

PLATTE COUNTY
PLANNING AND ZONING
JANUARY 12, 2011

Chairman Marty Shepard called the Platte County Planning and Zoning Commission regular meeting to order at 7:00 P.M. Commission members present were Bill Klein, Bob Brockman, Sherry Maston and Dan Offe. Board of Commissioner member present was Steve Shockley. Also present was Dennis Becker, Clerk to the Planning Commission.

The Commission reviewed the minutes from the November 10, 2010 meeting. Commission member Brockman made a motion to accept the minutes from that meeting. Commission member Klein seconded the motion and it carried.

New Business:

Item #1: Dennis Becker, Clerk to the Planning Commission, presented a Special Use Permit Request to allow a temporary second residence in an Agricultural District from Samuel T. & Jacquie L. Whitney, applicants and titleholders.

The applicants are requesting to place a mobile home as a second *temporary* residence on a pre-existing site on the above referenced property in an Agricultural District. An addressed site exists on this property with its own septic and access to North Red Fox Road. A mobile home was previously located here until 2008 when it was sold and removed. The applicants desire to place another mobile home for rental purposes for the next few years as the development of oil and gas in the area create a need.

The property abuts Agricultural Zoning District on all sides.

ADVANTAGES: The applicant will be able to have continued use of an existing home site and take advantage of a temporary housing need within the County.

This requested use is similar to allowing temporary care taking situations and temporary second residences while constructing. This use can be compatible with and not detract from surrounding land uses if properly regulated. Through the Special Permit process the County can address potential issues. This proposal does not appear to detract from the surrounding dominant land uses, especially if the neighbors, and the general public, do not oppose this request.

DISADVANTAGES: There are no apparent disadvantages to allowing the temporary residence and the Commission can determine the period of time the home will be allowed to be on the property.

COMPATIBILITY: The temporary nature of an additional residence should have very little effect on neighboring properties especially as this use has existed before at this location.

AGENCY COMMENTS: Platte County Resource District comments include slight limitations regarding some soil types in regards to ponds and embankments, roads, streets and shallow excavations and some

soil types associated with sewage disposal. (Please call this office if you would like a copy of the Resource District report.)

No other comment from agencies routed was received.

OTHER COMMENTS: None received at the time of this report.

ANALYSIS: The presence of the additional residence as a second home will only be temporary. There have been no objections to this request and the proposed use can be allowed with an approved Special Use Permit.

This request has merit because the site has recently been used for a residence and has its own access, address and septic. The previous usage began in 2001 and continued until 2008. A Special Use Permit was not required in 2001; this was allowed through the County Attorney's office.

Wyoming DEQ requirements have been met to satisfy State law and to insure compliance with the necessary minimum standards of waste/wastewater disposal to satisfy Platte County.

STAFF RECOMMENDATION: Staff recommends approval of this request to allow a temporary residence on a pre-existing site with the following conditions:

1. That the mobile home be removed from the property within a period of time determined by the Commission;
2. That necessary Zoning Certificates be submitted per standard County policies; and
3. That this be reviewed on a complaint basis, if necessary.

Chairman Shepard opened the floor to public comment.

Jacquie Whitney, applicant, explained that the previous trailer was placed in 2001 through approval from Eric Alden, County Attorney, and that her mother-in-law lived there until her death when the home was sold. She added that because she works for County Public Health in the same building as Planning she was aware of existing regulations but otherwise she would not have known and would have just placed another home without a permit. She also said she had gone to the Wheatland Irrigation District about water rights anticipating having to subdivide and they questioned the reason for a subdivision when she had no intent to sell the property.

Hearing no additional comments, Chairman Shepard closed public comment and brought the issue to the Board for discussion.

Commission member Klein stated he thought the word "temporary" in condition number one was unnecessary and suggested it be deleted.

Commission member Maston asked the size of the property. The applicant said the Assessor's records shows 5.98 acres.

Commission member Offe asked if the septic was installed in 2001. The applicant said it was newly installed in 2001 and was used for about four and a half years.

Commission member Maston asked if there was just one well for both homes. The applicant said they applied through the State Engineer's office for one well for both homes.

Hearing no further Board discussion, Chairman Shepard called for a motion. Commission member Klein moved to recommend do pass for the Special Use Permit request to allow a second residence in an Agricultural District with the three (3) staff recommendations in the Staff Report, amending condition number one (1) to read "that the mobile home be allowed to remain on the property as long as the existing titleholders own the property but a new owner must either subdivide the property or come to this Commission with a new Special Use Permit request." Commission member Offe seconded the motion.

Chairman Shepard called for discussion, there was none; he called for questions, there were none. Chairman Shepard called for the vote and the motion carried.

With no further public business Commission member Maston made a motion to adjourn. Commission member Offe seconded the motion. Chairman Shepard called for discussion, there was none; questions, there were none. Chairman Shepard then called for the vote and the motion carried. The meeting closed at 7:15P.M.

Respectfully Submitted, Dennis Becker, Clerk to the Planning Commission