

# PLATTE COUNTY



## WYOMING

### Planning & Zoning Commission

## AGENDA

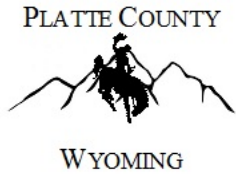
Wednesday, December 11, 2019 at 7:00 PM  
Platte County Commissioners Chambers  
800 9<sup>th</sup> Street, Wheatland, WY

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- A. Call to Order - Roll Call
- B. Approval of minutes from the previous meeting
- C. Declaration of Conflicts of Interest
- D. New Business
  - a. **Request:** A request for a Special Use Permit to add an additional 6 RV/Travel Trailer rental spaces and continue the current utilization of the property.
    - i. **Applicant:** Delton (Del) Tinsley
    - ii. **Location:** 67 El Rancho Road, Wheatland, Wyoming
    - iii. **Action:** To recommend approval or denial of the request
- E. Board discussion (If any)
- F. Adjournment

**Next Planning & Zoning meeting: January 15, 2020 at 6:00 p.m.**

**\*\*This agenda is not exclusive. Other business may be discussed as necessary\*\***



# Planning & Zoning

600 9<sup>th</sup> Street · Wheatland, WY 82201 · (307) 322-2962

PLATTE COUNTY PLANNING & ZONING COMMISSION  
RECORD OF PROCEEDINGS  
WEDNESDAY, NOVEMBER 13, 2019

## Call to Order – Roll Call

The regular meeting of the Platte County Planning and Zoning Commission was called to order at 7:00 PM on Wednesday, November 13, 2019, by Chairman Shepard in the Platte County Commission Chambers.

Members Present: Chairman Shepard, Commission Member Warner, Commission Member Lockhart

Members Absent: Commission Member Klein, Commission Member Brockman

Staff Present: Joint Planner Clark

## Approval of Minutes

### Approval of Minutes – August 14, 2019

Motion by Commission Member Lockhart with a second by Commission Member Warner was made to approve the minutes of the previous August 14, 2019 meeting as presented.

Upon roll call the vote on the MOTION was:

YES: Shepard, Warner, Lockhart

MOTION DECLARED CARRIED

## New Business

### Request to Rezone from Industrial to Residential

A request to rezone 10 acres from Industrial zoning to Residential zoning

Joint Planner Clark presented a request made by Robert Jenkins to rezone 10 acres from Industrial zoning to Residential zoning. The purpose of the request is to continue residential use of his property located at 10 Sawmill Road. Joint Planner Clark noted that the property is boarded to the west by residential and to the east by agriculture. Rezoning these 10 acres makes sense and cleans up zoning in the area.

Robert Jenkins spoke in favor of the request.

None spoke in opposition of the request.

Joint Planner Clark provided the Commission Members in attendance with an email in support of the request from Commission Member Klein.

Motion by Commission Member Warner was seconded by Commission Member Lockhart, to recommend approval of the request to rezone 10 acres from Industrial zoning to Residential zoning.

Upon roll call the vote on the MOTION was:

YES: Warner, Lockhart, Shepard

MOTION DECLARED CARRIED

#### Request for a Special Use Permit

A request for a Special Use Permit to park a 53' van trailer wrapped with decals for advertising on the east edge of the property facing I-25 located next to 51 Bluffview Road, Wheatland, Wyoming.

Joint Planner Clark stated that Mr. Lonneman had called and stated he would be emailing a formal notice to withdraw the application, but an email was not received. In anticipation of a denial for the Special Use Permit, Mr. Lonneman stated that himself and his wife still plan on purchasing the trailer in the company name, plating it in Platte County, and parking it along their east fence line. If they were to go this route, the trailer would be registered farm/ranch equipment parked on farm/ranch property. Any relation to the advertising on the trailer would then fall under state jurisdiction.

Commission Member Shepard stated that they are in a way circumventing the system and noted that neighbors Parker and Pope had previously had advertising on their property and the state required them to take the sign down.

Mr. Lonneman was not in attendance. None spoke in favor of or in opposition of the request.

Since a formal withdrawal was not received a motion was made by Commission Member Lockhart to deny the request for a Special Use Permit to park a 53' van trailer wrapped with decals for advertising on the east edge of the property facing I-25 located next to 51 Bluffview Road, Wheatland, Wyoming and seconded by Commission Member Warner.

Upon roll call the vote on the MOTION was:

NO: Warner, Lockhart, Shepard

MOTION DECLARED DISAPPROVED

#### **Board Discussion**

Commission Members and Joint Planner Clark discussed the need for a review of the fee schedule and what would be the best way to go about collecting fees that exceed the application fee.

Commission Members and Joint Planner Clark discussed the upcoming NextEra Energy meeting with Goshen County Planning and Zoning. Joint Planner Clark provided the commission members



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with the agenda for the meeting as well as a copy of the Goshen County Wind Siting Regulations. Noting a few definitions that are more inclusive that Platte County may want to consider adding into the Platte County regulations.

Commission Members voiced a concern for lack of manpower to enforce the requirement for permits before work on projects begins. Having a Joint Code Enforcement position with the Town of Wheatland was brought up as an option. The need for adding clarification of enforcement procedures to the enforcement section of the Platte County Zoning Rules and Regulations to give a better understanding of what is required of the County Attorney and what the County Attorney needs from the Planning Department to complete the prosecution of violations was also discussed.

Commission Member Lockhart adjourned the meeting at 7:45 PM.

Approve:

Attest:

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Chairman Planning & Zoning Commission

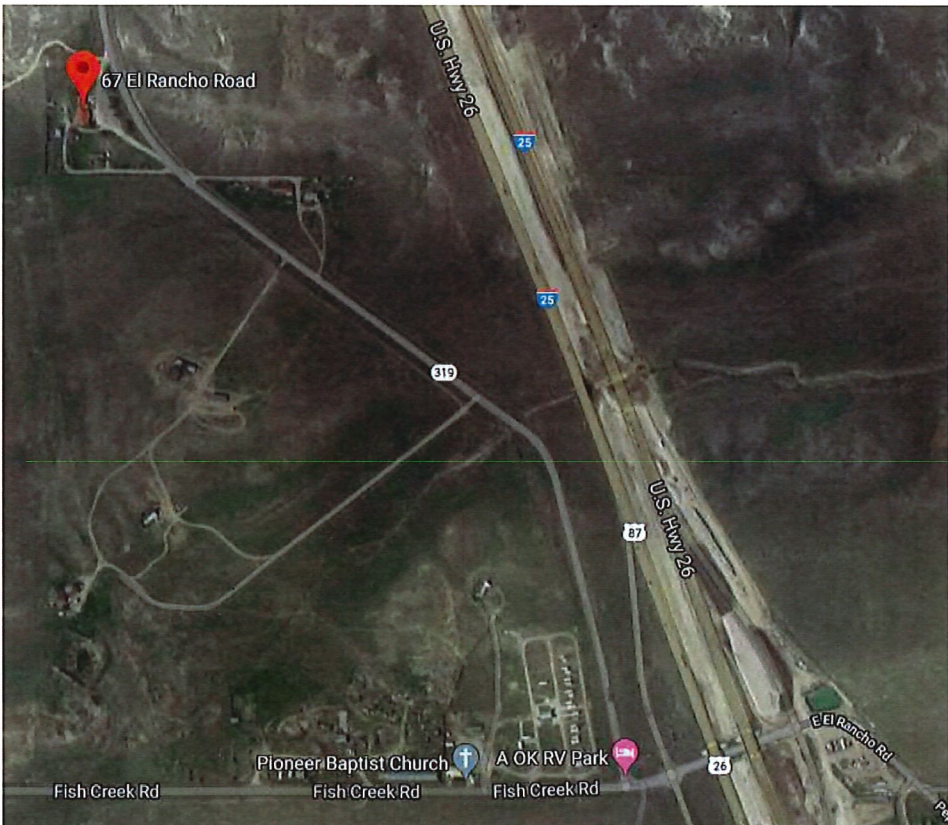
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Joint Planner Clark



# Platte County Planning & Zoning

600 9<sup>th</sup> Street · Wheatland, WY 82201 · (307)322-2962

MEETING DATE & TIME:	Platte County Planning & Zoning, Wednesday, December 11, 2019, 2019 at 7:00 PM Platte County Commissioners, Tuesday, December 17, 2019 at 10:00 AM
APPLICANT:	Delton (Del) Tinsley
REQUEST:	Special Use Permit to add an additional 6 RV/Travel Trailer rental spaces and continue the current utilization of his property
JURISDICTION:	Platte County Planning & Zoning Commission, Platte County Commissioners
LOCATION AND AREA:	<p>67 El Rancho Road, Wheatland, Wyoming  <i>Legal address</i> – 2 acres, part of the SE4NE4 of Section 31 Township 27 North, Range 68 West; Wheatland, Wyoming 82201</p> 
PUBLIC NOTICE:	November 27, 2019, Platte County Record Times
SUMMARY:	Passage of this would allow Mr. Tinsley to add an additional 6 RV/Travel Trailer rental spaces and continue the current utilization of his property.

### Background and Proposal Details:

In February 2019, Mr. Tinsley purchased the property located at 67 El Rancho Road, Wheatland, Wyoming 82201. Since purchasing the property Mr. Tinsley has continues to utilize the 4 rental spaces already in place on the property.

Although, the property is zoned Agriculture and renting of spaces for RV and/or Travel Trailers is not an allowable use within this zoning district; historical non-conforming use predates the resolution prohibiting such use. Therefore; the use may continue until it is abandoned.

### Neighbor Comments:

None received.

### Agency and Staff Comments:

DEQ Project Manager Miller - I do not see an application to increase the size of the septic in the file here. In fact I can't find an original permit for that location. Regarding an up-size, if it wasn't permitted, we could review a "as-built" permit application assuming we can get the relevant data, including the perc-test data and info on what was constructed.

Planner Kalev – Current zoning does not allow from the renting of RV spaces. However, this is a historical non-conforming use and a zoning resolution may not prohibit a use that was occurring at the time that it was passed. Further, a zoning certificate is not required to continue this use.

REA Operations Manger Wright - Wheatland REA has no issues with Mr. Tinsley's Special Use Permit.

### Analysis:

Due to Mr. Tinsley not abandoning the current use of the property and continuing to utilize the 4 RV and/or Travel Trailer rental spaces already in place his request for a Special Use Permit is specifically related to the addition of 6 RV and/or Travel Trailer rental spaces. Adding an additional 6 RV and/or Travel Trailer rental spaces could potentially increase property value and generate more revenue; therefore bringing in money to the county.

Mr. Tinsley does need to go through the proper channels to obtain approval for the upgraded septic system through the State of Wyoming Department of Environmental Quality. This will ensure that the system is sufficient for the current site plus the increased number of RV and/or Travel Trailer rental spaces.

### Staff Recommendations:

Mr. Tinsley's request to add an additional 6 RV/Travel Trailer spaces should be approved with the condition of first obtaining a permit from DEQ for the upgraded septic system showing that the new system will support the complete project as presented.

### Planning & Zoning Commission's Options:

In reviewing requests for this Rezone request, the Planning and Zoning Commission may:

- (1) Approve the as proposed,
- (2) Approve with conditions,
- (3) Continue to a future meeting of the Commission until further review has been done, or

(4) Deny the request (with or without prejudice).

\*\* Failure to achieve a quorum results in an automatic continuance to the next regularly scheduled meeting, and a motion fails due to the lack of a second.

Attachments:

Exhibits:

1. Site Map
2. Applicant's letter of intent

Appendix:

1. Notice of Hearing, available upon request
2. Neighbor letter & Neighbor list, available upon request
3. Routing Letter, available upon request
4. Agency and Staff comments, available upon request

Site Map:



Applicant's Letter of Intent:

**To:** The Platte County Planning Department  
**From:** Del Tinsley  
**Date:** October 15, 2019  
**Re:** Request for permit

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I am requesting an increase of the number of RV sites from 4 to 10 sites at 67 El Rancho Road.

After purchasing the property in February 2019, the septic was upgraded as well as the electric and water, to accommodate 10 RV sites. The septic is a new 1500 gallon tank along with 10-30-50 amp outlets at each of the existing four sites. The sites will be 40' X 70' to match the existing four sites.

I own a total of two acres.

Del Tinsley



# Special Use Permit Application

County of Platte  
800 9th Street  
Wheatland, Wyoming 82201  
307-322-2962 Fax: 307-322-2968

Joint Planning Office Use Only	
Application Fee:	\$200.00
Certified Mailing Fee:	\$ <u>0</u>
Letter of Justification:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Site Plan:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Proof of Ownership:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date Complete Application was received:	<u>October 16, 2019</u>

Applicant Name: Delton (Del) Tinsley

Phone No.: 307-259-2062

Mailing Address: P.O. Box 85, Wheatland, Wyoming 82201

E-mail: \_\_\_\_\_

If the applicant is other than the owner of the property for which this special use permit is being sought, the applicant must provide separate written approval from the owner or the owner may indicate approval by signing below.

\_\_\_\_\_  
Property Owner (as on deed)

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Signature

**Proof of ownership must be provided.**

Physical Address of property for which this special use permit is being requested:  
67 El Rancho Road, Wheatland, Wyoming 82201

Legal description of property for which this Building Certificate is being requested: Lot: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Quarter: part of the SE 1/4 NE 1/4

of Section: 31 Township 27 North, Range 68 West

Acerage: 2 acres

Number of lots: 1

Floodplain: Yes  No

Current Land Use: 4 RV / Travel Trailer Rental Sites

Zoning: Agricultural

Proposed use of property. \*\*for animals, please include: type, number, and use of animals, i.e.: pet, grazing, breeding, other; square footage of property; plot plan indicating location and size of all buildings, including animal shelter(s), and fencing, and information relating to the type of shelter provided. \*\*For other uses, please include: the size of building(s); number of occupants and/or employees; hours of operation; and a plot plan of the property showing location of buildings, off-street parking spaces, routes of ingress and egress and fencing/screening.:

Add six additional RV/Travel Trailer rental spaces and continue current utilization of property.

**APPLICATION SIGNATURES AND ACCESS PERMISSION**

*Right to ingress property for assessment, evaluation and inspections.*

I, the undersigned, hereby grant authorized Platte County Personnel the right to enter onto this said land/property for any and all inspection purposes necessary to exercise this permit. I certify, to the best of my knowledge, that all the information in this application is true and correct, and that I am the owner of the above described property or have been authorized by the owner to make this application as his/her agent.

Signature of Applicant (s)

11-14-19

Date

**ATTACH THE FOLLOWING REQUIRED INFORMATION**

- 1. Application Fee- In addition, the cost(s) of all notices, certified mailings, and recording fee(s) shall be paid by the applicant. Cash or check only, the joint planning office cannot process credit cards.
- 2. Proof of Ownership-
  - a. Warranty Deed, Title Policy, or Contract for Deed, and
  - b. Signed authorization letter from the owner if other than applicant.
- 3. Legal Description- A written legal description of all property that is subject to this application.
- 4. Site Plan- Site plan and vicinity map.
- 5. Letter of Justification- Statement of purpose and need.

\_\_\_\_\_ to County Commissioners on: \_\_\_\_\_

Joint Planner Signature

\_\_\_\_\_ Comissioner Chairperson Signature

\_\_\_\_\_ Date

**Joint Planning Office Use Only**

Planning and Zoning Commission Hearing Date: December 11, 2019

Approval  Disapproval

County Commissioner Hearing Date: December 17, 2019

Approval  Disapproval

To: The Platte County Planning Department  
From: Del Tinsley  
Date: October 15, 2019  
Re: Request for permit

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I own a total of two acres.

Del Tinsley



ZEN 68W

Wells

Electric

□□□□□

□□□□□

Sinks

31

EL RANCHO RD





PLATTE COUNTY - TOWN OF WHEATLAND  
PLANNING DEPARTMENT  
600 9th Street Wheatland, WY 82201

March 21, 2019

Dear Mr Tinsley:

Pursuant to your request, I researched the land use you described at El Rancho. Currently the property is zoned "Agricultural" which does not allow the use of renting spaces for RV's and or Travel trailers.

However, it is my opinion that this is a historical non-conforming use and a zoning resolution may not prohibit a use that was occurring at the time it was passed. Further you are not required to have a zoning certificate to continue this use.

A grandfathered use may continue until it is abandoned and this requires an affirmative act demonstrating an intent to abandon which to the best of my knowledge has not occurred with the property in question.

If you have any further questions please call me.

Regards,

A handwritten signature in black ink, appearing to read 'Jen Kalev'. The signature is fluid and cursive, with a long, sweeping initial 'J'.

Jen Kalev, APA ASLA

Joint Town and County Planner

Attachment: research document and copy of zoning.