Planning • Building

MEMORANDUM

TO:	Laramie County Board of Commissioners
FROM:	Mason Schuricht, Associate Planner
DATE:	June 7, 2021
TITLE:	PUBLIC HEARING regarding a Zone Change from A2- Agricultural to AR- Agricultural and Residential and a Subdivision Permit & Plat for Four Mile Meadows Subdivision, 2nd Filing for a portion of the NE1/4 S.17 T.14N., R.65W., of the 6 th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying LLC, on behalf of Karol Lynn Krug, has submitted Zone Change, Subdivision Permit & Plat applications for Four Mile Meadows Subdivision, 2nd Filing consisting of five tracts located south of E. Four Mile Road and east of Windy Lane. The applications have been submitted to request a zone change from A2-Agricultural to AR-Agricultural Residential and to subdivide 31.5 acres out of a complete 87.22 acre tract.

Both applications have been combined into one staff report for ease of presentation and discussion, with separate motions required for the two actions.

BACKGROUND

This property is to be subdivided for Agricultural Residential purposes per the zone change, and there will be (5) subdivided tracts with (1) un-platted tract.

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.

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 Metro (RM), which is intended to have similarities with the Metropolitan Planning Organization (MPO). These areas are encouraged to develop on private, or small, shared water and/or septic systems. If possible, shared systems and denser residential uses should be incorporated. The average residential developments may be 2.5-5 acres depending on availability of services.

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

According to the AMEC Memo dated January 31, 2014, the property lies within Zone 2 of the study area. The memo states that lots within this zone shall be a minimum of 5 acres in order to sufficiently recharge groundwater after withdraws from a pumping well. Development standards require a minimum lot size of 5.25 in this zone to accommodate for impervious surfaces or residences, accessory structures & driveways.

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 any other legal parcel of land.

Water and sewage disposal will be provided by individual well and septic systems. With an average lot size of 6.3 acres, the minimum requirements for septic system permits are met.

Access to the five tracts will be from E. Four Mile Road. The County Engineer has concurred with requests for waiver of the drainage and traffic studies since the development will have minimal impacts to both.

The subject property is bordered by the AR zone district to the southeast. The A1-Agricultural of & Rural Residential zone district border to the north. The subject properties current zone district A2 is the same to the east, west and south. These zone districts range from single family residential to commercial agricultural activities, non-profit organizations such as churches, temples and other places of worship. A change in zoning for the subject property from A2 to AR would affiliate the zoning district to the properties to the south.

Section 1-2-103 (b) of the Laramie County Land Use Regulations specifies that in order to recommend approval of this zone change, the Board of County Commissioners must find at least one of the following:

- 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 conformance with the Laramie County Comprehensive Plan and PlanCheyenne with the type of development.

Agency review comments addressed minor clerical corrections to the plat and the zone change map

Public notice was provided per Section 1-2-104 of the Land Use Regulations. No public comment was received.

The Planning Commission recommended approval of the zone change as well as subdivision permit and plat on May 12, 2022 by a 5 to 0 vote.

RECOMMENDATION and FINDINGS

Based on evidence provided for the *zone change* request, staff recommends the Board find 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.

The Planning Commission and planning staff recommend that the board approve a Zone Change from A2 to AR for a portion of the NE1/4 S.17 T.14N., R.65W., of the 6th P.M., Laramie County, WY. with no conditions.

Based on evidence provided for the *subdivision permit & plat*, 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.

b. This application is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

And that the Board approve of the Subdivision Permit and Plat for Four Mile Meadows Subdivision, 2nd Filing to the Laramie County Board of Commissioners with no conditions.

PROPOSED MOTION – ZONE CHANGE

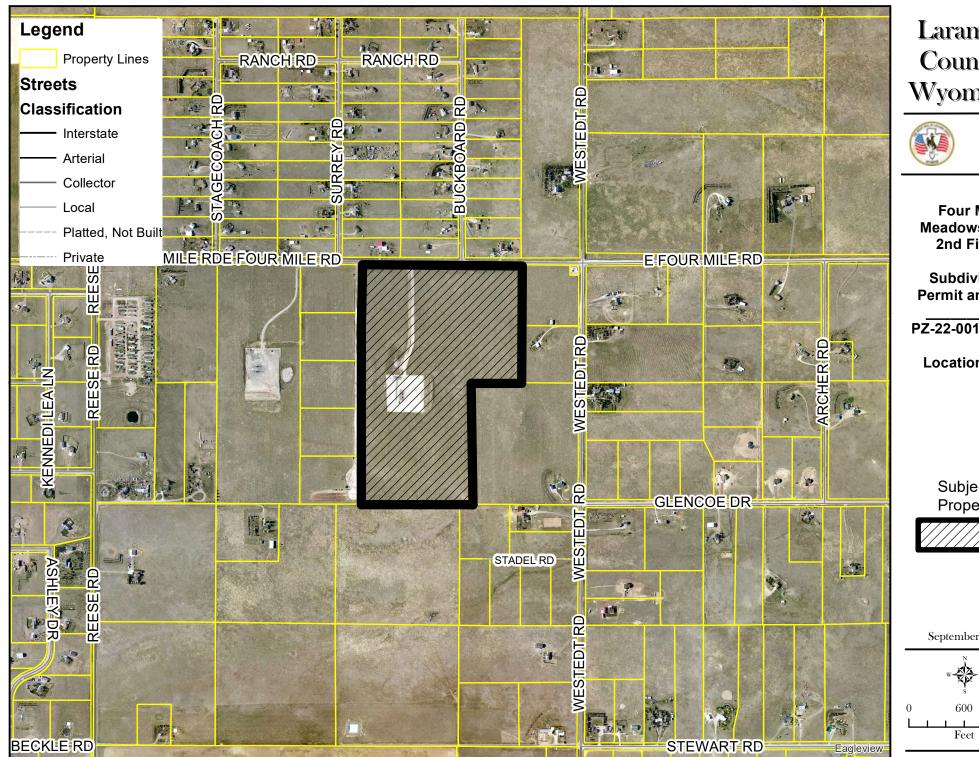
I move to approve of the Zone Change from A2 to AR for a portion of the NE1/4 S.17 T.14N., R.65W., Laramie County, WY., and adopt the findings of fact a and b for the *zone change* as shown on the attached 'Exhibit A' – Zone Change Map.

PROPOSED MOTION – SUBDIVISION PERMIT & PLAT

I move to approve of the Subdivision Permit and Plat for Four Mile Meadows Subdivision, 2nd Filing, and adopt the findings of fact a and b for the *Subdivision Permit & Plat*, as shown in the staff report.

ATTACHMENTS

Attachment 1:	Location Map
Attachment 2:	Aerial Map
Attachment 3:	Comprehensive Plan Map
Attachment 4:	PlanCheyenne Map
Attachment 5:	Current Zoning Map
Attachment 6:	SEO Мар
Attachment 7:	AMEC Memo Map
Attachment 8:	Combined Agency Comments Report
Attachment 9:	Draft Resolution – Zone Change
Attachment 10:	Resolution 'Exhibit A' - Zone Change Map
Attachment 11:	Draft Resolution – Subdivision Permit & Plat
Attachment 12:	Plat – Revised May 6, 2022



Laramie County, Wyoming

Four Mile Meadows Sub. 2nd Filing

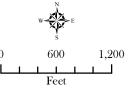
Subdivision Permit and Plat

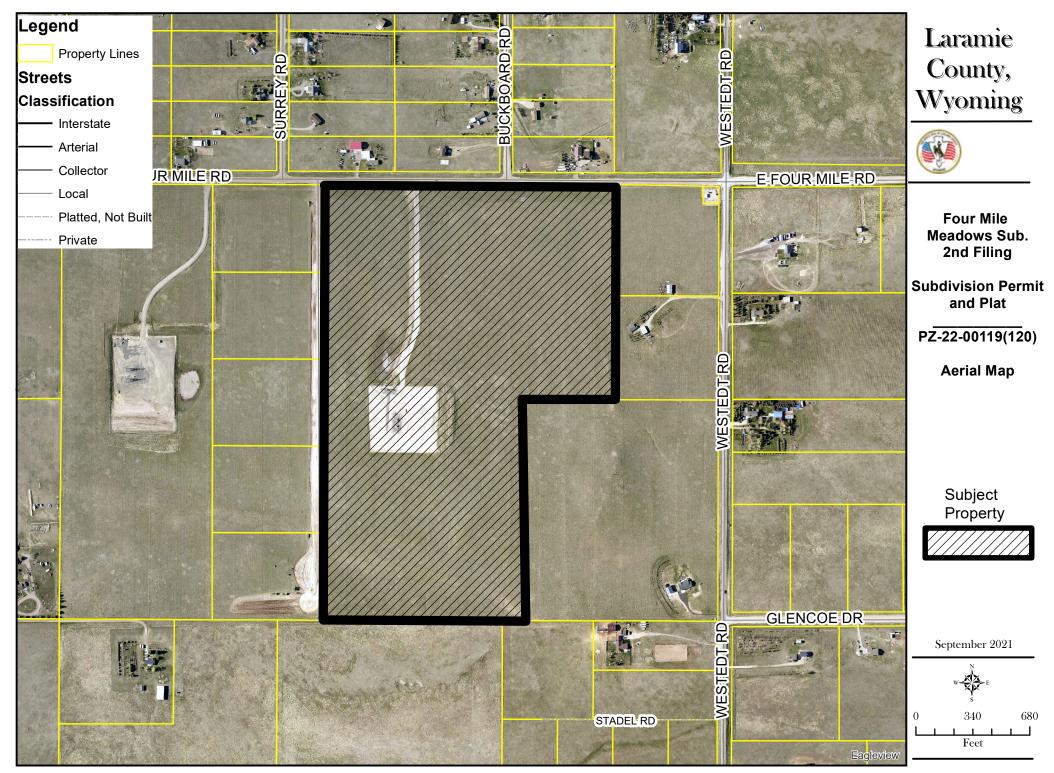
PZ-22-00119(120)

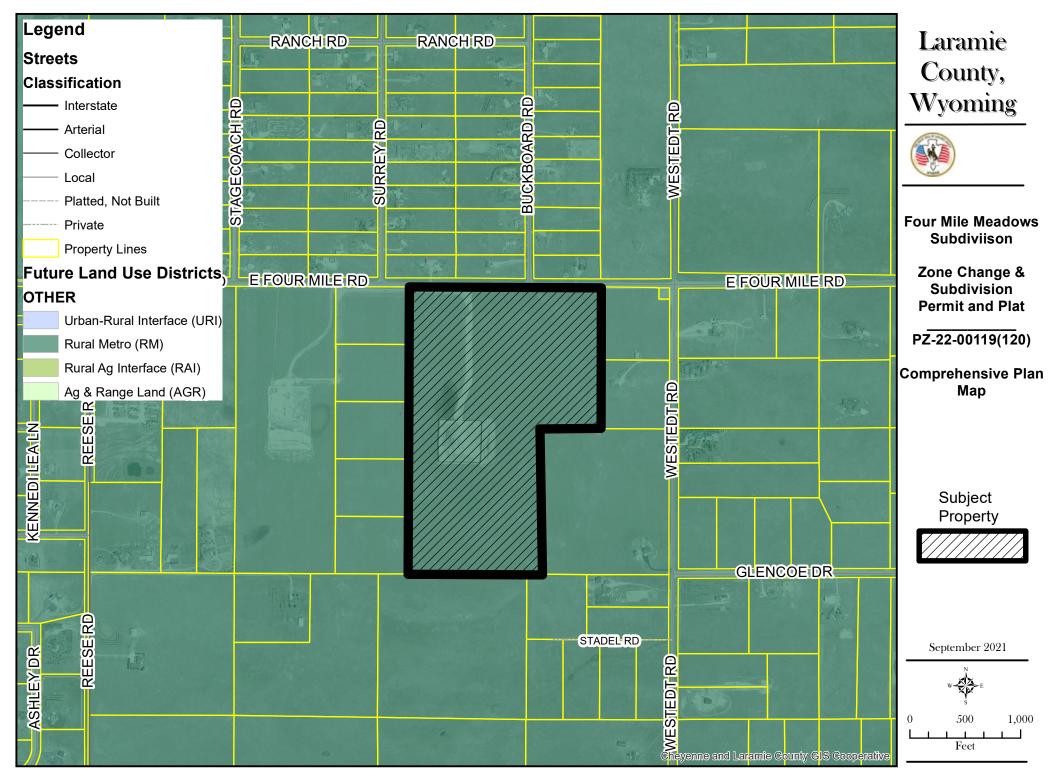
Location map

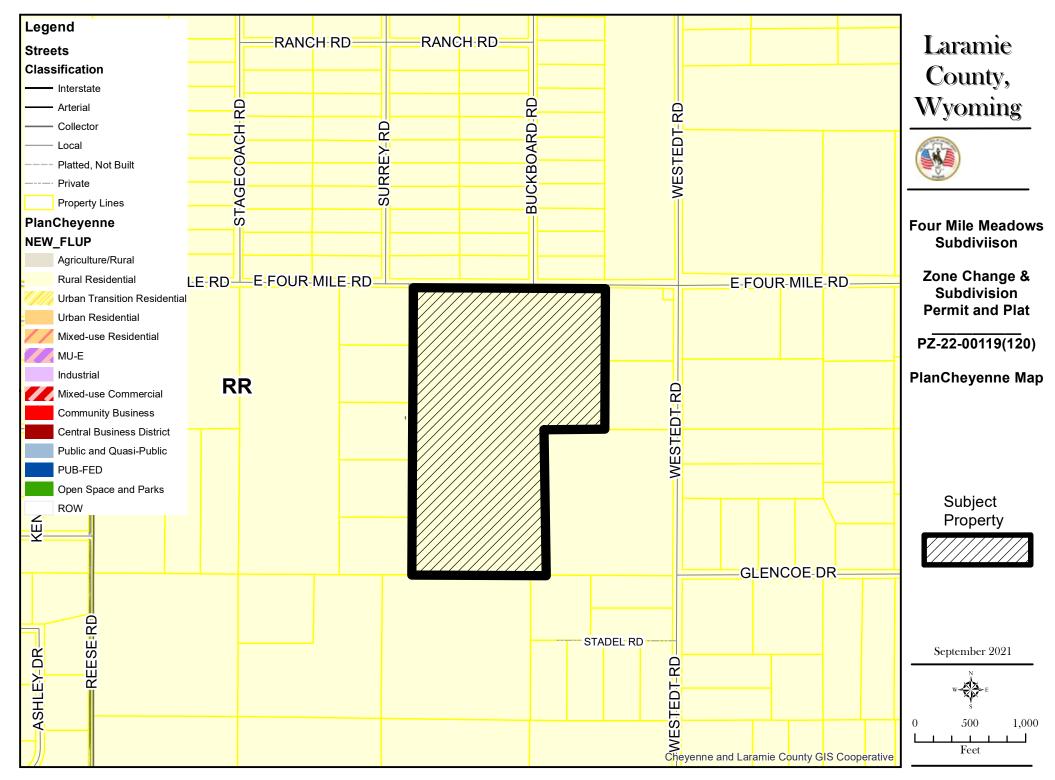
Subject Property

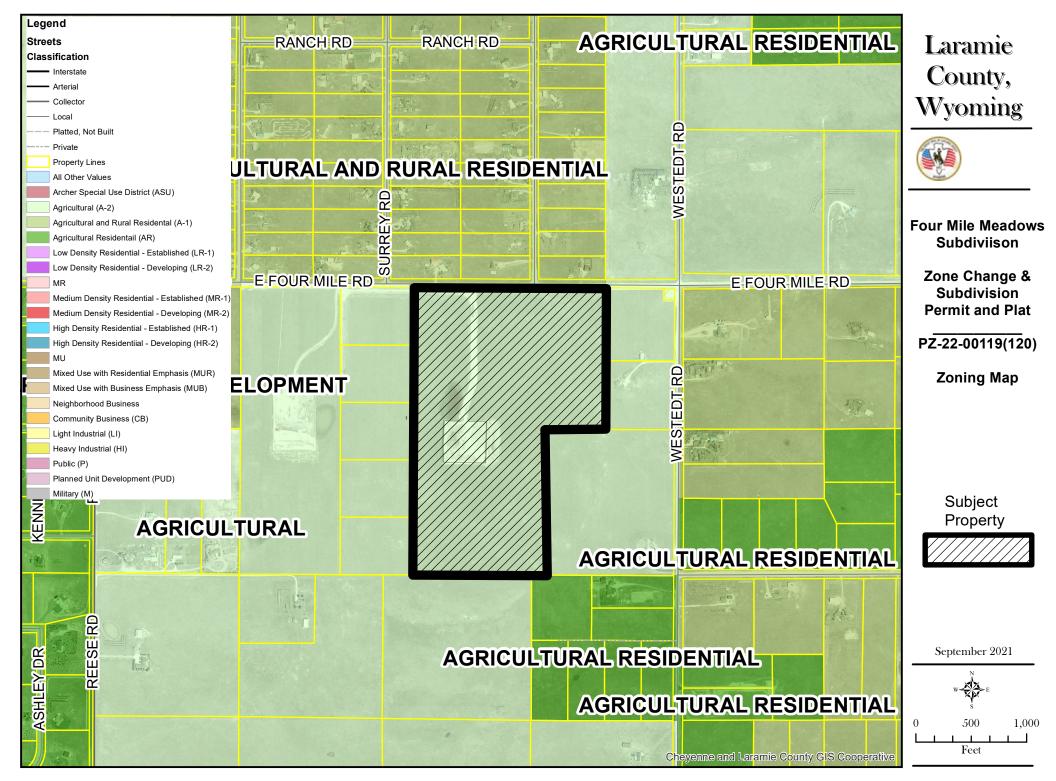
September 2021

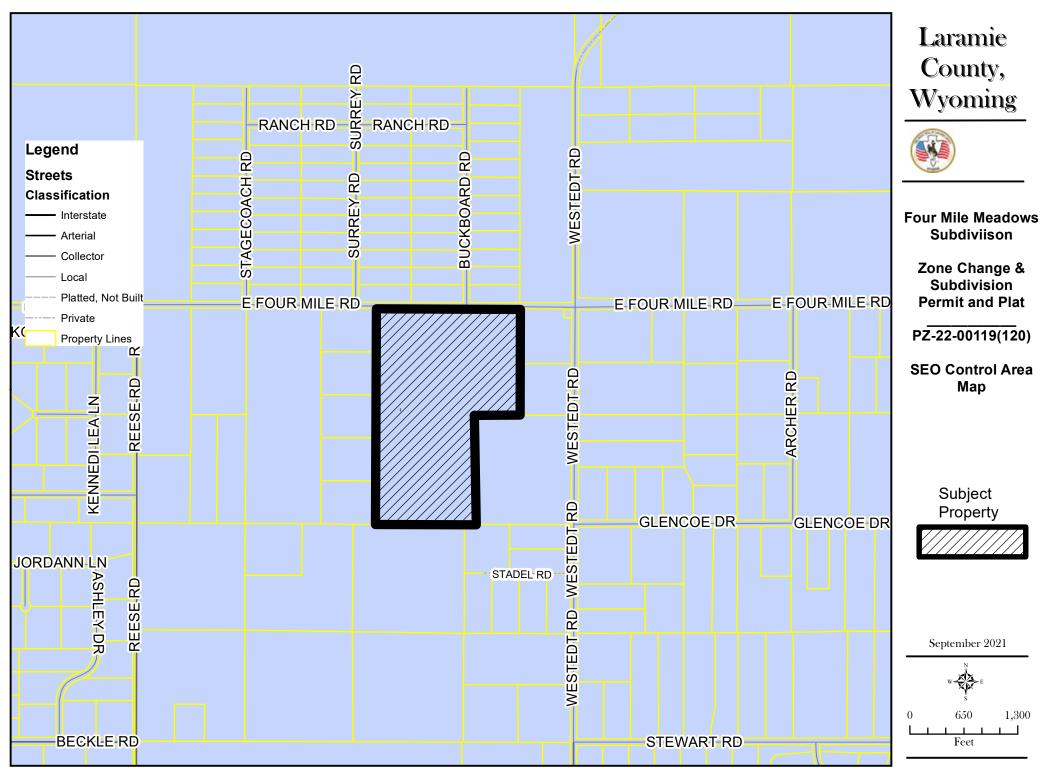


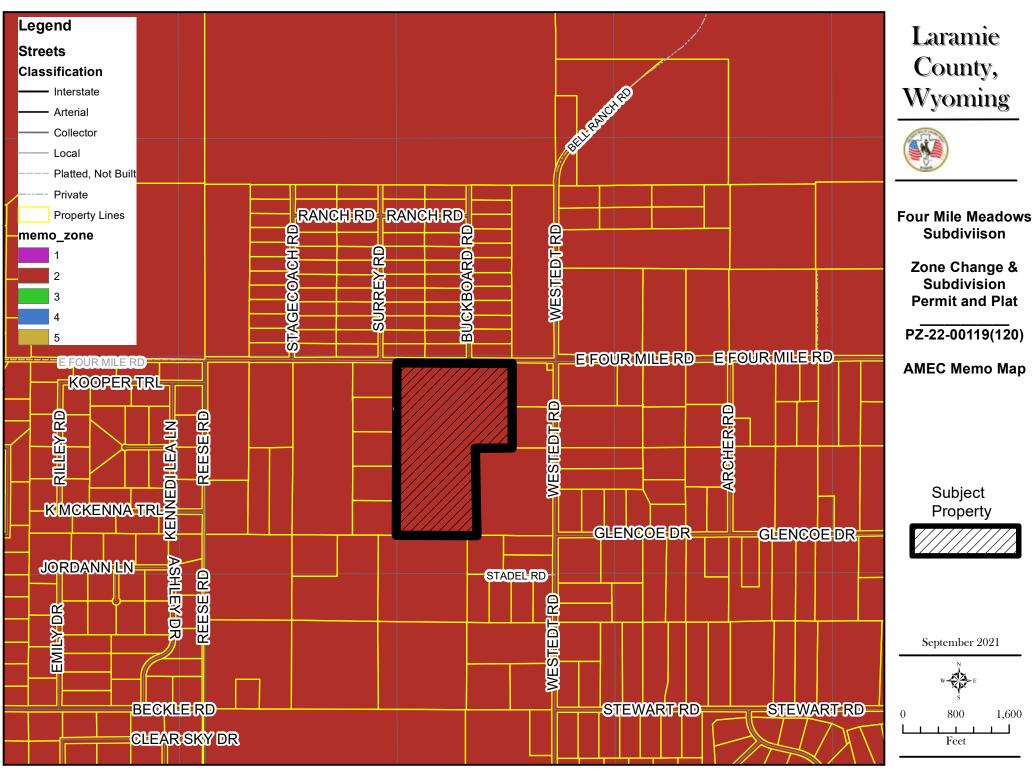












PZ-22-00119 Zone Change

No Comment

<u>County Assessor</u> <u>County Attorney</u> <u>County Real Estate Office</u>

No Response

County Clerk County Treasurer

Intraoffice: Planners, Cambia McCollom Comments Attached 04/28/2022 Title block is confusing. Is there a legal description to depict the boundaries of the area in proposed change?

Planners: Planners, Mason Schuricht Comments Attached 04/21/2022 Zone Change Map 1. Tracts 1-5 do not exist currently and will only occur if the zone-change happens first.

2. Legend, and zoning information need to be outside of the platted area.

3. Vicinity map needs to clearly show the site area, because site arrow does not.

PZ-22-00120 Subdivision Permit

NO COMMENTS

Building Dept County Attorney CenturyLink

NO RESPONSE

Combined Communications Center County Public Works Department County Treasurer Emergency Management Laramie County Fire Authority Laramie County Weed & Pest Sheriff's Office WY State Engineer's Office WYDOT

<u>High West Energy</u>: High West Energy, David Golden Comments Attached 04/06/2022 Utility easement required as shown on plat markup to allow service to properties.

<u>County Assessor</u>: County Assessor, Kaycee Eisele Comments Attached 04/12/2022 Please note, our office will reach out to Steil Surveying for a legal description on the remaining portion of the parcel that is NOT included in this plat.

<u>County Engineer:</u> County Engineer, Scott Larson Comments Attached 04/20/2022 Engineer Review

1. I concur with the request for a waiver of a detailed Drainage Study and Traffic Study since this development will have negligible impact on both.

- 2. There is no note referencing the FEMA FIRM Panel for this area.
- 3. There is no written or graphic scale shown on the plat.
- 4. There is no basis of bearing included on the plat.

5. There are no widths/dimensions of the apparent easement for the Gas Lift Line and Full Field Flow shown/included

6. On the southwest corner of Tract 5, there is a label indicating "50' Radius" that I believe should not be there.

7. The Dedication indicates the property is located in the NE1/4 of Section 17 and the Title Block indicates it is located in the NW1/4 of Section 17. I believe the Title Block is the correct one.

Surveyor Review

1. The surveyor may want to check some of the bearings in the legal description included within the DEDICATION, although the direction of the courses may not matter on the map, they can make a difference in the legal description.

2. The ACKNOWLEDGEMENT of the owner relative to the DEDICATION would be better placed immediately adjacent to the DEDICATION.

3. Survey ties to the nearest public land survey system monument are not identified on the plat.

4. No public land survey system monument is labeled on the plat.

5. What are the purposes of the easements recorded in the above referenced B2620, P922? Their locations are not tied to the Boundary.

6. The names of the streets on the VICINITY MAP are not legible.

7. The Vicinity Map would be easier to read and it would be more useful if one were to add some information such as, at a minimum, the Section, Township and Range data with enough detail to indicate the location of the subdivision within the Section.

<u>County Real Estate Office:</u> County Real Estate Office, Laura Pate Comments Attached 04/12/2022

The correct date of the trust is November 8, 2019 as shown on the deed recorded as document #768943. (the date used of January 7,2020 is actually the date the deed was recorded which is not the same as the date the trust was established.)

And where Karol signs please add the full name of the trust with the correct date.

Environmental Health: Environmental Health Department, Roy Kroeger Comments Attached 04/11/2022 Regulations:

LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

Comments:

Wastewater permits are required for each lot. All small wastewater systems must have a 50' setback from all property lines and must be kept out of easements and buffers. Signed final plat must be submitted to Environmental Health Office prior to application for any permits.

Intraoffice: Planners, Cambia McCollom Comments Attached 04/08/2022 Arrow on the vicinity map indicates area to the West of Four Mile Meadows 1st Filing, not to the East.

Planners: Planners, Mason Schuricht Comments Attached 04/21/2022

1. Please be advised that most of the information such as dedication, acknowledgement, signature blocks, need to be outside of the platted area. It currently lies within the remainder parcel, and this piece needs to be clearly shown. Please

reference the Laramie County Land Use Regulations page 49 for the standards of what should be on a subdivision plat.

2. Please include written and graphic scales to the plat

3. Make sure to label any current pipeline or utility easements with book and page numbers, and label any proposed easements.

4. Survey ties by bearing/azimuth need to be explained in notes on the side. The basis of bearing will also need to be noted.

5. The remainder property after the subdivision will need to be labeled and described, and the amount of acres the remainder property has.

6. Vicinity Map needs to have an obvious outline of the platted area, the site arrow does not clearly show where the platted area is.

7. The correct FEMA Panel and date needs to be stated in notes or on the plat

8. The CWPP needs to be described in notes or on plat, and would need to state if there is or is not a hazard, and if there are hazards what are they.

9. There does not need to be a vacation statement if there is no vacation happending on the plat.

Zone Change Map

1. Tracts 1-5 do not exist currently and will only occur if the zone-change happens first.

2. Legend, and zoning information need to be outside of the platted area.

3. Vicinity map needs to clearly show the site area, because site arrow does not.

A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT FROM A2 - AGRICULTURAL TO AR – AGRICULTURAL RESIDENTIAL OF THE NE1/4 S.17 T.14N., R.65W., 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 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 A2 – Agricultural to AR – Agricultural Residential of the NE1/4 S.17 T.14N., R.65W., of the 6th P.M., Laramie County, WY, with one condition as shown on the attached 'Exhibit A' – Zone Change Map.

1. All errors in legal description must be corrected prior to recordation.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF

_____, 2022.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Troy Thompson, Chairman

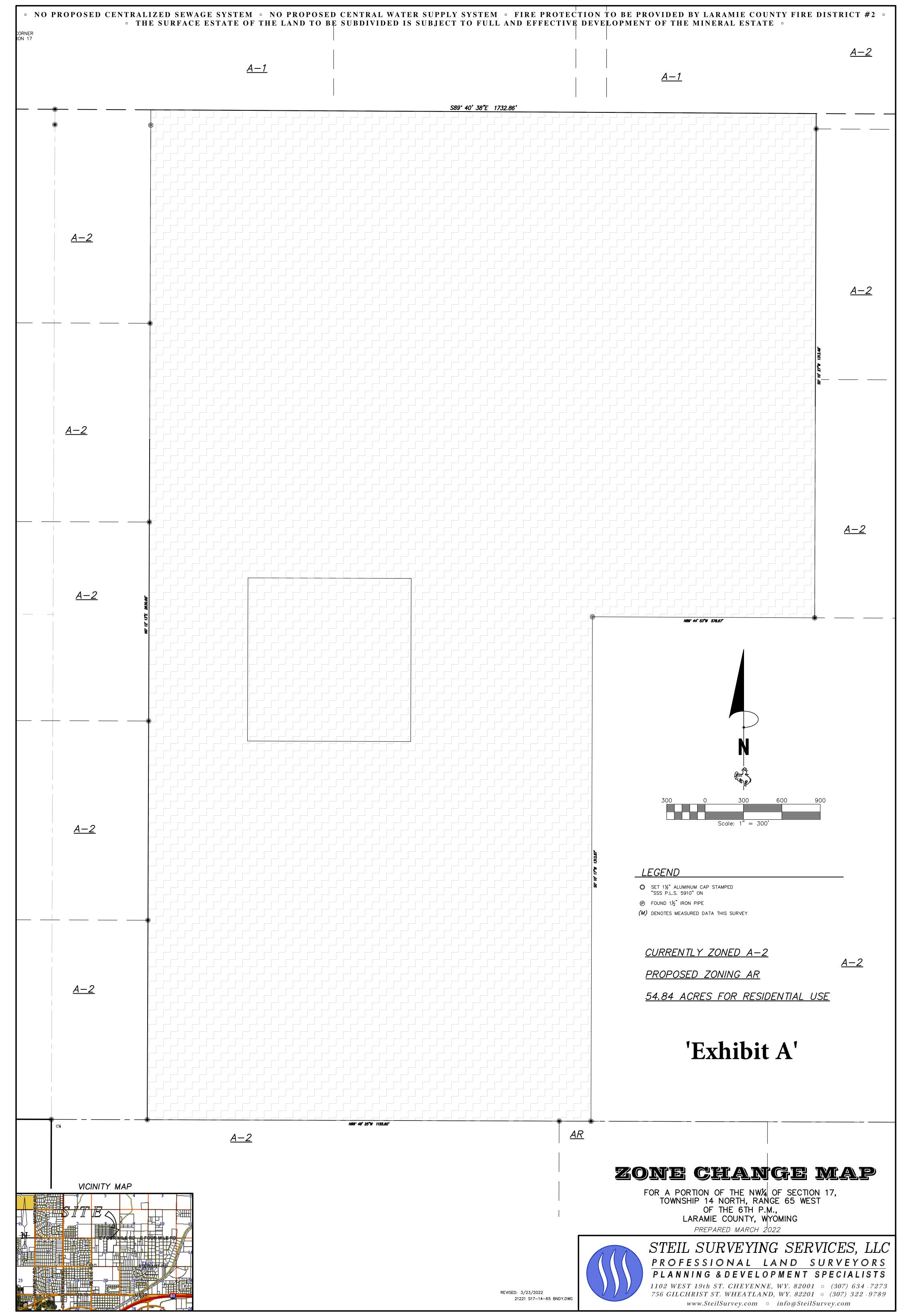
ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

- tunchar

Laramie County Attorney's Office



© COPYRIGHT 2017 STEIL SURVEYING SERVICES, LLC ALL RIGHTS RESERVED

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR A PORTION OF THE NE1/4 S.17 T.14N., R.65W., OF THE 6TH P.M., LARAMIE COUNTY, WY TO BE PLATTED AND KNOWN AS "FOUR MILE MEADOWS SUBDIVISION, 2ND FILING".

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 2019 Laramie County Land Use Regulations; and

WHEREAS, the proposed subdivision and plat is in accordance with section 2-1-101 (a-e) of the 2019 Laramie County Land Use Regulations; and

WHEREAS, the proposed zone change is in conformance with the requirements of section 4-2-100 of the 2019 Laramie County Land Use Regulations.

WHEREAS, this resolution is the subdivision permit for Four Mile Meadows Subdivision, 2nd Filing.

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 Four Mile Meadows Subdivision, 2nd Filing with one condition:

1. All agency comments regarding clerical errors and misspelled streets on the plat shall be addressed prior to recordation.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF

_____, 2022.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Troy Thompson, Chairman

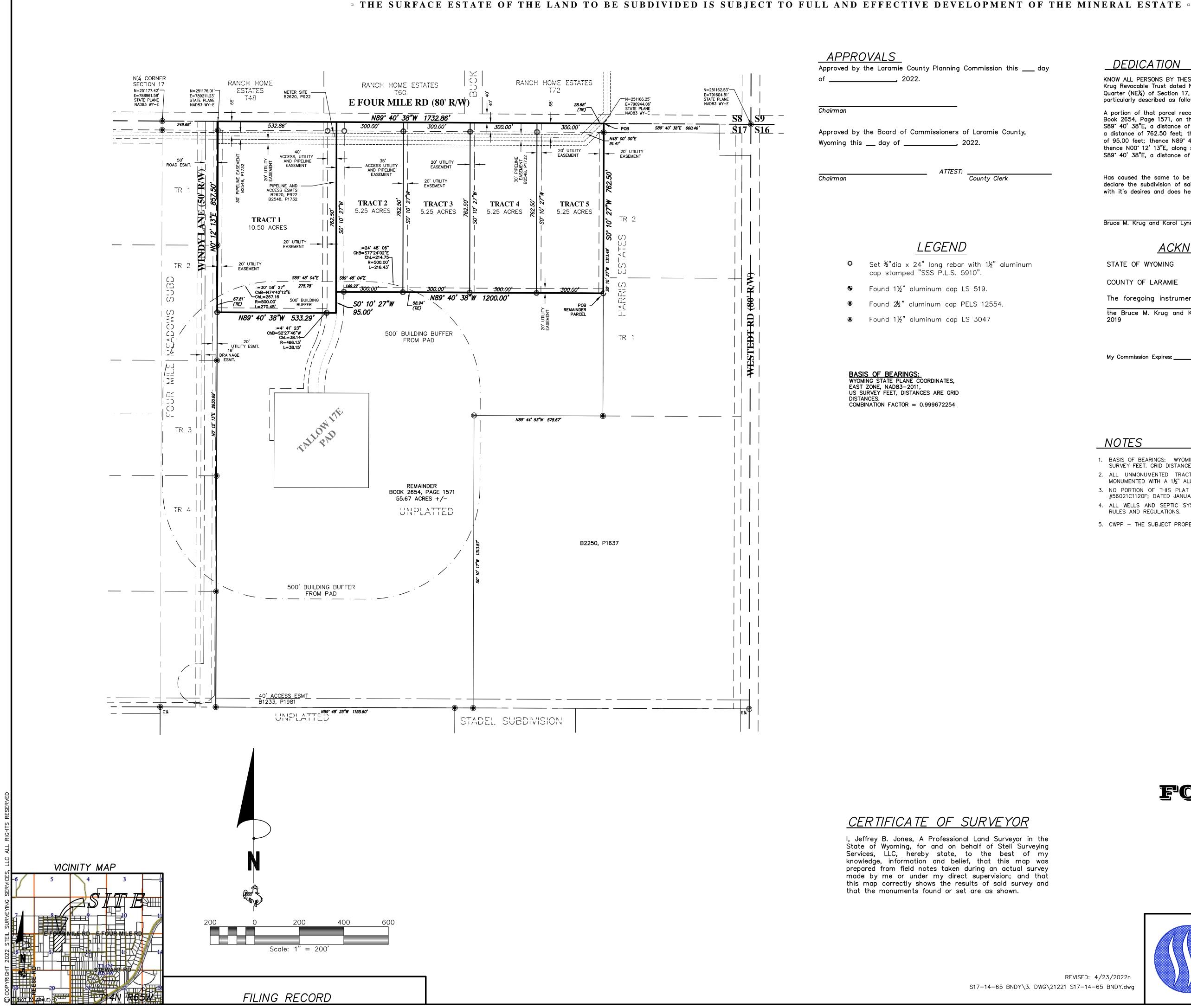
ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

hindrar

Laramie County Attorney's Office



□ NO PROPOSED CENTRAL WATER SUPPLY SYSTEM □ NO PROPOSED CENTRALIZED SEWAGE SYSTEM □ FIRE PROTECTION TO BE PROVIDED BY LCFA □

Approved by the Laramie County Planning Commission this ____ day

Approved by the Board of Commissioners of Laramie County, _____, 2022.

County Clerk

LEGEND

- Set [%]"dia x 24" long rebar with 1½" aluminum cap stamped "SSS P.L.S. 5910".
- Found 1½" aluminum cap LS 519.
- Found 2½" aluminum cap PELS 12554.
- Found 1½" aluminum cap LS 3047

CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, A Professional Land Surveyor in the State of Wyoming, for and on behalf of Steil Surveying Services, LLC, hereby state, to the best of my knowledge, information and belief, that this map was prepared from field notes taken during an actual survey made by me or under my direct supervision; and that this map correctly shows the results of said survey and that the monuments found or set are as shown.

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT: Karol Lynn Krug, Trustee of the Bruce M. Krug and Karol Lynn Krug Revocable Trust dated November 8, 2019, owner in fee simple of A parcel of land situate in the Northeast Quarter (NE¼) of Section 17, T. 14 N., R. 65 W. of the 6th P.M. in Laramie County, Wyoming, being more particularly described as follows:

A portion of that parcel recorded in Book 2654, Page 1571 described as; Beginning the Northeast corner of Book 2654, Page 1571, on the North line of Section 17, from which the Northeast corner of Section 17 bears S89° 40' 38"E, a distance of 660.46 feet; thence S00° 10' 27"W, along the East line of Book 2654, Page 1571, a distance of 762.50 feet; thence N89° 40' 38"W, a distance of 1200.00 feet; thence S00° 10' 27"W, a distance of 95.00 feet; thence N89° 40' 38"W, a distance of 533.29 feet to the West line of Book 2654, Page 1571; thence N00° 12' 13"E, along said West line, a distance of 857.50 feet to the North line of Section 17; thence S89° 40' 38"E, a distance of 1732.86 feet to the Point of Beginning. Containing 31.50 acres, more or less.

Has caused the same to be surveyed, platted and known as FOUR MILE MEADOWS, 2nd FILING and does hereby declare the subdivision of said land as it appears on this plat, to be it's free act and deed and in accordance with it's desires and does hereby grant the easements for the purposes indicated hereon.

Bruce M. Krug and Karol Lynn Krug Revocable Trust dated Novenmebr 8, 2019, Karol Lynn Krug, Trustee

ACKNOWLEDGEMENT

STATE OF WYOMING) SS COUNTY OF LARAMIE

The foregoing instrument was acknowledged before me this _____ day of 2022. by Karol Lynn Krug, Trustee of the Bruce M. Krug and Karol Lynn Krug Revocable Trust dated November 8, 2019

Notary Public, Laramie County, Wyoming

My Commission Expires: _

NOTES

- 1. BASIS OF BEARINGS: WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET. GRID DISTANCES. COMBINATION FACTOR = 0.999672254
- 2. ALL UNMONUMENTED TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH A 1%" ALUMINUM CAP STAMPED "SSS PLS 5910" SET %" × 24" REBAR.
- 3. NO PORTION OF THIS PLAT FALLS WITHIN A FEMA 100-YEAR SFHA PER F.I.R.M PANEL #56021C1120F; DATED JANUARY 17, 2007.
- 4. ALL WELLS AND SEPTIC SYSTEMS SHALL COMPLY WITH ALL APPLICABLE ORDINANCE(S), RULES AND REGULATIONS.
- 5. CWPP THE SUBJECT PROPERTY DOES NOT FALL WITHIN THE CWPP.



2nd FILING

SITUATED IN THE NEX OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 65 WEST, OF THE 6TH P.M., LARAMIE COUNTY, WYOMING PREPARED April, 2022



STEIL SURVEYING SERVICES, LLC PROFESSIONAL LAND SURVEYORS PLANNING & DEVELOPMENT SPECIALISTS 1102 WEST 19th ST. CHEYENNE, WY. 82001 o (307) 634 - 7273 756 GILCHRIST ST. WHEATLAND, WY. 82201 o (307) 322 - 9789 www.SteilSurvey.com o info@SteilSurvey.com

REVISED: 4/23/2022n