



## LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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Planning • Building

### MEMORANDUM

**TO:** Laramie County Board of Commissioners

**FROM:** Michael Surface, Senior Planner

**DATE:** December 6, 2022

**TITLE:** PUBLIC HEARING regarding a Board Approval for a Vacation of a portion of the Vossler Tracts, that portion of Tract 4 lying south of Columbia Drive and the east one-half of Tract 5, Laramie County, WY.

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### EXECUTIVE SUMMARY

Bill and Ann Vossler have submitted a Board Approval application seeking approval for a Vacation of a portion of the Vossler Tracts, that portion of Tract 4 lying south of Columbia Drive and the east one-half of Tract 5.

The purpose of the vacation is to allow for a Family Subdivision Exemption. Tracts of land within a platted subdivision are not able to carry out a subdivision exemption. Should the partial vacate be approved, the lot lines are to be redrawn with the subdivision exemption.

The property address is 5211 Columbia Drive.

### BACKGROUND

This property is within the A-1, Agricultural Rural Residential Zoning District. It is 6.2 acres. A subdivision exemption would provide for two (2) tracts of 3.1 acres each. The Vossler Tracts plat was approved by the Board of County Commissioners on September 13, 1983.

Pertinent statutes and land use regulations include:

Wyoming Statutes: 34-12-101 through 34-12-115.

Section 1-2-100 governing the Board Approval process.

Section 1-2-104 governing Public Notice.

Section 4-2-101 governing the A-1 Agricultural Rural Residential Zoning District.

Section 2-1-101 (m) governing a partial vacation of a subdivision plat.

## **DISCUSSION**

The owners wishes to carry out a vacation, which then opens the door to a Family Subdivision Exemption.

Upon discussion with the County Attorney's Office, it was determined that the property first needs a variance to be granted for lot size. The minimum required lot size is 10 acres in the A-1 Zoning District. The two tracts to be created would be 3.1 acres each.

Should the variance be granted by the Planning Commission after public notice, the applicant can pursue a subdivision exemption or an administrative plat. The applicant will need the permission of Environmental Health for the placement of an operating septic system on the additional lot.

Another option, which does not pursue ownership, is the placement of an Accessory Living Quarters for a family member. It is an allowable use within the zoning district. Again, the applicant would need the permission of Environmental Health for the placement of an operating septic system on the additional lot.

The attached Exhibit A Map shows the lot portions to be vacated.

According to state statutes (34-12-108) any part of a plat may be vacated provided that the vacation does not abridge or destroy any of the rights or privileges of other properties situated within the same plat. Staff finds the request fits the statutory requirement.

Public notice was provided as required. The property signage was posted November 2, 2022. A legal ad appeared in the Eagle Tribune the same day. Letters to adjacent property owners were sent out on November 1, 2022.

Staff received a phone call from an adjacent neighbor asking questions about the purpose of the Board Approval. The neighbor also indicated he did not object to the proposed action.

Section 1-2-100 (a) of the Laramie County Land Use Regulations outlines the Laramie County Board of Commissioners Board approval process. The application for vacation has met the public notice requirements as outlined in the regulations. In this instance, the Board of County Commissioners is not approving a use, it is approving a vacate request. State statutes designates the Board of County Commissioners to approve a partial vacation of a plat.

## **RECOMMENDATION and FINDINGS**

**Based on evidence provided, staff recommends the Laramie County Board of Commissioners find that:**

- a.** This application does not meet the minimum lot size requirement for the A-1, Agricultural Rural Residential Zoning District.
- b.** The public agency review by Environmental Health indicates that 5.0 acres are needed for a septic tank permit to be obtained.

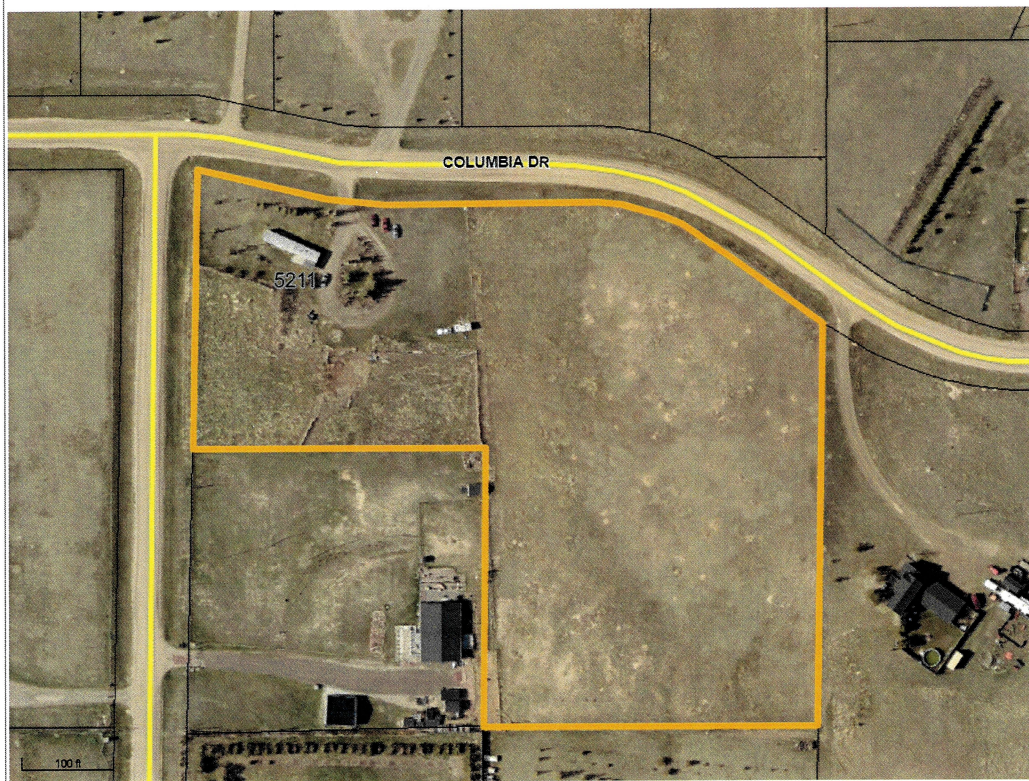
**Planning Staff recommends that the Board table indefinitely the Vacation of a portion of the Vossler Tracts, that portion of Tract 4 lying south of Columbia Drive and the east one half of Tract 5, Laramie County, WY. until such time that a variance is granted for lot size, and the property owners decide upon the avenue of an administrative plat, subdivision exemption or an accessory living quarters application.**

## **PROPOSED MOTION**

**I move to table indefinitely the Board Approval of the Vacation of a portion of the Vossler Tracts, that portion of Tract 4 lying south of Columbia Drive and the east one-half of Tract 5, Laramie County, WY. until such time that a variance is granted for lot size, and the property owners decide upon the avenue of an administrative plat, subdivision exemption or an accessory living quarters application, and adopt the findings of facts a and b, of the staff report.**

## **ATTACHMENTS**

- Attachment 1: Project Map**
- Attachment 2: Original plat – Vossler Tracts**
- Attachment 3: Narrative**
- Attachment 4: Agency review comments**
- Attachment 5: Resolution**
- Attachment 6: Exhibit “A” Map**



PROJECT MAP  
VOSSLER VACATE  
PZ-22-00329

Request is to vacate a portion of the Vossler Tracts, that portion of Tract 4 lying south of Columbia Drive and the east 1/2 of Tract 5.

Purpose is to create an unplatted parcel so a subdivision exemption for a family member can take place.

Current Zoning:  
A1- Agricultural and Rural Residential

Fire District:  
Laramie County Fire Authority





[illegible][illegible]

**LEGEND**

**MONUMENTS FOUND THIS SURVEY**

- NO.5 REBAR WITH ALUMINUM CAP  
STAMPED L.S.519, P.E. 0 L.S. 558  
OR P.E. 0 L.S. 707.
- ▲ 1/2" IRON PIPE WITH BRASS CAP  
STAMPED L.S.619.

**MONUMENTS SET THIS SURVEY**

- NO.5 REBAR WITH ALUMINUM CAP  
STAMPED P.E. 0 L.S. 707.

The sum of \$100  
 Twenty of Dollars  
 This instrument was filed for record  
 on 4th day of Sept 1903  
 at 13th day of Sept  
 A.D. 1903  
Plat. 15 80  
 James C. White

<u>OWNERSHIP</u>		
<u>TRACT No.</u>		
6, 7, 8 & 9	Joseph E. and Norma M. Coulter	Bk. 1179 Pg. 29
1 & 2	Joseph E. and Norma M. Coulter	Bk. 1168 Pg. 345
all of 3, 10 & 11 except 5.40'	Clarence E. Lamphere	Bk. 1151 Pg. 359 & 360
4.5 & 5.40' of 10 & 11	Frank W. and Florence K. Vossler	Bk. 1166 Pg. 1412
Portions of Columbine Drive	Paul Fintus	
To: <u>City of</u>	Regency Construction Co., Inc.	

APPROVALS

Approved by the Laramie County Planning Commission this 6<sup>th</sup> day  
of June, 1983.

Judy Kalka Robert C. Rose  
Chairman Secretary

Approved by the Board of Laramie County Commissioners this 13  
day of September, 1983.

John W. ... Robert C. ...  
Chairman of the Board County Clerk

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT Paul Flinza, Gordon Delach, Joseph E. and Norma M. Coulter, Clarence E. Lamphare and Frank W. and Florence K. Vossler, owners in fee simple of the lands embraced in this plat on description of VOSSLER TRACTS do hereby declare this subdivision of the above described land as appears in this plat to be their free act and deed in accordance with their desires and do hereby dedicate the rights-of-way shown herein to the use of the public forever and grant to the use intended of all easements shown hereon.

WITNESS

Gordon Delach, Pres. - Agency Chas. Co., Inc.

WITNESS

Paul Flinza

WITNESS

Joseph E. Coulter

WITNESS

Norma M. Coulter

WITNESS

Clarence E. Lamphare

WITNESS

Frank W. Vossler

WITNESS

Flora K. Vossler

PLAT OF

VOSSLER TRACTS

SITUATE IN THE NW 1/4 OF SECTION 14,  
TOWNSHIP 14 NORTH, RANGE 66 WEST OF THE 6th P.M.,  
LARAMIE COUNTY, WYOMING

**HE HUTCHISON ENGINEERING & SURVEYING**  
1902 THOMAS AVE. - NO. 207  
CHEYENNE, WYOMING 82001

J. STUDLEY  
JULY 1982

G-200

P222 - 00320



## Board Approval Application - Laramie County, Wyoming

Provide Application To:  
Laramie County Planning and Development  
3966 Archer Parkway – Cheyenne, WY 82009  
planning@laramiecountywy.gov

Complete Application, Required Documents and Initial Payment Required at Time of Filing.

Pre- Application Meeting Date \_\_\_\_\_

Name of Project Vossler Tracts 4 and E 1/2 of tract 5

**OWNER** – add a separate sheet if there are additional property owners

Name Bill Eugene Vossler and Ann Marie Vossler Phone 307-286-3611

Address 5211 Columbia Dr. City Cheyenne State WY Zip Code 82009

Email ~~bvossler90@gmail.com~~ bVossler9@gmail.com

### APPLICANT

Name Bill Vossler and Ann Vossler Phone 307-286-3611

Address 2635 Torrington RD City Cheyenne State WY Zip Code 82009

Email ~~bvossler90@gmail.com~~ bVossler9@gmail.com

### LOCATION

Legal Description VOSSLER TRACTS: POR TRACT 4 LYING SOUTH OF COLUMBIA DR, E1/2 TRACT 5

Site Address 5211 Columbia Dr. Cheyenne, WY 82009 Site Area: Acres 6.2 or Site Square Feet \_\_\_\_\_

Site Location Description (If Address is Unavailable) \_\_\_\_\_

Current Zoning Agricultural and Rural Residential Current Land Use Agricultural and Rural Residential

### DEVELOPMENT INFORMATION

Proposed Use Agricultural /Rural Residential-single family house and family exemption to divide into 3.7 ac and 2.5 ac parcels.

Anticipated # of Vehicle Trips per Day as many as needed

### Required Documents and Initial fee

Letter (describe project and make findings according to Section 1-2-100, Laramie County Land Use Regulations)

Plot Plan

Proof of Ownership (Warranty Deed)

Payment of Initial fee

*I hereby certify that I have familiarized myself with the rules and regulations with respect to the filing of this application and that the foregoing statements and answers contained on the application and in required documents are true and accurate to the best of my knowledge. I understand an incomplete submittal will not be accepted. The undersigned do hereby agree to pay all fees associated with this application.*

ORIGINAL SIGNATURE OF BOTH THE OWNER AND THE APPLICANT ARE REQUIRED FOR SUBMISSION OF THIS APPLICATION

Signature of Owner Bill Vossler

Date 10-20-22

Printed Name Bill Vossler

Signature of Applicant Bill Vossler

Date 10-20-22

Printed Name \_\_\_\_\_

Dear Laramie County Planning Board,

Legal description: Vossler Tracts: POR Tract 4 lying south of Columbia Dr. E1/2 tract 5.

On 5211 Columbia drive we would like to have a family exemption. Which will include easement on east side of tract 4 to track 5 and a well and septic on tract 5 E1/2. The southeast corner (E ½ tract 5) will be 2.5 acers and northwest corner (Tract 4) will be 3.7 acers. These properties will be used as Rural Residential/Agricultural. The proposed usage will have no negative community impacts and reflects the country policies.

Thanks for your time

Bill and Ann Vossler

David William Vossler, Edward Lee Vossler, Colleen Margaret Vossler Hall, now knows as Colleen Margaret Vossler Grantors for the consideration of one dollar and other good and valuable consideration convey and quitclaim to Bill Eugene Vossler all interest in the following described real estate:  
*Ann Marie Vossler*

Tract 4 and the E 1/2 of tract 5, Vossler Tracts according the official plat filed for record, Laramie County, Wyoming.

The property is also described as that portion of tract 4 lying south of Columbia Drive and the E 1/2 of Tract 5, Laramie County, Wyoming.

the property is commonly described as 5211 Columbia Dr., Cheyenne, Wyoming 82009

situate in the county of Laramie, in the State of Wyoming, subject to all covenants liens and mortgages of record.

Dated this 21 day of July A.D. 2012.

David William Vossler

*David William Vossler*

Edward Lee Vossler

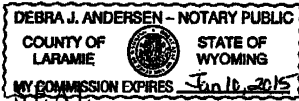
*Edward L Vossler*

Colleen Margaret Vossler Hall,  
now knows as Colleen Margaret Vossler

*Colleen Margaret Vossler*

This instrument was acknowledged before me by David William Vossler, this 21 day of July, 2012. Witness my hand and official seal.

My commission expires: Jan 10, 2015



*Debra J. Andersen*

Notary Public

This instrument was acknowledged before me by Edward Lee Vossler, this 21 day of July, 2012. Witness my hand and official seal.

My commission expires: Jan 10, 2015



*Debra J. Andersen*

Notary Public

This instrument was acknowledged before me by Colleen Margaret Vossler Hall, now knows as Colleen Margaret Vossler, this 21 day of July, 2012. Witness my hand and official seal.

My commission expires: Jan 10, 2015



*Debra J. Andersen*

Notary Public



## **PUBLIC AGENCY REVIEW COMMENTS**

### **PZ-22-00320 Vossler Vacate Board Approval**

**County Assessor:** County Assessor, Kaycee Eisele No Comments

**County Attorney:** County Attorney, Mark Voss No Response

**County Real Estate Office:** County Real Estate Office, Laura Pate  
I feel like these should be an Administrative Plat and not a vacation and a subd exemption.

**Environmental Health:** Environmental Health Department, Tiffany Gaertner  
Regulations:

### **LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS**

Comments:

Wastewater permits are required for each lot. Lot splits must have 5 acres or more for each septic system. All small wastewater systems must have a 50' setback from all property lines and cannot be installed in easements.

**Intraoffice:** Planners, Michael Surface  
Board Vacate for a tract in Vossler Tracts to enable a subdivision exemption.

**Laramie County Fire Authority:** Laramie County Fire Authority, Manuel Muzquiz No Comments

**Planners:** Planners, Cambia McCollom No Comments

**Sheriff's Office:** Sheriff's Office, Amber Shroyer No Response

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO TABLE INDEFINITELY A VACATION OF A PORTION OF THE VOSSLER TRACTS, THAT PORTION OF TRACT 4 LYING SOUTH OF COLUMBIA DRIVE AND THE EAST ONE-HALF OF TRACT 5, LARAMIE COUNTY, WY.**

**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 the vacation is in accordance with the Laramie County Land Use Regulations, 2-1-101; and

**WHEREAS** the proposed Vacation is in accordance with section §34-12-108 of the Wyoming State Statutes; and

**WHEREAS** this resolution is the Vacation of a portion of the Vossler Tracts, that portion of Tract 4 lying south of Columbia Drive and the east on-half of Tract 5, 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 not in conformance with the minimum lot size requirements governing the A-1 Agricultural Rural Residential Zoning District as indicated by Section 4-2-101 of the Laramie County Land Use Regulations.
- b. The proposed lot sizes do not meet the minimum standard for a septic tank permit to be issued under the standards promulgated by the Laramie County Environmental Health Division.

**And the Board tables the Vacation indefinitely for a portion of the Vossler Tracts, that portion of Tract 4 lying south of Columbia Drive and the east one-half of Tract 5, Laramie County, WY. until such time that a variance is granted for lot size, and the property owners decide upon the avenue of an administrative plat, subdivision exemption or an accessory living quarters application, and adopt the findings of fact a and b, of the staff report.**

**PRESENTED, READ AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

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

EXHIBIT A

