



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Justin Arnold, Planning Program Manager

DATE: November 21, 2023

TITLE: Board Approval of an Exception to the 201 Sewerable Area Agreement for a portion of the of the SW ¼ of Section 13, Township 13 North, Range 67 West of the 6th P.M., Laramie County, WY.

Thomas Haynes, owner of a tract situated in the SW ¼ of Section 13, Township 13 North, Range 67 West is requesting an exception to the 201 Agreement between the City of Cheyenne, South Cheyenne Water and Sewer District and Laramie County. In order for the exception to proceed in the process, approval by the County's governing body is required.

An application denial for an RV dump station holding tank with no leach field on the aforementioned property precipitated the exception request with reasoning and supporting documentation provided in the addendum to this memo.

Pursuant to the provisions of the referenced agreement, the Laramie County Planning Commission has been provided the application materials and has not relayed any concerns regarding the proposed exception.

RECOMMENDATION and FINDINGS

Based on evidence provided, the Planning Commission and staff recommend the Board find that:

- a. This application meets the criteria for a 201 Exception pursuant to section Section 4.1 (c).

and that the Board approve the 201 Exception with no conditions.

PROPOSED MOTION

I move to approve the 201 Exception for a portion of the SW ¼, of Section 13, Township 13 North, Range 66 West of the 6th P.M., Laramie County, Wyoming.

ATTACHMENTS

Attachment 1: 201 Exception Submittal

Attachment 2: Map Exhibit

Attachment 3: Resolution – 201 Exception



October 23, 2023

Mr. Justin Arnold
Program Manager
3966 Archer Parkway
Cheyenne, WY 82009

**RE: 201 Exception Appeal Request
125 RV Storage Facility (SW 1/4, S.13, T13, R67)**

Dear Mr. Arnold:

We hereby request an exception/waiver of the 201 requirements for tying into City sewer for the above referenced facility in order to appeal the decision by the Health Department. The small wastewater application for an RV dump station holding tank (no leach field) submitted to the Health Department was denied due to the property being within the 201 area/boundary.

The following is our justification for the request:

1. The BOPU generally does not allow RV dump stations to use the public sanitary sewer system.
2. The 201 Agreement defines the "Service Area Boundary" as "A Boundary that defines areas that: 1. Can be provided with Municipal Sewage Treatment Services via gravity flow,". This property is unable to tie into any existing City sanitary sewer system (i.e., in West College/Southwest Drive or in Granite Peak Drive) via gravity flow and would require a lift station to tie in.
3. The cost to tie into the existing City sanitary sewer system would be approximately \$948,750 which is prohibitive. The cost to install the proposed RV dump station holding tank is approximately \$9,300, which is significantly lower, realistic, and attainable than tying into the City sewer system.
4. This request is not detrimental to the public health, safety, and welfare because the proposed plan will not discharge any sewage into the ground, etc. via a leach field. It will be held in a storage tank, pumped out, and taken to an appropriate and legal location to dispose of the sewage. Therefore, there is no sewage that will be discharged into the ground that could potentially impact the groundwater, etc. Alarms will be installed to ensure the tank does not overflow.
5. The developer is not opposed to ultimately tying into City water and/or sewer when and if it becomes more readily available and the cost to tie in is not prohibitive. Even then, the RV dump station will most likely not be allowed to tie into the City sewer unless BOPU changes their position and will accept the sewage from an RV dump station.
6. The current plan is to not have an office with staff and restrooms. If that changes with future phases of the project, it will be tied into the holding tank and the pumping of the holding tank would occur more frequently.

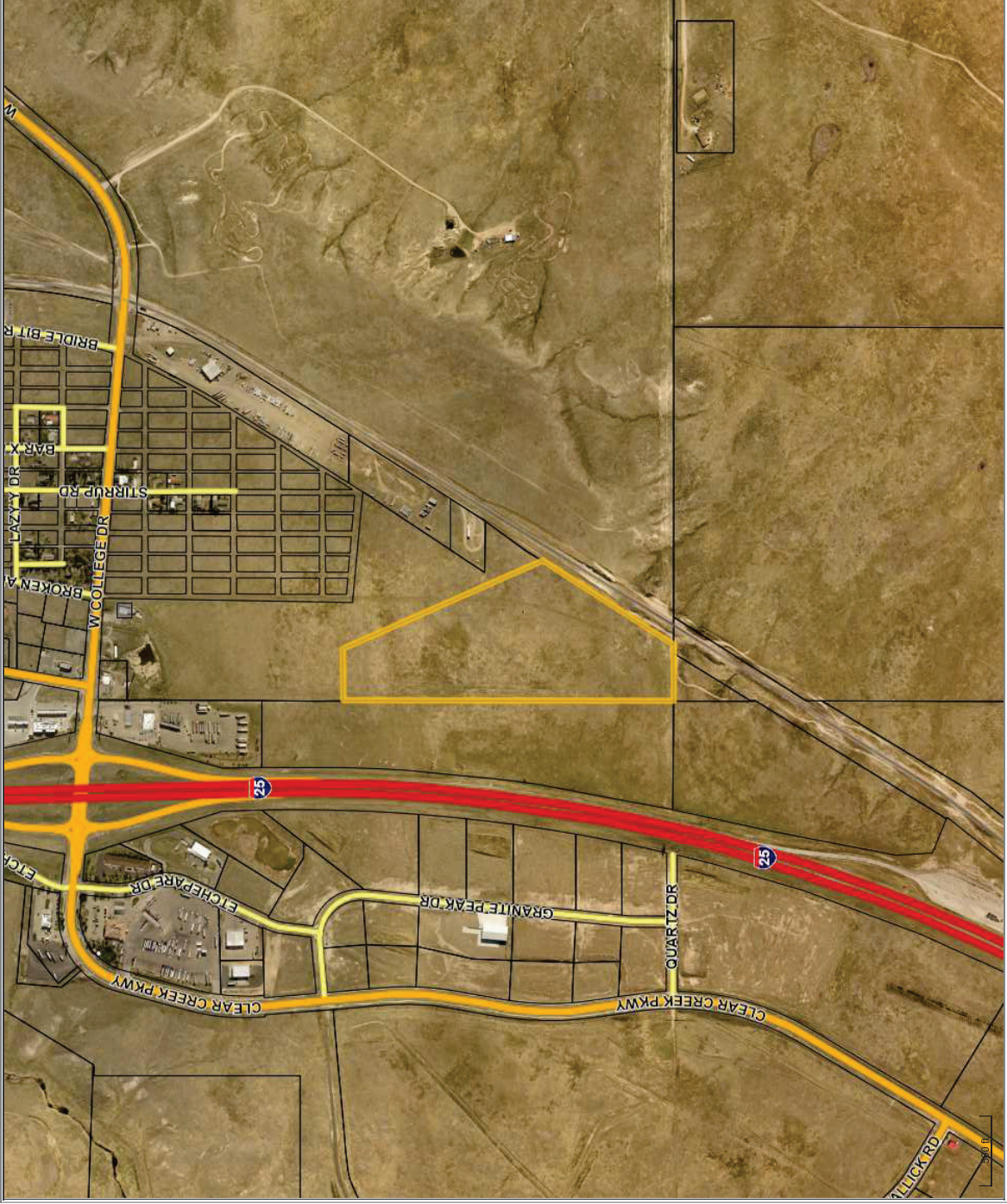
7. Full design plans for the RV dump holding tank will be provided to the Health Department for approval if this exception/waiver is granted.
8. Bish's RV, which is located directly west and across I25 of this property was granted an exception 2 years ago for the exact same situation – a holding tank for an RV dump station. However, Bish's is annexed into the City and this proposed site will remain in the County

Based on the above information, we believe this request is reasonable and justified. Please let me know if you have any questions or require additional information.

Sincerely,

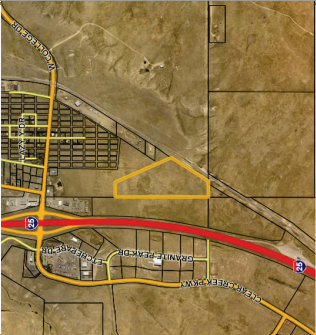
A handwritten signature in blue ink, appearing to read 'SDL', with a stylized flourish extending to the right.

Scott D. Larson, P.E.
President



Laramie County Wyoming
MapServer

Hanes 201 Exception Location Map



This map data is made possible through the cooperation of Laramie County and the Wyoming Department of Transportation (WYDOT) and is for informational purposes only. The CLCCGIS is not responsible for any errors or omissions in the data, and makes no warranty as to the validity, and assumes no liability associated with the use or misuse of this information.

printed 11/15/2023

RESOLUTION NO. _____

**A RESOLUTION GRANTING AN EXCEPTION FOR DEVELOPMENT OF
SMALL WASTEWATER SYSTEMS PURSUANT TO THE "201 AGREEMENT" FOR
PROPERTY DESCRIBED AS A PORTION OF THE SW 1/4, OF SECTION 13,
TOWNSHIP 13 NORTH, RANGE 67 WEST OF THE 6TH P.M., LARAMIE COUNTY,
WYOMING.**

WHEREAS, a Memorandum of Understanding was entered into on the 25th day of April 1983, between the City of Cheyenne, the County of Laramie, the Cheyenne Board of public utilities, and the South Cheyenne Water and Sewer District, for participation in the implementation of the findings of the 201 Facilities Plan Final Report for the City of Cheyenne, the South Cheyenne Water and Sewer District, and Laramie County ("201 Agreement"); and

WHEREAS, Section 4.0 of the 201 Agreement provides for development that is not consistent with the proposed 201 Facilities Plan to be granted for specific reasons; and

WHEREAS, Thomas Haynes submitted an application to the Cheyenne-Laramie County Health Department to install small wastewater systems for a property located in Laramie County, described as a tract of land in a portion of the SW ¼, of Section 13, Township 13 North, Range 67 West of the 6TH P.M., Laramie County, Wyoming.

WHEREAS, the Cheyenne-Laramie County Health Department denied the small wastewater permit because new septic systems are prohibited on property within the 201 sewerable boundary and is not in compliance with the 201 Facilities Plan or 201 Agreement; and

WHEREAS, the property owner is appealing the decision of the Health Department by requesting an exception provided for under Section 4.1 (c) of the 201 agreement, and allow for the development of a temporary small wastewater system on the property; and

WHEREAS, the Board of Commissioners of Laramie County has considered the proposed exception and determined that a demonstrable hardship exists, and the property owner should be allowed to install a small wastewater system on the property.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, that it grants an exception for the development of a small wastewater system on the property known and described above as the SW ¼, of Section 13, Township 13 North, Rand 67 West of the 6TH P.M., Laramie County, Wyoming pursuant to Section 4.1 (c) of the 201 Agreement as applied to the above-described property.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF

_____, 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