

# PLATTE COUNTY



## WYOMING

### Planning & Zoning Commission

## AGENDA

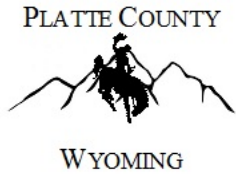
Wednesday, April 15, 2020 at 6:00 PM  
Platte County Commissioners Chambers  
800 9<sup>th</sup> Street, Wheatland, WY

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- A. Call to Order - Roll Call
- B. Approval of minutes from the March 11, 2020 Regular Meeting
- C. Declaration of Conflicts of Interest
- D. New Business
  - a. **Request:** A request for a Subdivision to add an approximately 5-acre tract to the Curtis Subdivision
    - i. **Applicant:** Joseph Deeney
    - ii. **Location:** S2SE4 of Section 27 of Township 24 North, Range 68 West, Wheatland, Wyoming
    - iii. **Action:** To recommend approval or disapproval of the request
  - b. **Request:** A request for a Simple Subdivision to divide approximately 25.4 acres into three tracts located along Airport Road in the SW4, S2NW4 of Section 5 T26N, Range 65W, Guernsey, Wyoming
    - i. **Applicant:** Aimen, LLC
    - ii. **Location:** along Airport Road in the SW4, S2NW4 of Section 5 T26N, Range 65W, Guernsey, Wyoming
    - iii. **Action:** To recommend approval or disapproval of the request
- E. Board discussion (If any)
- F. Adjournment

**Next Planning & Zoning meeting: June 10, 2020 at 7:00 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, MARCH 11, 2020

## Call to Order – Roll Call

The regular meeting of the Platte County Planning and Zoning Commission was called to order at 6:00 PM on Wednesday, March 11, 2020, by Chairman Shepard in the Platte County Commission Chambers.

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

Members Absent: None

Staff Present: Planner Clark

## Approval of Minutes

### Approval of Minutes – January 15, 2020

Motion by Commission Member Brockman with a second by Commission Member Lockhart was made to approve the minutes of the previous January 15, 2020 meeting as presented.

Upon roll call the vote on the MOTION was:

YES: Chairman Shepard, Commission Member Brockman, Commission Member Klein, Commission Member Warner, Commission Member Lockhart

NO: None

MOTION DECLARED CARRIED

## Declaration of Conflicts of Interest

Chairman Shepard asked if any of the Commission Members had conflicts of interest to declare. Commission Member Brockman declared a conflict of interest for item b under new business.

## New Business

### Request for a Simple Subdivision

A request for a Simple Subdivision to divide approximately 13.15 acres out of 40 acres by Mr. Kumelos, located at 110 Swanson Road, Wheatland, Wyoming

Planner Clark presented a request made by Jim Kumelos to divide approximately 13.15 acres out of 40 acres located at 110 Swanson Road. Planner Clark noted that both the Town of Wheatland Planning and Zoning Commission and Wheatland Town Council approved the request with no concerns. Planner Clark asked that Mr. Kumelos have the surveyors creating the plat submit the drafts via email to the planning office for review before ordering the mylar copies for signatures. Mr. Kumelos spoke in favor of the request.

Merlin Hitt spoke in favor of the request and noted that there are already easements in place for access to the back 40 acres.

Motion by Commission Member Brockman was seconded by Commission Member Lockhart, to recommend approval of the request for a Simple Subdivision to divide approximately 13.15 acres out of 40 acres located at 110 Swanson Road with the condition that an electronic copy of the draft be sent to the planning office for review and/or corrections before ordering mylars for signatures and recording.

Upon roll call the vote on the MOTION was:

YES: Commission Member Brockman, Commission Member Klein, Chairman Shepard, Commission Member Warner, Commission Member Lockhart

NO: None

MOTION DECLARED CARRIED

#### Request for a Subdivision

A request for a Subdivision to divide approximately 5.19 acres into two parcels out of 35.7 acres by Seth Brockman, located at 134 Antelope Gap Road, Wheatland, Wyoming

Planner Clark presented a request made by Seth Brockman to divide approximately 5.19 acres into two parcels out of 35.7 acres located at 134 Antelope Gap Road. Planner Clark noted that both the Town of Wheatland Planning and Zoning Commission and Wheatland Town Council approved the request with no concerns. Planner Clark noted that Seth Brockman is working with the Wheatland Irrigation District to obtain permission for the subdivision and that Mr. Brockman's letter of justification was very thorough. Planner Clark asked Seth Brockman if access for parcel 2 would come off of Antelope Gap Road or Bellis Road; Mr. Brockman noted that access would probably come off of Bellis Road, but there is already access off of Antelope Gap Road if the future owner decided to utilize that as an entry point. Planner Clark asked that Seth Brockman have the surveyors creating the plat submit the draft via email to the planning office for review before ordering the mylar copies for signatures.

Seth Brockman spoke in favor of the request.

Motion by Commission Member Warner was seconded by Commission Member Klein, to recommend approval of the request for a Subdivision to divide approximately 5.19 acres into two parcels out of 35.7 acres located at 134 Antelope Gap Road with the condition that Mr. Brockman have the surveyors creating the plat submit the draft via email to the planning office for review and/or corrections before ordering the mylar copies for signatures.

Upon roll call the vote on the MOTION was:

YES: Commission Member Warner, Commission Member Lockhart, Commission Member Brockman, Commission Member Klein, Chairman Shepard

NO: None

MOTION DECLARED CARRIED



# Planning & Zoning

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## Board Discussion

Chairman Shepard asked the Commission Members about what meeting times and dates worked for them. Commission Members agreed that 6 pm meeting should run from October through March and 7 pm meeting should run from April through September. For 2020, the 7 pm meetings will begin in May, due to the April meeting notices already being sent out to the local paper for publishing. Commission Members noted that either Tuesdays or Thursdays work better for their schedules. Planner Clark noted that the day adjustment will need to be made by updating the by-laws.

Planner Clark discussed the new county website and that she has been working on uploading past Planning and Zoning minutes into the repository.

Planner Clark updated the commission on additional information in relation to the proposed Wild Horse Ranch project.

Planner Clark asked that those that could attend the Town Planning and Zoning workshop on April 22, 2020 at 5:30 p.m. to please do so to add input in relation to RV/Travel Trailer space rentals being allowed within Conservancy District zoning in town limits; such as at the Platte County Fair Grounds. Fair Board will also be invited to attend.

Planner Clark confirmed that there are items on the agenda for April and the meeting will be April 15, 2020 at 6:00 p.m.

Chairman Shepard adjourned the meeting at 7:06 PM.

Approve:

Attest:

\_\_\_\_\_  
Chairman Planning & Zoning Commission

\_\_\_\_\_  
Planning Director



# Platte County Planning & Zoning

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

MEETING DATE & TIME:	Platte County Planning & Zoning, Wednesday, April 15, 2020 at 6:00 PM Platte County Commissioners, Tuesday, April 21, 2020 at 10:00 AM
APPLICANT:	Joseph Deeney
REQUEST:	A Subdivision to add an approximately 5-acre tract to the Curtis Subdivision located in the S2SE4 of Section 27 T24N R68W, Wheatland, Wyoming
JURISDICTION:	Platte County Planning and Zoning, Platte County Commissioners
LOCATION AND AREA:	<p>5 Acres <i>Legal address – Curtis Subdivision, Wheatland, Wyoming</i></p> <p>The survey map shows three tracts within a larger subdivision. Tract 1 is a large rectangular area measuring 1942.30' on the north and 2045.02' on the south. Tract 2 is a curved area on the east side, measuring 1046.87' on the north and 1085.82' on the east. Tract 3 is a smaller tract located south of Tract 1, measuring 212.02' on the north and 2045.02' on the south. The map also shows the right-of-way for Jefferson Road (40' R/W) and Wyoming State Highway 312 (80' R/W). Various bearings and distances are provided for all boundaries.</p>
SUMMARY:	Approval of this Subdivision Request will allow Mr. Deeney to finance and build a single-family dwelling.

### Background and Proposal Details:

Mr. Deeney has applied for a Subdivision to add an approximately 5-acre tract to the Curtis Subdivision located in the S2SE4 of Section 27 T24N R68W, Wheatland, Wyoming. Mr. Deeney is wanting to subdivide 5 acres to allow him additional financing options to build a single-family dwelling.

A Subdivision is required in this situation, because the resulting parcel will be located within an existing subdivision.

There is access to existing Tract 1 and the future tract off of Jefferson Road. If additional access points are to be established, Mr. Deeney would need to obtain an Encroachment License from Platte County Road and Bridge.

When it comes time for the final plat, Mr. Deeney will need to have the parcels surveyed. According to Platte County Regulations, he does have to have a full plat recorded at the Platte County Recorder's Office.

Mr. Deeney has already obtained approval of this division from the Wheatland Irrigation District.

### Neighbor comments:

None

### Agency Comments:

Mr. Wright with REA: No issues.

Mr. Williams with WYDOT: No objections.

### Analysis:

Mr. Deeney's request to add a tract to an existing subdivision meets all the requirements of Platte County Planning and Zoning Rules and Regulations.

### Staff Recommendations:

This office believes that the Mr. Deeney's request to add a tract to an existing subdivision should be granted with the following conditions:

- 1) That a final plat be prepared and recorded with the Platte County Recorder's Office within one year of Platte County Commissioners' approval.
  - 2) Mr. Deeney coordinate with the Platte County Planner to have the draft plat reviewed before ordering the mylar print for recording.
-

## Planning & Zoning Commission's Options:

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

- (1) approve the preliminary plan as proposed,
- (2) approve the preliminary plan with conditions,
- (3) continue the preliminary plan to a future meeting of the board until further review has been done, or
- (4) disapprove the preliminary plan (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. Letter of Justification
2. Site Plan
3. WID Approval

Appendix:

1. Notice of Hearing, available upon request
  2. Neighbor letter & Neighbor list, available upon request
  3. Routing Letter, available upon request
  4. Agency input, available upon request
    - a. REA Mr. Wright email
    - b. WYDOT Mr. Williams email
-

**Letter of Justification:**


2/13/20

To: Platte County Planning & Zoning

Re: Joseph Deeney

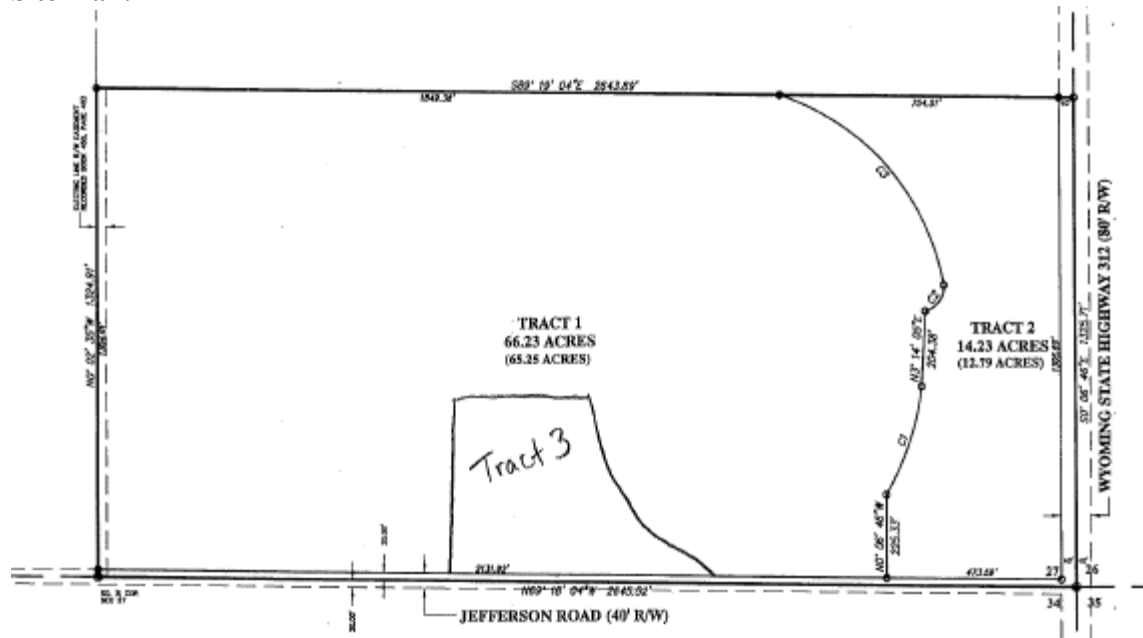
My request is to re-plot the Curtis Subdivision, tract 1. I would like to make a tract 3 for financing reasons. When completed a building permit will be applied for. Tract 3 will include a domestic well and power that are already in place on the property. I have attached a map for reference.

Thank you,



Joseph Deeney

**Site Plan:**








# Platte County Planning & Zoning

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

MEETING DATE & TIME:	Platte County Planning & Zoning, Wednesday, April 15, 2020 at 6:00 PM Platte County Commissioners, Tuesday, April 21, 2020 at 10:00 AM
APPLICANT:	Aimen, LLC
REQUEST:	A Simple Subdivision to divide approximately 25.4 acres into three tracts located along Airport Road in the SW4, S2NW4 of Section 5 T26N, Range 65W, Guernsey, Wyoming
JURISDICTION:	Platte County Planning and Zoning, Platte County Commissioners
LOCATION AND AREA:	<p>25.4 Acres  <i>Legal address</i> – 25.4 acres located along Airport Road in the SW4, S2NW4 of Section 5 T26N, Range 65W, Guernsey, Wyoming</p> 
SUMMARY:	Approval of this Simple Subdivision Request will allow Aimen, LLC to either sell or develop the individual parcels or a combination of the two.

### Background and Proposal Details:

Aimen, LLC has applied for a Simple Subdivision to divide approximately 25.4 acres into three tracts located along Airport Road in the SW4, S2NW4 of Section 5 T26N, Range 65W, Guernsey, Wyoming.

In order to qualify as a Simple Subdivision a few requirements must be met. If any of the following items are true, then this request will need to go through the full Subdivision process:

- 1) The subdivision will be served by a central sewage disposal system or central water supply system which is not owned or operated by a public entity;
- 2) The land to be subdivided is a parcel created by exempt division after July 1, 2001;
- 3) The land to be subdivided is within a platted subdivision, or record of survey;
- 4) The land to be subdivided is unsuitable for subdivision, or;
- 5) The land to be subdivided is contiguous to other land on which the same applicant has platted a subdivision.

When it comes time for the final plan, Aimen, LLC will need to have the parcels surveyed. According to Platte County Regulations, they do not have to create a full plat, but they do need to have a Record of Survey that is recorded at the Platte County Recorder's Office. However, a plat is always preferred to a Record of Survey. Therefore, I would ask that Aimen, LLC have a plat created outlining the Simple Subdivision, if this request is approved.

### Neighbor comments:

Justin Prewitt (Swade's son) – called on March 23, 2020 – is against the subdivision. When they sold them the land it was not to be used in this regard. They don't want a bunch of houses around their place. Especially if they get constructed and then become delapidated. Also, did not sell them to the middle of the river.

### Agency Comments:

Mr. Williams with WYDOT: No comments or concerns.

Mr. Wright with REA: Not in their service area.

Attorney Weaver: When searching for Aimen, LLC as a registered business in Wyoming no such business was found. Is the business Almen with an L or is it Aimen with an I?

### Analysis:

This request does qualify for as a Simple Subdivision in that all proposed lots are over 5 acres and there are less than 5 lots proposed. The division would create three riverfront lots that would likely appeal to persons seeking to build recreational/seasonal homes; especially as the popularity of barndominiums grows. (Yes, barndominims are real things.)

Due to the proximity to the river's edge, any development that will include a septic will need to work closely with DEQ to make sure the underground plates slope away from the river. If they slope towards the river a septic permit could potentially be denied without additional groundwork and engineering.

The town of Guernsey desperately needs additional housing options in or close to the town. This would provide the opportunity for additional housing to be constructed.

Mr. Prewitt's concerns in relation to the property boundary lines are a civil real estate matter and do not fall under the jurisdiction of the Platte County Planning and Zoning Commission or the Platte County Commissioners. The deed does state "along the centerline of the North Platte River". By requiring a full plat of this subdivision it would alleviate any future questions as to the location of the property lines.

#### Staff Recommendations:

Aimen, LLC's request to create three parcels should be granted with the following condition:

- 1) Aimen, LLC be required to obtain a full plat of the Simple Subdivision.
- 2) Note any and all existing and need utility easements.
- 3) That a final plat be prepared and recorded with the Platte County Recorder's Office within one year of Commissioner approval.

#### Planning & Zoning Commission's Options:

In reviewing the request for this Simple Subdivision, the Planning and Zoning Commission may:

- (1) approve the preliminary plan as proposed,
- (2) approve the preliminary plan with conditions,
- (3) continue the preliminary plan to a future meeting of the board until further review has been done, or
- (4) deny the preliminary plan (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. Letter of Justification
2. Site Plan
3. Proof of Ownership

Appendix:

1. Notice of Hearing, available upon request
2. Neighbor letter & Neighbor list, available upon request

3. Routing Letter, available upon request
4. Agency input, available upon request
  - a. County Attorney Weaver email
  - b. REA Mr. Wright email
  - c. WYDOT Mr. Williams email

## 1) Letter of Justification

February 27, 2020

Mrs. Amy Clark  
Joint Planner  
Platte County Wyoming  
[planner@plattecountywyoming.com](mailto:planner@plattecountywyoming.com)

Re: Subdivision/Guernsey

Dear Mrs. Clark,

Please consider this notice as our "Letter of Justification" to be attached to our Application for a Simple Subdivision regarding our property East of Guernsey on Airport Road.

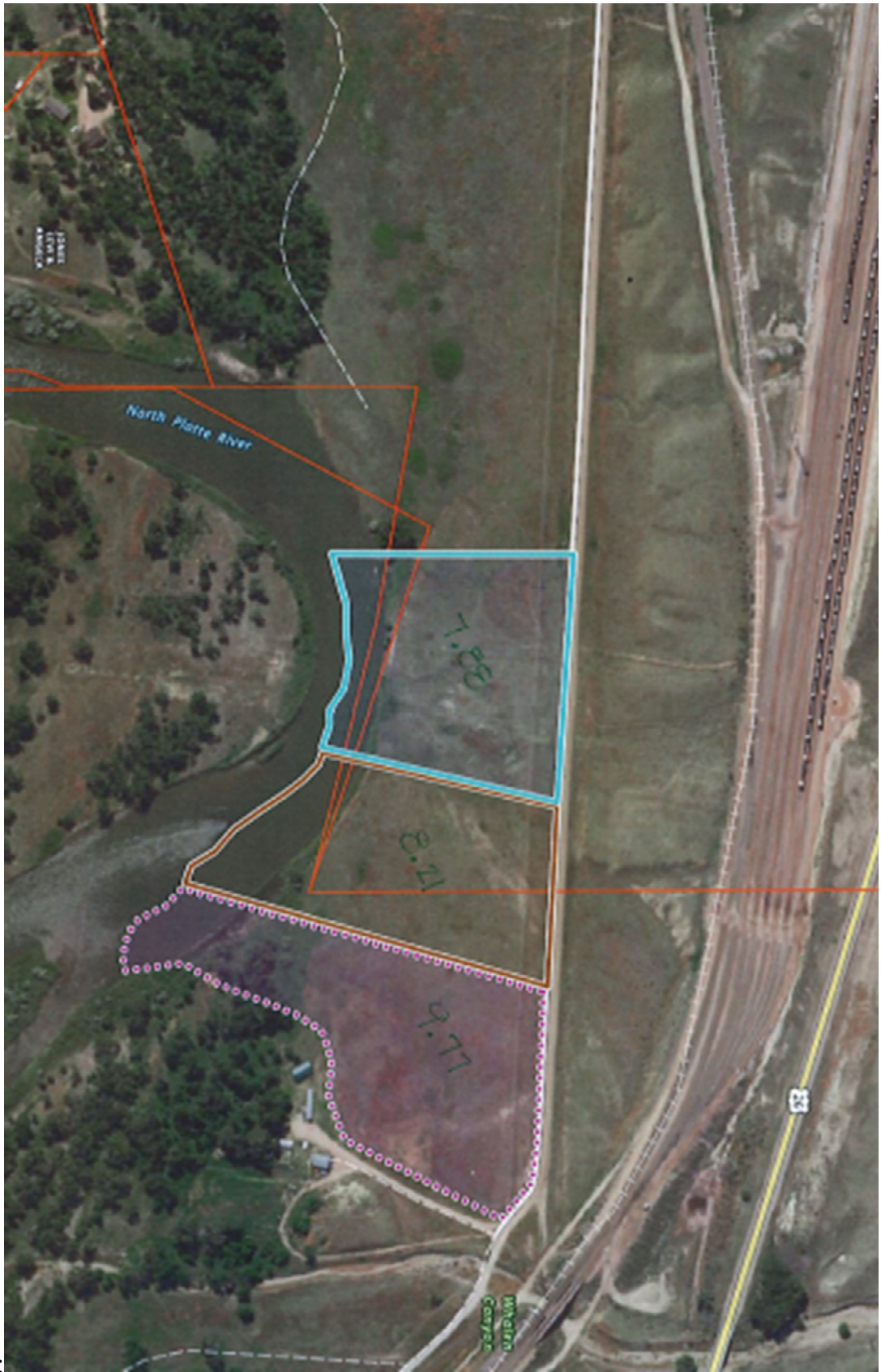
We wish to subdivide the approx. 25.4 acre parcel into three tracts varying in size from approx. 8.7 acres to 9.7 acres.

Further please use this notice as authority for Herschel Pruitt to act as our agent in matters regarding this subdivision.

Sincerely,

Christina Pruitt e-signature

Aimen, LLC, a Wyoming limited liability Company  
6026 Country Club Oaks Place  
Omaha, NE 68152



2) Site Plan:

3) Proof of Ownership

File No.: 4681-3396402 (js)

**WARRANTY DEED**

**Swade Prewitt and Melissa Prewitt, husband and wife**, grantor(s) of **Converse** County, State of **Wyoming**, for and in consideration of Ten Dollars and Other Good and Valuable Consideration, in hand paid, receipt whereof is hereby acknowledged, Convey and Warrant To

**Aimen, LLC, a Wyoming limited liability company**, grantee(s),

whose address is: **6026 Country Club Oaks Place, Omaha, Nebraska 68152** of **Douglas** County and State of **Nebraska**, the following described real estate, situate in **Platte** County and State of **Wyoming**, to wit:

**That part of Section 5, Township 26 North, Range 65 West, of the 6th P.M., Platte County, Wyoming, being further described as follows:**

Beginning at the ¼ Corner common to Sections 5 and 6, Township 26 North, Range 65 West, which is monumented by an aluminum cap marked LS 601; Thence N 82°59'17" E, for a distance of 1721.02 feet, more or less to a point on the southerly boundary of Platte County 'Air Port Road'/Old Highway 26, which point is the True Point of Beginning, thence along the following courses:

Thence, S 87°39'09" E, along the southerly boundary of Platte County 'Air Port Road'/Old Highway 26, for a distance of 1792.92 feet;

Thence, S 58°58'33" E, for a distance of 145.51 feet;

Thence, S 00°23' E, for a distance of 1023.79 feet;

Thence, N 74°55' W, along an existing fence and it's extension for a distance of 1126.24 feet, more or less, to a point on the centerline of the North Platte River;

Thence, N 34°0' W, along the centerline of the North Platte River, for a distance of 210 feet;

Thence, N 52°45' W, along the centerline of the North Platte River, for a distance of 220 feet;

Thence, N 75°55' W, along the centerline of the North Platte River, for a distance of 205 feet;

Thence, S 88°25' W, along the centerline of the North Platte River, for a distance of 210 feet;

Thence, S 58°50' W, along the centerline of the North Platte River, for a distance of 216.36 feet;

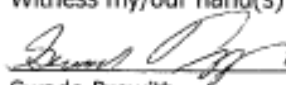
Thence, N 04°33'04" E, for a distance of 641.78 feet, more or less, to the True Point of Beginning.


**EXCEPTING THEREFROM** the land conveyed to Christopher A. Orr and Bailey D. Orr, husband and wife, in Quitclaim Deed recorded December 26, 2019 in Book 531, Page 112

Subject to all covenants, restrictions, reservations, easements, conditions and rights appearing of record.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming.

Witness my/our hand(s) this 20 day of Feb, 2020.

  
Swade Prewitt

<sup>sp</sup>  
  
Melissa Prewitt