



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Seth Frentheway, Associate Planner

DATE: December 4, 2018

TITLE: Review and action of a Subdivision Permit and Plat for Saddleback Acres, located in a portion of the NE1/4 SW1/4 of Section 10, T14N, R65W of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Western Research & Development, on behalf of Steve McGlothlin, has submitted an application for a Subdivision Permit and Plat for “Saddleback Acres”, located at 13180 E Four Mile Rd. The application has been submitted for the purpose of subdividing approximately 35 acres creating three (3) lots averaging 11.86 acres for single family residential development.

BACKGROUND

The subject property is owned by Steve McGlothlin and is currently undeveloped, unzoned and assessed as residential land. Currently there is a single family residence that is located in the southwest portion of the property and will remain on lot 1 of the proposed subdivision. The surrounding area consists of rural residential 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). Rural residential uses are primarily anticipated in these areas. The subject property is located outside the PlanCheyenne and zoned boundaries.

Water and sewage disposal shall be provided by individual well and septic systems. With an average lot size of 11.86 acres, the minimum requirements for septic system permits are met. Location of the septic/drain field system for the existing residence to remain on Lot 1 consisting of 20.3 acres.

According to the Order of the State Engineer for the Laramie County Control Area dated April 1, 2015, this property lies within the Conservation Area, in which the well spacing requirements for new permits are indicated at one (1) well for domestic use per each lawfully subdivided lot or one (1) per each ten (10) acres of any other legal parcel of land.

Per Section 2-1-101(c)(vi), subdivisions of five (5) or fewer divisions of land are exempt from a Department of Environmental Quality Chapter 23 Review pursuant to W.S. 18-5-306.

The subdivision will be accessed by the existing 40 ft private access easement and will continue to be privately maintained. Letters requesting waiver of traffic impact and drainage studies were submitted with the application. The County Engineer has concurred with the waiver requests based on the information provided.

Public notice was published and neighbor notice letters were sent by certified mail per Section 1-2-104. Public comments were received in response to the adjacent landowner mailing and are attached.

Agency review comments were received regarding small wastewater system and water well requirements and clerical needs on the plat. Agency comments have been addressed with a revised plat submitted October 29, 2018, a copy of which is attached.

The Laramie County Planning Commission held a public hearing of this application on November 8, 2018. Public comments were heard regarding drainage concerns and road maintenance of the private driveway that provides access to all three lots. The Planning Commission voted (4 – 0) to recommend approval to the Board with no conditions.

Upon further review of the plat, staff finds that clarification is needed regarding the 40-foot easement (labelled right-of-way) located along the west boundary of the subdivision. Is the ingress/egress easement to continue as privately maintained with access available for public utility use, or be dedicated as public right-of-way?

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 recommend approval of the Subdivision Permit and Plat for Saddleback Acres with the following condition:

1. The plat shall be amended to reflect the correct designation of the west 40-foot easement/right-of-way and a note added to clarify the intended use and maintenance, prior to plat recordation.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Saddleback Acres with condition 1, 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: SEO Control Area Map**
- Attachment 5: Agency Review Comments**
- Attachment 6: Neighbor Response Emails**
- Attachment 7: Plat – Revised October 29, 2018**
- Attachment 8: Resolution**


Laramie County, Wyoming



Saddleback Acres Subdivision Permit & Plat





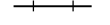

PZ-18-00241

Location Map

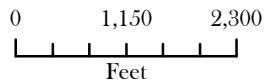
 Subject Property

Streets

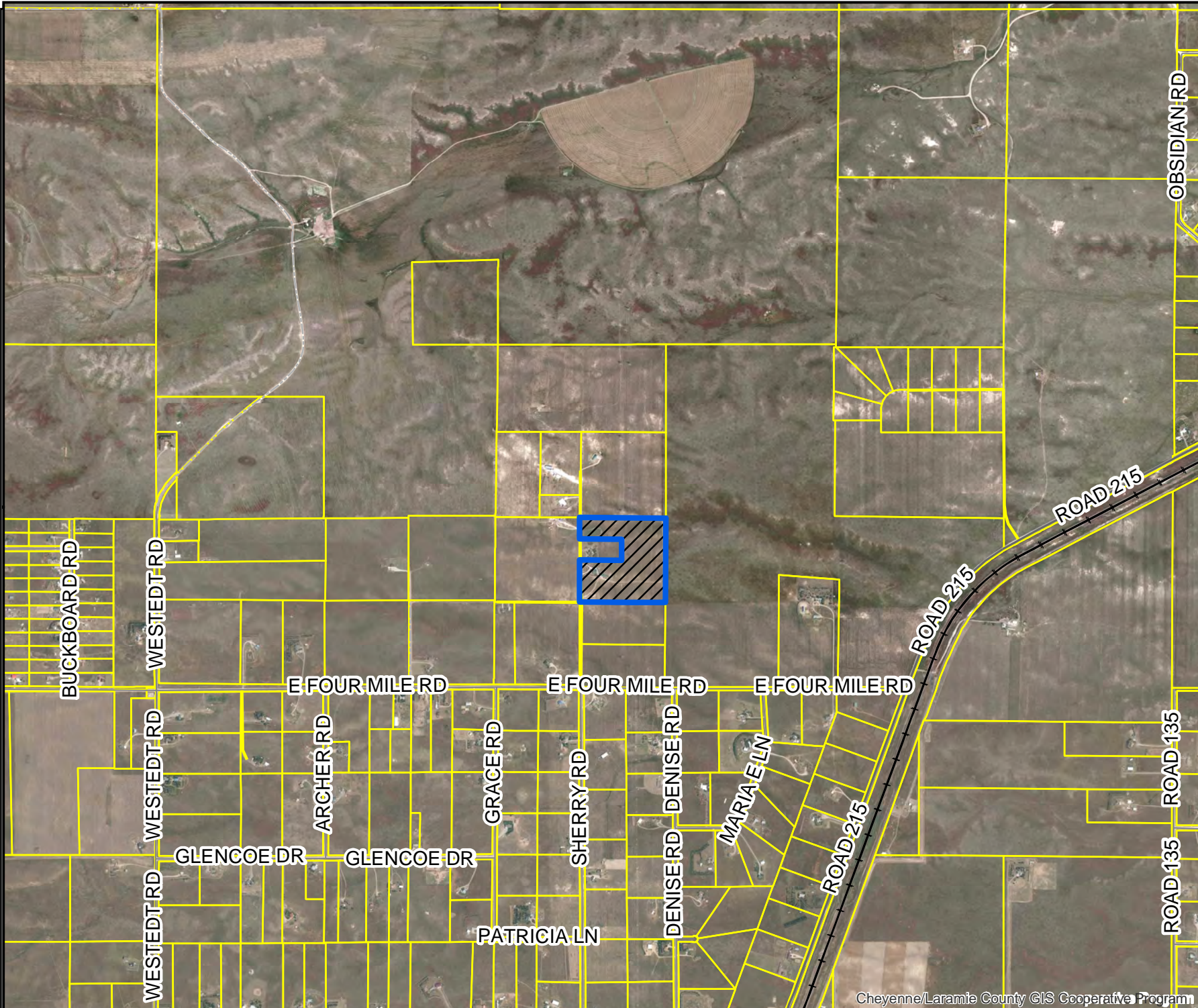
Classification

-  Collector
-  Local
-  Private
-  Rail Road
-  Driveway
-  Property Lines

Printed on Oct 02, 2018



Cheyenne/Laramie County GIS Cooperative Program



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Laramie County, Wyoming






**Saddleback Acres
Subdivision
Permit & Plat**

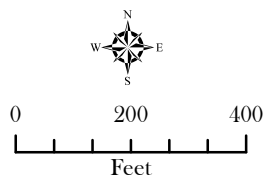
PZ-18-00241

Aerial Map

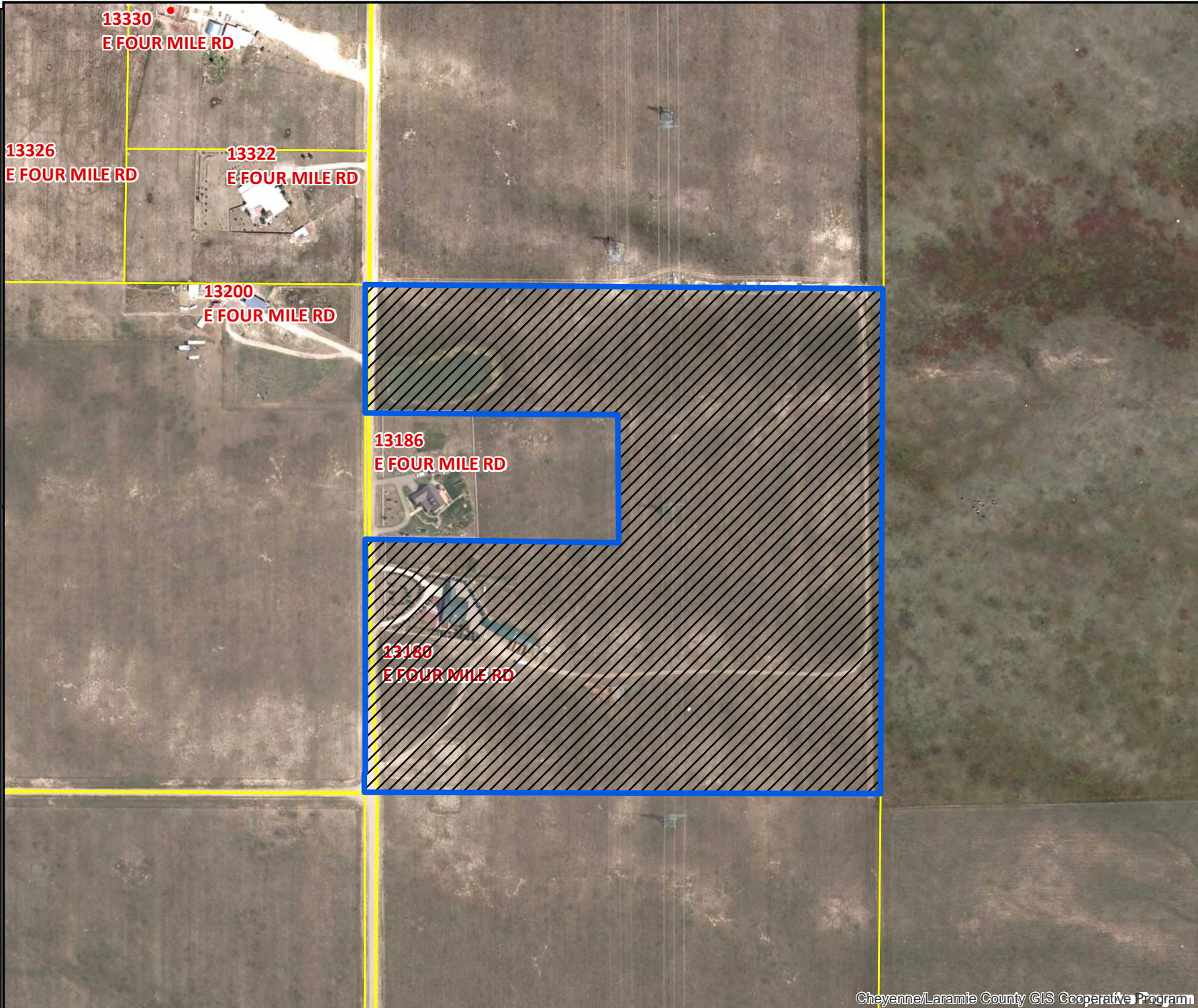
 Subject Property

-  Addresses
-  Driveway
-  Property Lines

Printed on Oct 02, 2018



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Laramie County, Wyoming



Saddleback Acres Subdivision Permit & Plat





PZ-18-00241







Comp Plan

 Subject Property

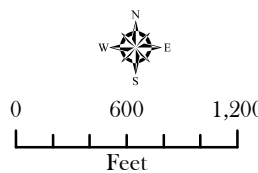
Future Land Use Districts

OTHER

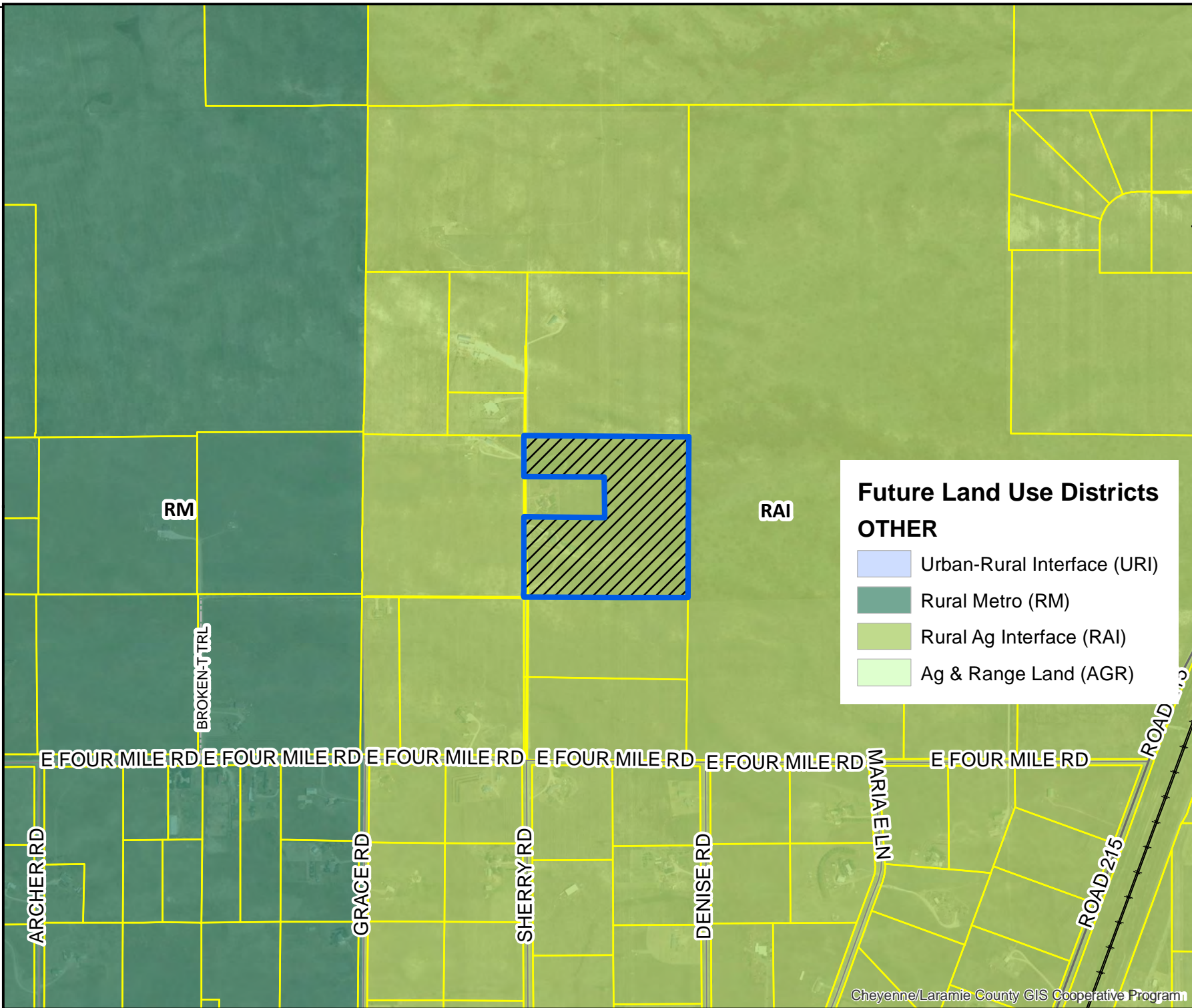
-  Urban-Rural Interface (URI)
-  Rural Metro (RM)
-  Rural Ag Interface (RAI)
-  Ag & Range Land (AGR)

- Streets Classification
-  Collector
 -  Local
 -  Private
 -  Rail Road
 -  Driveway
 -  Property Lines

Printed on Oct 02, 2018



Cheyenne/Laramie County GIS Cooperative Program



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Laramie County, Wyoming





Saddleback Acres Subdivision Permit & Plat

BP-18-00214









SEO Control Area

 SEO_LC Control Area

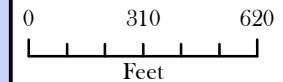
 Subject Property

 Assessment Boundary

Streets Classification

-  Interstate
-  Arterial
-  Collector
-  Local
-  Platted, Not Built
-  Private
-  Rail Road
-  Driveway

Printed on Oct 17, 2018



E-FOUR-MILE RD E-FOUR-MILE RD E-FOUR-MILE RD E-FOUR-MILE RD

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County Assessor: Clarice Blanton COMMENTS ATTACHED 10/04/2018

We are assessing Steve K Mc Glothlin and Karla A Mc Glothlin per Warranty Deed filed March 18, 2013, BK 2326 Pg 1242. As of Oct. 2, no document has been filed transferring ownership interest from Karla A Mc Glothlin to Annie Mc Glothlin.

The Dedication should reflect the current deeded owners.

County Real Estate Office: Laura Pate COMMENTS ATTACHED 10/03/2018

- Deed has Karla A McGlothlin. Please make sure everything matches to include the middle initial. (Dedication says Annie and notary Statement says Anne)
- Please include Steve's middle initial as it is on deed
- We will need room for our stamp which is 4" wide and 5" tall.
- Please include 3 mylars and 1 paper copy of map.

County Engineer: Scott Larson COMMENTS ATTACHED 10/12/2018**Engineer Review**

1. The plat is required to have a statement describing the type of sewage disposal, the type of water supply and the type of fire protection proposed to serve the subdivision/development. There is no statement regarding fire protection. Also, Note 6 says that the water source is a 200 foot deep well on the property. Is this one well to serve all lots or will there be individual wells for each lot. This needs to be clarified on the plat. Similarly, Note 7 indicates that the sewer is a 1,000 gallon septic system. Is this for all lots or just one and if just one which one? Clarification on the sewage disposal type for each lot is needed on the plat.
2. The Vicinity map still only shows the this property but it does not give a larger scale as to the location. The vicinity map doesn't even have any roads names listed....there is just no way to get an idea where this is located in a broader sense.
3. There needs to be a letter submitted asking for a waiver of a detailed Traffic Study and Drainage Study if that is the intent and give justification for the waiver request.

Surveyor Review

1. There are 2 "LEGAL DESCRIPTION" labels on the plat and that makes it appear as though there are 2 individual descriptions, when in fact, there is only one description. It might be less confusing to others utilizing or referencing the plat if there were only one label. The bearing of West boundary of Lot 1 is defined as N00°24'13"W on the plat, but in the LEGAL DESCRIPTION the bearing is defined as N00°24'31"W. The NOTARIAL ACKNOWLEDGEMENT for the McGlothlins' should be placed next to their signatures just below the DEDICATION. In the first 2 lines of the DEDICATION "owner" should be "owners" and "does" should be "do".
2. In the APPROVALS, the signature line for the 'Planning Commission Chairman' should be placed next to, just below, the "Approved by the Laramie County Planning Commission".
3. There are no Wyoming State Plane Coordinate System coordinates shown on the plat.
4. It might make the plat easier to follow if "SHERRY ROAD (80.0 R.O.W.)" had an

arrow/leader connecting the road label to the actual road R.O.W. It appears that the only ACCESS AND UTILITY EASEMENT serving Lot 2 is 20.00 feet wide. Is that wide enough to serve the purposes indicated. Other Access and Utility easements shown on the plat are 40.00 feet wide.

County Public Works Department: David Bumann COMMENTS ATTACHED
10/11/2018

Sherry road is a privately maintained road and will remain that way. Any increased traffic and resulting maintenance requirements will be the responsibility of the homeowners on that segment of road.

Environmental Health Department: Roy Kroeger COMMENTS ATTACHED
10/12/2018

Laramie County Small Wastewater System Regulations

A small wastewater system permit will be required prior to the start of any construction on undeveloped lots.

A copy of the signed final plat shall be submitted to this office prior to application for any small wastewater system permit.

Any new small wastewater system shall be 50' from any property line and 100' from any well.

Planners: Seth Frentheway COMMENTS ATTACHED 10/15/2018

Please address the agency comments or make necessary changes by October 22, 2018 in effort to provide the best foot forward during the Planning Commission Public Hearing.

Building Dept.: Cambia McCollom COMMENTS ATTACHED 10/03/2018

At this time, all homes in the vicinity are addressed off of E FOUR MILE RD, as Sherry RD isn't recognized/established North of E FOUR MILE RD.

Agencies with No Comment

Agencies with No Response

High West Energy
Sheriff's Office
Fire District No. 2
Emergency Management
Combined Communications Center
US Post Office
Laramie Co School Dist. No. 1
County Conservation District
County Attorney

From: [Planning](#)
To: [Seth Frenthway](#)
Cc: [Brad Emmons](#)
Subject: FW: PZ-18-00241
Date: Thursday, October 04, 2018 8:26:34 AM

From: Brad [mailto:bstoffan@gmail.com]
Sent: Thursday, October 04, 2018 8:19 AM
To: Planning
Subject: PZ-18-00241

The proposed subdivision will add two more home sites. This change will potentially increase traffic on a privately maintained road by 25%.
How will this increase in traffic and road maintenance be handled?

Thank you,

Brad Stoffan
12900 E Four Mile Rd
Cheyenne, WY. 82009
307 701 3907

Seth Frentheway

From: Planning
Sent: Monday, October 15, 2018 1:40 PM
To: Seth Frentheway
Subject: FW: PZ-18-00241
Attachments: IMG_4866-1 flood.jpg; flood 3.jpg; flood2.JPG; road near 13200.jpg; road near13200 #2.jpg; road.jpg

From: ginger m [mailto:ginger860@yahoo.com]
Sent: Monday, October 15, 2018 1:38 PM
To: Planning
Cc: Foreverknyte; Tracy Ferguson
Subject: PZ-18-00241

To whom it concerns,

This is Tracy Ferguson and Neil Gesuero of 13186 E. Four Mile Rd Cheyenne, WY 82009

We have received notification of a proposed Subdivision Permit for 13180 E. Four Mile Rd. PZ-18-00241

Back in 2013 we purchase the adjacent property, 13186 E.Four Mile Rd that this 5 acre this property a was carved out of an original 40 acre parcel.

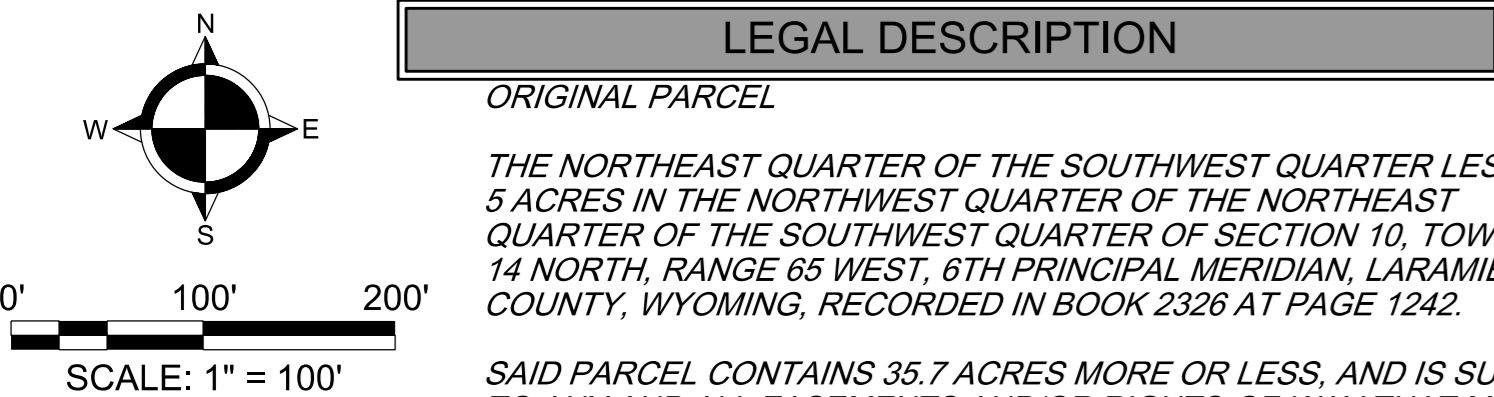
Issues

#1 Over the past 5 years, maintenance of the private road has fallen to only a small handful of residents of this road, whether by funding donations for material or by use of equipment and effort by those possessing large equipment. (JR Schneider and Shane Schneider) Many others using this road provide no contribution toward maintenance. So I fear that more traffic added to this road with no guarantee of increased contribution will unfairly again fall on but a few.

#2 the parcel identified as lot #3 is a flood prone area. Seasonally a pond can form and last months. Efforts to make this lot usable to build will likely divert the waters either toward the often flooded road hollow in front of 13200 E.Four Mile Rd, and / or onto our property effecting our fence line integrity and possible into the area of our leach field located on our northern property slope.

We would like to know the mitigating efforts that will be taken to prevent worsening these situations.

Sincerely
Tracy Ferguson and Neil Gesuero



LEGAL DESCRIPTION

ORIGINAL PARCEL
 THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER LESS 5 ACRES IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 65 WEST, 6TH PRINCIPAL MERIDIAN, LARAMIE COUNTY, WYOMING, RECORDED IN BOOK 2326 AT PAGE 1242.

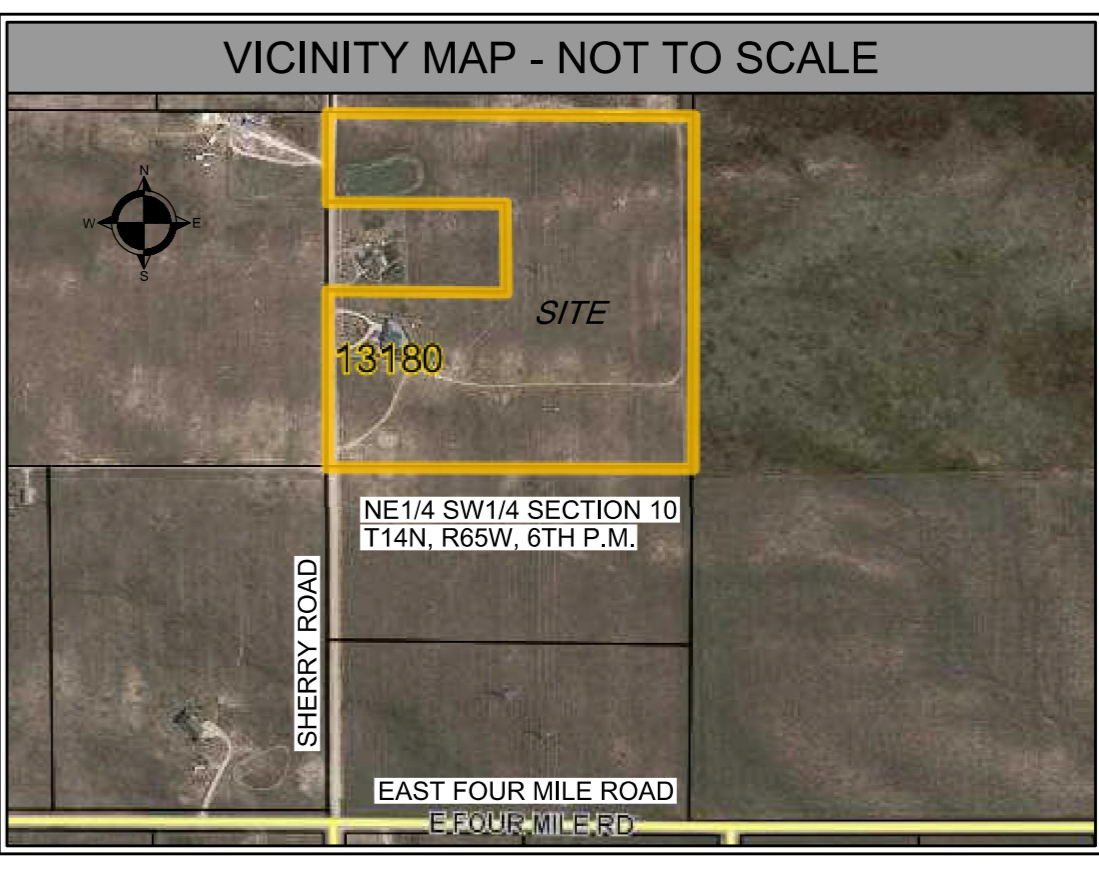
SAID PARCEL CONTAINS 35.7 ACRES MORE OR LESS, AND IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS-OF-WAY THAT MAY HAVE BEEN LEGALLY ACQUIRED.

SADDLEBACK ACRES BOUNDARY DESCRIPTION
 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER-WEST SIXTEENTH CORNER OF SECTION 10 WHICH IS A FOUND REBAR WITH ALUMINUM CAP LS# 2500; THENCE S89°50'17"E A DISTANCE OF 1349.41 FEET TO THE CENTER 1/4 OF SECTION 10 WHICH POINT IS MONUMENTED BY A FOUND REBAR WITH ALUMINUM CAP LS# 2500; THENCE S00°14'41"W A DISTANCE OF 663.36' FEET TO THE CENTER NORTH 1/64TH CORNER WHICH IS A FOUND REBAR WITH ALUMINUM CAP LS# 4259; THENCE S00°14'38"W A DISTANCE OF 663.49 FEET TO THE CENTER SOUTH SIXTEENTH CORNER OF SECTION 10 WHICH POINT IS MONUMENTED BY A FOUND REBAR WITH ALUMINUM CAP LS# 2500; THENCE N89°38'19"W A DISTANCE OF 667.20 FEET TO THE CENTER EAST SOUTHWEST 1/64 CORNER OF SECTION 10 WHICH POINT IS MONUMENTED BY A FOUND REBAR WITH ALUMINUM CAP LS# 12061; THENCE N 89°38'21"W A DISTANCE OF 667.21 FEET TO THE CENTER NORTH SOUTH WEST 1/16 CORNER OF SECTION 10 WHICH POINT IS MONUMENTED BY A FOUND REBAR; THENCE N00°24'31"W A DISTANCE OF 661.22 FEET TO THE CENTER NORTH SOUTHWEST 1/64TH CORNER OF SECTION 10 WHICH POINT IS MONUMENTED BY A FOUND REBAR WITH ALUMINUM CAP LS# 4259; THENCE S89°38'47"E A

DISTANCE OF 671.00 FEET TO A SET REBAR WITH ALUMINUM CAP PELS # 9283; THENCE N00°06'14"W A DISTANCE OF 332.27 FEET TO THE CENTER NORTH-NORTH EAST SOUTHWEST 1/256TH CORNER OF SECTION 10 WHICH POINT IS MONUMENTED BY A FOUND REBAR WITH ALUMINUM CAP LS# 4259; THENCE N89°48'08"W A DISTANCE OF 672.72 FEET TO THE CENTER NORTH-NORTH SOUTHWEST 1/256TH CORNER WHICH POINT IS MONUMENTED BY A FOUND REBAR WITH ALUMINUM CAP LS# 4259; THENCE N00°25'29"W A DISTANCE OF 330.60 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 35.7 ACRES, MORE OR LESS AND IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS-OF-WAY THAT MAY HAVE BEEN LEGALLY ACQUIRED.



LEGEND OF SYMBOLS & ABBREVIATIONS

	SURVEY BOUNDARY
	SECTION LINE
	QUARTER SECTION LINE
	SIXTEENTH SECTION LINE
	RIGHT OF WAY
	EXISTING PROPERTY LINES
	PROPOSED PROPERTY LINES
	EXISTING EASEMENT
	PROPOSED EASEMENT
	SECTION TIES
	RECORD DISTANCE
	MEASURED DISTANCE
	SET 3/4" X 24" REBAR WITH 2" ALUMINUM CAP STAMPED "PELS 9283"
	FOUND SECTION CORNERS
	FOUND QUARTER SECTION CORNERS
	FOUND MONUMENTS AS NOTED
	CONTROL POINT
	FOUND R.O.W. MONUMENTS
	CALCULATED POINT

DEDICATION

Know All Men by These Presents:
 Steve K. McGlothlin, Karla A. McGlothlin, owners in fee simple of the lands embraced within this plat of Saddleback Acres do hereby declare that the platting of these lands as they appear on this plat, to be their free act and deed and in accordance with their free and voluntary wishes and desires and do hereby grant any and all easements as hereon shown for the purposes as indicated.

ACKNOWLEDGEMENT

STATE OF WYOMING)
) SS
 COUNTY OF LARAMIE)
 The foregoing instrument was acknowledged before this _____ day of _____ 2018, by
 Steve K. McGlothlin, Karla A. McGlothlin, owners in Fee Simple.

 Notary Public, Laramie County, Wyoming

Laramie County Real Estate Office

APPROVALS

Approved by the Laramie County Planning Commission
 this _____ day of _____ 2018

 Planning Commission Chairman, Laramie County, Wyoming
 Approved by the Laramie County Board of Commissioners
 this _____ day of _____ 2018

 Board of Commissioners Chairman, Laramie County, Wyoming

 County Clerk

Filing Record
 The State of Wyoming } ss
 County of Laramie }
 This instrument was filed for record

 County Clerk & Ex-Officio Registrar of Deeds

FINAL PLAT

for
SADDLEBACK ACRES
 OF
 THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER LESS 5 ACRES IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 65 WEST, 6TH PRINCIPAL MERIDIAN, LARAMIE COUNTY, WYOMING.

CERTIFICATE OF SURVEYOR
 State of Wyoming } ss
 County of Laramie }
 I, Gary N. Grigsby, a Professional Engineer and Land Surveyor registered in the State of Wyoming do hereby certify that this Map of Survey was prepared from the records and field notes of a survey conducted under my supervision during the month of July, 2018, and that all dimensions and other details are correct to the best of my knowledge and belief.

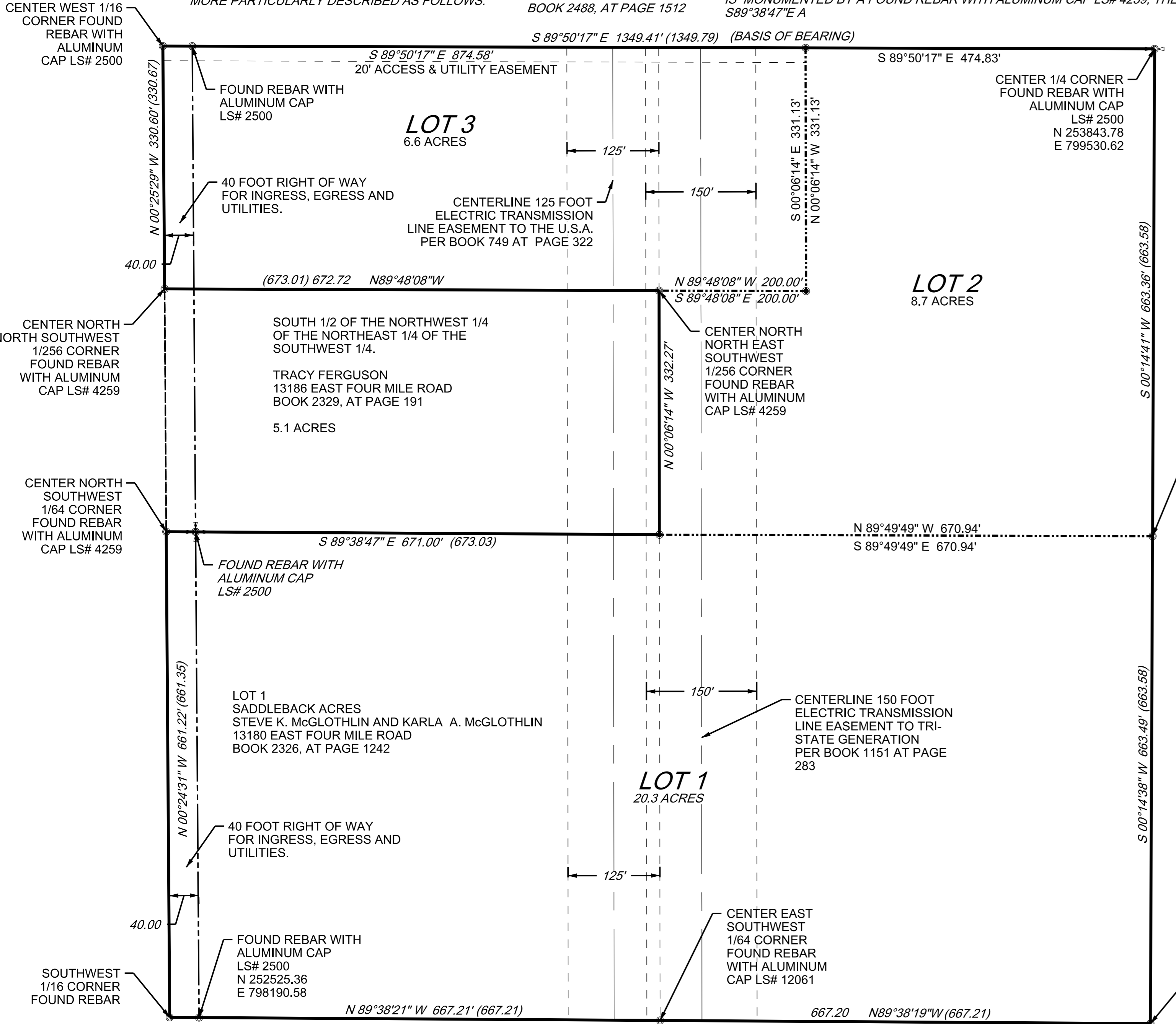
Gary N. Grigsby, Wyoming PE & PLS # 9283
 October 25, 2018 (Job 110-1796-00)
 For and on behalf of Western Research & Development, Ltd.

FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP COMMUNITY NO. 560029, MAP NUMBER 56021C1110F WHICH BEARS AN EFFECTIVE DATE OF JANUARY 17, 2007 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA, AS SHOWN ON THE FEMA WEBSITE (HTTP://MSC.FEMA.GOV). WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE, AND A FLOOD ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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BY WESTERN RESEARCH & DEVELOPMENT
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MISCELLANEOUS NOTES

- ADJOINER JASON AND MELISSA LOVATO EAST FOUR MILE ROAD BOOK 2512, AT PAGE 2966
1. BASIS OF BEARING: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10 BEING S89°50'17"E. SAID LINE BEING MONUMENTED BY A FOUND REBAR WITH ALUMINUM CAP LS# 2500 ON THE WEST END AND BY A FOUND REBAR WITH ALUMINUM CAP LS# 2500 ON THE EAST END.
2. SURVEY DATUM FOR THIS PROJECT IS BASED ON STATE PLANE COORDINATES NAD 83, WYOMING EAST ZONE WITH DISTANCES SHOWN IN U.S. SURVEY FEET AND WITH ELEVATIONS BASED ON NAVD 88 USING GEOID 12B.
3. DATE OF FIELD WORK: JULY 13, 2018.
4. NO FURTHER DIVISIONS OF THESE PROPERTIES SHALL BE ALLOWED UNTIL SUCH TIME AS BOTH ARE PROVIDED WITH A CENTRAL WATER AND SEWER SYSTEM.
5. THIS PROPERTY LIES WITHIN FIRE DISTRICT #2.
6. THE WATER SOURCE IS A 200 FOOT DEEP WELL ON THE PROPERTY FOR LOT 1.
7. THE SEWER IS A 1,000 GALLON SEPTIC SYSTEM FOR LOT 1.
8. BOTH SYSTEMS HAVE BEEN INSPECTED BY ENVIRONMENTAL HEALTH DEPARTMENT.
9. LOTS 2 AND 3 WILL HAVE A SEPARATE WELL AND SEPTIC SYSTEM RESPECTIVELY.
10. THE NORTH 20 FOOT EASEMENT IS FOR A PRIVATE ROAD AND UTILITIES AND SHOULD BE SUFFICIENT.

CLIENT INFORMATION

KARLA A. MCGLOTHLIN
 13180 EAST FOUR MILE ROAD
 CHEYENNE, WY 82009

DRAWING TITLE

FINAL PLAT OF SADDLEBACK ACRES

DATE: OCTOBER 2018

SCALE: 1" = 100'

DRAWING CHECKED BY: TDS/GNG

DRAWING PATH

SHEET NUMBER

1 of 1

PROJECT NUMBER: 110-1796-00

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR SADDLEBACK ACRES, IN A PORTION OF THE NE1/4 SW1/4 OF SECTION 10, T14N, R65W OF THE 6TH P.M., 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

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 Saddleback Acres.

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 Saddleback Acres with the following condition:

- 1. The plat shall be amended to reflect the correct designation of the west 40-foot easement/right-of-way and a note added to clarify the intended use and maintenance, prior to plat recordation.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2018.

LARAMIE COUNTY BOARD OF COMMISSIONERS

K.N. Buck Holmes, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Mark T. Voss, Laramie County Attorney