



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Planning Commission

FROM: Bryan Nicholas, Associate Planner

DATE: October 22nd, 2020 (POSTPONEMENT FROM 10.08.22)

TITLE: CONTINUATION of a Review and action of a Variance for the “Uhrich Storage Barn”, located in the E1/2 E1/2 NE1/4 NW1/4, Section 5, T.14N., R.66W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Jeri Uhrich and Ruby Amatruda of 1935 Iron Mountain Road, has submitted an application seeking approval of multiple variances for a 40'x48' storage structure. The application has been submitted for the purpose of seeking a 15' side setback variance and a 5' rear setback variance for Accessory Structures within the Agricultural and Rural (A1) Zone District.

BACKGROUND

Upon receiving an anonymous call from a Laramie County Resident regarding construction occurring without a permit, the Laramie County Planning and Development Office conducted a site visit. At that time, a Laramie County Building Inspector confirmed construction has commenced for a pole barn, and required the Applicant to submit Building Permits and to meet with the Planning Office. Ms. Uhrich meet with the Planning Staff to discuss the process for seeking a variance based on the location of the structure.

Pertinent Regulations:

- **Section 1-2-101** of the Laramie County Land Use Regulations, governing the procedures for approving a variance.
- **Section 2-2-118** of the Laramie County Land Use Regulations, governing Accessory Setbacks.
- **Section 4-2-101** of the Laramie County Land Use Regulations, governing the A1 – Agricultural and Rural Zone District.

DISCUSSION

The requested variances are seeking relief from Section 2-2-118(a) (i), which states that for any Accessory Structure constructed with sidewalls higher than 10 feet within the A1 Zone District, the required setbacks are 25' from the side property line and 15' from the rear property line. Due to the barn already placed in a location 10 feet from both the side and rear property lines, the variances granted would be for 15' from the side and 5' from the rear.

The Comprehensive Plan designates the property as URI- Urban Rural Interface, with areas in the designation allowing for more intensive land uses and possible service-orientated development. Properties that are large-low density residential lots or intensive agricultural uses are should be deterred, but existing agricultural or low density residential uses may exist.

The PlanCheyenne category for the property is RR-Rural Residential, which supports single family residences on lots ideally 2.5 acres or larger that can have farm animals and horses. Within this category, development will be less dense, having one residential unit per 5-10 acres. PlanCheyenne lists the Agricultural Residential (AR), Agricultural and Rural Residential (A1) and Agricultural (A2) Zone Districts as applicable within the categorical area.

Per Section 4-2-101(d) governing setbacks within the A1 Zone District, "*Accessory structure setbacks shall conform to Section 2-2-118 of this regulation.*" All Accessory structures are a Use-by-Right within all Zone Districts and unincorporated Laramie County. The applicant has verified that the proposed structure is not within or encroaching on any recorded easement and the total area of the structure does not exceed 30% of the total property area.

Plot Plans were submitted to the Planning Office on September 2, and at this time all agency comments have been addressed.

Public notice was published, and neighbor notice letters were sent by certified mail per Section 1-2-104. Staff received no written comments from adjacent landowners.

The Planning Commission may grant a variance only if it finds that the application satisfies the following criteria:

- i. That there are unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, exceptional topographical or other physical conditions peculiar to the affected property;
- ii. That the strict enforcement of the regulation would be detrimental to the existing property, adjacent property, or existing environment;
- iii. That the unusual physical circumstances or conditions do not exist throughout the neighborhood or zoning district in which the property is located;
- iv. That because of the unusual physical circumstances or conditions, the property cannot reasonably be developed in a manner substantially equivalent to the other landowners in the neighborhood;
- v. That the unusual physical circumstances or conditions are not the result of actions of the applicant taken after the adoption of this regulation; and

- vi. That the variance, if granted:
- A. Would not harm the public safety and welfare;
 - B. Would not alter the essential character of the neighborhood or district in which the lot is located;
 - C. Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property; and
 - D. Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of the zoning regulation.

Based on the findings of the Planning Staff, criteria i, v, iv, and vi have been met, and rely on the Planning Commission's consideration of the remaining criteria's approval.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Planning Commission find the following:

A. The application meets the criteria listed in Section 1-2-101(b)(i-iv).

and that the Planning Commission approves the following variances for the Uhrich Storage Barn Project:

- 5 foot variance from the required 15' rear property line setback
- 15 foot variance from the required 25' side property line setback

for the property located on the E1/2 E1/2 NE1/4 NW1/4, Section 5, T.14N., R.66W., of the 6th P.M., Laramie County, WY.

PROPOSED MOTION

I move to adopt finding of fact A and approve the variances for the "Uhrich Storage Barn", located in the E1/2 E1/2 NE1/4 NW1/4, Section 5, T.14N., R.66W., of the 6th P.M., Laramie County, WY.

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: Applicant Project Narrative**
- Attachment 7: Plot Plans**
- Attachment 8: Septic Tank Map**
- Attachment 9: Agency Comment Report**
- Attachment 10: Resolution Exhibit 'A' – Plot Plan**

Laramie County, Wyoming



UHRICH STORAGE
BARN

VARIANCE

PZ-20-00250

LOCATION MAP

LEGEND

Property Lines

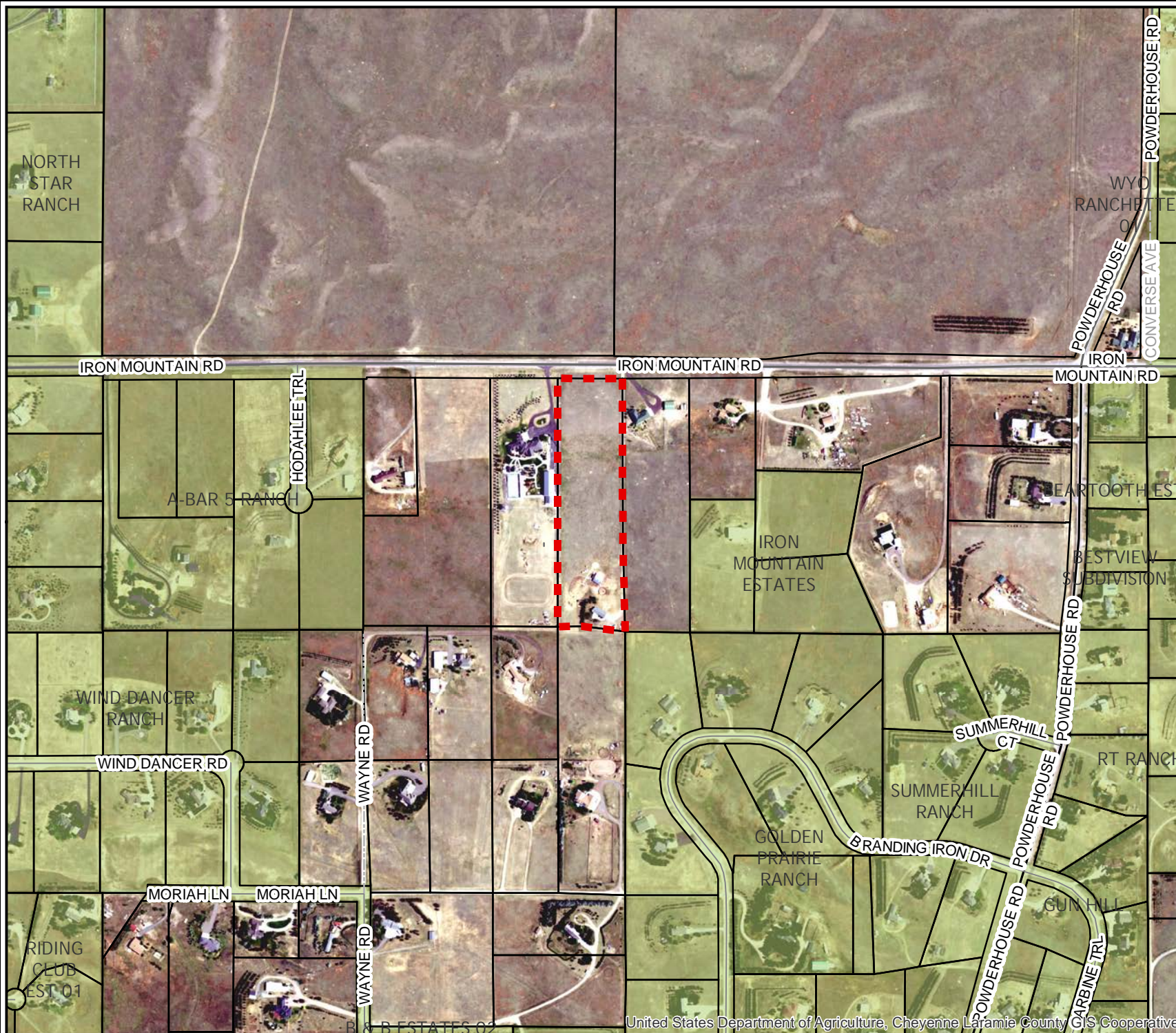
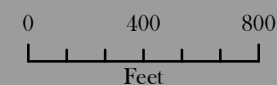
Streets

Classification

- Interstate
- Arterial
- Collector
- Local
- Platted, Not Built
- Private
- PROPERTY BOUNDARY



September 2, 2020



United States Department of Agriculture, Cheyenne Laramie County GIS Cooperative

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Laramie County, Wyoming



UHRICH STORAGE
BARN

VARIANCE

PZ-20-00250

AERIAL MAP

LEGEND

● Addresses

□ Property Lines

Streets

Classification

— Interstate

— Arterial

— Collector

— Local

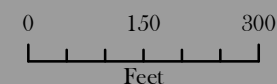
- - - Platted, Not Built

- - - Private

- - - PROPERTY BOUNDARY



September 2, 2020



Cheyenne Laramie County GIS Cooperative

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Future Land Use Districts

OTHER

- Urban-Rural Interface (URI)
- Rural Metro (RM)

RM

IRON MOUNTAIN RD

URI

Laramie County, Wyoming



UHRICH STORAGE
BARN

VARIANCE

PZ-20-00250

COMPREHENSIVE
PLAN MAP

LEGEND

Property Lines

Streets

Classification

Interstate

Arterial

Collector

Local

Platted, Not Built

Private

PROPERTY BOUNDARY




September 2, 2020

0 150 300
Feet

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PlanCheyenne (2014)

NEW_FLUP

 Rural Residential

IRON MOUNTAIN RD

RR

Laramie County, Wyoming



UHRICH STORAGE
BARN

VARIANCE

PZ-20-00250


PLANCHEYENNE
MAP


LEGEND


 Property Lines


Streets


Classification


 Interstate

 Arterial

 Collector

 Local

 Platted, Not Built

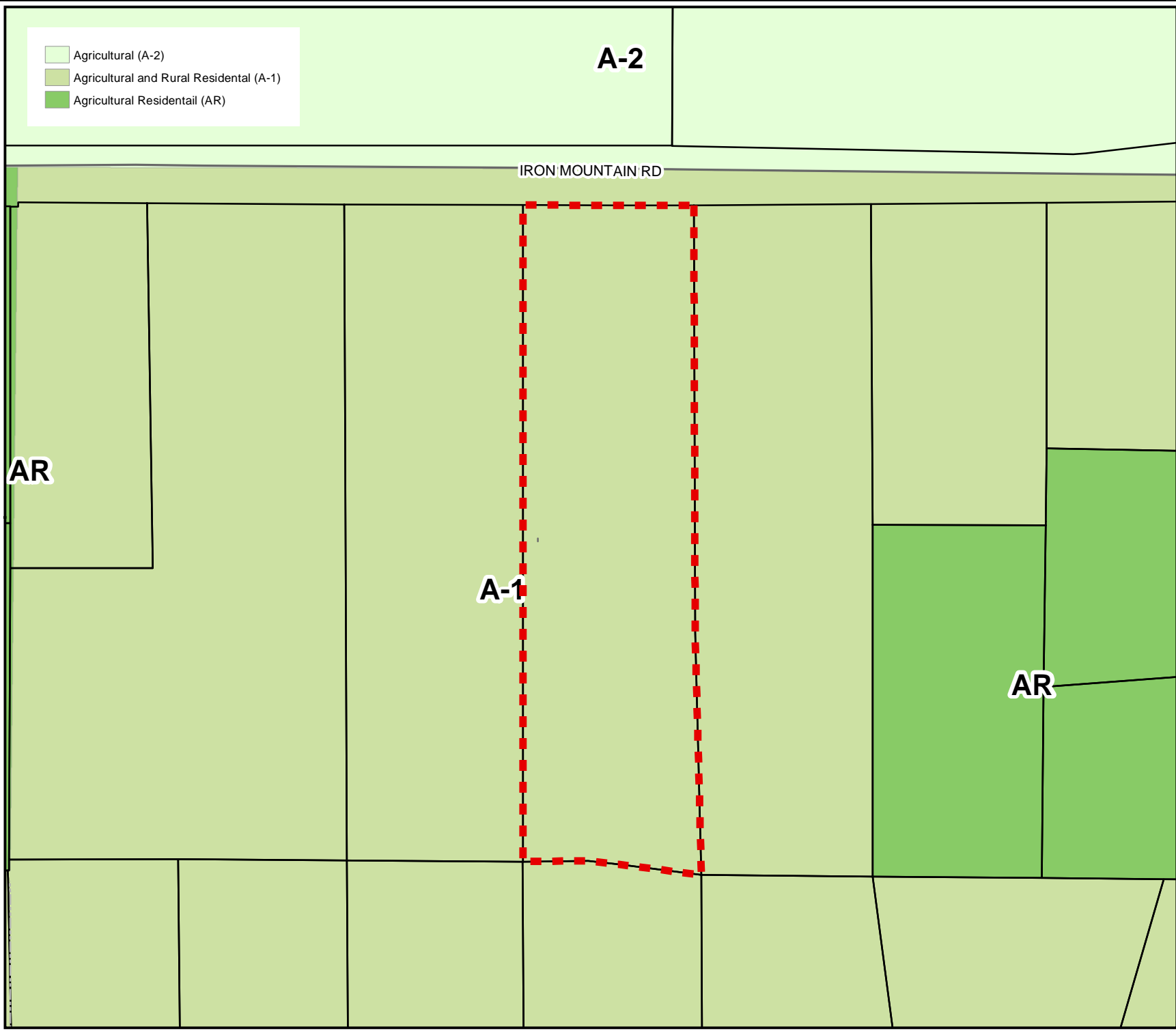
 Private

 PROPERTY BOUNDARY



September 2, 2020

0 150 300
Feet



Laramie County, Wyoming



UHRICH STORAGE BARN

VARIANCE

PZ-20-00250

CURRENT ZONING MAP

LEGEND

Property Lines

Streets

Classification

Interstate

Arterial

Collector

Local

Platted, Not Built

Private

PROPERTY BOUNDARY



September 2, 2020



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**LARAMIE
COUNTY**

SEP 02 2020

**PLANNING & DEVELOPMENT
OFFICE**

To: Laramie County Planning Commission Board

From: Jeri Uhrich and Ruby Amatruda

Re: Uhrich Pole Barn Setback Variance Request

Please accept this letter as a request for a setback variance for a pole barn on our property at 1935 Iron Mountain Rd. Specifically, 5' requested at the back property line and 15' at the side property line. This would result in a 10' setback on both sides.

I, Jeri, am a 4th generation Cheyenne resident and have lived on this property my whole life. We were fortunate to be able to purchase it from my parents when they moved to Casper in 1998. I have seen many hail storms in my 51 years here and we are now in a financial position to be able to erect a pole barn structure for our RV, horse trailer, boat and truck. This last hail storm caused significant damage to all four. We have attained a professional builder, Integrity Build and Design, so that the building will be aesthetically and structurally correct. It will be light grey in color with dark grey trim which matches our home.

We have designed the structure footprint to be as small as needed, 40' long due to the length of our horse trailer being 36', and 48' wide, due to needing 4 parking bays.

The placement of the building in the southeast corner of the property is ideal for many reasons,

1. It is directly in front of the driveway so easy access to back trailers in and to drive the truck straight in. With the variance granted, we would have more maneuverability given the house location and landscaping to the southwest of the house.
2. With the variance granted, it would be sufficiently far enough away from our current garage so that Ruby can drive her car directly in to the northeasterly garage bay and have enough room to back out safely.
3. Our years of experience with snow drifts make the southeast corner building position ideal. With the majority of our winter winds coming from the northwest, the drifts will accumulate to the southeast of the building so our driveway will not be negatively impacted by drifting snow. Placement should not negatively affect any neighboring properties as it is bounded by pasture land on all sides.

We thank you for your time and consideration and respectfully ask for your granting of our variance request.

Sincerely,

Jeri Uhrich and Ruby Amatruda











County Public Works Department: County Public Works Department, Jeremy Fulks Comments Attached 09/17/2020

Public works has no issue with this variance.

Environmental Health: Environmental Health Department, Roy Kroeger Comments Attached 09/11/2020
Laramie County Small Wastewater System Regulations

No small wastewater system permit was found for the property. The property owner shall locate the small wastewater system and make sure that the building walls and foundation is at least 10' from any part of the drainfield and 5' from any part of the septic tank.

Intraoffice: Planners, Bryan Nicholas Comments Attached 09/21/2020

1. Applicant is seeking approval of variances from the setback requirements per Section 2-2-118(a)(i).
2. Zone A-1 setback requirements:
For sidewalls > 10': 15' from side property line (5' variance)
25' from rear property line (15' variance)
3. Criteria for approval based upon Section 1-2-101(b)(1-viii). Criteria ii, iv, v, vii, and viii apply to this application. Fulfillment of Criteria i, iii, and vi must be considered by the Planning Commission in order for approval.
4. Section 2-2-118(ii) requires that no Accessory Structure be more than 30% of the total property area. The proposed building is in compliance with this regulation.

Building Dept.: Building Dept., Antony Pomerleau Comments Attached 09/14/2020
Building permits shall be required.

Laramie County has adopted the 2018 I-codes and the 2017 NEC.

AGENCIES WITH NO COMMENTS:

County Assessor
Combined Communications Center
Sheriff's Office

AGENCIES WITH NO RESPONSE:

County Attorney
County Real Estate Office
County Treasurer
Emergency Management
Black Hills Energy
High West Energy
CenturyLink
Fire District No 2

EXHIBIT 'A'

ch Laramie County Publi X | M Inbox (186) - jeri.uhrich@gm X | Google Earth X | Google Earth

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