

PLATTE COUNTY

PLANNING AND ZONING

APRIL 10, 2002

The Platte County Planning & Zoning Board met on the above date at 6:00 P.M. in the Platte County Courtroom. The following board members were present: Chairman Jay Collins; Board Members, Bill Klein, Marty Shepard, Tina Willis and Doug Frederick. Interim Director, Kenneth Kennedy, Clerk of the Board, Glenda Gray, County Attorney, Eric Alden and the Board of Commissioners were also in attendance.

The proposed amendments to the Platte County Subdivision Regulations to implement the 2001 legislative changes in the Wyoming Real Estate Subdivision Act were reviewed. A motion was made by Marty to approve the amendments with the additions and corrections and to pass on to the Board of Commissioners for final approval. The motion was seconded by Tina. The motion passed and the complete amendment with required forms are attached to the minutes of this meeting.

The preliminary public hearing for the Platte Valley Ranch Subdivision was called to order by Chairman Jay Collins at 7:00 P.M. Joel Bailey has submitted an application for rezoning and subdividing property located in the parts of the SW1/4 and Lot 2, in Section 2, the SE1/4, in Section 3, Portions of the NE1/4, in Section 10 and the N1/2NW1/4, in Section 11, Township 28 North, Range 68 West, Platte County, Wyoming. The present land use is Class V Agriculture and the proposed change is Class I Residential for use as single family dwellings.

Mr. Kennedy opened the hearing with the staff report on the development to subdivide and rezone. The primary advantages being that this a controlled development and the increased tax base. The primary disadvantage being the close proximity to ranchers and the use of agriculture land. The staff gave a "Do Pass" recommendation to the Planning & Zoning Board with the stipulation that all DEQ requirements will be met.

Mr. Bailey presented his plan for the subdivision. The engineering firm of Worthington, Lenhart & Carpenter, Inc. prepared the report for the Wyoming Department of Environmental Quality, which provided geologic and hydrogeologic data. The Platte River Ranch is composed of 27 single family residence lots ranging from 5.9 to 33 acres each and an open area for common use of 79.1 acres, which totals 526 acres. Each lot will have its own septic system and water well. The WDEQ has reviewed information submitted and is satisfied as to the safety and adequacy of the proposed on-site wastewater treatment systems. Mr. Bailey said that the covenants are being written to incorporate many of the suggestions and concerns that have come out of these hearings.

The WDEQ has reviewed the information submitted and is satisfied that the use of on-site wells is feasible provided that the following, or similar, language is added to the plat or all offers, solicitations, advertisements, contracts, and agreements relating to the subdivision, advising potential buyers of the following:

1. The subdivider or subsequent lot owners are hereby advised to hire a reputable well drilling contractor and construct their well within guidelines described in the State Engineer's Office Rules and Regulations, Part III, Water Well Minimum Construction Standards. An approved permit from the Wyoming State Engineer's Office is required prior to drilling of any water well.

2. As recommended by the developer's consultant potable wells drilled in this subdivision shall be completed to a minimum depth of 120 feet below land surface.

The State Engineer's Office comments dated March 25, 2002, are as follows:

1. Based upon a review of the information submitted to this agency, it appears that the subdivider has provided appropriate documentation, adequate evaluation and the necessary certifications in addressing his obligations associated with the physical adequacy of the proposed subdivision water supply.

2. The Agency, Subdivider, and future lot owners are hereby advised to hire a reputable well drilling contractor and construct their well within guidelines described in the State Engineer's Office Rules and Regulations, Part III, Water well Minimum Construction Standards. An approved permit from the Wyoming State Engineer's Office is required prior to the drilling of any water well.

Several people gave testimony concerning the subdivision both oral and in the form of written comments, which are in the file of record for the Platte River Ranch. Speaking were Don Kneeburg, Darin Geringer, Ted Stanfield, Ron Lockhart, Bonnie Lockhart, Anna Bailey, Travis Hecht, Sandy Meier for Marcia Bean, Stanley Bean, Kevin Rothschild and Darrell Steinhausen.

Also, presented was a rezoning petition which stated as follows:

We, the undersigned, are not against growth and development, however, we do oppose scattered residential development which, according to local studies, raises taxes and results in the loss of our open space benefits, i.e. agriculture, wildlife, tourism, water quality, etc.

We request that the Platte County Planning and Zoning Board and the Platte County Commissioners deny the application for rezoning variance of the proposed residential subdivision, Platte River Ranch, north of Wheatland.

We also request a moratorium on agriculture to residential rezoning, with the exception of property adjacent to or within 1 mile of already residentially zoned land, until such time that the new City/County Planner position is filled and the community impacts, fiscal impacts, and other implications of such rezoning decisions can be evaluated.

This petition is also in the file of record for the Platte River Ranch.

At this time the hearing was adjourned for other scheduled business.

The scheduled hearing for applicant Don Sherard to rezone property from agriculture to commercial was postponed. This hearing will be rescheduled for May 16, 2002.

The public hearing for James E. Greer dba Y-O Investments, Inc. was called to order by Chairman Jay Collins. Director Kenneth Kennedy gave the staff report on the permit to develop a Mobile Home/Recreational Vehicle Park on approximately 28.5 acres more or less, located in part of the SW1/4 of Section 19, Township 24 North, Range 67 West, Platte County, Wyoming.

This property lies ½ mile South and ½ mile East of the southeast corner of the present corporation limits of the town of Wheatland, Wyoming. Mr. Kennedy stated that the advantages could be availability of RV parking during periods of construction in the area and the economical gain to the Town of Wheatland by the users of the park. The disadvantages would be the concerns of the property owners in the area, lower property values, the water system and the sewer systems. However, as a personal friend of the applicant, Mr. Kennedy abstained from making a recommendation to the Planning and Zoning Board.

Mr. Greer, applicant for the proposed development, presented his plan. This filing is a continuation of the housing development already started. Construction in the first filing is a mix of manufactured housing and mobile homes. The "Mesa View" filing will develop 74 lots in an acre of 28.5 acres, which includes an open space of 3.8 acres. Mr. Greer proposes to begin the development with the RV lots to generate cash flow which will enable him to proceed with the rest of the development. His long term plans is to sell the lots for mobile homes, which he indicated that he has a number of requests for. The subdivision facilitates a centralized water and sewer system. Mr. Peter J. Hutchison, P.E. & L.S. has prepared a Preliminary Drainage Report of the Mesa View MH/RV Park and is in the file of record for this application.

Several people submitted written comments on the project and they are contained in the file of record for the application. Also submitted and placed in the file of record, was a petition which stated:

We, the undersigned, do NOT want the application for a Special Permit to Rezone property and develop a Mobile Home/Recreational Vehicle Park approve.

Residents of the area spoke of their many concerns including the water pressure, the current mobile home park, street improvement district, safety, traffic, access to the area and other concerns.

A motion was made by Tina to recommend a "Do Not Pass" to the Board of Commissioners. There being a lack of a second, this motion died.

A motion was made by Bill to recommend a "Do Pass" to the Board of Commissioners. The motion was seconded by Doug. Chairman Collins asked for discussion.

Doug felt that the water issue needed to be resolved before additional use was granted. He also felt that the safety issue was a concern. Tina felt that the homeowners who are obligated to the road improvement district have a financial commitment to see that the area maintains a certain standard.

Chairman Collins called for the question, those voting in favor of the motion to recommend a "Do Pass" to the Board of Commissioners was Bill Klein. Those voting against the motion were, Doug Frederick, Tina Willis, Marty Shepard and Jay Collins. The motion failed.

A motion was made by Doug to recommend a "Do Not Pass" to the Board of Commissioners until the water and safety issues are resolved. Marty seconded the motion.

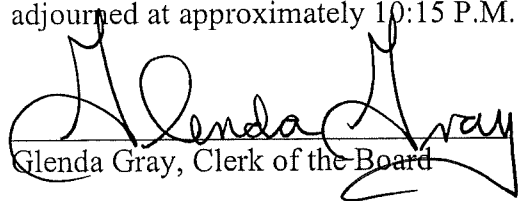
There being no discussion the question was called for with Doug Frederick, Tina Willis, Marty Shepard and Jay Collins voting in favor of the motion and Bill Klein voting against the motion. The motion passed.

At this time the hearing for the Platte River Ranch Subdivision was reopened. The engineers for the project spoke on the adequacy of water and the water quality. It is believed that in their best estimation the water supply could maintain 27 homes.

Also, Mr. Peasley, the attorney for the applicant, discussed the covenants and their enforceability. A homeowners association could be formed in the subdivision to insure that the covenants are followed.

A motion was made by Marty to recommend a "Do Pass" to the Board of Commissioners for approval of the Platte River Ranch Subdivision. The motion was seconded by Bill. There being no further discussion, Chairman Collins called for the questions. The motion was passed unanimously.

There being no further business before the Planning and Zoning Board the meeting was adjourned at approximately 10:15 P.M.


Glenda Gray, Clerk of the Board