

PLATTE COUNTY
PLANNING AND ZONING
JANUARY 13, 2010

Chairman Marty Shepard called the Platte County Planning and Zoning Commission regular meeting to order at 7:00 P.M. Commission members present were Sherry Maston, Bob Brockman and Dan Offe. Also present were Dan Kirkbride and Tim Millikin, County Commissioners, and Dennis Becker, Clerk to the Planning Commission.

The Commission reviewed the minutes from the December 9, 2009 meeting. Commission member Brockman made a motion to accept the minutes from that meeting. Commission member Maston seconded the motion and it carried.

New Business

Item #1: Dennis Becker, Clerk to the Planning Commission, presented a Special Permit to allow additional housing for agriculture employees in an Agricultural District from Ronald E. Schanaman, applicant, and the Cindy A. Schanaman Revocable Trust, and titleholder.

The Schanaman Revocable Trust is part of large agricultural operation and is requesting to allow an additional residence for someone directly engaged in the operation. This additional home would be a modular home located northwest of an existing house and barn. The property is accessed by Iron Mountain Road.

The property abuts Agricultural Zoning District on all sides.

ADVANTAGES: The additional residence may be allowed with approval of a Special Permit and the intended use is for housing parties engaged in the operation of the ranch. The proposed location of this residence does not appear to impact other properties.

DISADVANTAGES: If the home were to become a general rental use, the arrangement would be more akin to a subdivision.

AGENCY COMMENTS: No comments have been received.

OTHER COMMENT: Staff has received no comments at this time.

ANALYSIS: Potentially adverse aspects of this proposed use can be minimized through conditions and restrictions as deemed appropriate and necessary. An additional address should be assigned for this new residence.

Requesting to subdivide the property is an alternative to requesting special approval for an additional residence, but that would be a higher impact use in this situation.

Wyoming DEQ requirements must be met to satisfy State law and to insure that necessary minimum standards of waste/wastewater disposal satisfy Platte County.

STAFF RECOMMENDATIONS: Staff recommends approval of this request to allow an additional residence as an employee residence in an Agricultural District with the following conditions:

1. That the additional residence be allowed to house employees and/or managers of the agricultural business;
2. That necessary Zoning Certificate and address applications be submitted per standard County policies; and
3. That this permit be reviewed on a complaint basis only.

Chairman Shepard opened the floor to public comment. Chairman Shepard asked the applicants if they understood and agreed to the conditions. They indicated they did; Mrs. Schanaman asked about the address application process. Planning Clerk Becker explained that will be included with the Zoning Certificate issued to construct or place the home on the property.

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

Hearing no Board discussion, Chairman Shepard called for a motion. Commission member Brockman moved to recommend do pass for the Special Permit to allow additional housing for agriculture employees in an Agricultural District with the three (3) staff recommendations in the Staff Report. Commission member Maston 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.

Item #2: Dennis Becker, Clerk to the Planning Commission, presented a Simple Subdivision Request from Leonard R. & Synthia L. Scoleri, applicants and titleholders.

The applicants wish to subdivide one parcel into three parcels. Because three parcels are proposed and because each is over five (5) acres in size, this can be processed as a simple subdivision. (See enclosed opinion from County Attorney.) All proposed parcels will have direct contiguous access via Osprey Lane, a private road, to a publicly maintained road, Airport Road. (See the enclosed copy of the applicant's letter of justification for more details.)

The property is zoned Agricultural District and is surrounded by Agricultural Zoning; there is some Industrial Zoning further to the west.

The Wheatland Irrigation District does not provide any service to this parcel of land.

A copy of a survey is included which shows the access easement granted to the applicants.

ADVANTAGES: The proposed lot sizes easily allow for adequate individual water supply by wells registered with the State Engineer. Wastewater disposal systems will be approved by DEQ. There is an existing single family residence on one of the proposed lots and no structures on the either of the other two proposed lots. The property has good access to a State Highway.

DISADVANTAGES: There appear to be none.

AGENCY COMMENTS: WYDOT states there appears to be no adverse impact on Wyoming Department of Transportation facilities, and therefore have no objections.

Platte County Resource District comments that there appears to be only slight limitations regarding soil type 134 in regards to camp areas, picnic areas and playgrounds, soil type 134 in regards to dwellings and small commercial buildings, soil type 134 associated with landfills, soil type 134 associated with ponds and embankments, soil type 134 regarding roads and streets, shallow excavations and lawns and landscaping and soil type 134 regarding sewage disposal. (Please call this office if you would like a copy of the Resource District report.)

Any comments received after this report has been prepared will be presented at the hearing.

OTHER COMMENTS: As this is not an advertised hearing and as notices are not sent to adjoining landowners there should be no other comments.

ANALYSIS: The proposed lot sizes should easily accommodate on-site wastewater disposal systems and individual water supply systems. All proposed lots will be accessed via a private road to a County maintained road.

As the proposal is for a total of three lots and as this property is removed from other small parcels zoned Residential, this office does not feel a rezone to Residential District is necessary.

The applicant has noted that there are no water rights applicable to this subdivision. If water rights did exist, the subdivider would need to satisfy State requirements regarding those matters, but because this is a simple subdivision, the County is not currently requiring satisfaction of those issues in our review and conditions of approval when outside the Wheatland Irrigation District.

STAFF RECOMMENDATIONS: The Planning Office recommends approval of this subdivision request with the following conditions:

1. That three (3) parcels be created, each being a minimum of five (5) acres;
2. That a proposed subdivision name be submitted for review and approval prior to filing of a plat;
3. That a plat of the subdivision be filed within one (1) year of approval; and,
4. That the necessary disclosure statements appear on the plat and all other pertinent documents.

Chairman Shepard opened the floor to public comment. Chairman Shepard asked the applicant if he understood and agreed to the conditions. He indicated he did.

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

Hearing no Board discussion, Chairman Shepard called for a motion. Commission member Maston moved to recommend do pass for the Simple Subdivision Request in an Agricultural District with the four (4) recommendations in the Staff Report. Commission member Brockman 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.

Review Items

Item #1: Planning Commission By-Laws – Final Draft

Dennis Becker, Clerk to the Planning Commission, presented the final draft of the Planning Commission By-Laws.

Chairman Shepard opened the floor to public comment.

Hearing no comments, Chairman Shepard closed public comment and brought the issue to the Board for discussion. Commission Brockman pointed out a typographical error on page 4, Section 7, Expenditure of Funds The Commission may expend such funds as made available to it by the Board for the purpose intended by the Board “in” their appropriation.

Hearing no further Board discussion, Chairman Shepard called for a motion. Commission member Maston moved to recommend do pass for the Planning Commission By-Laws with the one correction. 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.

Item #2: Dennis Becker, Clerk to the Planning Commission, presented a draft of a Complaint Form to be used by the Planning Office.

Chairman Shepard opened the floor to public comment.

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

Hearing no Board discussion, Chairman Shepard called for a motion. Commission member Offe moved to recommend do pass for the Planning Office Complaint Form. Commission member Brockman 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; question, there was none. Chairman Shepard then called for the vote and the motion carried. The meeting closed at 7:45 P.M.

Respectfully Submitted, Dennis Becker, Clerk to the Planning Commission