



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Kelly Schroeder, Planner

DATE: January 4, 2022

TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for Wendt Subdivision, located in a portion of the NW1/4 of Sec. 12, T.14N., R.64W. of the 6th PM, Laramie County, WY.

EXECUTIVE SUMMARY

John J. Studley, PLS, on behalf of Tim Wendt, has submitted a Subdivision Permit and Plat application for Wendt Subdivision, located at 1355 Road 141, Laramie County, WY. The application has been submitted for the purpose of subdividing the property into three residential-use tracts.

BACKGROUND

The subject property is unplatted and consists of 19.98 acres of vacant residential land. The surrounding area consists of rural residential and agricultural 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 Rural Ag Interface (RAI). Within this area, rural residential uses are primarily anticipated. Limited service commercial and retail

uses are anticipated at major intersections. The plan does not identify minimum lot sizes, but suggests that density shall be foremost based on availability and access to water.

The subject properties are located outside of both the PlanCheyenne and zoned boundaries and therefore is not impacted by these regulations.

According to the AMEC Memo dated January 31, 2014, the property lies within Zone 2 of the study area. The memo states that lots within this zone shall be a minimum of 5 acres in order to sufficiently recharge groundwater after withdraws from a pumping well.

Water and sewage disposal for each proposed tract will be provided by individual well and septic systems. With all tracts shown to be greater than 5.25 acres, the minimum requirements for septic system permits are met, as are the minimum requirements based on the AMEC Memo.

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 roadway construction and clerical corrections to the plat. The County Engineer has requested that Road 141 be brought up to current County standards between Road 213 and Road 214 since the existing roadway appears to only be 16' wide.

The applicant met with Laramie County Planning & Development and Public Works on Thursday, December 16, 2021 to discuss improvements to Road 141. Public Works reiterated that the access road leading to the parcel must be brought up to County standards. Design plans for the improvement to Road 141 shall be submitted by the developer to the County for review and approval. The roadway needs to be constructed and completed prior to any of the Tracts being sold and/or developed.

On December 21, 2021 the applicant submitted a revised plat that has addressed all agency comments. A letter requesting that the developer only be responsible for improving the north half of Road 141, rather than the entire mile, was also submitted along with a request to waive road construction design plans. The County Engineer concurred with the request to upgrade only a portion of Road 141, but has recommended denial of the request to waive road construction design plans.

Public notice was provided per Section 1-2-104 of the Land Use Regulations. No public comment was received.

A public hearing of this application was held on December 9, 2021 by the Laramie County Planning Commission. No public comment was received. The Planning Commission voted 4 – 0 to recommend denial of the application to the Board based the proposed lot sizes not matching the surrounding area's lot sizes. The Planning Commissioners agreed that while the minimum lot size requirements are understood, these requirements need to be increased.

There were three conditions required of the applicant before today's Board meeting, all of which have been met with the receipt of a revised plat dated December 21, 2021.

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 Wendt Subdivision with one condition:

1. Road Construction design plans for the portion of Road 141 from the southern line of Tract 3 north to Road 214, that meet County Standards, shall be submitted and agreed upon by the Public Works and Planning Departments prior to recordation.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Wendt Subdivision 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**
- Attachment 4: AMEC Zone Map**
- Attachment 5: Applicant Traffic/Drainage Study Waiver Request**
- Attachment 6: Agency Comments Report**
- Attachment 7: Applicant Road 141 Modification Request**
- Attachment 8: Plat Revised 12.21.21**
- Attachment 9: Resolution**

Laramie County, Wyoming



**Wendt
Subdivision**

**Subdivision
Permit & Plat**

PZ-21-00324

Location Map

**Subject
Property**



December 2021



0 500 1,000
Feet

Legend

Property Lines

Streets

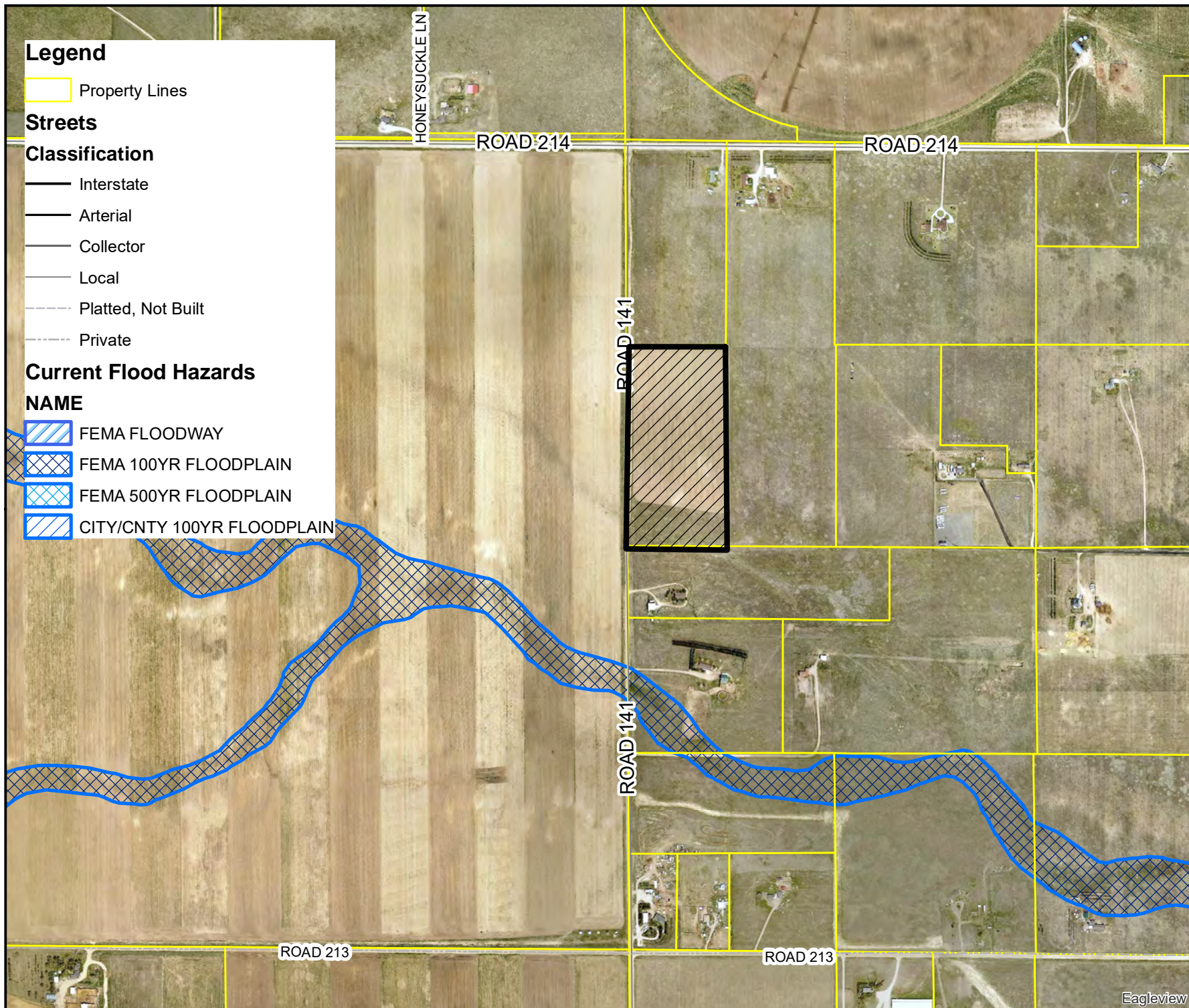
Classification

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

Current Flood Hazards

NAME

- FEMA FLOODWAY
- FEMA 100YR FLOODPLAIN
- FEMA 500YR FLOODPLAIN
- CITY/CNTY 100YR FLOODPLAIN



Laramie County, Wyoming



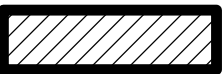
**Wendt
Subdivision**

**Subdivision
Permit & Plat**

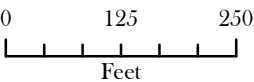
PZ-21-00324

Aerial Map

**Subject
Property**



October 2021



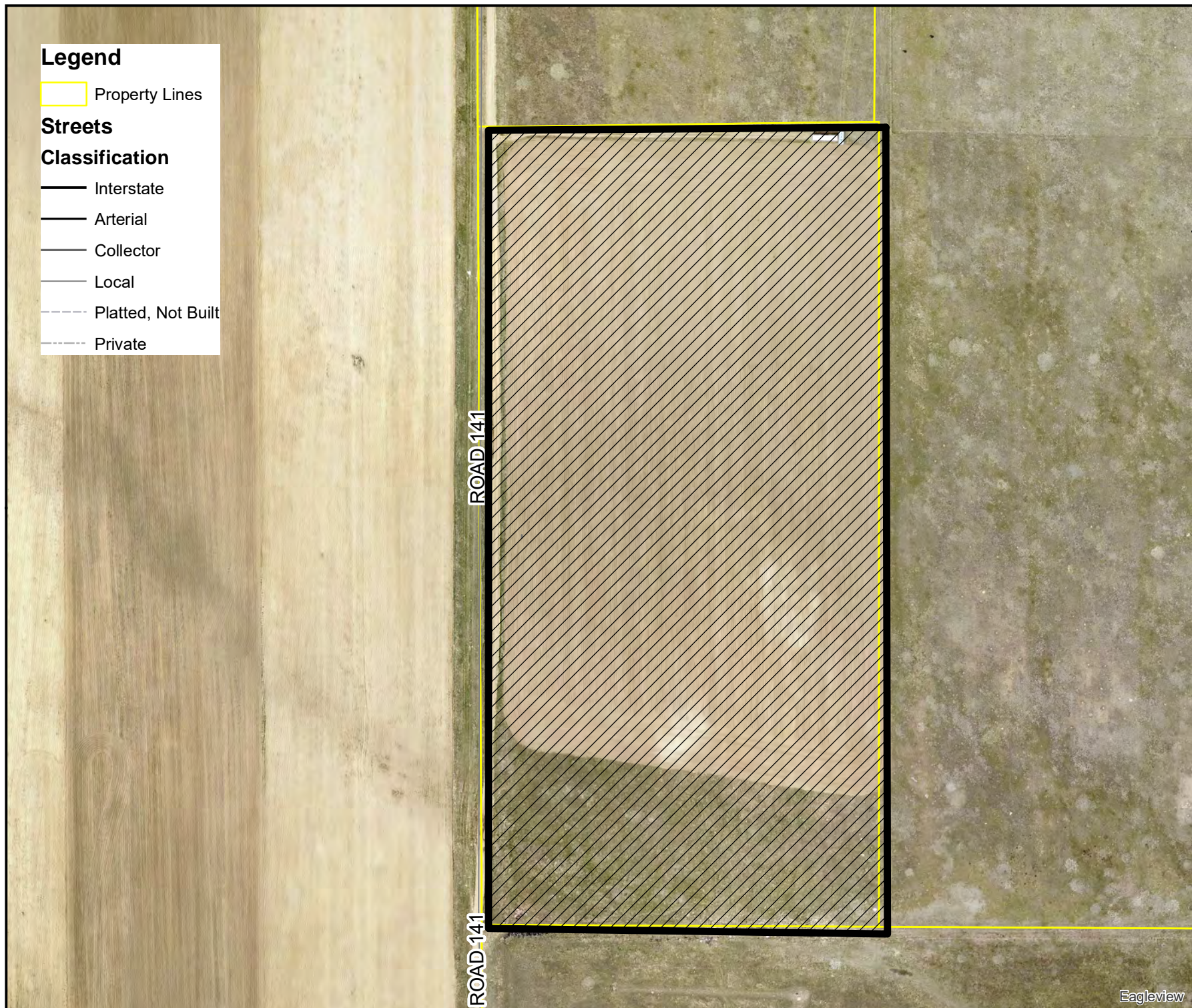
Legend

Property Lines

Streets

Classification

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



Eagleview

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Laramie County, Wyoming



Wendt
Subdivision

Subdivision
Permit & Plat

PZ-21-00324

Comprehensive
Plan Map

Subject
Property



December 2021



0 500 1,000
Feet

Legend

Property Lines

Future Land Use Districts

OTHER

Urban-Rural Interface (URI)

Rural Metro (RM)

Rural Ag Interface (RAI)

Ag & Range Land (AGR)

Streets

Classification

Interstate

Arterial

Collector

Local

Platted, Not Built

Private

Current Flood Hazards

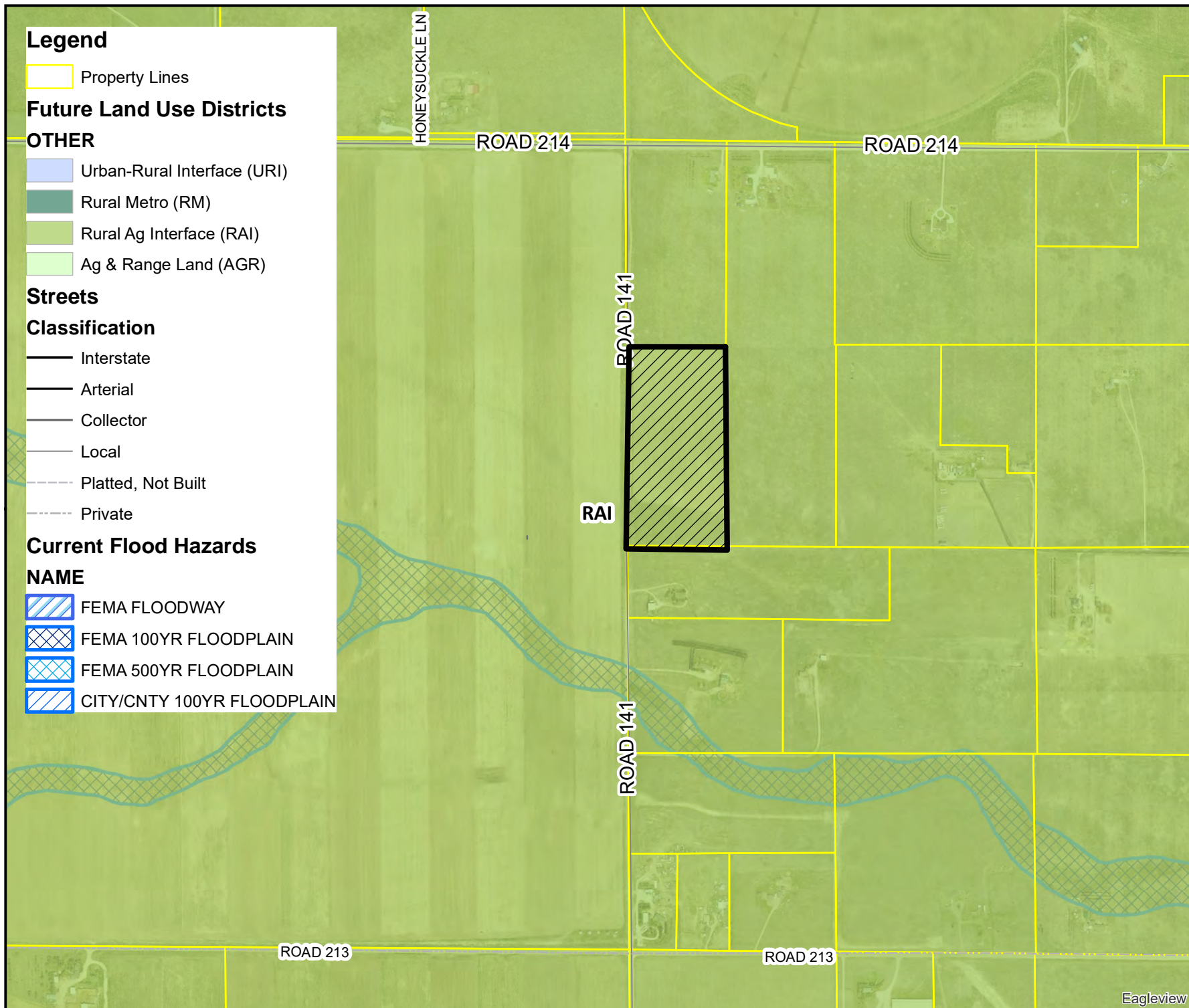
NAME

FEMA FLOODWAY

FEMA 100YR FLOODPLAIN

FEMA 500YR FLOODPLAIN

CITY/CNTY 100YR FLOODPLAIN



Eagleview

Laramie County, Wyoming



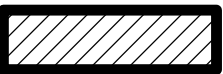
**Wendt
Subdivision**

**Subdivision
Permit & Plat**

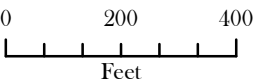
PZ-21-00324

**AMEC Zone
Map**

**Subject
Property**



December 2021



Legend

Streets

Classification

Interstate

Arterial

Collector

Local

Platted, Not Built

Private

Property Lines

AMEC Memo Zone

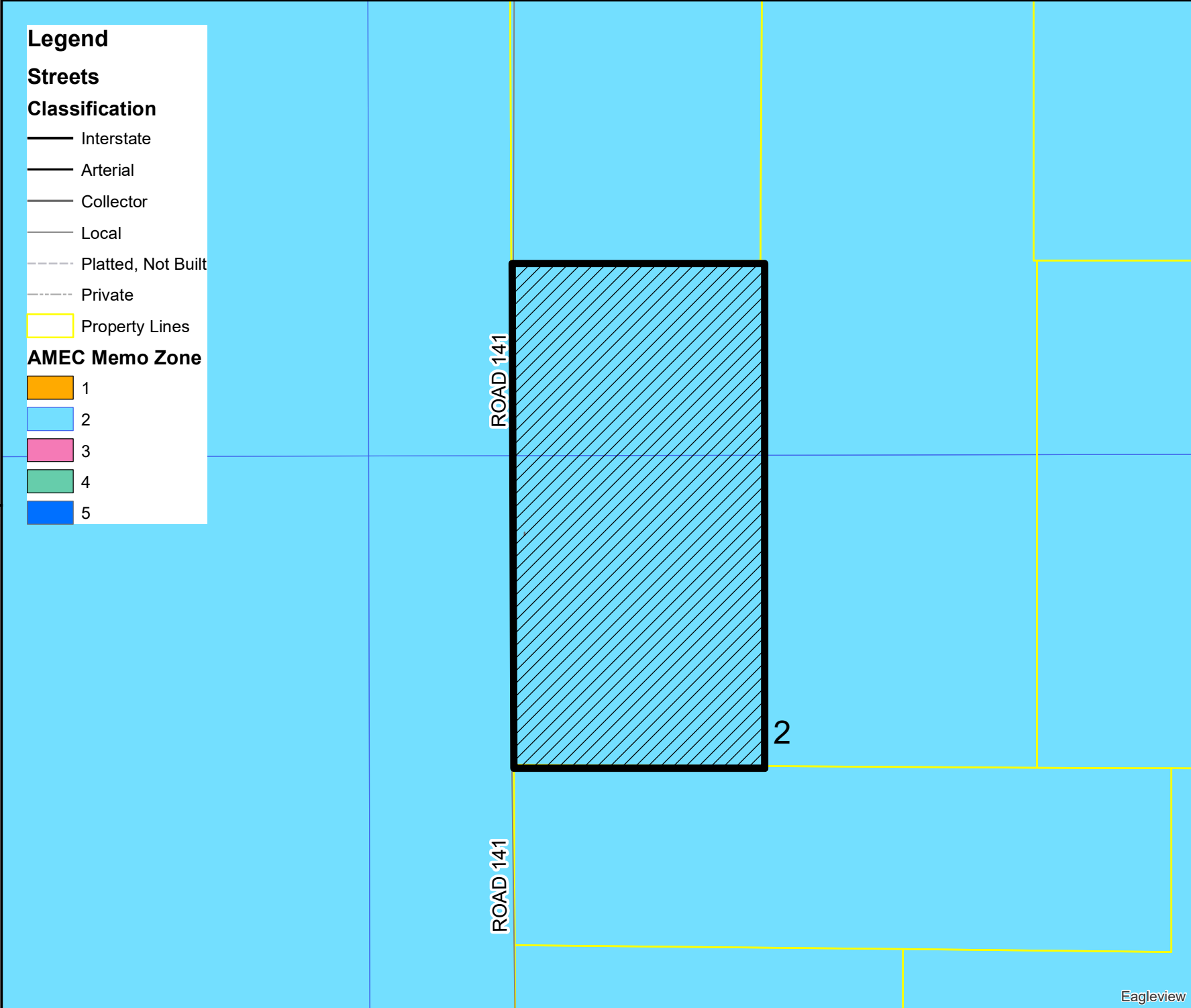
1

2

3

4

5



Eagleview

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John J. Studley, PLS

615 West Dale Blvd.
Cheyenne, Wyoming 82009

Proverbs 22: 28
Proverbs 23: 10

18 October 2021

Laramie County Planning & Development Office
3966 Archer Pkwy
Cheyenne, WY 82009

RE: WENDT SUBDIVISION

Dear Ms. Pomerleau

Accompanying the referenced application, as agent for the applicant Tim Wendt, I would like to request that the requirements for a Traffic Study, and Drainage Study be waived.

The subject property is presently vacant, and is being developed for three single family residences.

TRAFFIC STUDY WAIVER REQUEST

Along the Westerly boundary of the proposed development is an existing County Road dedication (Road 141). The existing two track road will be developed as access to the proposed residential sites in compliance with County specifications. This development will have minimal impact upon existing traffic patterns, it is estimated that three residences will generate fewer than 30 trips per day on average. It is hereby requested that a Traffic Study be waived by the Director of Planning and Development.

DRAINAGE STUDY WAIVER REQUEST

The proposed development has sufficient drainage characteristics to allow for proper handling of possible storm events. This development will not result in a substantive increase in the historic impervious area. The development of this area is immediately adjacent to a larger drainageway that is capable of conveying the fully developed basin 100 year flood without impact to the base flood elevation. And this development is unlikely to create drainage problems. And NOTE 3 on the draft plat provides "DRAINAGE THROUGH AND AROUND THE PROPERTY IS THE RESPONSIBILITY OF THE PROPERTY OWNER." It is hereby requested of the Public Works Department to waive a Drainage Study requirement.

It is the intent of the applicant to pay all required **Community facility fees** upon review and approval of the application.

A handwritten signature in blue ink, appearing to read "John J. Studley".

John J. Studley, PLS No. 4828

County Engineer: County Engineer, Scott Larson Comments Attached 11/15/2021
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. CR 141 needs to be brought up to current County standards for this development between CR 214 and CR 213 since the existing roadway appears to only be approximately 16' wide. Design plans for the improvements to CR 141 shall be submitted by the developer to the County for review and approval. The roadway needs to be constructed and completed prior to any of the Tracts being sold and/or developed.

Surveyor Review

1. The VICINITY MAP has very small, hard to read text. The note under the North Arrow is not legible.

Environmental Health: Environmental Health Department, Tiffany Gaertner Comments Attached 11/15/2021

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.

Intraoffice: Planners, Kelly Schroeder Comments Attached 11/15/2021

1. Please add "Recording" or "Filing Record" above box for filing record at bottom of the plat
2. Scale should read 1" = 100', not 1" = 100"
3. Vicinity map is hard to read

AGENCIES WITH NO COMMENT

Combined Communications Center

County Assessor

County Attorney

County Real Estate Office

Intraoffice

WYDOT

AGENCIES WITH NO RESPONSE

County Clerk
County Conservation District
County Public Works Department
County Treasurer
Emergency Management
Fire District No 6
High West Energy
RT Communications
Sheriff's Office
US Post Office
WY State Engineer's Office

John J. Studley, PLS

615 West Dale Blvd.
Cheyenne, Wyoming 82009



Proverbs 22: 28
Proverbs 23: 10

17 December 2021

Laramie County Planning & Development Office
3966 Archer Pkwy
Cheyenne, WY 82009

RE: WENDT SUBDIVISION

Dear Ms. Schroeder,

Following our meeting of last week it is the applicants intent to comply with all corrections to the plat as stated in the Staff Report.

The applicant considers the request to improve one mile of Road 141 to be excessive, and we submit to improve the North ½ mile of said Road 141 to match or exceed the existing improved road to the South. All other easement modifications will be complied with.

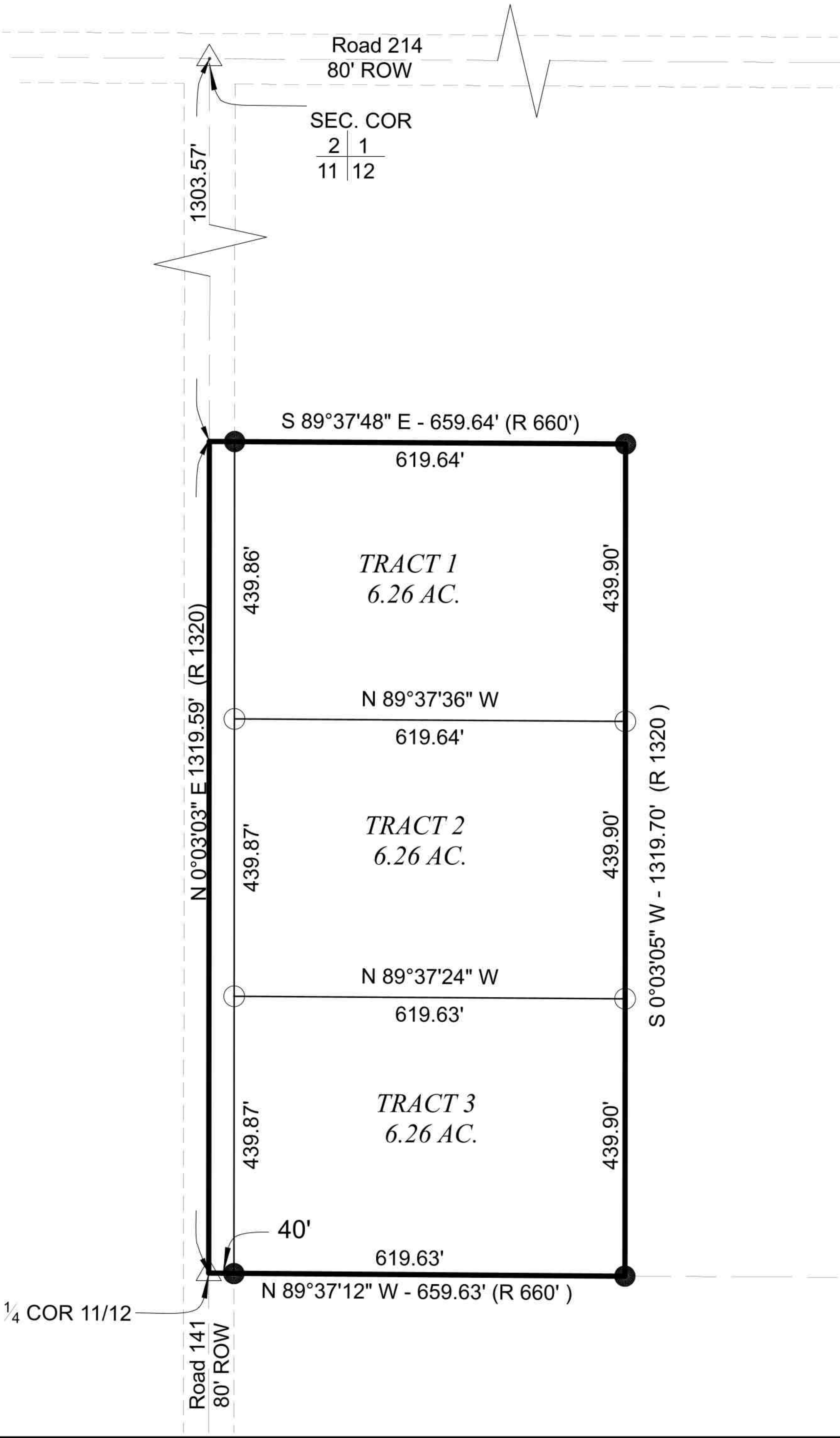
We also request that design plans for the road not be required. This access road is on a relatively straight grade from the South end of the proposed plat, North to Road 214 and has no significant cut or fill requirements. The applicant is associated with fellow developers who are licensed General Contractors with the equipment, resources and experience to construct this road without formal design plans. This would be an unnecessary cost requirement. And the road would be constructed under the inspection of the County personnel.

All technical corrections will be complied with.

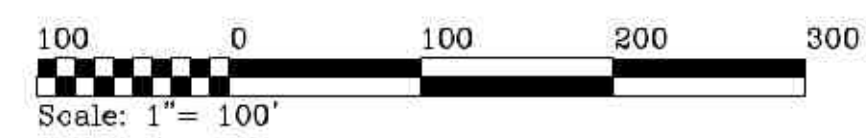
Thank you for your consideration of this application and discussion of possible resolutions to points of further consideration.

John J. Studley, PLS No. 4828

Cell: 307-287-4755 email: jackliz0318@gmail.com



- FIRE PROTECTION TO BE PROVIDED BY LARAMIE COUNTY FIRE DISTRICT #6
- DOMESTIC WATER AND SANITARY SEWER TO BE PROVIDED BY PRIVATE WELL AND SEPTIC SYSTEM DEVELOPMENT, IN COMPLIANCE WITH LARAMIE COUNTY REGULATIONS AND SPECIFICATIONS.
- THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.



LEGEND

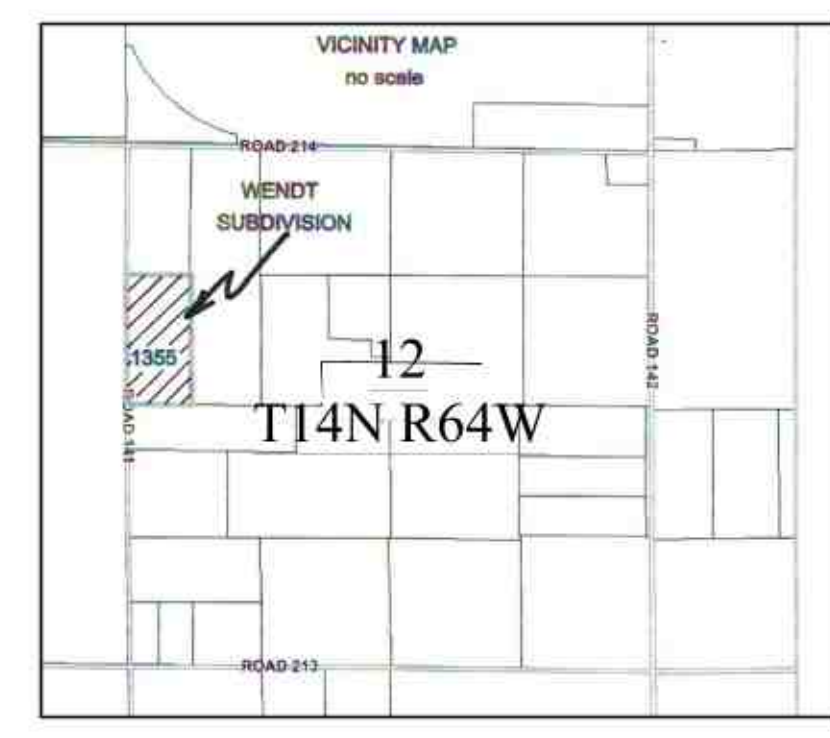
- FOUND PLSS SURVEY CORNER MONUMENT PER CORNER RECORDATION FORM FILED IN THE LARAMIE COUNTY CLERK'S OFFICE.
- FOUND NO.5 REBAR WITH 1 1/2" DIA. ALUMINUM SURVEY CAP STAMPED "SSS - WY PLS NO. 2500 OR 5910" PER THE STEIL SURVEYING SERVICES, LLC RECORD OF SURVEY DATED MARCH 2003 .
- SET THIS SURVEY A NO.5 REBAR WITH 1 1/2" DIA. ALUMINUM SURVEY CAP STAMPED "WY PLS NO. 4828".

COORDINATES

Wyoming State Plane Coordinate System, East Zone, U.S. Survey foot, NAD 1983(CORS96).
NW COR. SEC. 12 N 256428.981 E 838803.598
W1/4 COR. SEC. 12 N 253805.887 E 838801.270

CERTIFICATE OF SURVEYOR

I, John J. Studley, a Licensed Professional Land Surveyor in the State of Wyoming, WYO. P.L.S. NO. 4828, hereby certify, this map was prepared from field notes taken during an actual survey conducted by me in August 2021; that to the best of my knowledge, information and belief this map correctly shows the results of said survey and the monuments found or set are as shown



C 1/4 COR
SEC. 12

N 89°37'59" W
1987.02

FILING RECORD

GENERAL NOTES

- BASIS OF BEARINGS – Wyoming State Plane Coordinate System, East Zone, U.S. Survey foot, NAD 1983(CORS96).
- NO PORTION OF THE PROPOSED SUBDIVISION FALLS WITHIN A FEMA 100 YEAR SPECIAL FLOOD HAZARD AREA PER F.I.R.M. PANEL NOS. 56021C1135F and 56021C1155F: DATED JANUARY 17, 2007.
- DRAINAGE THROUGH AND AROUND THE PROPERTY IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
- THE INITIAL READING OF THE LEGAL DESCRIPTION OF RECORD WOULD INDICATE A STANDARD SECTION BREAKDOWN INTO ALIQUOT PARTS FOR THE SUBJECT PROPERTY. BUT MY FIELD SEARCH FOUND TWO SETS OF MONUMENTED CORNERS FOR WHAT APPEARED TO BE THE SAME POSITION OF 1/16 OR 1/64TH CORNERS. I INTERVIEWED STEIL SURVEYING SERVICES TO FIND THAT THEIR SURVEY OF THIS PARCEL WAS NOT REPRESENTATIVE OF A STANDARD SECTION BREAKDOWN INTO ALIQUOT PARTS, BUT INSTEAD WAS REQUESTED TO BE PRECISELY 660 FEET (E-W) BY 1320 FEET (N-S) IN THE SOUTHWESTERLY CORNER OF SAID NW1/4. THESE ARE THE MONUMENTS ACCEPTED AND USED FOR THIS SURVEY. IN CLOSE PROXIMITY TO THREE OF THESE CORNERS I FOUND THE ALIQUOT PART SECTION BREAKDOWN CORNER MONUMENTS SET BY PLS NO. 3047 OF TERRESTIAL SURVEYING AND MAPPING, PER MAP OF SURVEY RECORDED IN BOOK 1589, PAGE 1092. THE SECTION BREAKDOWN SURVEY CALLS FOR THE RELATIONAL TIES TO THE STEIL SURVEY, AND THE CORNER RECORDATION FORMS RECORDED UNDER BOOK 1603, PAGES 859 AND 865, ALSO REFERENCE THE POSITIONAL RELATIONSHIP OF THE MONUMENTED CORNERS TO ONE ANOTHER. BUT THEY ARE NOT INTENDED TO REPRESENT THE SAME POINT.

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT: TIM WENDT, owner in fee simple of the parcel described in Warranty Deed recorded in the Laramie County Clerk's Office under Book 2366, Page 1441, being a portion of the W1/2NW1/4 of Section 12, Township 14 North, Range 64 West of the 6th PM, Laramie County, Wyoming, further described as follows:
Beginning at the west quarter corner of Section 12, Township 14 North, Range 64 West of the 6th PM monumented by a 3/4" iron pipe;
thence N0°03'03"E a distance of 1319.59 feet on and along the westerly line of said Section 12 to a point;
thence S89°37'48"E a distance of 659.64 feet to a point monumented with a 1 1/2" aluminum survey cap stamped SSS - PLS 2500;
thence S0°03'05"W a distance of 1319.70 feet to a point monumented with a 1 1/2" aluminum survey cap stamped SSS - PLS 5910;
thence N89°37'12"W a distance of 659.63 feet to the point of beginning.
Said parcel containing 19.98 acres more or less.
Have caused the same to be surveyed and platted and to be known as WENDT SUBDIVISION, and do hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed in accordance with their desires and do hereby dedicate the right-of-way and easements for the purposes indicated hereon.

By: _____
TIM WENDT

OWNER ACKNOWLEDGEMENT

STATE OF WYOMING)
) SS
COUNTY OF LARAMIE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021 by
TIM WENDT.

Notary Public, Laramie County, Wyoming
My Commission expires: _____

APPROVALS

APPROVED by the LARAMIE COUNTY PLANNING COMMISSION this ____ day of _____, 2021.

CHAIRMAN LARAMIE COUNTY PLANNING COMMISSION

APPROVED by the COUNTY COMMISSIONERS OF LARAMIE COUNTY, WYOMING this ____ day of _____, 2021

Attest: _____

CHAIRMAN COUNTY CLERK

FINAL PLAT OF WENDT SUBDIVISION

BEING SITUATE IN A PORTION OF THE WEST 1/2 NW1/4 OF
SECTION 12, TOWNSHIP 14 NORTH, RANGE 64 WEST,
6TH P.M., LARAMIE COUNTY, WYOMING

PREPARED SEPTEMBER 2021

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR
A PORTION OF THE NW1/4 OF SEC. 12, T14N, R64W,
OF THE 6TH PM, LARAMIE COUNTY, WY,
TO BE PLATTED AND KNOWN AS "WENDT SUBDIVISION".**

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 Wendt Subdivision.

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 Wendt Subdivision with one condition:

1. Road Construction design plans for the portion of Road 141 from the southern line of Tract 3 north to Road 214, that meet County Standards, shall be submitted and agreed upon by the Public Works and Planning Departments prior to recordation.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2022.

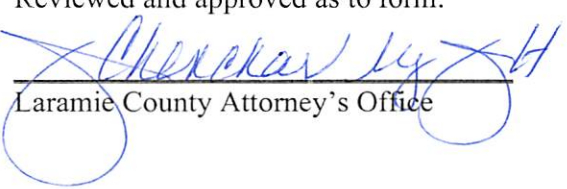
LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Laramie County Attorney's Office