



## LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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Planning • Building

### MEMORANDUM

**TO:** Laramie County Board of Commissioners

**FROM:** Mason Schuricht, Associate Planner

**DATE:** September 6, 2022

**TITLE:** PUBLIC HEARING regarding a Zone Change from A1 – Agricultural and Rural Residential to AR – Agricultural Residential for a portion of the SE1/4SW1/4 of Section 5, Township 14N., Range 66W., of the 6<sup>th</sup> P.M., Laramie County, WY.

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### EXECUTIVE SUMMARY

Sam Shumway, on behalf of Phillip and Nicole Brenchley, has submitted a Zone Change application for 9411 Wayne Road, located north of East Riding Club Road and west of Powderhouse Road. The purpose of the application is to change the zone district from A1 – Agricultural and Rural Residential to AR – Agricultural Residential to allow for an Administrative Plat, once approved for this zone change, an Administrative Plat application will be submitted.

### BACKGROUND

The subject property is approximately 15 acres and currently would not be allowed to subdivide the property under the A1 zoned district unless each tract was at a minimum of 10 acres. If changed to the AR zoned district, this would allow for a minimum lot size of 5 acres per tract, thus allowing the Administrative Plat to take place.

### **Pertinent Regulations**

**Section 1-2-103(b)** of the Laramie County Land Use Regulations governing the criteria for a zone map amendment.

**Section 4-2-100** of the Laramie County Land Use Regulations governing the AR-Agricultural Residential zone district.

## **DISCUSSION**

The Laramie County Comprehensive Plan designates this area as URI (Urban Rural Interface), intended to accommodate a mix of more intensive land uses than other areas. These areas may have public water and sewer services, a higher level of vehicular access, and a greater overall level of community services.

The subject property is located inside the PlanCheyenne zoned boundaries, the property is zoned Rural Residential (RR). According to the zoning regulations of the City of Cheyenne the RR district is intended for residential uses on large lots that have a semi-rural lifestyle. This property also lies within the MPO boundary

According to the AMEC Memo dated January 31, 2014, the property lies within Zone 2 of the study area. Development standards state that lots within this zone shall be a minimum of 5.25 acres in order to sufficiently recharge groundwater after withdraws from a pumping well. This property lies outside of the Order of the State Engineer for the Laramie County Conservation area, thus not regulated under the SEO Control Area.

Public notice was provided per Section 1-2-104 and neighbor notice letters were sent by certified mail. Staff received one inquiry with no objection and agency comments shall be addressed with the Administrative Plat application submittal.

Section 1-2-103 (b) states that in order for Planning Commission to recommend approval, one of the following must be found:

- i. That the zoning district map amendments or regulations are consistent with plans and policies of Laramie County; *or*
- ii. That the original zoning classification given to the property was inappropriate or improper; *or*
- iii. That there have been changes of an economic, physical or social nature within the area involved which altered the basic character of such area, and that the amendment will not detrimentally affect the area involved.

Criteria i. is met by the conformance with the Laramie County Comprehensive Plan and PlanCheyenne with the type of development.

The Laramie County Planning Commission approved this application by a (3-0) vote on August 25, 2022.

## **RECOMMENDATION and FINDINGS**

**Based on evidence provided, staff and Planning Commission recommend that:**

- a.** This application does meet the criteria for a zone map amendment pursuant to section 1-2-103 (b) i. of the Laramie County Land Use Regulations
- b.** The proposed change in zone district is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

**and that the Board approve of a Zone Change from A1 – Agricultural and Rural Residential to AR – Agricultural Residential to the Laramie County Board of Commissioners for the portion of the SE1/4SW1/4 of Section 5, Township 14N., Range 66W., of the 6<sup>th</sup> P.M., Laramie County, WY.**

## **PROPOSED MOTION**

**I move to approve the Zone Change from A1- Agricultural and Rural Residential to AR- Agricultural Residential for the portion of the SE1/4SW1/4 of Section 5, Township 14N., Range 66W., of the 6<sup>th</sup> P.M., Laramie County, WY.**

## **ATTACHMENTS**

**Attachment 1: Location Map**

**Aerial Map**

**Comprehensive Plan Map**

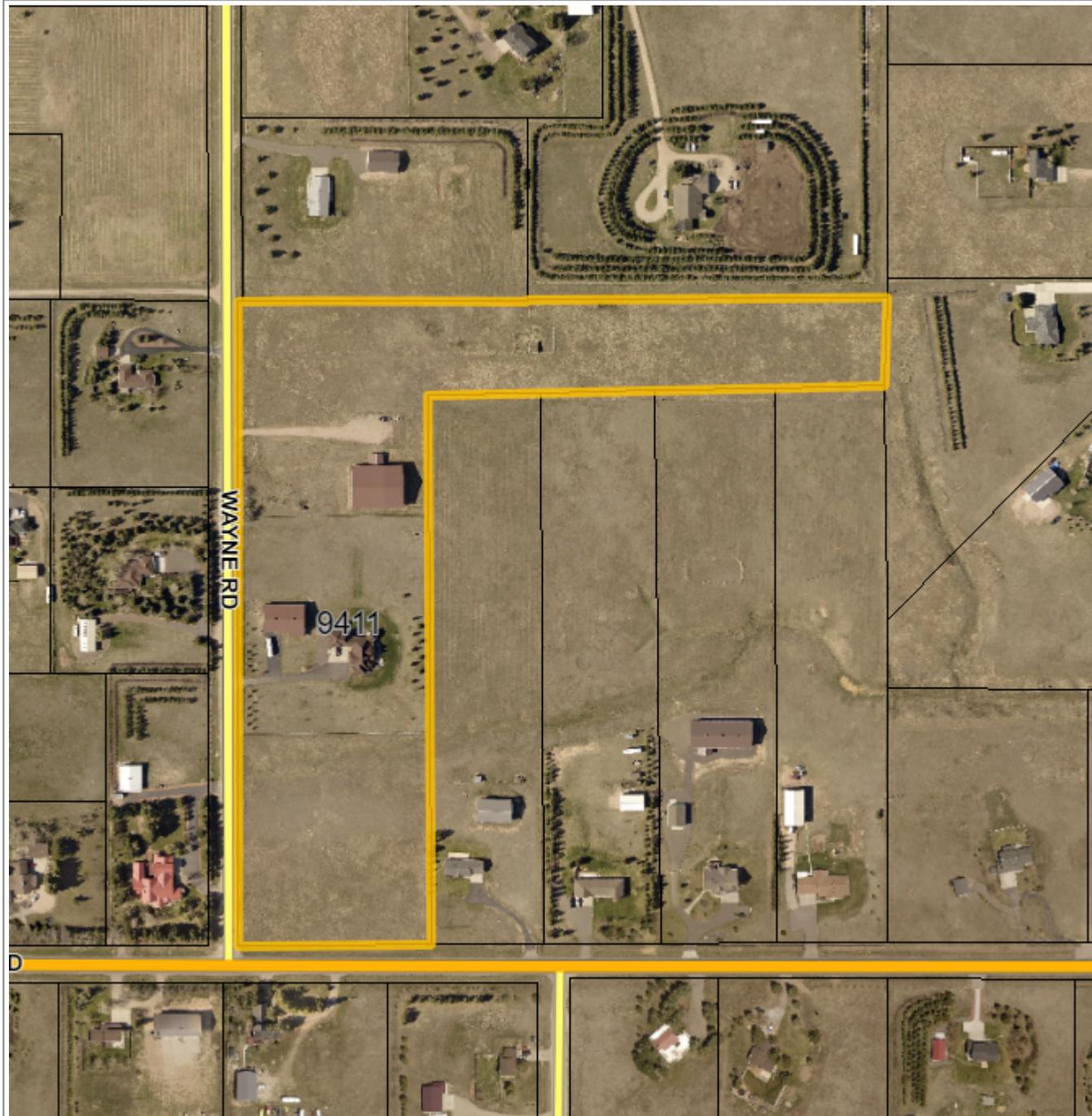
**PlanCheyenne Map**

**Current Zoning Map**

**Attachment 2: Agency Review Comments**

**Attachment 3: Resolution**

**Attachment 4: Resolution Exhibit A - Zone Change Map**



### Location and Aerial Map

Zone Change A1 to AR

Comprehensive Plan- URI (Urban Rural Interface) Plan  
Cheyenne- RR (Rural Residential)  
Fire District- Laramie County Fire Authority AMEC

MEMO- Zone 2

Located within MPO boundary

PZ-22-00229 Brenchley.Shumway Zone Change



**PZ-22-00229**  
**Zone Change**

**NO COMMENT**

**Building Dept.**  
**Cheyenne MPO**  
**Cheyenne Planning**  
**County Assessor**  
**High West Energy**  
**Intraoffice**  
**WYDOT**

**NO RESPONSE**

**CenturyLink**  
**Combined Communications Center**  
**County Clerk**  
**County Conservation District**

**County Engineer:** County Engineer, Scott Larson Comments Attached 07/13/2022  
When and if a plat application is submitted to the County, and additional 10' of ROW will be required along Wayne Road in order to achieve a 70' ROW for Wayne Road instead of the current 60'.

**County Real Estate Office:** County Real Estate Office, Laura Pate Comments  
Attached 07/11/2022

The Talich's no longer own the property. A deed was recorded 04/30/2021 transferring ownership to Phillip J and Nicole Brenchley. The Brenchley's need to be listed as owners in the dedication, signature area, and notary statement.

**Environmental Health:** Environmental Health Department, Tiffany Gaertner Comments  
Attached 07/25/2022

Regulations:

**LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS**

Comments:

Wastewater permit is required for new lot. Small wastewater system must have a 50' setback from all property lines. Signed final plat must be submitted to Environmental Health Office prior to application for permit.

**Planners:** Planners, Mason Schuricht Comments Attached 07/26/2022

1. Title in the corner needs to read "Administrative Plat of Talich Ridge Subdivision".
2. Signature Blocks should be labeled for planning and development and public works "Approved by Justin Arnold, Laramie County Planning Director" and "Approved by Molly Bennett Laramie County Public Works Director" with signature lines.
3. The public road reservation, does this road have a name?
4. Any current easements need a book and page and any proposed easements need to be shown.
5. State whether or not the subdivision is in the CWPP, and if it is what are the hazards.

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

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT  
FROM A1 – AGRICULTURAL AND RURAL RESIDENTIAL  
TO AR - AGRICULTURAL RESIDENTIAL  
FOR A PORTION OF THE SE1/4SW1/4 OF SECTION 5, TOWNSHIP 14N., RANGE  
66W., OF THE 6<sup>TH</sup> 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 previously adopted the Laramie County Land Use Regulations; and

**WHEREAS**, the proposed zone change is in conformance with the requirements of section 1-2-103(b) of the Laramie County Land Use Regulations; and

**WHEREAS**, the proposed zone change is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

**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 meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the Laramie County Land Use Regulations.
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

**And the Board approves a Zone Change from A1 – Agricultural and Rural Residential to AR – Agricultural Residential for a portion of the SE1/4SW1/4 of Section 5, Township 14N., Range 66W., of the 6<sup>th</sup> P.M., Laramie County, WY, as shown on the attached ‘Exhibit A’ – Zone Change Map.**

**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:

\_\_\_\_\_  
Mark T. Voss, Laramie County Attorney

Currently Zoned A1

Proposed Zoning AR

14.9 Acres for residential  
use

### 'Exhibit A'

**Zone Change Map**  
For a portion of SE1/4,  
Section 5, T.14N.,  
R.66W., of the 6th  
P.M., Laramie County,  
WY



This map/data is made possible through the Cheyenne and Laramie County  
Cooperative GIS (CLCCGIS) Program and is for display purposes only. The  
CLCCGIS invokes its sovereign and governmental immunity in allowing  
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and assumes no liability associated with the use or misuse of this  
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printed 7/7/2022

