cambia McColloum

This site has two existing addresses currently associated with it, 1605 Little Star DR & 1606 Little Star DR.

Please review the description and vacation statement for this site.

Westridge 3rd filing included a 2.11 acres parcel that was dedicated as part of Road 216. The vacation statement on Westridge 5th filing states "Vacate All of West Ridge Estates 3rd Filing". How does this affect the ROW parcel?

The metes & bound descriptions for the N/S runs on this parcel do show the recorded distances from the Northern lot corners to the South Section line. The drawing shows the Southern boundary of this plat to be 40' parallel north of the Section line.

Sheriff's Office: Sheriff's Office, Amber Shroyer

Environmental Health: Environmental Health Department, Tiffany Gaertner Regulations:

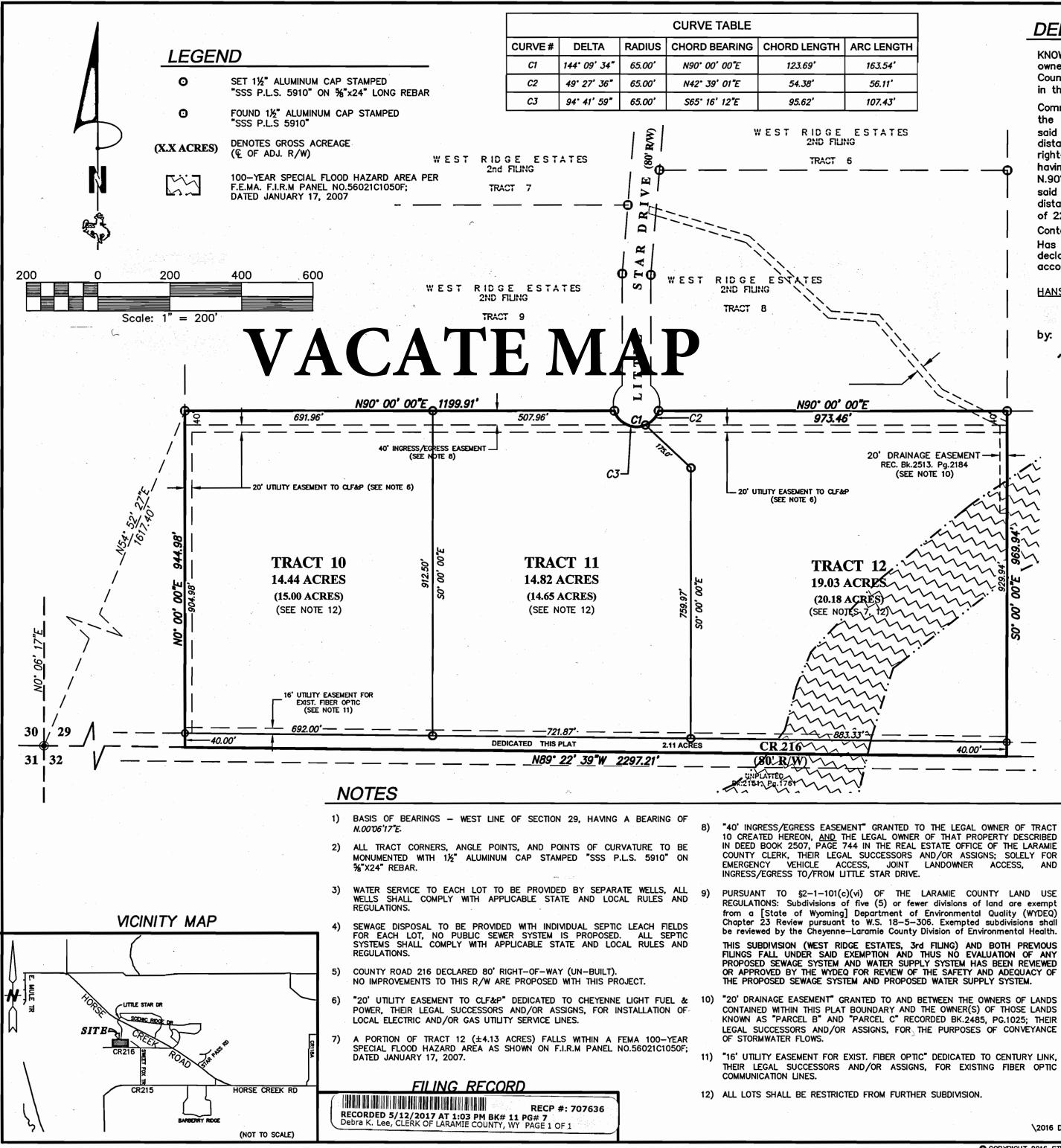
LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

Comments:

Wastewater permits are required for each lot. All small wastewater systems must have a 50' setback from all property lines and intermittent bodies of water i.e. floodplains. Signed final plat must be submitted to Environmental Health Office prior to application for permits.

Laramie County Fire Authority: Laramie County Fire Authority, Manuel Muzquiz No Response

County Conservation District: County Conservation District, Shaun Kirkwood No Response



	DEDICATION
ENGTH 3.54' 2.11'	KNOW ALL PERSONS BY THESE PRESENTS THAT: Hansen & Hansen, LLC., a Wyoming Limited Liability Corporation, owner in fee simple of a portion of Section 29, Township 15 North, Range 68 West of the 6th P.M., Laramie County, Wyoming, being a portion of that land known as "Parcel C" in a Survey recorded at Cabinet 6, Page 36 in the Laramie County Real Estate Office; said portion(s) being more particularly described as follows:
A T ES	Commencing at the southwest corner of said Section 29, thence N.54'52'27"E., a distance of 1617.40 feet to the true Point Of Beginning (being the southwest corner of said Tract 9, West Ridge Estates, 2nd Filing), and said point being monumented with a $1\frac{1}{2}$ " aluminum cap stamped "SSS P.L.S. 5910"; thence N.90'00'00"E., a distance of 1199.91 feet to the west right-of-way line of Little Star Drive; thence continuing along said right-of-way line, a distance of 163.54 feet along a non-tangential curve, (through an angle of 144'09'34", having a radius of 65.00 feet, and whose long chord bears N.90'00'00"W., a distance of 123.69 feet); thence N.90'00'00"E., a distance of 973.46 feet to the southeast corner of Tract 8, West Ridge Estates, 2nd Filing, said point being monumented with a $1\frac{1}{2}$ " aluminum cap stamped "SSS P.L.S. 5910"; thence S.00'00'00"E., a distance of 996.94 feet, to the south line of Section 29; thence N.89'22'39"W., along said south line, a distance of 2297.21 feet; thence N.00'00'00"E., a distance of 944.98 feet to the Point Of Beginning.
	Containing 50.40 acres, more or less, and subject to easements, covenants and restrictions of record. Has caused the same to be surveyed, platted and known as WEST RIDGE ESTATES, 2nd FILING, 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 and do hereby grant the easements for the purposes indicated hereon.
	HANSEN & HANSEN, LLC. ACKNOWLEDGEMENT
	by: KEVIN HANSEN AS REGISTERED AGENT STATE OF WYOMING) KEVIN HANSEN AS REGISTERED AGENT STATE OF WYOMING) COUNTY OF LARAMIE)
DRAINAGE EASEMENT REC. Bk.2513. Pg.2184 (SEE NOTE 10)	The foregoing instrument was acknowledged before me this <u>JI</u> day of <u>MARCH</u> 2017 by Kevin Hansen as Registered Agent for Hansen, & Hansen, LLC, a Wyoming <u>JOHN A. BONIFER - NOTARY PUBLIC</u> COUNTY OF STATE OF LARAMIE STATE OF WYOMING MY COMMISSION EXPIRES APRIL 20, 2018 MY COMMISSION EXPIRES APRIL 20, 2018
2	My Commission Expires: $\underline{APr. 20, 2018}$ <u>APPROVALS</u> Approved by the Laramie County Planning Commission, this <u>26</u> day of
So. 00, 00, E	<u>lanuary</u> , 2017. <u>Dely S. Clas</u> Chairmon
Y A A A A A A A A A A A A A A A A A A A	Approved by the Board of Laramie County Commissioners of Laramie County, Wyoming, this <u>21</u> day of <u>February</u> , 2017.
<u> </u>	Chairman ATTEST: Delua K. Kee Chairman
	CERTIFICATE OF SURVEYOR
RANTED TO THE LEGAL OWNER OF AL OWNER OF THAT PROPERTY DES THE REAL ESTATE OFFICE OF THE L CESSORS AND/OR ASSIGNS; SOLEL JOINT LANDOWNER ACCESS, AR DRIVE. OF THE LARAMIE COUNTY LAND 5) or fewer divisions of land are of tment of Environmental Quality (N	USE xempt

PURSUANT TO \$2-1-101(c)(vi) OF THE LARAMIE COUNTY LAND USE REGULATIONS: Subdivisions of five (5) or fewer divisions of land are exempt from a [State of Wyoming] Department of Environmental Quality (WYDEQ) Chapter 23 Review pursuant to W.S. 18-5-306. Exempted subdivisions shall be reviewed by the Cheyenne-Laramie County Division of Environmental Health. THIS SUBDIVISION (WEST RIDGE ESTATES, 3rd FILING) AND BOTH PREVIOUS FILINGS FALL UNDER SAID EXEMPTION AND THUS NO EVALUATION OF ANY PROPOSED SEWAGE SYSTEM AND WATER SUPPLY SYSTEM HAS BEEN REVIEWED OR APPROVED BY THE WYDEQ FOR REVIEW OF THE SAFETY AND ADEQUACY OF

CONTAINED WITHIN THIS PLAT BOUNDARY AND THE OWNER(S) OF THOSE LANDS KNOWN AS "PARCEL B" AND "PARCEL C" RECORDED BK.2485, PG.1025; THEIR LEGAL SUCCESSORS AND/OR ASSIGNS, FOR THE PURPOSES OF CONVEYANCE

"16' UTILITY EASEMENT FOR EXIST. FIBER OPTIC" DEDICATED TO CENTURY LINK, THEIR LEGAL SUCCESSORS AND/OR ASSIGNS, FOR EXISTING FIBER OPTIC

• LITTLE STAR DRIVE IS DEDICATED TO THE PUBLIC AND PRIVATELY MAINTAINED • THE SURFACE ESTATE OF THE LAND TO BE SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE • NO PROPOSED CENTRAL WATER SUPPLY SYSTEM • NO PROPOSED CENTRALIZED SEWAGE SYSTEM • FIRE PROTECTION PROVIDED BY FIRE DISTRICT #2 •

REVISED: 3/31/2017 \2016 DWG\16071 S29-15-68\16071 WRE 3RD FILING.DWG



WYOMMG

STEIL SURVEYING SERVICES, LLC PROFESSIONAL LAND SURVEYORS 1102 WEST 19th ST. CHEYENNE, WY. 82001 o (307) 634.7273 756 GILCHRIST ST. WHEATLAND, WY. 82201 0 (307) 322 9789 www.SteilSurvey.com o info@SteilSurvey.com

west ridge estates

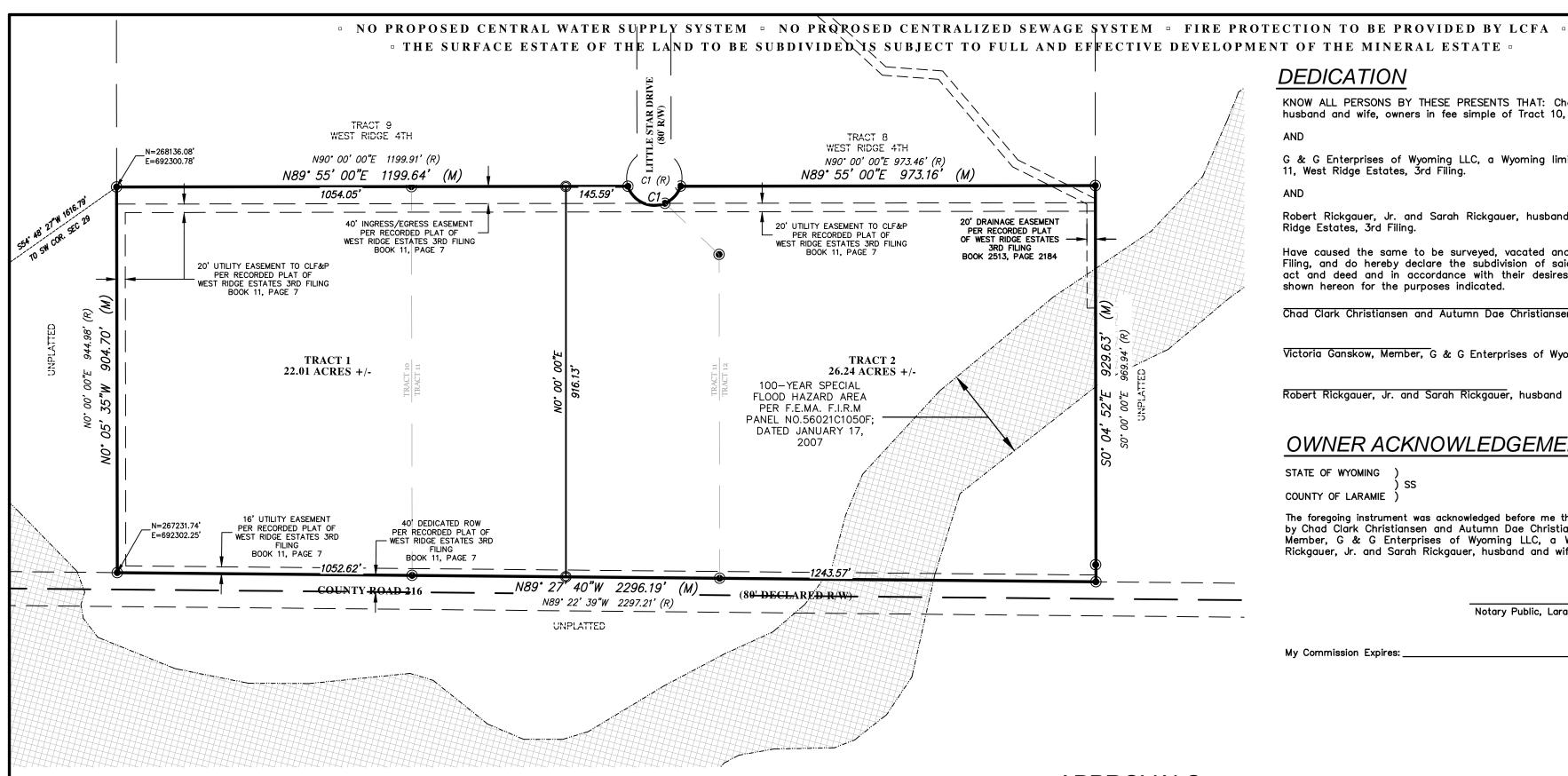
3rd FILING

SITUATED IN THE S1/251/2 OF SECTION 29

TOWNSHIP 15 NORTH, RANGE 68 WEST, 6TH P.M.

LARAMIE COUNTY, WYOMING.

PREPARED NOVEMBER, 2016



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.

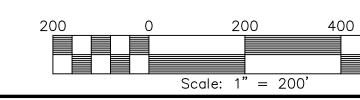
CURVE TABLE							
CURVE #	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH		
C1	143°28'44"	65.00'	N89° 55' 00"E	123.45'	162.77'		
C1(R)	144° 09' 34"	65.00'	N90° 00' 00"E	123.69'	163.54'		

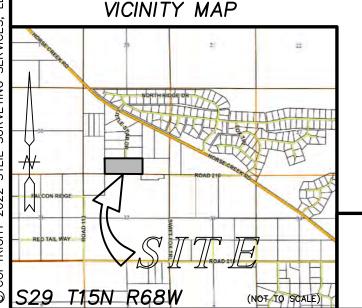
NOIES

- 1. BASIS OF BEARINGS: WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET. GRID DISTANCES. COMBINATION FACTOR = 0.9996224369.
- 2. ALL UNMONUMENTED TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH A 1%" ALUMINUM CAP STAMPED "SSS PLS 5910" SET %" × 24" REBAR.
- 3. A PORTION OF THIS PLAT FALLS WITHIN A FEMA 100-YEAR SFHA PER F.I.R.M PANEL #56021C1050F; DATED JANUARY 17, 2007.
- 4. ALL WELLS AND SEPTIC SYSTEMS SHALL COMPLY WITH ALL APPLICABLE ORDINANCE(S). RULES AND REGULATIONS.
- 5. CWPP SUBJECT PROPERTY FALLS WITHIN THE CWPP- MAP PANEL A LOW.
- 6. IT IS THE INTENT OF THIS RPLAT TO VACATE ALL OF WESTRIDGE 3RD FILING.
- 7. ALL EXISTING EASEMENTS TO REMAIN.

FILING RECORD

- O SET 1½" ALUMINUM CAP STAMPED "SSS P.L.S. 5910" ON 5%" x 24" REBAR
- FOUND ALUMINUM CAP STAMPED "SSS P.L.S. 5910"





DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT: Chad Clark Christiansen and Autumn Dae Christiansen, husband and wife, owners in fee simple of Tract 10, West Ridge Estates, 3rd Filing.

G & G Enterprises of Wyoming LLC, a Wyoming limited liability company, owner in fee simple of Tract 11, West Ridge Estates, 3rd Filing.

AND

AND

Robert Rickgauer, Jr. and Sarah Rickgauer, husband and wife, owners in fee simple of Tract 12, West Ridge Estates, 3rd Filing.

Have caused the same to be surveyed, vacated and re-platted and known as: West Ridge Estates 5th Filing, 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 and does furthermore dedicate the easements as shown hereon for the purposes indicated.

Chad Clark Christiansen and Autumn Dae Christiansen, husband and wife.

Victoria Ganskow, Member, G & G Enterprises of Wyoming LLC, a Wyoming limited liability company.

Robert Rickgauer, Jr. and Sarah Rickgauer, husband and wife.

OWNER ACKNOWLEDGEMENT

STATE OF WYOMING

) SS COUNTY OF LARAMIE

My Commission Expires: ____

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by Chad Clark Christiansen and Autumn Dae Christiansen, husband and wife AND Victoria Ganskow, The foregoing instrument was acknowledged before me this ____ Member, G & G Enterprises of Wyoming LLC, a Wyoming limited liability company AND Robert Rickgauer, Jr. and Sarah Rickgauer, husband and wife.

Notary Public, Laramie County, Wyoming

APPROVALS

R

8

, B

04

G

929. 969.94

Approved by the Board of Commissioners of Laramie County, Wyoming this ____ day of __ _, 2023.

Chairman

County Clerk

Approved by the Laramie County Planning Director this ____day of ______ _, 2023.

Justin Arnold, Planning Director, Laramie County, Wyoming

Approved by the Director of Laramie County Public Works this __day of _____, 2023.

Molly Bennett, Director of Public Works, Laramie County, Wyoming



RESS



AN ADMINISTRATIVE REPLAT OF TRACT 10, 11 & 12, WEST RIDGE ESTATES 3RD FILING, SITUATE IN A PORTION OF PORTION OF SECTION 29, T.15 N., R.68 W. OF THE 6th P.M. LARAMIE COUNTY, WYOMING

PREPARED MARCH, 2023



REVISED: 5/8/2023 23129 WEST RIDGE REPLAT.DWG

600

A RESOLUTION TO APPROVE A VACATION OF TRACTS 10, 11 AND 12, WEST RIDGE ESTATES, 3RD FILING, LOCATED IN THE SOUTH ½ SOUTH ½ OF SECTION 29, T.15N., R68W., OF THE 6TH P.M., LARAMIE COUNTY, WY.

WHEREAS, W.S. §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 Vacation is in accordance with W.S. §34-12-106 to §34-12-111; and

WHEREAS, the proposed Vacation is in accordance with the Laramie County Land Use Regulations, Section 2-1-102 (m); and

WHEREAS, this resolution is the Vacation for Tracts 10, 11 and 12, West Ridge Estates, 3rd Filing, located in the South ½ South ½ Section 29, T.15N, R68W of the 6th P.M., Laramie County, WY.

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 W.S. §34-12-106 to §34-12-111.
- **b.** The application is in conformance with Section 2-1-102(m) of the Laramie County Land Use Regulations.
- c. The vacation has been submitted to create an Administrative Plat known as West Ridge Estates, 5th Filing.
- d. This vacation will become effective only upon recording of the Administrative Plat known as West Ridge Estates, 5th Filing.

And the Board approves the Vacation for Tracts 10, 11 and 12, West Ridge Estates, 3rd Filing located in the South ½, South ½ of Section 29, T.15N., R68W, of the 6th P.M., Laramie County, WY., and will become effective upon the recording of the Administrative Plat known as West Ridge Estates, 5th Filing. This vacation does not abridge or modify any existing covenants and consistent with W.S. § 34-12-108 does not abridge or modify any rights and privileges of any proprietors of the plat.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF MAY, 2023.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Troy Thompson, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Laramie County Attorney's Office