

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

**ENTITLED: “A RESOLUTION GRANTING AN EXCEPTION TO THE “201 AGREEMENT “ FOR DEVELOPMENT OF A NEW OFFICE BUILDING TO BE SERVED BY AN ON-SITE SMALL WASTEWATER SYSTEM LOCATED AT 7615 E PERSHING BLVD., GENERALLY WITHIN TOWNSHIP 14, RANGE 66, SECTION 25, LARAMIE COUNTY, WYOMING (SOUTH OF PERSHING BLVD. WEST OF THE INTERSECTION WITH CHRISTENSEN ROAD)”**

**WHEREAS**, a Memorandum of Understanding was entered into on the 25<sup>th</sup> day of April 1983, between the City of Cheyenne, the County of Laramie, the Cheyenne Board of Public Utilities, and the South Cheyenne Water and Sewer District, for participation in the implementation of the findings of the 201 Facilities Plan Final Report for the City of Cheyenne, the South Cheyenne Water and Sewer District, and Laramie County (“201 Agreement”); and

**WHEREAS**, Section 4.0 of the 201 Agreement provides for development that is not consistent with the proposed 201 Facilities Plan to be granted for specific reasons; and

**WHEREAS**, Crystyn Merrill is the Agent for a “201” Exception on behalf of Steven Keyt, owners of the property lying within the 201 area, specifically Parcel # 14662540700500 (2.75 acres in size); and

**WHEREAS**, the Applicants seek to repair a failing septic system on this property lying within the 201 area and seek to service this residential home with an on-site small wastewater facility; and

**WHEREAS**, exceptions for the installation of small wastewater treatment systems may be granted pursuant to Section 4.1 of the 201 Agreement; and

**WHEREAS**, the Applicants have applied for an exception pursuant to 4.1(c) of the 201 Agreement; and

**WHEREAS**, the LARAMIE COUNTY COMMISSIONERS have considered the proposed exception and determined that a demonstrable hardship exists, and the property owners should be allowed to install a small wastewater facility on the property.

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING  
BODY OF LARAMIE COUNTY, WYOMING** that the exception variance be granted  
for the development of a small wastewater system pursuant to Section 4.1 ( c ) of the 201  
Agreement as applied to the above-described property,

**PRESENTED, READ AND ADOPTED** This \_\_\_\_\_ day of \_\_\_\_\_

BOARD OF LARAMIE COUNTY COMMISSIONERS

\_\_\_\_\_  
**Linda Heath, Chairman**

ATTEST:

\_\_\_\_\_  
Debra Lee, Laramie County Clerk

Reviewed and approved as to form:

  
\_\_\_\_\_  
Gladys Ayokosok, Deputy County Attorney

August 15, 2019

To: Laramie County Commissioners

Applicant: Steve Keyt

RE: Exception to the 201 Area Facilities Management Plan for 7615 East Pershing Blvd.

This is an Exception Request to the Laramie County Small Wastewater Facilities Regulations on State and Local Water Quality Management Plans, the "201" agreement.

This is an exception request to allow the Health Department to issue a repair septic permit for a single-family residence at 7615 East Pershing Blvd Cheyenne, Wyoming aka: a parcel of property located in Tract 4 Foster Tracts; Section 25, Township 14, Range 66.

Subject property is within the "201" sewerable boundary and contiguous to the Cheyenne Corporate limits. Property owner (myself) has been denied a septic permit dated July 7, 2019 for the repair of the residential septic system. I am appealing the denial through the Exceptions section of the "201" agreement.

I have lived at 7615 E Pershing Blvd. in Cheyenne, WY for 56 years. For those 56 years, my septic tank has functioned in good repair. It was not until recently, that my septic tank has begun to back up and cause me some minor issues. Issues, that could be fixed quickly and efficiently with the small wastewater permit.

The Laramie County Health Department explained that upgrading the septic tank would not be "in compliance" with the "201 Facilities Plan". However, currently there is no sewer main within a reasonable distance from my property.

Presently, the nearest sewer main to my property is 1,670 linear feet (LF) away from my property. I have outlined the costs of what it would take to connect my property to the sewer main. These costs are based on figures provided to me directly by Ms. Linda Gunther of Cheyenne Board of Public Utilities (BOPU). To place 8" sewer main from my property to tie into the existing sewer main would cost approximately \$200 per LF. The cost to run my service to the main, make the tap, and connect to my house, would be at least another \$7,500. The ultimate cost for tying into city sewer given the current infrastructure would be upwards of \$343,000.00 out of my own pocket. I am a retired gentleman and I live on a fixed income.

I have spoken with BOPU and they have said that Saddle Ridge is currently in the 13<sup>th</sup> filing and next year, will be in the 14<sup>th</sup> filing, which will bring a sewer and water main within a much more reasonable distance to my property as those developments are right across Pershing Blvd from me.

In the denial letter, it explains that "It is not financially responsible to allow a property owner to pay out money today for a septic system upgrade and then turn around and pay tap fees in a few years if hook up to the public system becomes mandatory." What is not financially responsible, is expecting one person to pay hundreds of thousands of dollars to connect to the

existing sewer main rather than be granted a permit to fix the existing septic system at a much more affordable price of \$7,500.

The denial letter also states that properties in Foster Tracts have already experienced increased levels of nitrate contamination in well water. Due to the extreme care I have taken of my property and the environment surrounding it for the past 57 years, my septic system has been fully functional long past its expected lifespan. Furthermore, I would argue that my staying off the city water and sewer until both are reasonably affordable will ensure any potential nitrate contamination from my well water not make it into the city sewer. Furthermore, by not allowing me to make needed repairs to my septic system, and drawing out a lengthy process in which sewer main will need to be designed, engineered, approved by the city, put out for bid, etc., the likelihood of contamination certainly increases as a result of the passing of time.

In conclusion, I believe that the exorbitant cost associated with and lengthy timeframe associated with tying into city sewer at this time is an unfair and undue burden on me and does nothing good for the environment in the process. I am requesting an exception to the 201 Facilities Plan in order to allow me to fix my current septic system until such time that city sewer and water infrastructure exists in a more cost-effective location relative to my property.

Sincerely,

Steve Keyt

Attachments: Certified letter of denial from Laramie County Health Department dated July 15, 2019 (2 pages)

**CHEYENNE-  
LARAMIE COUNTY  
HEALTH  
DEPARTMENT**

100 CENTRAL AVENUE  
CHEYENNE, WY 82007  
307-633-4000

**Certified**

To: Stephen Keyt  
7615 E Pershing Blvd  
Cheyenne, WY 82001

Date: July 15, 2019

Re: Septic permit application for Tract 4 in Foster Tracts aka: 7615 E Pershing Blvd.

Dear Stephen Keyt,

On 7/9/2019, our office received and reviewed your application for a permit to install a new septic tank on a parcel of property located on Tract 4 in Foster Tracts aka: 7615 E Pershing Blvd; Section 25, Township 14, Range 66. After careful review of your application this office cannot issue a small wastewater permit at this time for the following reasons:

1. Upgrading of the existing system is not in compliance with the "201 Facilities Plan."
2. A public sewer main is available on E Pershing Blvd to the west of the property. Tap fees will only increase in cost from what they are currently. Any public sewer system is a better sewage disposal method from both a public health and environmental standpoint.
3. Properties in Foster Tracts have already experienced increased levels of nitrate contamination in the well water and it is not environmentally responsible to extend the life of an existing source of contamination when a better alternative is available.
4. It is not financially responsible to allow a property owner to pay out money today for a septic system upgrade and then turnaround and pay tap fees in a few years if hook-up to the public system becomes mandatory.

In order to appeal this City/County Health Department final decision; you must file a written request for hearing with the Laramie County Commissioners within sixty (60) days of receipt of this denial notification.



Once you have appealed this decision, you must file paperwork to the Cheyenne and Laramie County Planning Commissions, the Cheyenne City Council and the Laramie County Commissioner's requesting to be put onto their agendas to ask for an exception to the "201 Area Facilities Management Plan". Furthermore you must demonstrate to the governing bodies that your request for exception should be granted by meeting the criteria for exception as noted in the attached documents. I have enclosed a copy of the "201 Agreement" and highlighted the sections regarding exceptions.

We will hold your application/inspection fee for the small wastewater system until we hear from you.

The Cheyenne-Laramie County Health Department may be able to assist you in getting on the agendas and filing of paperwork to the governing bodies for an optional fee. This assistance is in no way meant to be indicative of support for your request.

If you have any questions concerning anything in this letter please feel free to call me at 633-4090.

Thank You



Josie Prince, Environmental Health Specialist I, Division of Environmental Health

cc: Gary Hickman, Director, Division of Environmental Health  
Laramie County Attorney  
City of Cheyenne Development Office  
Laramie County Planning  
County Commissioners  
Chairman, City Council  
DEQ, Water Quality Division  
Cheyenne BOPU

# APPLICATION FOR SMALL WASTEWATER SYSTEM PERMIT

ENVIRONMENTAL HEALTH  
100 CENTRAL AVE. RM 261  
CHEYENNE, WY 82007  
(307) 633-4090 FAX: (307) 633-4038

JUL 05 2019

pd. Cash \$350.00

DATE SUBMITTED: 7/1/19

\*\*\*INSPECTION FEE MUST ACCOMPANY THIS APPLICATION. (INSPECTION FEE \$250.00)\*\*\*  
CHECKS PAYABLE TO: ENVIRONMENTAL HEALTH. PLEASE FILL OUT FORM COMPLETELY!

LANDOWNER: Stephen R. Keyt PHONE: (HM) 307-630-1862 (WK)  
MAILING ADDRESS: 7615 E. Pershing CITY: Cheyenne ST: WYO ZIP: 82001  
PROPERTY ADDRESS: Same

RANGE: 66 TOWNSHIP: 14 SECTION: 25 SUBDIVISION: Felix Tract S  
LOT/TR: 4 BLOCK:

PROPOSED NUMBER OF BEDROOMS: 3 BASEMENT: Y N  
ACREAGE: 2.75 DIMENSIONS: X PREVIOUSLY PERMITTED: YES X NO

IS THIS TO BE A HOMEOWNER INSTALL? YES X NO  
IF NO, WHO WILL BE THE LICENSED SYSTEM INSTALLER: Carl

PERC HOLE DEPTH: 4 (Minimum 3' - Maximum 7' - SEE INSTRUCTIONS) BUILDING DRAIN DEPTH: 2'  
DATE TEST RUN: 6/17/19 ROCK OR CHAMBER SYSTEM

	READINGS							
	1	2	3	4	5	6*	7	8**
#1	3	3 1/2	2 1/2	2	1	1 1/4		
#2	3 1/2	2	2	1	1 1/4	3/4		
#3	4	3	2	2	1	1		
#4	3	2	1	1	3/4	1/2		
#5	2	1	1	1	1/2	1/2		
#6	4	2	2 1/2	2 1/2	3/4	3/4		

HOLES

on site 7.9.19  
Site hole ✓  
\*repair to  
failing system

TIME INTERVAL: (CHECK ONE) \*10 MINUTES/6 READINGS X \*\*30 MINUTES/8 READINGS

SIGNATURE OF PERSON RUNNING PERC TEST: Jim  
PLEASE PRINT AND SIGN

## PLEASE ATTACH:

- ADDRESS ASSIGNMENT.
- SKETCH home, perc hole location, well, septic tank, drainfield, garage, driveway, easements and drainage ways. Where possible, indicate soil type in drainfield area (perc site). Indicate NORTH. Include location of replacement field.
- INDICATE ALL WELL LOCATIONS ON ADJACENT PROPERTY(ies). (All wells shall be at least 50' from septic tank and at least 100' from drainfield. Well to drainfield distance may be greater in some subdivisions).
- DIRECTIONS & DISTANCES TO PROPERTY. BE SURE PERC HOLES ARE OPEN AND MARKED.

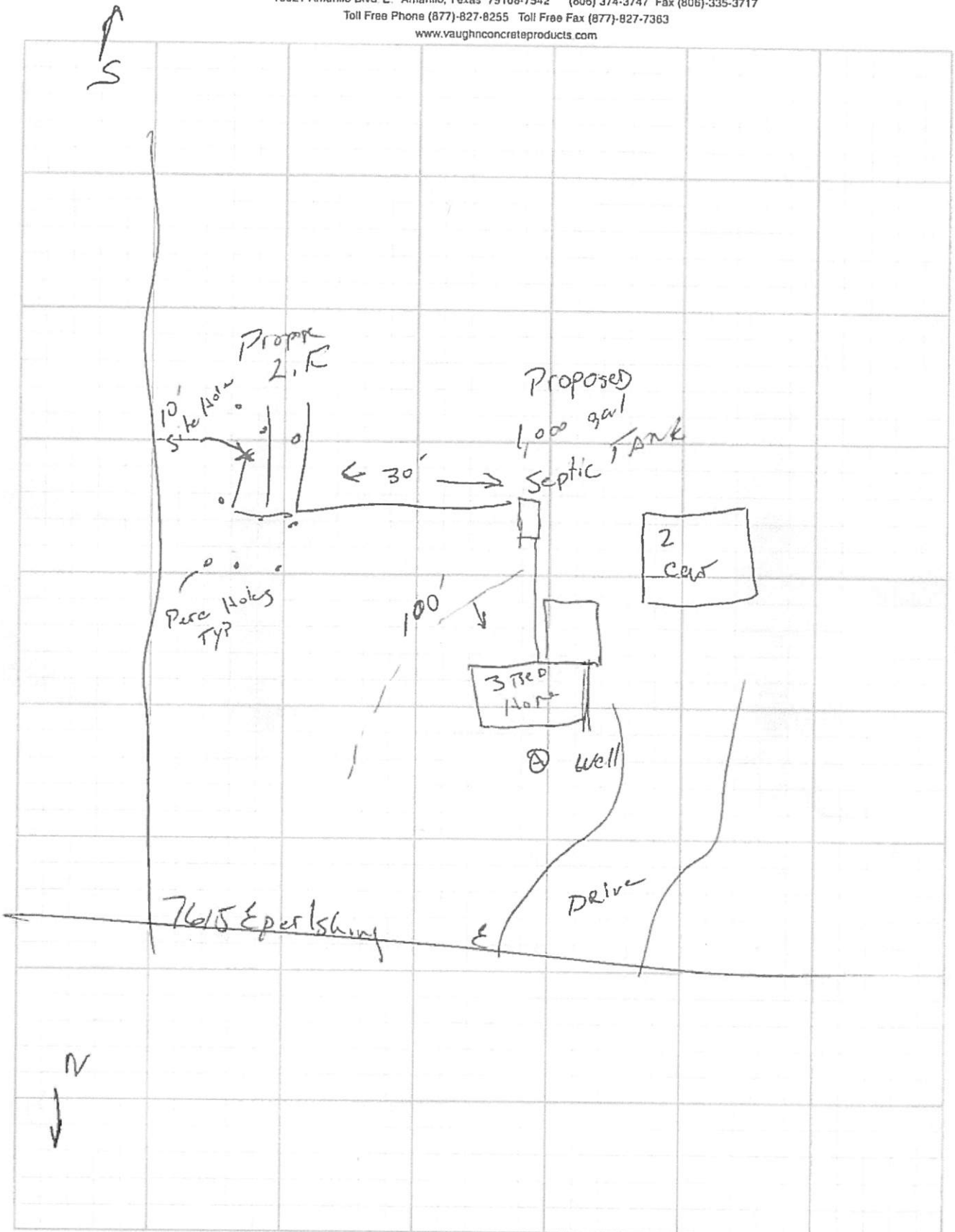
I, THE UNDERSIGNED LANDOWNER, CERTIFY THAT THE ATTACHED SKETCH IS AN ACCURATE REPRESENTATION OF MY PROPOSED HOMESITE:

Stephen R. Keyt  
LANDOWNER - PLEASE PRINT AND SIGN

DATE: 7/9/19

# **vaughn concrete products, inc.**

12650 Tucson Street Henderson, Colorado 80640-9443 (303) 659-3747 Fax (303)-659-1333  
 2671 S. Greeley Hwy Cheyenne, Wyoming 82007-3681 (307) 634-0695 Fax (307)-634-0694  
 10021 Amarillo Blvd E Amarillo, Texas 79108-7542 (806) 374-3747 Fax (806)-335-3717  
 Toll Free Phone (877)-827-8255 Toll Free Fax (877)-827-7363  
[www.vaughnconcreteproducts.com](http://www.vaughnconcreteproducts.com)



"WHERE QUALITY & SERVICE ARE TOP PRIORITY"



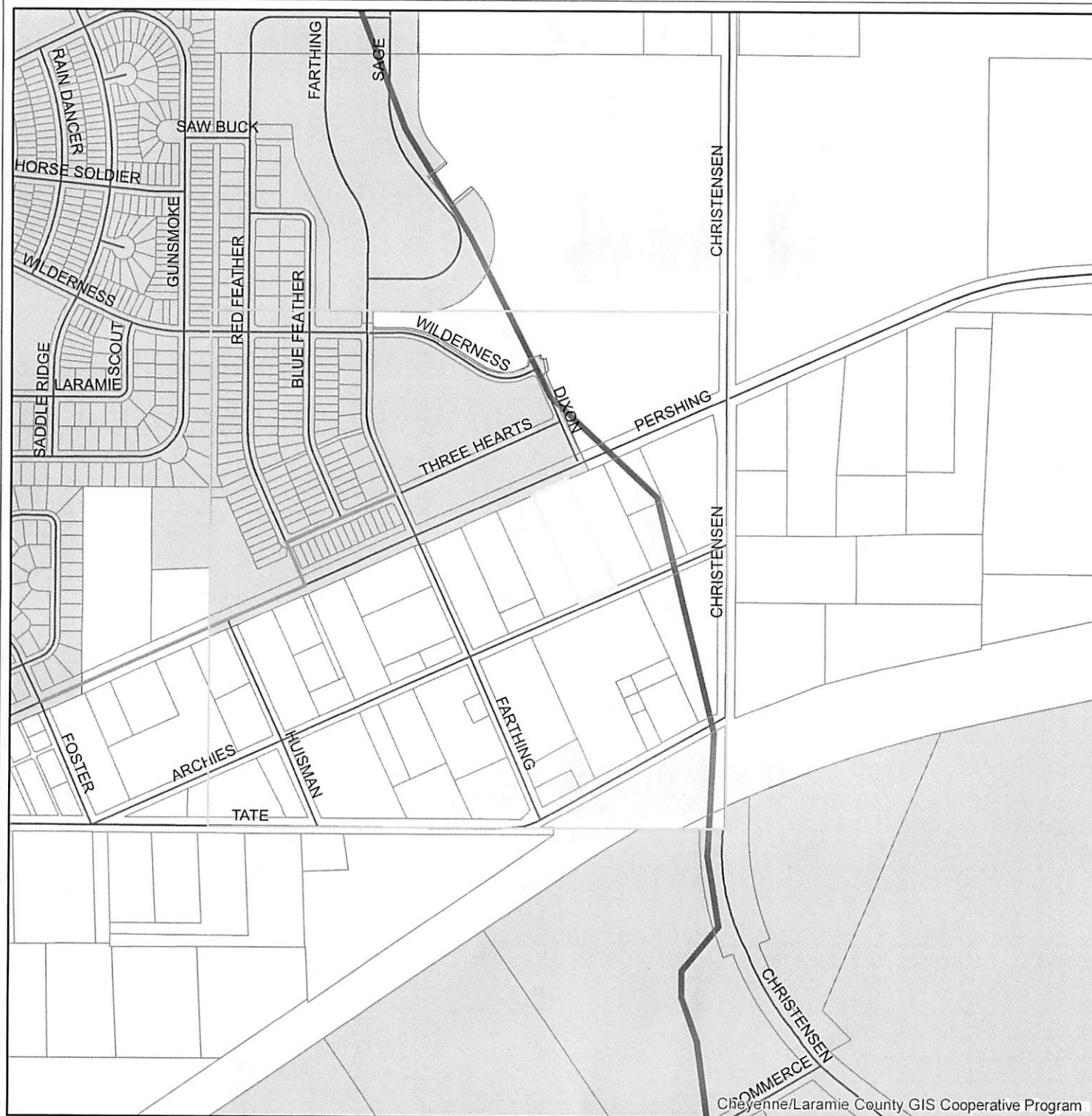
# Laramie County Wyoming MapServer



- ~ Interstate
- ~ Major Road
- Cities

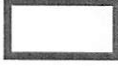
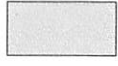

**NORTH**

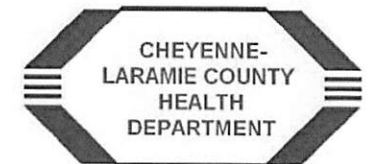
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## Key Property

### Legend

- streets
-  201 Area
-  CHEYENNE
-  COUNTY



Cheyenne/Laramie County GIS Cooperative Program

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