

**LARAMIE COUNTY CLERK
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM PROCESSING FORM**

1. **DATE OF PROPOSED ACTION:** September 6, 2016

2. **AGENDA ITEM:** ☐ Appointments ☐ Bids/Purchases ☐ Claims
☐ Contracts/Agreements/Leases ☐ Grants ☒ Land Use: Board App/Subdivision/ZC
☐ Proclamations ☐ Public Hearings/Rules & Reg's ☐ Reports & Public Petitions
☐ Resolutions ☐ Other

3. **DEPARTMENT:** Planning & Development Office

APPLICANT: Schrader Enterprises **AGENT:** Leandro Ramirez

4. **DESCRIPTION:**

Consideration of a Board Approval for Toilets on the Go, located at Schrader Addition:
Tract 1, Laramie County, WY.

RECEIVED AND APPROVED AS
TO FORM ONLY BY THE
LARAMIE COUNTY ATTORNEY

Amount \$ _____ From  _____

5. **DOCUMENTATION:** 1 Originals 0 Copies

<u>Clerks Use Only:</u>	
<u>Commissioner</u>	<u>Signatures</u>
Holmes _____	Co Atty _____
Heath _____	Asst Co Atty _____
Ash _____	Grants Manager _____
Kailey _____	
Thompson _____	
Action _____	Outside Agency _____



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Pepper McClenahan, AICP, Planning Manager

DATE: September 6, 2016

TITLE: Review and action of a Board Approval for Toilets on the Go, located at Schrader Addition: Tract 1, Laramie County, WY.

EXECUTIVE SUMMARY

Leandro Ramirez, owner of Toilets on the Go, on behalf of Schrader Enterprises, has submitted an application for Board Approval of the business use operating on Schrader Addition: Tract 1, Laramie County, WY, located at 4800 Christensen Rd, Cheyenne, WY. The application has been submitted for approval of the use on the site for limited commercial operations for Toilets on the Go.

Additionally, this application is being run concurrently with a Site Plan to address and mitigate impacts, and bring it into full compliance with the Laramie County Land Use Regulations (2011) should the Board approve the use.

Action on this application was continued at the August 16, 2016 Board meeting in order for the applicant to address concerns of the Board, and to provide a defined Site Plan addressing impacts of the use and mitigation techniques. A revised Site Plan was submitted to the Planning and Development Office on August 29, 2016 and is attached to this report.

BACKGROUND

This application is in response to a violation notice sent to the owner and applicant on June 16, 2016 for operating without necessary approvals on the site. Staff met with the owner and applicant on June 22, 2016 to discussed alternatives. The only option, other than relocation of the business, was to seek approval of the use by the Board, and subsequent Site Plan approval.

Pertinent Regulations

Section 1-2-100 of the Laramie County Land Use Regulations governing the Board Approval process.

Section 2-2-119(c) of the Laramie County Land Use Regulations governing fence height.

Section 2-2-133 of the Laramie County Land Use Regulations governing Site Plans.

Section 2-2-134 of the Laramie County Land Use Regulations governing Landscaping Requirements.

Section 4-2-102 of the Laramie County Land Use Regulations governing the A2 (Agricultural) zone district.

AGENCY REVIEW

Reviews were combined for the Board Approval and Site Plan applications.

Cheyenne MPO

As long as all regulations and proper set backs are followed the MPO does not have any objection to this development action.

County Engineer

1. The width of the access should be shown on the site plan to determine if it meets the current requirements for a commercial driveway.
2. I do not have any issues with the Board Approval.

County Public Works

Given the number of daily trips proposed by the applicant, a waiver for the traffic study appears to be in order. If the use changes or traffic should increase, a traffic study may be required in the future

Environmental Health Department

- Laramie County Small Wastewater System Regulations
- It is unknown whether or not the septic system is sized for the current use. The property owner needs to work with a WY Licensed Engineer to determine if the small wastewater system is sized properly or not. Once sizing is completed a letter shall be submitted for change of use or a permit shall be obtained to bring the system into compliance.
- No parking or driving is permitted on the small wastewater system.
- Washing of porta-potties on the small wastewater system is not allowed.

Fire District No. 2

Concerns:

- Security of property
- Proper zoning
- Increased traffic flow on Christensen and US 30

Agencies Responding with No Comments: Combined Communications Center.

Agencies Not Responding: County Assessor, County Real Estate Office, County Treasurer, Emergency Management, Sheriff's Office.

DISCUSSION

Following a citizen referral, Toilets on the Go was investigated by the Planning Office in June for an unauthorized use and sent a letter on June 16, 2016. The property and business owner (applicant) came in to the Planning Office and began working with staff toward a resolution on June 22, 2016. It was determined the only path forward to approval on the existing site would be a Board Approval and Site Plan. Additionally, a site plan requirement would include screening of the units, as outdoor storage of materials would typically not fit within this district, aside from farm equipment. The alternative would be relocation of the business.

Staff met with the applicant on two occasions following the August 16, 2016 Board meeting and reviewed requirements for site plans and landscaping. The applicant was provided with examples of complete site plans, copies of site plan and landscaping requirements from the Laramie County Land Use Regulations, and a list of recommended plantings for the Cheyenne area.

A revised Site Plan was received on August 29, 2016 for the leased area of the proposed use. The site plan indicates an L-shaped area of fencing with linear footage of 10' parallel to the north and east property lines. The applicant is requesting approval to extend the fence to a height of eight feet (8'). The site plan also indicates an area for future expansion of the existing building for a 15' by 40' carport or garage with a height of 14'. The proposed future structure would be placed approximately 78' from the north property line and 105' from the east property line bordering Christensen Road. Additionally, the site plan proposes the planting of six (6) pine trees along the front property parallel with Christensen Road; five to be planted south of the access drive and one to be planted north of the access drive. The site plan also notes two existing trees planted north of the access drive and a tree row on an adjacent property parallel with the north property line.

Section 2-2-119(c) of the Laramie County Land Use Regulations states: The maximum fence height along side and rear lot lines within the zoned boundary shall be six (6) feet for all residential districts, and ten (10) feet in non-residential districts. *The property is zoned A2 (Agricultural) and may permit construction of up to a 10 foot fence, depending on the use of the property.*

Section 2-2-133 of the Laramie County Land Use Regulations governing Site Plans requires, among other items, buffering to mitigate impacts of adjacent incompatible uses. *(v)(B): Any non-residential use in a zone district that allows residential uses shall provide a minimum of twenty-five (25) foot buffer between the proposed use and adjacent residential uses. Section 2-2-133(v)(C) states: Buffering is not required where similar uses permitted in a zone district are located adjacent to one another. Staff notes the applicant is applying for Board approval under "any other similar*

use” in the A2 (Agricultural) zone district. Buffering materials for the fence are not specified on the site plan.

Section 2-2-134 of the Laramie County Land Use Regulations governing Landscaping Requirements requires one (1) tree for every fifty (50) feet of building frontage. Deciduous trees shall be at least five gallon in size or 1 inch in caliper. Coniferous trees shall be a minimum of six feet tall. Internal landscaping shall be at a rate of one tree per 1,000 square feet and two shrubs for every 1,500 square feet of impermeable surface. *Additional information is needed about the size of proposed plantings. The site plan did not include internal plantings for trees or shrubs, if deemed required by Section 2-2-133(v)(B).*

PlanCheyenne identifies this property as best suited for Mixed Use Residential Emphasis (MU-R) uses. This category provides for a mixture of residential uses at a range of densities with complementary neighborhood business centers such as retail, offices, light trade, parks, and public or quasi-public uses.

The property is also adjacent to an Urban Transitional Residential (UTR) area which provides for a mixture of residential and accessory uses.

This property is in the A2 (Agricultural) zone district. The district is characterized as “a natural state or in which the growing of crops, flowers, trees, pasture or the production of livestock, or other farming or ranching activity.” This district specifies uses by right as a mixture of residential and farm related uses. The property is also adjacent to the AR (Agricultural and Rural Residential) district, which allows similar uses on smaller lot sizes. Uses by Board Approval in the A2 district include “any other similar use.” The applicant is applying for this “similar use”. While it is difficult to support classification of a portable toilet and septic truck business as similar to those permitted in this district, the impacts related to this use may be similar to other uses permitted. For example, the low levels of truck activity and limited property area use may be considered as part of this application.

Section 1-2-100(a) of the Laramie County Land Use Regulations requires that the Laramie County Board of Commissioners shall find the following before granting Board Approval:

- i. The proposed use is permitted by Board Approval in the proposed location and is in conformance with all applicable development standards. *This may be true, depending on the interpretation of “Uses Similar” by the Board. Staff suggests this is not true, based on strict interpretation of the LCLUR (2011).*
- ii. The proposed use is in general conformance with all other applicable policies adopted by Laramie County. *This is true. The applicant has submitted a Site Plan and has coordinated with Environmental Health regarding the septic system use on site.*
- iii. There is no defined negative impact to the community. *Evidence from adjacent property owners identifies impacts and concerns related to the commercial use of the property and incompatibilities with the existing neighborhood.*

The Board meeting date was published on the development action sign posted on the property. Additional public comment has not been received as of the writing of this report.

RECOMMENDATION AND FINDINGS:

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

- a. This application *does not* meet the criteria for Board Approval pursuant to section 1-2-100(a) of the Laramie County Land Use Regulations.

And that the Laramie County Board of Commissioners denies Board Approval for Toilets on the Go, located at Schrader Addition: Tract 1, Laramie County, WY.

PROPOSED MOTION

I move to deny Board Approval for Toilets on the Go, located at Schrader Addition: Tract 1, Laramie County, WY, and adopt the findings of fact a of the staff report.

ATTACHMENTS


Attachment 1: Location Map
Attachment 2: Aerial Map
Attachment 3: PlanCheyenne Map
Attachment 4: Zoning Map
Attachment 5: Site Plan
Attachment 6: Applicant's Justification Letter
Attachment 7: Neighbor Letters & Petition
Attachment 8: Resolution

Laramie County, Wyoming

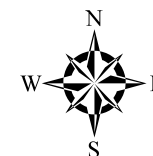


Toilers on the Go
PZ-16-00123 &
PZ-16-00124

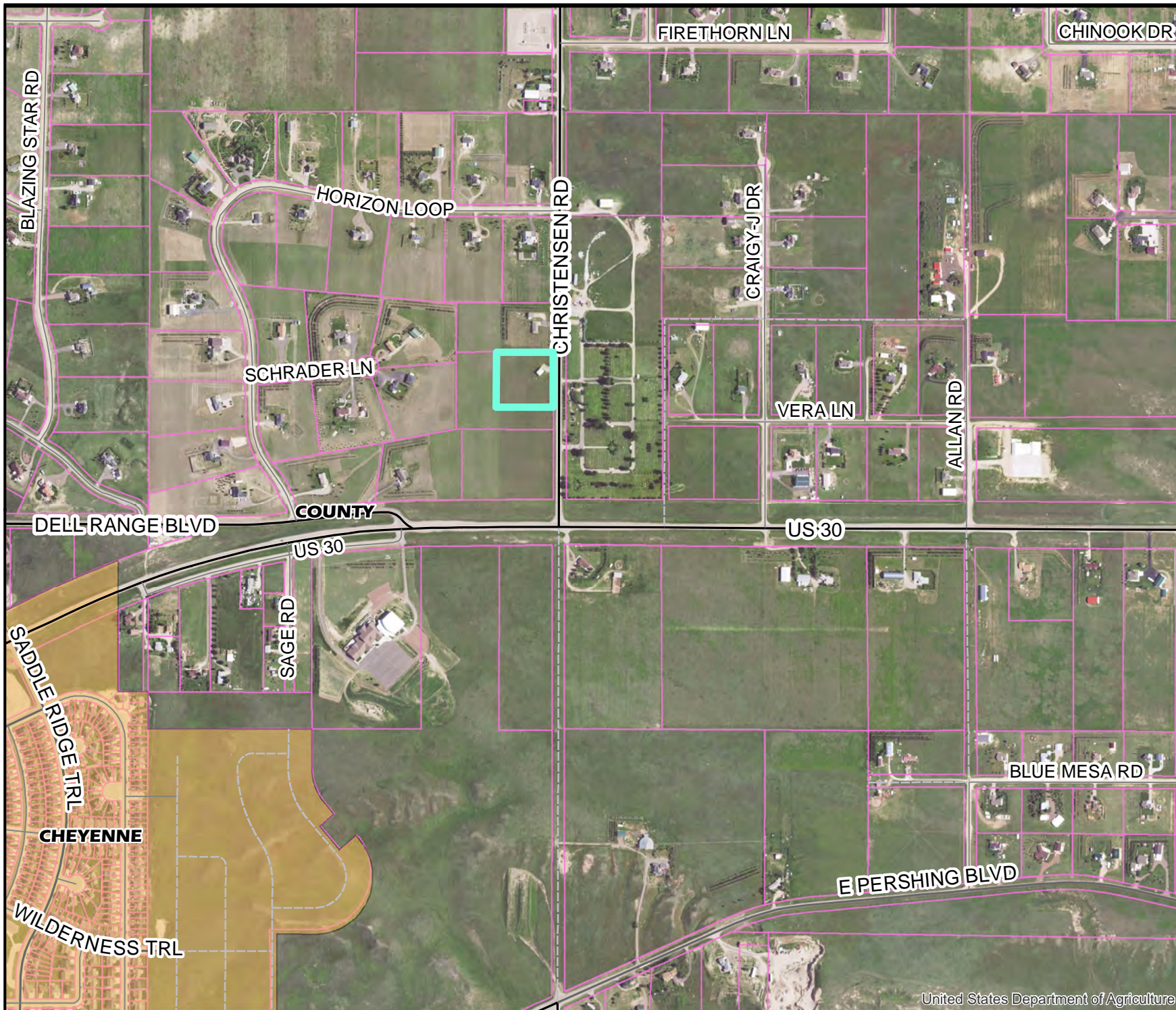
Legend

-  Property Lines
-  Cheyenne
-  Subject Property

Printed on Jul 08, 2016



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Feet



United States Department of Agriculture

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Laramie County, Wyoming



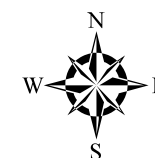
Toilers on the Go
PZ-16-00123 &
PZ-16-00124

Legend

 Property Lines

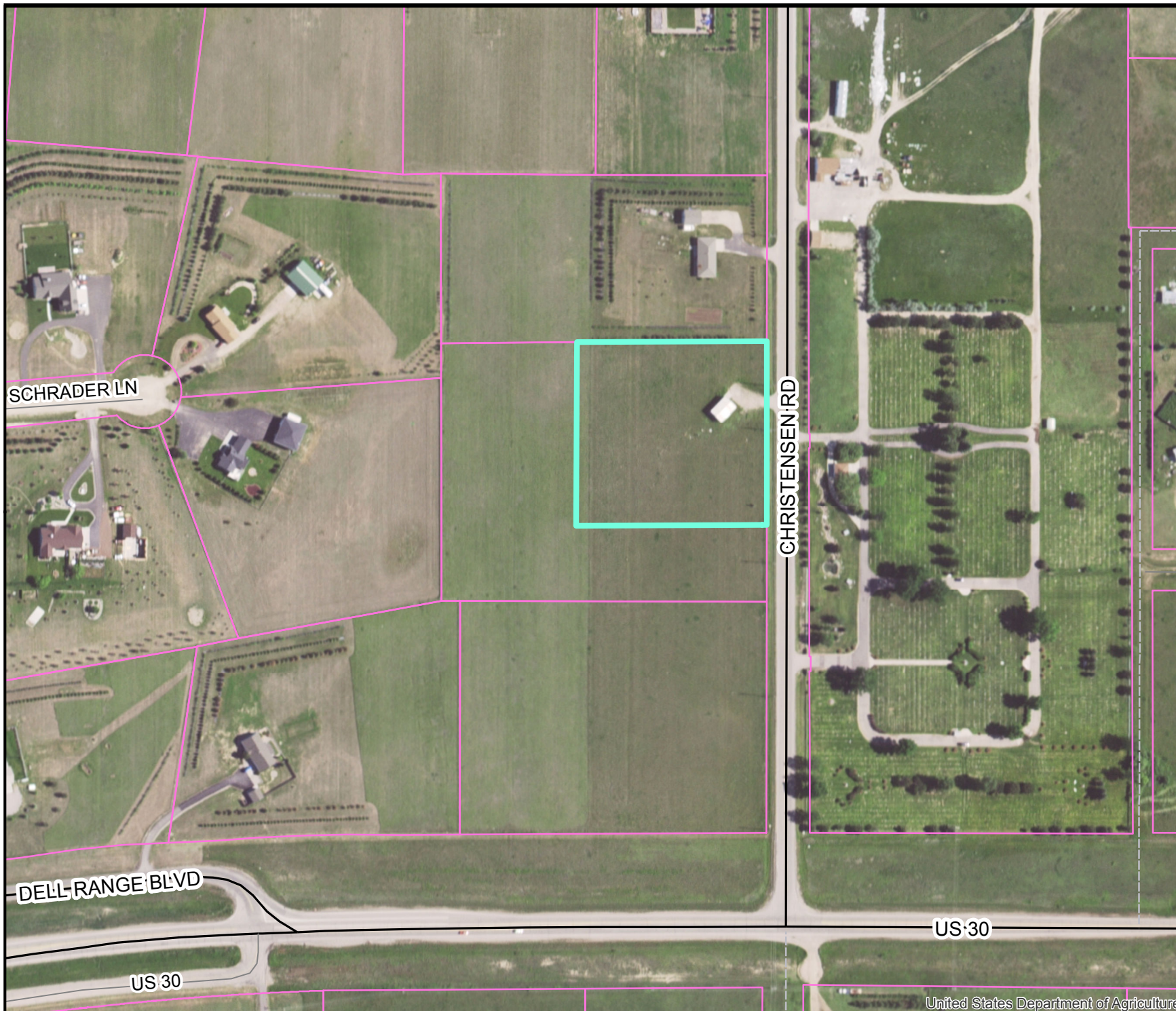
 Subject Property

Printed on Jul 08, 2016



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United States Department of Agriculture



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Laramie County, Wyoming



Toilers on the Go
PZ-16-00123 &
PZ-16-00124

Legend

Property Lines

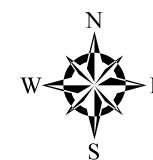
PlanCheyenne (2014)

Future Land Use

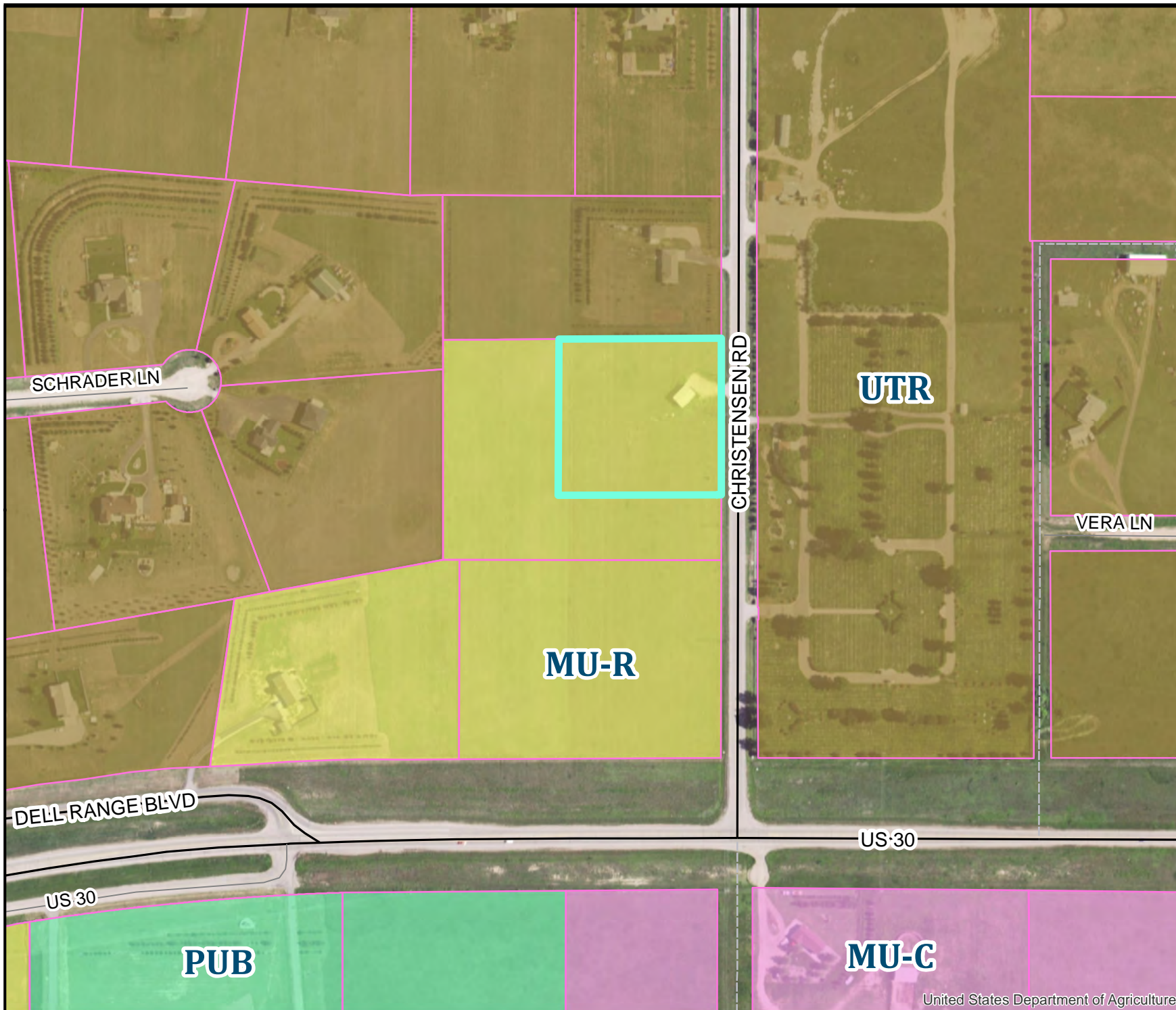
- AR
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- CBD
- IND
- MU-C
- MU-E
- MU-R
- OS
- PUB
- PUB-FED
- ROW
- RR
- UR
- UTR

Subject Property

Printed on Jul 08, 2016



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Laramie County, Wyoming



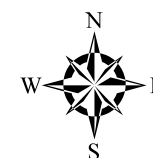
Toilers on the Go
PZ-16-00123 &
PZ-16-00124

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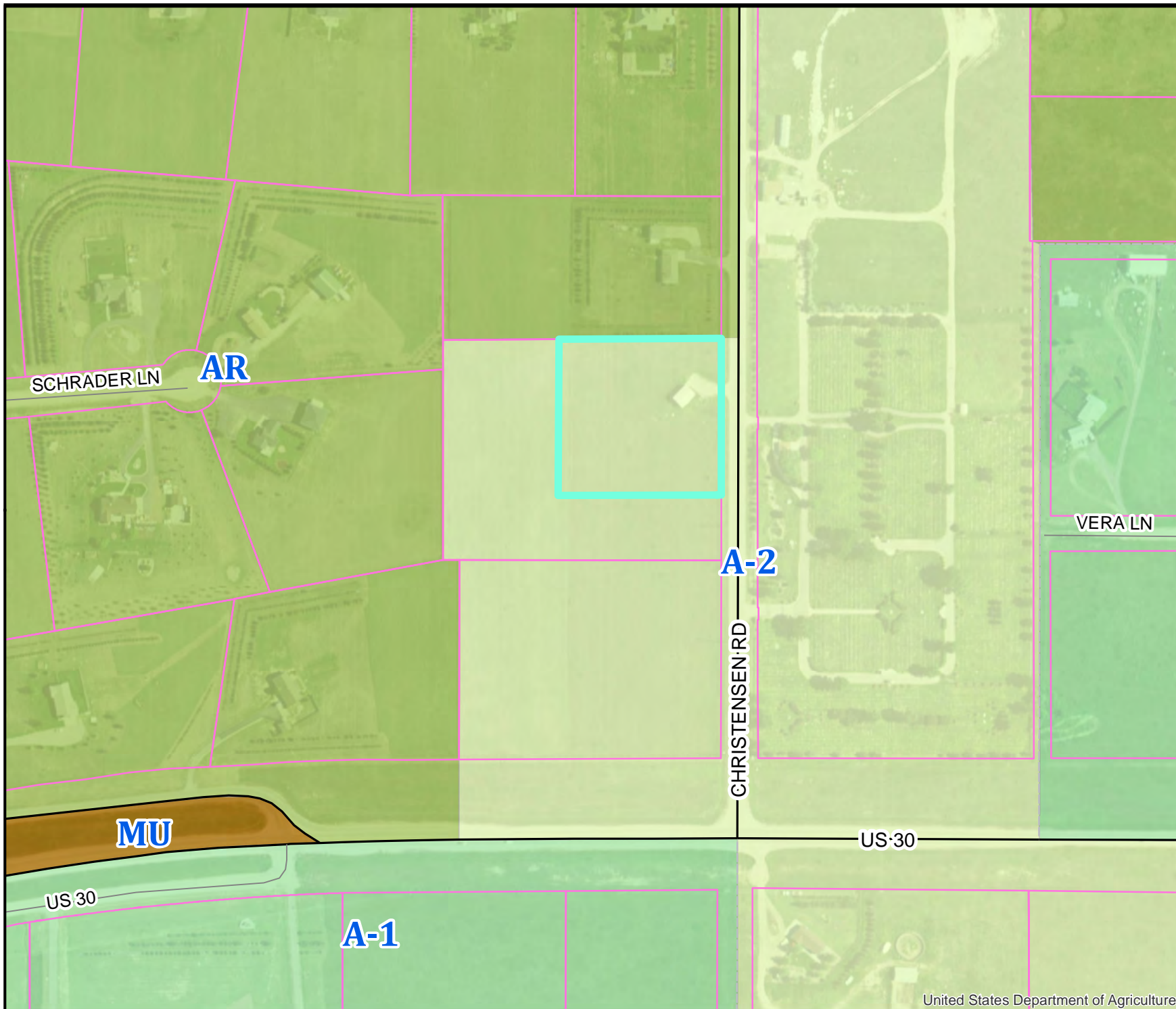
- Property Lines
- All Other Values
- Archer Special Use District (ASU)
- Agricultural (A-2)
- Agricultural and Rural Residential (A-1)
- Agricultural Residential (AR)
- Low Density Residential (LR)
- Medium Density Residential (MR)
- Neighborhood Business (NB)
- Mixed Use (MU)
- Community Business (CB)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Public (P)
- Planned Unit Development (PUD)
- Military (M)

Subject Property

Printed on Jul 08, 2016



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**LARAMIE
COUNTY**

AUG 25 2016

PLANNING & DEVELOPMENT
OFFICE

*Leased Area
3 Acres*

**LARAMIE
COUNTY**

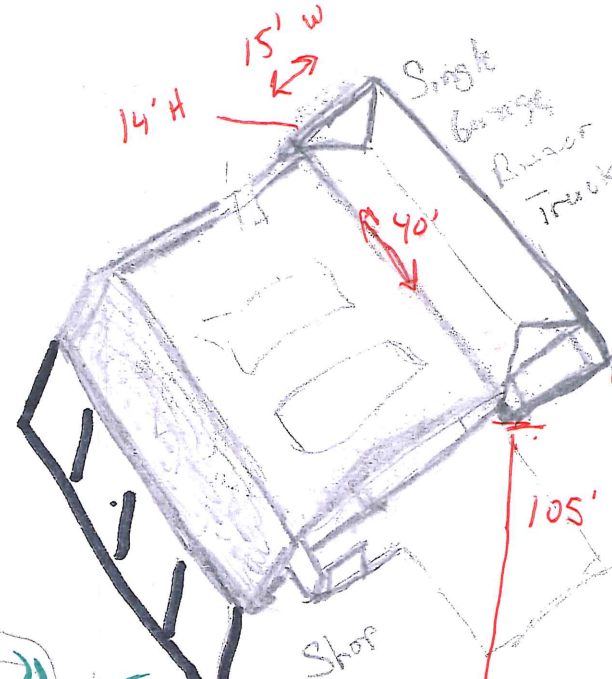
AUG 29 2016

PLANNING & DEVELOPMENT
OFFICE

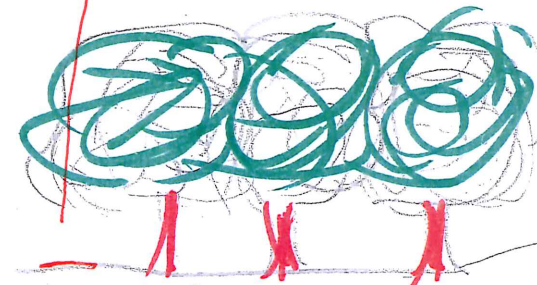
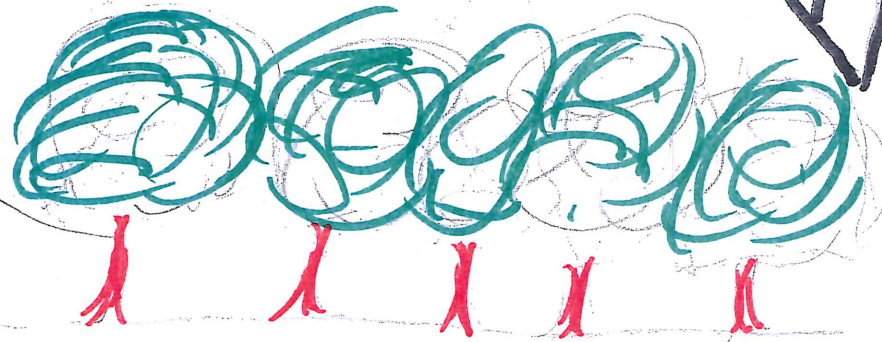
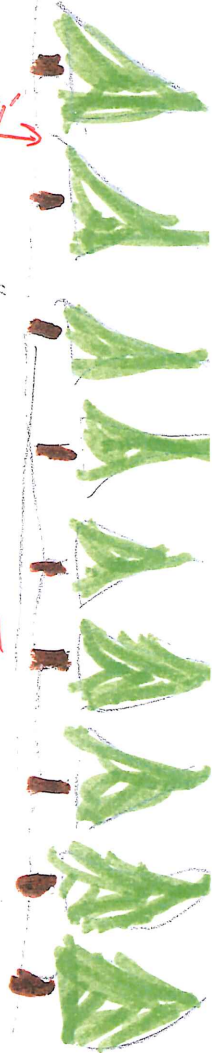
Revised

Proposed Trees (Pine Trees)

New



Fence - 8' high



Existing

New

QR - Tree's x 8

7 - Wood Fence 10' x 10' x 8'
A x L x H

Single Garage Busor Truck

Shop

Parking For Employee

TOILETS ON THE GO

4800 CHRISTENSEN RD
CHEYENNE, WY 82009
307-286-1262



July 5, 2016

COUNTY COMMISSIONERS BOARD

**LARAMIE
COUNTY**

JUL 06 2016

**PLANNING & DEVELOPMENT
OFFICE**

To Whom It May Concern

I, Leandro Ramirez am writing on behalf of my company Toilets On The Go and why I need to stay here at my current location. My company is located at 4800 Christensen Rd. This location is East of town off Hwy 30. This location is where I store all my portable restrooms (when not being rented out), my company trucks on the property when warm out, but when cold inside the building as the pumps on truck are very expensive. I also store my cleaning supplies (the same kind of supplies you would clean your home with). I do carry waste in my trucks, but not a HAZARDOUS waste. I go to the dump station off campstool road to dump my trucks. I am in the process of building a fence to help store my units more neatly and make them more secure with our Wyoming wind. I would also like to build another building to help store my trucks. The location I am out is big enough for my small business to grow as I have already outgrown 3 other locations, since the start of my business 3 years ago. I do not leave my company area a mess, as I want to be as professional and clean as possible. I represent my company on my customer service and having the cleanest units around. This building has been unrented for many years and has served to be such a great area for my company over the last 8 months and looking forward to many more months and years to come.

Warm regards,

TOILETS ON THE GO

PZ-16-00123



**LARAMIE
COUNTY**

JUL 06 2016

**PLANNING & DEVELOPMENT
OFFICE**

To whom it may concern,

My name is Leandro Ramirez owner of Toilets On The Go, LLC and I am looking at continuing doing business here at 4800 Christensen Rd. I have been in business for three years. This is a great location for me.

Now in my line of work it is thought of as hazardous waste. It is waste but not hazardous. I am liquid waste no hazard.

I am a rental company of portable restrooms for construction companies. Therefore, I use this place for a storage for my dry units. I do not dump the waste from my toilets nor contaminate the land that my units set on. I have laws and rules I have to abide by. I cannot move any unit with liquid in them. I have to pump it out on sight. When delivering or picking up, they have to be dry.

I get my trucks inspected by the Department of Health to make sure there are no leaks on the tanks.

I do have a designated place where I dump my trucks. The water waste treatment plant off Campstool Rd. I do not have authority to dump anywhere else. If caught dumping in an unauthorized sight I will be fined up to \$10,000.00 and/or jail time.

What I do out at Christensen is store my units that have been brought back from a project that a company has rented. They come back dry (no liquid in tank) to be sanitized and wash down from the everyday dirt. I have two pump trucks that my drivers use for the job. They get parked outside for the summer months and inside for the winter months.

I am wanting to build a fence for the units to be stored in place so the property don't look so cluttered.

I am willing to help out the owner/landlord make this property look presentable to other business owners and the public.

Thank you

Toilets On The Go, LLC

Leandro Ramirez



P2-16-00124

**LARAMIE
COUNTY**

AUG 05 2016

**PLANNING & DEVELOPMENT
OFFICE**

August 5, 2016

Laramie County Planning & Development Department
3966 Archer Parkway
Cheyenne, WY 82009

Re: Project Codes PZ-16-0123 and PZ-16-00124
Schrader Addition: Tract 1, Laramie County, WY
4800 Christensen Road, Cheyenne, WY

Dear Sir/Madam:

We are one of the adjacent landowners. This letter is to advise you that we are opposed in its entirety to the Project Codes referenced above in regards to Toilets on the Go application for Board of Approval and Site Plan. We moved to our property consisting of approximately 5 acres to live out in the county to not be exposed to certain commercial activity. The last thing I want to look at from my back porch or my front yard and see portable toilets scattered all over. We are zoned for residential and we do not want Toilets on the Go or anything else in the future zoned for commercial use. Allowing this to be zoned for commercial use adjacent to residential neighborhoods will have a negative impact on property values. As being adjacent property owners, the view we are exposed to primarily is from the back yard of Toilet's on the Go. Whether you drive on Christensen Road, Highway 30, Dell Range, Horizon Loop or Schrader Lane, the property in question for the project codes, bottom line it is an eye soar.

Upon review of the applications filed by Toilets on the Go, we have learned that Toilets on the Go has been doing business for approximately 9 months now. It wasn't until most recent that Toilets on Go filed its application with Laramie County specifically on July 6, 2016. This is not acceptable. In accordance with the Laramie County Land Use Regulations, 1-1-104 Violations and Penalties, states as follows:

"No residential or commercial structure or land shall hereafter be constructed, located, extended, converted, used, developed or altered without full compliance with the terms of these regulations and other applicable regulations. Violation of the provisions of these regulations by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor pursuant to W.S. §18-5-206. Unless otherwise provided for in this regulation, any person who violates these regulations or fails to comply with any of their requirements shall, upon conviction thereof, be fined not more than \$750.00 for each violation and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Laramie County from taking such other lawful action as is necessary to prevent or remedy any violation. Each day such violation continues shall constitute a separate offense.

..."

In reference to the Resolution No. 121204-09, it states under 114.4 Violation Penalties shall read as follows:

Any person violating any provision of this Code shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which a violation of any provision of such Code is committed, continued, or permitted shall constitute a separate offense. . . "

We would like to know if Laramie County Planning & Development Department has enforced any of the violations and penalties to Toilets on the Go, for operating 8 months, and if not we would like an explanation as to why this was not pursued. Even on your own website under the above referenced project codes it clearly states under the "Review Section" that **"the current land use is in violation with an unauthorized business."** We also would like to know who authorized Toilets on the Go to move onto the premises in the interim until the August 16th hearing. We are uncertain if a temporary use application was filed as it is not made part of the record for public review.

A Pre-Application Meeting was held on June 22, 2016, as referenced on the Site Plan Application and the Board Approval Application. A copy of the pre-application meeting notes are to be included in the application package which the applicant failed to attach. A check mark is referenced on the required documentation "checklist" however such document has not been made available for public review. We are requesting a copy of such Pre-Application Meeting Notes be made available for public review.

The Site Plan that Toilets on Go provided does not meet or comply in my opinion with the Laramie County Land Use Regulations. He fails to include the length and height of the fence, the materials that will be used, the identification and description of all public improvements to be constructed, collateral, the completion date, inspection of the improvements during construction, the remedies if he defaults, etc. According to Laramie County Land Use Regulations, Section 2-2-103, the applicant has failed to identify how he will meet these requirements and what remedies if he defaults. In any event, in no case shall a Certificate of Compliance be issued prior to the completion of the required improvement. Also, Screening and Buffering is required in conformance with Site Plan Requirements for outdoor storage.

The Site Plan Drawing should also entail surrounding and adjacent land uses and zoning whereby the applicant Toilets on the Go failed to do so. Again, the majority of the adjacent land owners are zoned as residential.

On the Site Plan Application, under the Required Documents lists a Landscape Drawing which was not submitted by the applicant, Toilets on the Go. The above are just a few references made and we reserve the right to incorporate regulations and requirements that may apply in this matter.

We would like the record to reflect that during this past winter season (2015-2016), the portable toilets blew into our neighbor's yard on a constant basis. It was the neighbor who repeatedly returned the portable toilets back to 4800 Christensen property - NOT Mr. Ramirez. Another example of Mr. Ramirez's actions being negligent and a nuisance to the residential neighborhood.

Initially, we ALL were under the impression that the toilet storage units was a very short term and temporary thing by Schrader Enterprises. We are very very disappointed in the actions displayed

by Schrader Enterprises and Toilets on the Go for their failure to comply and feel that they have not been forthcoming as to what their business plans and/or intentions were from the very start.

Also, it was not until the last month or so, that Toilets on the Go started to clean up the yard. It is quite obvious Toilets on the Go only *temporarily* cleaned up the outside premises by mowing and the number of portable toilets have been reduced. Toilets on the Go did not care and chose to do nothing in regards to the presentation of the outside premises in the previous 8 months prior to filing is application. This "recent cleanup" was only to get his application approved.

In Mr. Ramirez's Justification Letter dated July 5, 2016, he indicates he would like to build another building to store trucks. The site plan drawn up by Mr. Ramirez fails to reflect as to the location of this new building along with the dimensions and height of the building, and other specifics as required by the Regulations. Mr. Ramirez also indicates he is in the "process" of building a fence. On the Board Approval Application Checklist, one of the required documents is a letter explaining how the application *meets the necessary findings as defined in Section 1-2-100* of the Laramie County Land Use Regulations. A question mark has been placed alongside the box questioning it meeting the necessary findings.

Toilets on the Go had an "Open House" on Saturday, July 9th with an advertisement insert in the local newspaper. Toilets on the Go filed its application with Laramie County Planning & Development on July 6, 2016. The letter to the Adjacent Landowners from Laramie County Planning & Development Department is dated July 8, 2016. The Public Notice was published on Friday, July 15, 2016. Again, the Open House was on July 9, 2016. This was a very deceptive to say the least as it sent the wrong message and impression to neighbors. They were under the impression that Toilets on the Go was already approved and that it was too late to object.

As you are aware, 4800 Christensen Road is zoned as District A2 - Agriculture. We the majority of the adjacent landowners are zoned as AR (Agriculture Residential). Toilets on the Go does not fall under any category listed under District A2 and this property should not be "rezoned" to accommodate one business. If this is passed, this will only set the wrong precedence in our residential neighborhood. Additionally, under the Laramie County Land Use Regulations, it states under C. . Density = that the minimum lot size for any use in this District A2 is twenty (20) acres. This property does not meet the minimum requirement for District A2. Bottom line, we are opposed to the property in question to be rezoned for commercial. If this is passed, this will be the beginning of our property values declining.

In Mr. Ramirez's letter justifying his business, he states that the portable toilets come back dry but needs to be sanitized and washed down. According to the Environmental Health's statement, it is unknown whether or not the septic systems is sized for the current use. The property owners needs to work with a WY Licensed Engineer to determine if the small wastewater system is sized properly or not. Once sizing is complete, a letter shall be submitted for change of use or a permit shall be obtained to bring the system in compliance. We would like to know the name of the cleaning agents, sanitizers, and other chemicals that will be used. How many toilet units will be sanitized and washed down in a week? What is the maximum amount of toilet units to be stored? The toilet units will also be an invitation for mice, skunks, and other critters and animals that is also a great concern. The Water waiver that has been requested by Toilets on the Go should be **DENIED**. We would hope that preventative measures be taken.

Mr. Ramirez has asked for a Traffic and Water Waiver dated July 6, 2016. For Toilets on the Go to only have 2 employees including himself there are more vehicles parked there. In fact, Mr. Ramirez was using this lot in the past selling vehicles and presently has a tractor out front for sale. A maroon car has been parked out front for months now. According to the County Public Works Department, it states that given the number of daily trips proposed by the applicant, a waiver for the traffic study appears to be in order Again, we do not feel and in speaking with the other neighbors, believe that Mr. Ramirez is being totally upfront as to what traffic activity he has been conducting. His actions do not match what he has proposed. The Traffic waiver should be **DENIED**. Please also see the note from **Fired District No. 2 stating its Concerns: * Security of property* Proper zoning* Increased traffic flow on Christianson and US 30.** We will also see an increase on Horizon Loop as the back way to get to Christianson road.

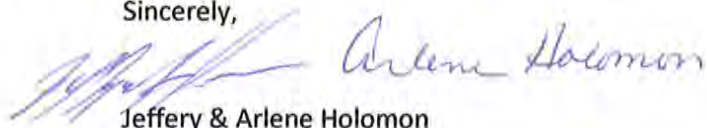
Mr. Ramirez states the waste is not hazardous. That it is a "liquid waste". More information is needed and requested as to liquid waste and how it should be properly disposed of and what "household" chemicals he sanitizes and cleans with. In one sentence, Mr. Ramirez he indicates that the property would only be used for a storage of dry units. Mr. Ramirez then goes on to state that the units come back dry to be sanitized and washed down. More information needs to be requested as it is unclear what all Mr. Ramirez's plans and intentions are.

An intraoffice comment under the project code states that this ***"Property is not zoned for commercial use. Current use is not similar and compatible to historic use of a crematorium and does not comply with LCLUR 2-2-105; nonconforming uses."*** I feel that the applications filed by Toilets on the Go do not meet the requirement for a change of property zone. It appears that a "Zone Change Process Application" should have been filed by the Applicant and he has failed to do so. It is very clear from the comment from the Laramie County Planning & Development stating **it is not zoned for commercial use and does not comply.** Additionally, a Temporary Use Permit should have been filed at the very least and yet there is no record on file with the Laramie County's Planning Office.

Again, we are very disappointed in what we have witnessed and the amount of time that has elapsed. The Laramie County Planning & Development Department should have made Toilets on the Go to cease any and all business operations and Toilets on the Go should not have stepped one foot on the premises and operate a business until it has been approved.

For the above stated reasons, we totally oppose to the Project Codes PZ-16-0123 and PZ-16-00124 filed by Toilets on the Go. We are a residential community and did not purchase our property on acreage for this business or any other business to come in and have it rezoned for commercial use. I wish Mr. Ramirez the best, but Christensen Road is not the location for this business.

Sincerely,



Jeffery & Arlene Holomon
7606 Schrader Lane
Cheyenne, WY 82009















OPPOSITION TO PROJECT CODES PZ-16-00123 and PZ-16-00124

The following residents of Laramie County, State of Wyoming oppose to the Toilets on the Go application for Board of Approval and Site Plan for the following location:

Schrader Addition: Tract 1, Laramie County, WY
Located at 4800 Christensen Road, Cheyenne, WY

**LARAMIE
COUNTY**

AUG 05 2016

**PLANNING & DEVELOPMENT
OFFICE**

NAME:

Address

Tyler Fischer

5101 Bowie Drive, Cheyenne

Arlene Holmstrom

7606 Schrader Lane, Cheyenne

Jeff Holmstrom

7606 Schrader Lane Cheyenne

John Dero

5285 Horizon Loop Chey

Diana Gruzi

5285 Horizon Loop Cheyenne

Arthur Gage

5227 Horizon Loop Cheyenne

Dana L. Walsh

5173 Horizon Loop Cheyenne

My

5173 Horizon Loop Cheyenne

Michelle

7607 Schrader Ln Chey

Chelsey Lindsay

7607 Schrader Ln Chey

Ann Shelly

7608 Dell Range Blvd

John E. Lynt

4605 Horizon Loop

Lauren Lynt

4605 Horizon Loop

OPPOSITION TO PROJECT CODES PZ-16-00123 and PZ-16-00124

The following residents of Laramie County, State of Wyoming oppose to the Toilets on the Go application for Board of Approval and Site Plan for the following location:

Schrader Addition: Tract 1, Laramie County, WY
Located at 4800 Christensen Road, Cheyenne, WY

The Project numbers for these projects are PZ-16-00123 and PZ-16-00124

NAME:

Address

Cheyenne, WY

Gayle C. Stern 5230 Horizon Loop

Shirley Osburn 5230 Horizon Loop

Mike Ward 5218 Horizon Loop

Jim Woods 5002 Horizon Loop

Edna M. Woods 5002 Horizon Loop

Bob Koller 11322 E. Four Mile Rd

Chuck Shelby 7668 DELL Range

John R. Shiffelinger 7402 Schrader Lane

Lillian Shiffelinger 7402 Schrader Ln

Mary L. Thompson 4946 Horizon Loop

Jeri Carter 5057 Horizon Loop

Mike Carter 5057 Horizon Loop

Don Prince 5060 Horizon Loop

Lillian Prince " " " "

OPPOSITION TO PROJECT CODES PZ-16-00123 and PZ-16-00124

The following residents of Laramie County, State of Wyoming oppose to the Toilets on the Go application for Board of Approval and Site Plan for the following location:

Schrader Addition: Tract 1, Laramie County, WY
Located at 4800 Christensen Road, Cheyenne, WY

The Project numbers for these projects are PZ-16-00123 and PZ-16-00124

NAME:

Address

Cheyenne
WY

Derek Gault

5174 Horizon Loop

Vanessa Gault

5174 Horizon Loop

Tim Rumpf

4888 Horizon Loop

VALERIE RUMPF

4888 Horizon Loop

Jandra A Welf

8003 Firethorn Ln

Sam Welf

8003 Firethorn Ln

James Rocco

8004 Firethorn Ln

Margaret Rocco

8004 Firethorn Lane

Mr & Mrs Kenneth E. Frimuth

5408 Christensen

Howard Bunde

5112 Horizon Loop

Jeri Ruml

4689 Horizon Loop

Jean Rayl

4718 Horizon Loop

Mr Rayl

4718 Horizon Loop

(MITCH RAYL)

OPPOSITION TO PROJECT CODES PZ-16-00123 and PZ-16-00124

The following residents of Laramie County, State of Wyoming oppose to the Toilets on the Go application for Board of Approval and Site Plan for the following location:

Schrader Addition: Tract 1, Laramie County, WY
Located at 4800 Christensen Road, Cheyenne, WY

The Project numbers for these projects are PZ-16-00123 and PZ-16-00124

NAME:	Address	
Bart Deffey	8163 Firethorn Lane	Cheyenne WY
William R. Torrey	8222 Firethorn Lane	"
Dege T. Callahan	8223 Firethorn Ln	"
Kathryn Callahan	8223 Firethorn Lane	
Michelle Sullivan	8383 Firethorn Ln	
Shosh Shinn	8383 Firethorn Ln	
Kristin Baker	8380 Firethorn Ln	
Scott Bowers	8380 Firethorn Ln	
Kell Wilber	8006 Arrowwood Ln	
Phil	8006 Arrowwood Lane	
Larry Kutz	5854 Smokebrush Dr.	
Mark B.	5728 Smokebrush Dr.	
Barbara Brennan	5728 Smokebrush Dr.	

OPPOSITION TO PROJECT CODES PZ-16-00123 and PZ-16-00124

The following residents of Laramie County, State of Wyoming oppose to the Toilets on the Go application for Board of Approval and Site Plan for the following location:

Schrader Addition: Tract 1, Laramie County, WY
Located at 4800 Christensen Road, Cheyenne, WY

The Project numbers for these projects are PZ-16-00123 and PZ-16-00124

NAME:

Address

Miles From

4660 Horizon Logo

Leslie J. Hoche

7600 Schrader Lane Cheyenne

Barbara Kloth

From: Barbara Kloth
Sent: Tuesday, August 09, 2016 1:13 PM
To: 'n3779y'
Subject: RE: Zone change

LARAMIE COUNTY PLANNING BOARD
Barbra Kloth Senior Planner
Nancy Trimble Associate Planner
Project PZ-16-00123 & PZ-16-00124

From Howard Bauer 5117 Horizon Loop, Cheyenne, WY
307-287-0027
August 4, 2016

RE: OPPOSITION TO ZONING CHANGES TO SHRADER ADDITION:
TRACT 1,LARAMIE COUNTY, WY LOCATED AT: 4800
CHRISTENSEN RD, CHEYENNE, WY ALLOWING TOILETS ON THE
GO LIMITED COMMERCIAL OPERATION.

This is an letter expressing opposition to the changes in zoning and the commercial operation of Toilets On The Go. I became very concerned about my investment and that of my neighboring property owners.

My principal objection is the zoning changes will reduce
neighborhood property values.

If the zone change is allowed it would have significant impact on decreasing the values of the aria property not to mention and eye sore to the arias uncertain future and safety for the neighborhood as businesses come and go.

Recent observed conduct
and respect of surrounding neighbors by Toilets On The Go.

Toilets On The Go has been operating illegally for around eight months without the knowledge of the surrounding neighborhood, business yard in an unkept manner with used car parts stacked against the building. There were port a potties scattered around the property on their side, standing and in differant states of repair. When there were high winds toilets were strewn throughout the property and into neighboring properties. In the early spring when the area experienced heavy wet snow fall, trucks from Toilets On The Go were pulling in and out of the unpaved yard. The trucks with duel wheels were depositing large amounts of large mud onto Christensen Rd. The mud clots were so large and numerous that the road was impassable. The clots would have caused damage to my vehicle's front grill if I would have proceeded down Christensen RD. I had to turn around and back track on Horizon Loop. Laramie County Sheriff was called and the road was cleared by someone other than Toilets On The Go.

In the last month Toilets On The Go have been cleaning up there yard but I believe this is only temporary because of the zone change application. I have a strong belief they will go back to their old ways if the zoning is changed and they are allowed to do business.

There is currently vehicles and large equipment being parked along Christensen Rd. for sale.

In the attached photos you will see that there is a tanker truck parked on the property R&R Rest Stops it appears that there may be more than one business operating out of this same location.

See photos sent in separate E-mail of for sale equipment and other business tanker truck.

Photos sent with Neighbor Concerns Email on 8/4/16



Photos of business trucks
4800 Christensen Rd
PZ-16-00123 & PZ-16-00224



Photos sent with Neighbor Concerns Email on 8/4/16



Photos of for sale equipment at
4800 Christensen Rd.
PZ-16-00123 & PZ-16-00124



Barbara Kloth

To: Jason Lindsay
Subject: RE: PZ-16-00123 and 124

From: Jason Lindsay [<mailto:JLindsay@Cheyennecity.org>]
Sent: Thursday, August 04, 2016 9:27 AM
To: Barbara Kloth
Cc: Nancy Trimble
Subject: PZ-16-00123 and 124

Dear Laramie County Planning and Development Department

I am writing you with concerns as a land owner that is adjacent to a business operating without proper zoning or permits. The owner of "toilets on the go" has been operating out of his location at 4800 Christensen for roughly eight to nine months without any approval by the county or a change in zoning that should have been taken care of far before operating out of this location. One of the primary reasons I purchased my home and land was that I was specifically told that the way everything east of my location was either county land or private non business or noncommercial zoned. My neighbors at 7606 feel the same way because having multi colored porta johns in our backyard is an eyesore. This leads me to the condition of their equipment parked randomly all over the property and during the winter on many occasions toilets would lie tipped over for week with who knows what chemicals leeching into the ground. I appreciate your time and consideration as to why this business backing up to our neighborhood could lead to many more rogue business not following Laramie county rules and just opening shop without consideration for existing neighbors.

Jason Lindsay
7607 Schrader Ln
82009 Cheyenne Wy

RESOLUTION # _____

**A RESOLUTION DENYING BOARD APPROVAL FOR TOILETS ON THE GO,
LOCATED AT SCHRADER ADDITION: TRACT 1, LARAMIE COUNTY, WYOMING.**

WHEREAS, Wyoming State Statutes §18-5-101 to 18-5-107; §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 have previously adopted the Laramie County Land Use Regulations; and

WHEREAS, this application *does not* meet the criteria for a Board Approval pursuant to section 1-2-100 of the Laramie County Land Use Regulations; and

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 *does not* meet the following criteria for Board Approval pursuant to section 1-2-100(a) of the Laramie County Land Use Regulations

And that the Laramie County Board of Commissioners denies approval for Toilets on the Go operating at Schrader Addition: Tract 1, Laramie County, Wyoming.

PRESENTED, READ, FAILED, this _____ day of _____, 2016.

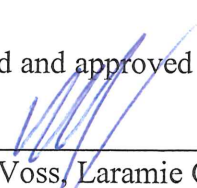
LARAMIE COUNTY BOARD OF COMMISSIONERS

Buck Holmes, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Mark T. Voss, Laramie County Attorney