

**AGENDA
PLANNING AND ZONING MEETING**

January 20, 2022

6:00 P.M.

COUNCIL CHAMBERS

CITY HALL, 200 NORTH DAVID

Meetings can be viewed online at www.casperwy.gov on the Planning Commission web page.

PLANNING AND ZONING POLICY

PUBLIC STATEMENTS

1. Use of Cellular telephones is not permitted, and such telephones shall be turned off or otherwise silenced during the Planning and Zoning Meeting.
2. Speaking to the Planning and Zoning Commission (These guidelines are also posted at the podium in the Council Chambers).
 - Clearly state your name and address.
 - Please keep your remarks pertinent to the issue being considered by the Planning and Zoning Commission.
 - Please do not repeat the same statements that were made by a previous speaker.
 - Please speak to the Planning and Zoning Commission as you would like to be spoken to.
 - Please do not address Applicants or other audience members directly.
 - Please make your comments at the podium and directed to the Planning and Zoning Commission.
3. The City of Casper Planning and Zoning Commission is a volunteer body composed of members of the Casper Community, and appointed by the Casper City Council. The Commission acts as a quasi-judicial panel, making final decisions on some specific items, and recommendations to the City Council on others as dictated by law. The Commission may only consider evidence about any case as it relates to existing law. The Commission cannot make or change planning or zoning laws, regulations, policies or guidelines.

AGENDA

I. ELECTION OF OFFICERS

II. CALL TO ORDER

III. MINUTES: Consideration of P & Z Commission Minutes from December 16, 2021

IV. PUBLIC HEARINGS:

- A. **SUB-104-2021** – A vacation and replat of Lot 7 in Wolf Creek Eight Addition and Lot 43 in Wolf Creek Nine Addition, to create “Wolf Creek Ten Addition”, located at 3714 and 3720 Dancing Wolf Drive. Applicants: B1 Properties, LLC & Iliana Adler, Administrator - JJSN Living Trust. *(Continued by P & Z Commission December 16, 2021).*
- B. **CUP-114-2021** – Request for a Conditional Use Permit to allow for an accessory building (detached garage) with an exterior wall height greater than 12-feet in height in an R-1 (Residential Estate) zoning district, located at 1225 West 30th Street, Lot 9, South Garden Creek Acres #3. The proposal is requesting approval for a 22-foot wall height. Applicants: Dan and Deb White.
- C. **CUP-118-2021** – Request for an amendment to Conditional Use Permit granted March 25, 2014, to enlarge the allowable size of an oversized, detached garage, located at 643 East 17th Street, described as Portions of Lots 3, 4, 5 and the Adjacent Alley, Block 37, Butler Heights Addition. The previously-approved Conditional Use Permit allowed for a maximum building footprint of 1,800 square feet for said detached garage. The current request proposes to enlarge the size of the detached garage by thirty (30) additional square feet. Applicant: Emerick Huber.

V. SPECIAL ISSUES:

V. COMMUNICATIONS:

- A. **Commission**
- B. **Community Development Director**
- C. **Council Liaison**
- D. **OYD and Historic Preservation Commission Liaisons**
 - 1) **Minutes from December 13, 2021, Historic Preservation Commission Meeting (attached)**
 - 2) **Old Yellowstone Advisory Committee Minutes – (Did Not Meet in December)**
- E. **Other Communications**

VI. ADJOURNMENT

**PLANNING AND ZONING MEETING
THURSDAY DECEMBER 16, 2021
CITY COUNCIL CHAMBERS**

These minutes are a summary of the meeting. For full details view online at www.casperwy.gov on the Meetings and Agendas web page. The Planning and Zoning Commission held a meeting at 6:00 p.m., on Thursday November 18, 2021, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: Susan Frank
Fred Feth
Terry Wingerter
Carol Johnson
Ken Bates
Vickery Fales-Hall
Mike McIntosh

Absent Members: Bruce Knell, Council Liaison

Others present:
Liz Becher, Community Development Director
Craig Collins, City Planner
Kristie Turner, Administrative Assistant III
Wallace Trembath, Deputy City Attorney

I. MINUTES OF THE PREVIOUS MEETING

Chairperson Frank asked if there were additions or corrections to the minutes of the November 18, 2021 Planning & Zoning Commission meeting.

Chairperson Frank called for a motion to approve the minutes of the November 18, 2021, Planning & Zoning Commission meeting.

Mr. McIntosh made a motion to approve the minutes of the November 18, 2021, meeting. The motion was seconded by Mr. Wingerter.

All those present voted aye. Motion carried.

II. PUBLIC HEARINGS

Our first case this evening:

- A. **SUB-104-2021** A vacation and replat of Lot 7 in Wolf Creek Eight Addition and Lot 43 in Wolf Creek Nine Addition, to create “Wolf Creek Ten Addition”, located at 3714 and 3720 Dancing Wolf Drive. Applicants: B1 Properties, LLC & Iliana Adler, Administrator JJSN Living Trust.

Craig Collins, City Planner presented the staff report and entered 7 exhibits into the record for this case.

Chairperson Frank opened the public hearing and asked for the person representing the case to come forward and explain the application.

Shawn J. Gustafson, 111 West 2nd Street, Suite 600, spoke as representative for this case.

Ms. Frank asked which lot was increasing and which lot was decreasing.

Mr. Gustafson stated that Lot 1 was decreased and Lot 2 was increased. The increase and decrease is 3 feet. The replat of lot lines is necessary due to the lots are in two separate subdivision plats.

Ms. Frank asked if there was already a house on the lot that is increasing.

Mr. Gustafson stated there was a house on the Lot 2 that is being increased

Ms. Fales-Hall asked if there were two separate owners or one owner for the two lots.

Mr. Gustafson there are two separate owners. Lot 1 is owned by the developer. Lot 2 is privately owned.

Chairperson Frank asked if there was anyone in the audience wishing to speak in favor or opposition of this case?

Donald Gilmore Jr., 3708 Dancing Wolf Drive, spoke in opposition to the case.

Mr. Gilmore stated that his lot was reduced by 7.5 ft. due to the addition of a pedestrian pathway which he found out about after having installed a fence, sod, and sprinkler.

Ms. Frank stated that the only thing the commission can address was the replat for Lot 1 and Lot 2 for the 3-foot adjustment.

Mr. Gilmore shared more information regarding adjustments for pedestrian pathway and loss of use of that portion of lot, 7.5 ft.

Mr. Bates stated that he was sorry for the difficulties; however, the commission could only review the 3-foot adjustment.

Mr. Gilmore also shared concerns that Wolf Creek Ten would have different covenant rules.

Tyler Batt, 3711 Dancing Wolf Drive, spoke in opposition to the case.

Mr. Batt stated that he wanted to purchase additional land or lot and was told no by developer. He stated he believed there is some favoritism at play and shared concern that the covenant rules would be different for Wolf Creek Ten. Mr. Batt also stated that not all the neighbors had received public notices.

Ms. Frank stated that although they may not have received letters in the mail; there was a sign posted in the neighbor for the last few weeks.

James Pena 3685 Red Wolf Dr., spoke in opposition to the case.

Mr. Pena stated that he believes favoritism is applied in this replat and lot adjustment. He also stated that he has had difficulty with the developer over lot and fence install. Mr. Pena stated he feels the developer is fraudulent and is reporting the developer to the VA.

Ms. Frank expressed disappointment that the developer was not present to address this replat.

Ms. Fales-Hall asked about HOA or rules are currently in use for the current subdivisions. Mr. Gilmore stated nothing was provided regarding HOA at closing.

Christina Batt, 3711 Dancing Wolf Dr., spoke in opposition to the case.

Ms. Batt stated that this replat is giving opportunities to one homeowner that were denied to others. Ms. Batt requested to purchase additional lot and was denied with the explanation that the developer makes more money selling house on the lots vs. selling additional lots.

Ms. Frank asked if Batt were giving HOA information at closing.

Ms. Batt stated yes, they were given HOA at closing but that it is inactive.

Ms. Frank stated that an inactive HOA does not always mean that by-laws and covenants are not enforceable.

Ms. Batt stated that she feels that favorites are being played in this replat.

There being no others to speak, Chairperson Frank closed the public hearing and entertained a motion to approve, deny or table **SUB-104-2021** to the January 20, 2022, meeting regarding the replat.

Mr. Bates made a motion to postpone case **SUB-104-2021**. The motion was seconded by Mr. Wingerter.

Discussion

Ms. Frank would like to hear from developer regarding the replat.

Mr. Bates would like to have additional letters sent out to neighbors.

Mr. Collins stated that there would be no change in the list of residents who receive letters due to the fact that owner information is collected through the county assessor office which gets updated annually.

Ms. Frank stated the houses that have been built within the last year would not receive notices.

Mr. Collins stated that the notices are also published in the newspaper, on the city website, and there is a sign in the yard providing multiple avenues for public notice.

Mr. Wingerter asked how subdivision changes happen in the planning process.

Mr. Collins stated that lot line adjustments are generally an administrative process.

Mr. Wingerter asked about the pedestrian pathway.

Ms. Frank stated that the pedestrian pathway was always a part of the subdivision.

Mr. Collins clarified that the pedestrian pathway is part of an easement and is part of the homeowner's lot but available for the public to use and in this case the City is responsible for maintaining the pedestrian pathway.

Mr. Bates asked about updated maps.

Mr. Collins stated the maps are updated every three years.

Mr. Bates called a Point of Order to redirect the discussion.

Ms. Johnson asked about the purpose of the postponing the case.

Ms. Frank stated the purpose of postponing was to hear and understand from the developers about why they are adjusting lots.

Ms. Johnson stated that the commission has no control over the developer's reasons.

Mr. Bates stated that he wanted to postpone the case in order to hear from developer and to give others parties a chance to voice their concerns.

Mr. McIntosh, Mr. Feth, Mr. Bates, and Mr. Wingerter voted aye. Ms. Johnson, Ms. Fales-Hall, and Ms. Frank voted nay. Motion carried.

Our second case this evening:

ZOC-106-2021 – A Zone change of 104 and 110 South Beverly Street, described as Portions of Lots 13, 14 and a vacated strip of former Beverly Street right-of-way, Block 2, Beverly Addition. The existing zoning of the properties is R-2 (One Unit Residential) and the proposed zoning is C-2 (General Business). Applicants: Case N Point, LLC/James McBride.

Craig Collins, City Planner presented the staff report and entered 5 exhibits into the record for this case.

Chairperson Frank opened the public hearing and asked for the person representing the case to come forward and explain the application.

Paul Case, 1130 Surry St. spoke as representative for this case.

Chairperson Frank asked if there was anyone in the audience wishing to speak in favor or opposition of this case?

There being no others to speak, Chairperson Frank closed the public hearing and entertained a motion to approve, deny or table **ZOC-106-2021** regarding the replat.

Mr. McIntosh made a motion to approve case **ZOC-106-2021**. The motion was seconded by Ms. Fales-Hall.

Discussion

Mr. Bates asked why there are no conditions attached to the rezoning.

Mr. Collins stated that conditional zoning is not a legal practice.

Mr. Trembath stated that according to Wyoming statutes each district has to be uniform under each class or zone that is being considered.

All those present voted aye. Motion carried.

III. SPECIAL ISSUES:

Liz Becher acknowledged Ms. Frank and Mr. Feth for their years of service on the Planning and Zoning Commission and their service to the community.

Ms. Becher shared a message of gratitude for Ms. Frank and Mr. Feth's time of community service and presented both of them with a letter signed by the Mayor on behalf of the City Council and an engraved photo of Casper.

IV. COMMUNICATIONS:

- A. Commission:
Commission Training will be held in January, a poll will be sent out for availability.
- B. Community Development Director:
Liz Becher introduced Joe Hutchison and Maribeth Plocek as new Commissioners for 2022. Mr. Wingerter and Ms. Johnson will continue with the commission for the next term.
- C. Council Liaison:
Not Present - No Report
- D. OYD and Historic Preservation Commission Liaisons:
No Report
- E. Other Communications:
No Report

Chairperson Frank stated that the next Planning and Zoning Commission meeting will be held Thursday, January 20, 2022.

V. ADJOURNMENT:

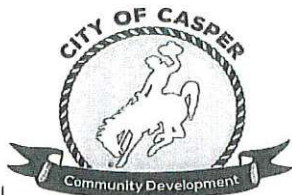
Chairperson Frank called for a motion for the adjournment of the meeting. A motion was made by Mr. Feth and seconded by Mr. Wingerter to adjourn the meeting.

All present voted aye. Motion carried.

The meeting was adjourned at 7:15pm.

Chairperson

Secretary



City of Casper Planning Division

Plat Application

OWNER'S INFORMATION:

NAME: B1 Properties, LLC.

ADDRESS: 550 North Poplar Street

TELEPHONE: 307 234-2385

EMAIL: _____

OWNER'S AUTHORIZED REPRESENTATIVE:

NAME: ECS Engineers

ADDRESS: 111 W. 2nd St., Ste. 600, Casper, WY 82601

TELEPHONE: 307 337-2883

EMAIL: sgustafson@ecsengineers.net

APPLYING FOR (check one): ☐ FINAL PLAT ☒ REPLAT ☐ MINOR BOUNDARY ADJUSTMENT

NAME OF SUBDIVISION: Wolf Creek Ten Addition

LEGAL DESCRIPTION OF LAND: _____

Lot 7 - Wolf Creek Eight, and Lot 43 - Wolf Creek Nine

COMMON ADDRESS OR LOCATIONAL DESCRIPTION: 3714 & 3720 Dancing Wolf Drive

CURRENT LAND USE: Residential

TOTAL ACREAGE: 0.36 acres/sq ft

NUMBER OF LOTS: 2 (Minor Boundary Adjustment can not exceed 2 lots)

SIZE OF LARGEST LOT: 8,079 SF

SIZE OF SMALLEST LOT: 7,669 SF

CURRENT ZONING: R2

PROPOSED ZONING: R2

The following owner's signature, or agent, signifies that all information on the application is accurate and correct to the best of the owner's knowledge, and that the owner has thoroughly read and understands all application information and requirements.

SIGNATURE OF PROPERTY OWNER: _____

DATE: 10/27/21

SUBMIT TO:

Community Development Department
Planning Division
200 N David, RM 203
Casper, WY 82601
Phone: 307-235-8241
Fax: 307-235-8362
www.casperwy.gov
E-mail: dhardy@cityofcasperwy.com

COMPLETE SUBMITTAL NEEDS TO INCLUDE::

- COMPLETED APPLICATION INCLUDING ORIGINAL SIGNATURES
- 11 COPIES OF THE PLAT (9 COPIES FOR MINOR BOUNDARY ADJUSTMENT)
- PROOF OF OWNERSHIP
- \$1200 (25 LOTS OR LESS); \$1,800 (26 Lots or more); (\$200 FOR MINOR BOUNDARY ADJUSTMENT); (Preliminary Plat \$1,000) APPLICATION FEE (NON-REFUNDABLE)

FOR OFFICE USE ONLY:

DATE SUBMITTED: _____

REC'D BY: _____

December 10, 2021

MEMO TO: Susan Frank, Chairperson
Members of the Planning and Zoning Commission

FROM: Liz Becher, Community Development Director
Craig Collins, AICP, City Planner

SUBJECT: **SUB-104-2021** – A vacation and replat of Lot 7 in Wolf Creek Eight Addition and Lot 43 in Wolf Creek Nine Addition, to create “Wolf Creek Ten Addition”, located at 3714 and 3720 Dancing Wolf Drive. Applicants: B1 Properties, LLC & Iliana Adler, Administrator - JJSN Living Trust.

Recommendation:

If, after hearing public testimony and considering the facts of the case, the Planning and Zoning Commission finds that the vacation and replat creating the Wolf Creek Ten Addition meets the minimum requirements of the Municipal Code, staff recommends approval, with a “do pass” recommendation to City Council.

Code Compliance:

Staff has completed all public notice requirements of Section 16.24 of the Casper Municipal Code pertaining to plats, including notification of property owners within three hundred (300) feet by first class mail, posting a sign on the property, and publishing a legal notice in the Casper Star-Tribune. **There were no public comments submitted at the time the staff report was prepared.**

Summary:

The owners of 3714 and 3720 Dancing Wolf Drive have applied for a replat to create the Wolf Creek Ten Addition. The replat consists of a three (3) foot lot line adjustment between two (2) existing lots, which are located in two (2) different subdivisions. The replat meets all minimum City of Casper subdivision regulations, and both resulting lots exceed the City’s minimum lot size of 4,000 square feet.

Proposed Wolf Creek Ten Addition - (Replat of 3714 & 3720 Dancing Wolf Dr.)



Proposed Wolf Creek Ten Addition - (Replat of 3714 & 3720 Dancing Wolf Dr.)



Kristie Turner

From: Tyler Batt <tylerbatt84@gmail.com>
Sent: Wednesday, December 1, 2021 9:50 PM
To: Planning
Subject: Sub-104-2021

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I am writing to let you know I am opposed to any changes or replatting of any of the original lots to my neighborhood in Greystone of Wolf Creek 8. Not that it really makes a difference but it was made very clear to me by the owners of Broker One that no changes to any lots in this development can be changed. I know this because I asked on multiple times if I could purchase neighboring lots and was always denied. So it may not apply directly but I object to any changes and will feel discriminated against if changes are made for the benefit of others while I was denied.

I would also note that one of our neighbors was forced to give up 8 feet of their lot for a pointless going to nothing sidewalk and were never reimbursed for that loss of property by the developer, builder, or City. Any further changes that may benefit others would be a huge insult to them and they would have plenty of reason to take legal action for such actions. Just an FYI that may need to be considered before these changes are simply just granted for whatever reason.

Thank you for listening and allowing me to submit my comment.

Tyler Batt
[307 251 9636](tel:3072519636)



City of Casper Planning Division

Conditional Use Permit Application

OWNER'S INFORMATION:

NAME: Dan & Deb White
MAILING ADDRESS: 1225 W. 30th St Casper WY 82601
TELEPHONE: 719-238-2617 EMAIL: ddebwhitecba@gmail.com

LOCATION OF REQUEST:

ADDRESS: 1225 W. 30th St. Casper, WY 82601
LEGAL DESCRIPTION: South Garden CK ACRES #3 LOT 9
Number of Lots: 1 Size of Lots: 27 007
Current Zoning: R1 Current Use: Residential - Single family
Purpose for which the property is proposed to be used: Residential / build detached garage - 22 foot wall height - * under allowable square footage - requesting taller than 12 foot wall height.
Prior restrictions placed on the property: none

Floor area square footage: ~ 1050

Number of Occupants or Employees: _____

Building Footprint: 35 x 30

Number of off-street parking spaces: 0

A PLOT PLAN (Simple Site Plan) IS REQUIRED, SHOWING:

(WHERE APPLICABLE)

lot size and dimensions

size and location of buildings

off-street parking spaces

routes for ingress and egress

internal traffic control

fencing, screening, and landscaping

signs and lighting

setback distances

The following owner's signature, or agent, signifies that all information on the application is accurate and correct to the best of the owner's knowledge, and that the owner has thoroughly read and understands all application information and requirements.

SIGNATURE OF PROPERTY OWNER: [Signature]

DATE: Dec 10, 2021

SUBMIT TO:

Community Development Department
Planning Division
200 N David, RM 203
Casper, WY 82601
Phone: 307-235-8241
E-mail: ccollins@casperwy.gov

A COMPLETE SUBMITTAL MUST INCLUDE:

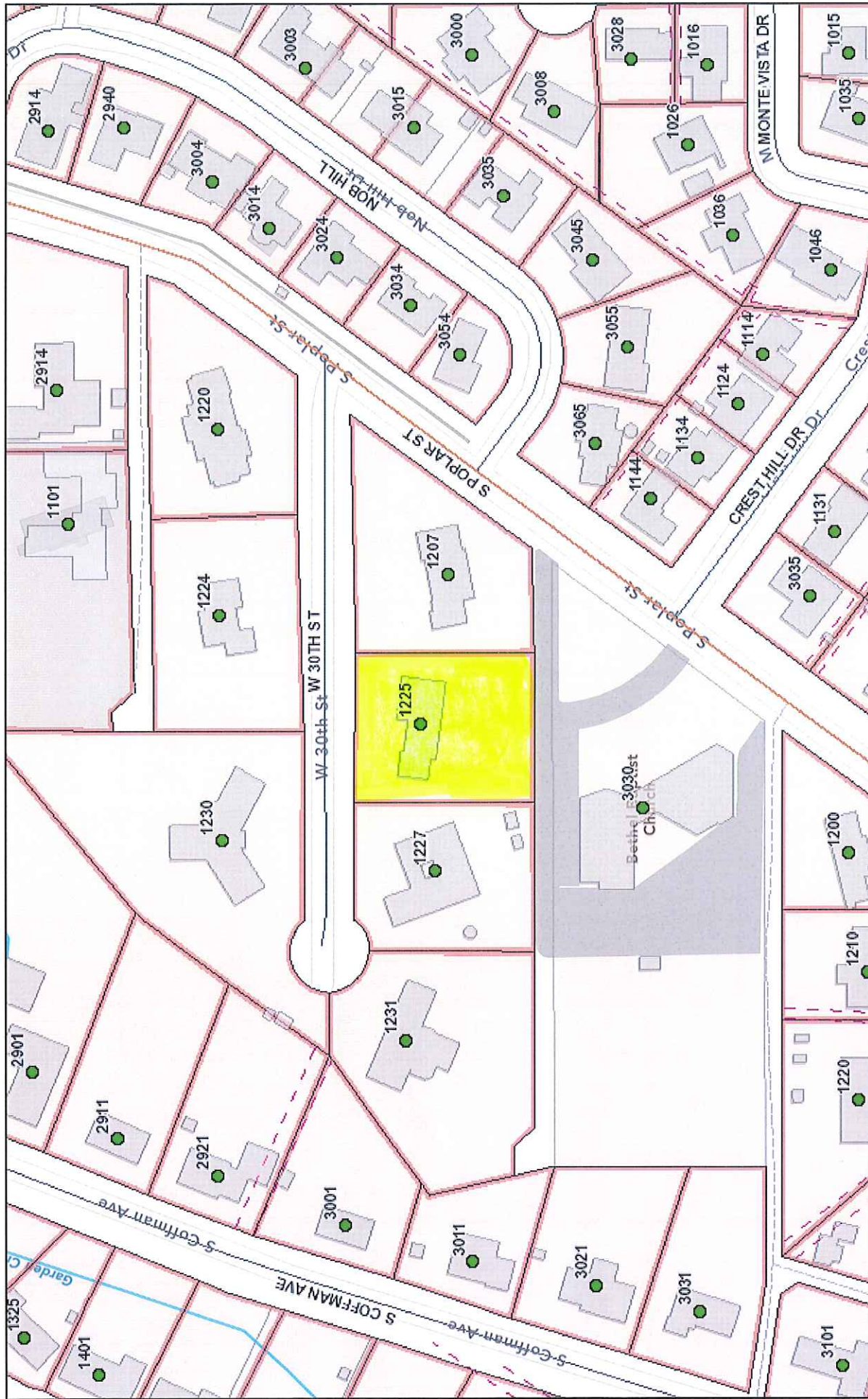
- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES FROM OWNER
- PROOF OF OWNERSHIP
- \$600 APPLICATION FEE (NON-REFUNDABLE)
- PLOT PLAN (Simple Site Plan) OF THE PROPERTY

FOR OFFICE USE ONLY:

DATE SUBMITTED: _____

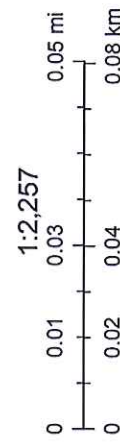
REC'D BY: _____

ArcGIS Web Map



12/10/2021, 1:59:33 PM

- Traffic Control Point
- Detour Present
- Flagger Present
- Lane Restrictions
- Reduced Speed
- Road Closure
- Seasonal Closure
- Turn Restrictions
- Unknown
- Null
- Unknown
- Alley
- Access
- Unknown
- Private
- Private
- Local
- Local Streets



Dear Casper City Counsel

This letter is part of our request to obtain a conditional use permit for a detached garage on our residential lot. We have alley access behind our property. This access allows us to build a detached garage behind our existing home. We would like to build a 2-car detached garage with an elevated height to permit us space for large truck positioning in the garage and for recreational and hobby equipment storage. According to the codes in our neighborhood, the proposed garage requires an attachment to the house in the form of a breezeway.

The current code for our lot size allows for a garage size with the maximum of 1,500 square feet and 12-foot wall height unless attached to the house by a breezeway. We currently are looking at a footprint of 30 x 35, which is within the allowable square footage. We are asking for the conditional use permit to build to a 22-foot wall height without attaching to the house in the form of a breezeway.

Our home is a craftsman 1959 home and we are planning a garage that has the same appearance as our home. Between our planned garage and our home is a series of trees that have been established in the yard since the 1959 construction. A breezeway from the back of the property to our existing house will threaten these trees and likely result in removal of these trees. These large mature trees provide much shade and aesthetic beauty to our yard and neighborhood and we do not want to jeopardize their health.

We have included a letter from our neighbors on the west side of our property (The Tremel family). The garage planned is on the west side of our property, and the Tremel family does not have concerns with this proposed garage and are in support of our application for the conditional use permit.

Directly behind our home is the Bethel Baptist Church. We have spoken with the Lead Pastor Steven Gunderson. He has agreed that our application would not impact the Bethel Baptist Church, as a breezeway would not be visible by the church and would jeopardize the trees. They are in support of our application and wished us good luck. Enclosed is a letter stating their support.

In conclusion, we are seeking a conditional use permit to build a freestanding garage that exceeds height restrictions without a breezeway on our residential property. The required breezeway between the garage and the existing property would jeopardize the health of large trees in our yard that are cherished, and the existence of the garage without the breezeway does not have impact on the Bethel Baptist Church behind us or our neighbors on the west side of our property where the garage is planned.

Thank you for your time and consideration to this matter.

Sincerely,
Dan and Deb White
1225 W 30th St
Casper, WY 82601
719-238-2617

Bethel Baptist Church

Alley

36 feet

Garage

75 feet

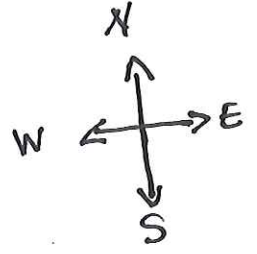
1225 30th St

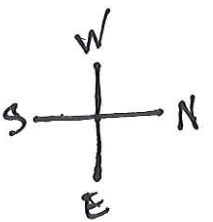
CONNECTEXPLORER



map: Auto (Oblique) - Dates: Latest - image 1 of 6 05/20/2020

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CONNECT Explorer™

explorer.eagleview.com/index.php

Apps

Energov

Eagle view

SAFER Web - Comp...

FEMA Flood Map S...

311 Trier

CITY TRAINING

Training

NEOgov

Natrona County M...

Elastic Search

FEMA mfp program

Reading list

CONNECT EXPLORER

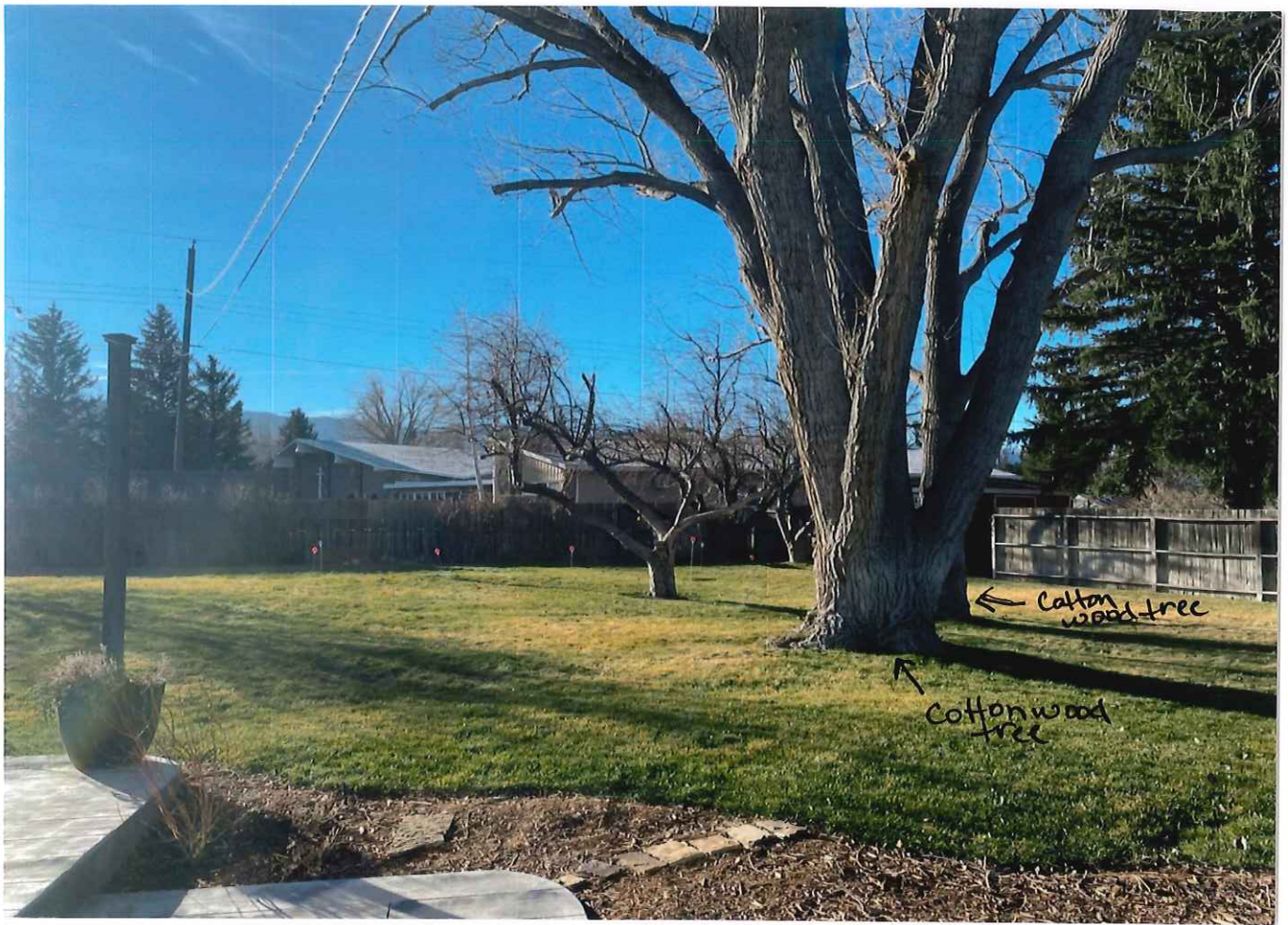
Click a location for available imagery.

Workspaces

map: Auto (Oblique) - Dates: Latest - Image 1 of 7 - 06/22/2020

Type here to search

828 AM 11/19/2021



Standing at the house looking South towards Bethel Baptist Church. Reflectors are where garage would be built. Right side of picture are the two cottonwood trees we are trying to protect.



Standing on the east side of backyard looking to the west. Two large cotton trees that we are trying to save are labeled.



Night time view of Bethel Baptist Church. Placement of garage was chosen to help block the lights. The green lights are over the far parking lot. They are white in color but photograph as green.



Assessor Property Datasheet

12/10/21, 1:12 PM

Page 1 of 1

General Account Information

Property Address

1225 W 30TH ST

Owner Name and Mailing Address

WHITE, DANIEL W ET UX
1225 W 30TH ST
CASPER, WY 82601

Account Type: Residential

Neigh. Code: 03BA

Account #: R0027485

Parcel #: 33792010301000

LEA #: 0303Res03

LEA Description: Central Casper Q Good+ Large Land

Sub #: 8384

Sub Name: SOUTH GARDEN CK ACRES #3

Tax District: 0150

Mill Levy: 72.89

Legal Description

SOUTH GARDEN CK ACRES #3 LOT 9

Land Information

Type	Acres	SF
Residential	0.6200	27,007

Improvement Information

Bldg #	Type	Occupancy
1	Residential	Single Family Residential

HVAC	Exterior
Cool Air in Heat Ducts	Frame Siding

Interior	Roof Type	Roof Cover
Drywall	Gable	Composition Shingle

Rooms	Bedrooms	Baths
8	5	3.50

Built As Desc	SF	Stories	Story Height (Ft)	Year Built
Ranch 1 Story	2,352	1	8	1959

Basement SF	
Total	Finished
1,170	600

Garages	
Descr.	SF
Attached	572

Decks/Porches	
Descr.	SF
Slab Roof Ceil	66
Open Slab	286
Open Slab	142

Fixtures/Rough Ins	
Descr.	#
Water Heater	1
Sink Standard	1
Bath 2	1
Bath 3	3
Laundry Facility (Rough In)	1

Fireplaces	
Descr.	#
FP Sgl 1 Story Mason	1

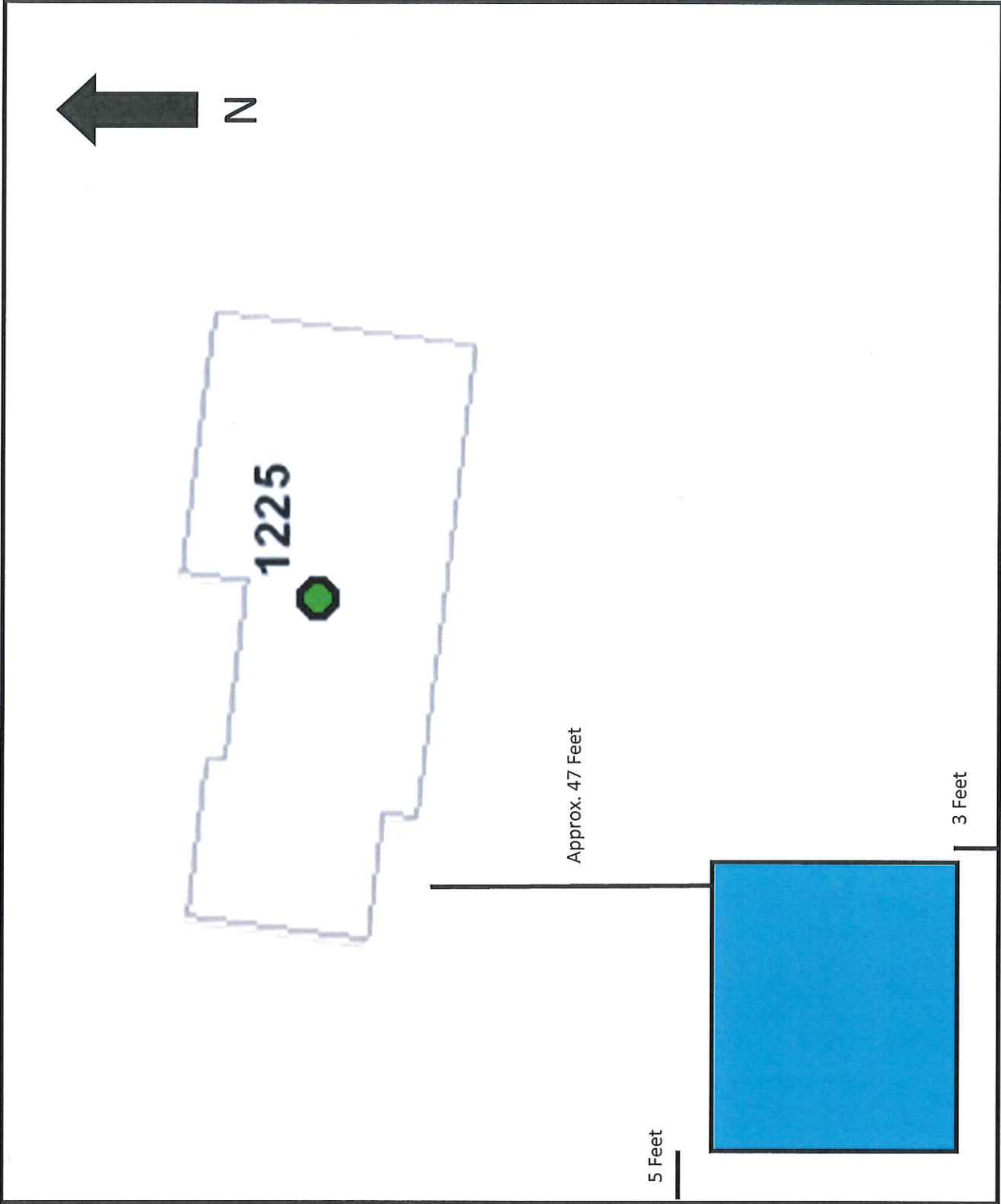
Assessor Property Datasheet

12/10/21, 1:12 PM

Page 2 of :

Valuation Information				
Tax Year 2021				
Description	Market Value	Assessed Value	Taxable Value	Tax
Residential - Improved Land - Single Family Residence	\$98,036	\$9,313	\$9,313	\$678.82
Residential - Single Family Residence Improvements - Site Built	\$277,264	\$26,340	\$26,340	\$1,919.92
Totals:	\$375,300	\$35,653	\$35,653	\$2,598.75

30th Street (Cul De Sac)





The Tremel Family
1227 w. 30th St.
Casper, WY 82601

12/7/2021

City of Casper
200 n. David St.
Casper, WY 82601

To Whom it May Concern:

We reside at 1227 west 30th Street here in Casper. Our neighbors directly to the east of us, the Whites, reside at 1225 west 30th Street and recently informed us of their intent to construct a detached garage on their property.

The Whites kindly asked if we had any concerns with the general scope of their planned construction project. They shared a few variables existed regarding the overall size and height of the structure as well as the possibility of the need to attach the new structure to their primary residence via some form of covered breezeway.

Our family has no concerns regarding the size or height of the proposed structure. The Whites have made numerous improvements to their property over the years, all of which have been positive and have served only to ultimately enhance the attractiveness and character of our special neighborhood. We are confident their new project would be no different.

Our family is concerned, however, with regards to the negative impacts an attached breezeway could have on the character of the neighborhood, generally, and on the large and beautiful trees located on our street, specifically. While any construction unquestionably includes risk, we are confident the Whites proposed placement of their new garage would limit the risk of detrimental impacts to either the character of our neighborhood or the mature trees thriving within it. We are less confident that a breezeway attaching the primary residence to the detached garage could be constructed without negatively and severely impacting either our neighborhood or trees.

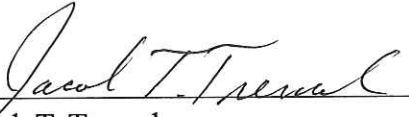
Consequently, we are opposed to the construction of the aforementioned attached breezeway.

Sincerely,


City of Casper

12/7/2021

Page 2



Jacob T. Tremel



Katrina B. Tremel



Bethel Baptist Church
3030 South Poplar
Casper WY 82601
307-234-8812

12/9/2021

RE: FUTURE GARAGE AT 1225 W. 30TH

Dear Casper City Council:

I am writing on behalf of Dan and Deb White at 1225 W. 30th, Casper, Wyoming 82601. The White's have discussed their plans for a future garage that will extend to the shared alleyway that is connected to the parking lot of our church. We have no issues with this plan nor do we think it will affect Bethel Baptist in any significant way. The White's have our full support for this future garage and we appreciate their kindness and desire to be good neighbors by informing us of their intentions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven Gunderson".

Steven Gunderson

Pastor

Bethel Baptist Church

January 14, 2022

MEMO TO: Members of the Planning and Zoning Commission

FROM: Liz Becher, Community Development Director
Craig Collins, AICP, City Planner

SUBJECT: **CUP-114-2021** – Request for a Conditional Use Permit to allow for an accessory building (detached garage) with an exterior wall height greater than 12-feet in height in an R-1 (Residential Estate) zoning district, located at 1225 West 30th Street, Lot 9, South Garden Creek Acres #3. The proposal is requesting approval for a 22-foot wall height. Applicants: Dan and Deb White.

Recommendation:

The Planning and Zoning Commission may approve the requested Conditional Use Permit after consideration of public testimony and the facts of the case, as presented during the public hearing:

1. If all minimum regulations/standards of the Municipal Code are satisfied; and,
2. After consideration of any relevant factors, including, but not limited to those articulated in Section 17.12.240(H) (*outlined on page 2*), and upon finding that the request is in keeping with the two (2) required findings listed in Section 17.12.240(G), (*outlined on page 3*).

Should the Planning and Zoning Commission vote to approve the requested Conditional Use Permit, staff recommends the inclusion of the condition below to reiterate the time limitation on Conditional Use Permit approvals.

1. Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Conditional Use Permit shall be “exercised,” and all conditions shall be met within one (1) year of the date of approval, or the Conditional Use Permit shall become null and void.

Code Compliance:

Staff has completed all public notice requirements of Section 17.12.240 of the Casper Municipal Code pertaining to Conditional Use Permits, including notification of property owners within three hundred (300) feet by first class mail, posting a sign on the property, and publishing legal notice in the Casper Star-Tribune. **The applicant provided letters of support from two (2) of the neighbors. No additional public comments have been received.**

APPLICABLE REGULATIONS & STANDARDS

- Section 17.12.120(F)(6) - Buildings greater than 120 square feet in area shall be similar in design, exterior residential materials, and roof pitch to the principal and/or surrounding residential neighborhood buildings. Vertical metal siding is expressly prohibited.
- Section 17.12.120(G) – A Conditional Use Permit is required for detached garages and/or accessory buildings that exceed twelve feet in an exterior wall building height above the finished floor, measured at the primary access to the building.
- Section 17.12.120(I) – One detached garage and two accessory buildings (sheds), not exceeding 400 square feet in area combined, are permitted in association with the principal building.
- Section 17.12.240(I) – In any case in which a Conditional Use Permit has not been exercised and the work completed within one (1) year from the date of issuance, such permit shall be void, and have no further force or effect.

RELEVANT FACTORS

Section 17.12.240(H) - In making its findings, the Commission shall consider any relevant factors, including, but not limited to, the following, if applicable to the proposed use:

- a. Area and height to be occupied by buildings or other structures.
- b. Density of the proposed use in terms of units per acre and the number of offices, employees, occupants, or all three.
- c. Volume of business in terms of the number of customers per day.
- d. Increased traffic congestion or hazard caused by the use which may be over and above normal traffic for the area, as determined by the City Engineer and Community Development Director.
- e. Location of use with respect to the same or similar uses within a three hundred foot (300') radius of the perimeter of the described property.
- f. Any other criteria affecting public health, safety, and welfare, as provided for by written rules of the Commission.

REQUIRED FINDINGS

Section 17.12.240(G) of the Casper Municipal Code states that no conditional use permit shall be granted unless the Commission finds the following:

1. The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare;
2. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.

GUIDANCE ON CONDITIONS

Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Commission may impose reasonable conditions on a Conditional Use Permit, including, but not limited to, time limitations, requirements that one or more things be done before construction is initiated, or conditions of an ongoing nature. By way of illustration, not limitation, the following limitations or modifications can be placed upon a Conditional Use Permit, to the extent that such conditions are necessary to ensure compliance with the criteria of Section 17.12.240(G) and (H):

1. Size and location of site;
2. Street and road capacities in the area;
3. Ingress and egress to adjoining public streets;
4. Location and amount of off-street parking;
5. Internal traffic circulation systems;
6. Fencing, screening, and landscaped separations;
7. Building bulk and location;
8. Usable open space;
9. Signs and lighting; and,
10. Noise, vibration, air pollution and other environmental influences.

Summary:

The Owners of the property located at 1225 West 30th Street have applied for a Conditional Use Permit (CUP) to allow for the construction of an accessory building (detached garage) with an exterior wall height of twenty-two (22) feet, in excess of the twelve (12) foot maximum permitted under Section 17.12.120(G) of the Casper Municipal Code. The subject property is zoned R-1 (Residential Estate) and is surrounded by properties zoned the same on all sides. Land uses in the area are primarily single-family residential, with the exception of a church, located directly south of the subject property. The size of the property is approximately 27,000 square feet, or just over half of an acre.

The proposed garage will be thirty-five (35) feet by thirty (30) feet in size, with a total building footprint of 1,050 square feet. Pursuant to Section 17.12.120(F)(4), the total allowable footprint of a detached garage on this lot is 1,500 square feet. The request is necessitated by the applicant's

desire to allow for extra storage space for recreational and hobby equipment within the structure. Section 17.12.120(F)(6) of the Municipal Code specifies that detached garages should be similar in design, exterior residential materials, and roof pitch to the principal and/or surrounding residential neighborhood buildings.

Based on information provided by the applicant, staff offers the following additional information:

- There are a minimum of four (4) existing oversized detached garages within a half-mile of the subject property. Two (2) of the four are located within 350 feet of 30th Street.
- Proposed roof pitch – 4/12.
- Proposed roof peak height of structure – 23'. Peak heights within ¼ mile of the property range from 14' to 30'.
- Proposed building setbacks – Three (3) foot from the alley, five (5) feet from side property line, and thirty-plus (30+) from the principle structure. *(Complies with minimum requirements).*
- Exterior siding material – residential/lap

The basic question before the Planning and Zoning Commission is whether the proposal is compatible with the surrounding area. Specifically, Section 17.12.240(H) of the Municipal Code provides guidance on the factors that should be considered by the Commission when making its findings. It should be noted that those factors may, or may not, be applicable in all cases. The relevant factors are found in the Code Compliance section, above, and are listed immediately below for the Commission's deliberation. *(Staff's discussion/explanation of each factor is provided in italics)*

- Area and height to be occupied by buildings or other structures. *(The Commission must decide if the area/height of the structure is consistent with occupied buildings/structures in the surrounding area).*
- Density of the proposed use in terms of units per acre and the number of offices, employees, occupants, or all three. *(The density of the use is not applicable in this case because the density of the land use is not increasing).*
- Volume of business in terms of the number of customers per day. *(The volume of business is not applicable in this case, because the use is accessory to the primary dwelling, and not a business).*
- Increased traffic congestion or hazard caused by the use, which may be over and above normal traffic for the area, as determined by the City Engineer and Community Development Director. *(The proposed oversized garage will not contribute to traffic congestion or hazards over and above normal traffic for the area).*

- Location of use with respect to the same or similar uses within a three hundred foot (300') radius of the perimeter of the described property. *(The Commission is to decide if the proposed structure is out of character with the size/scale of other structures in the area).*
 - Any other criteria affecting public health, safety, and welfare, as provided for by written rules of the Commission. *(After hearing public testimony, does the Commission believe there to be any other criteria that affect public health, safety or welfare?)*
-

As is the process with all Planning and Zoning Commission cases that require the Commission to make findings, staff provides the following example motions for consideration by the Commission to assist in making their formal motion:

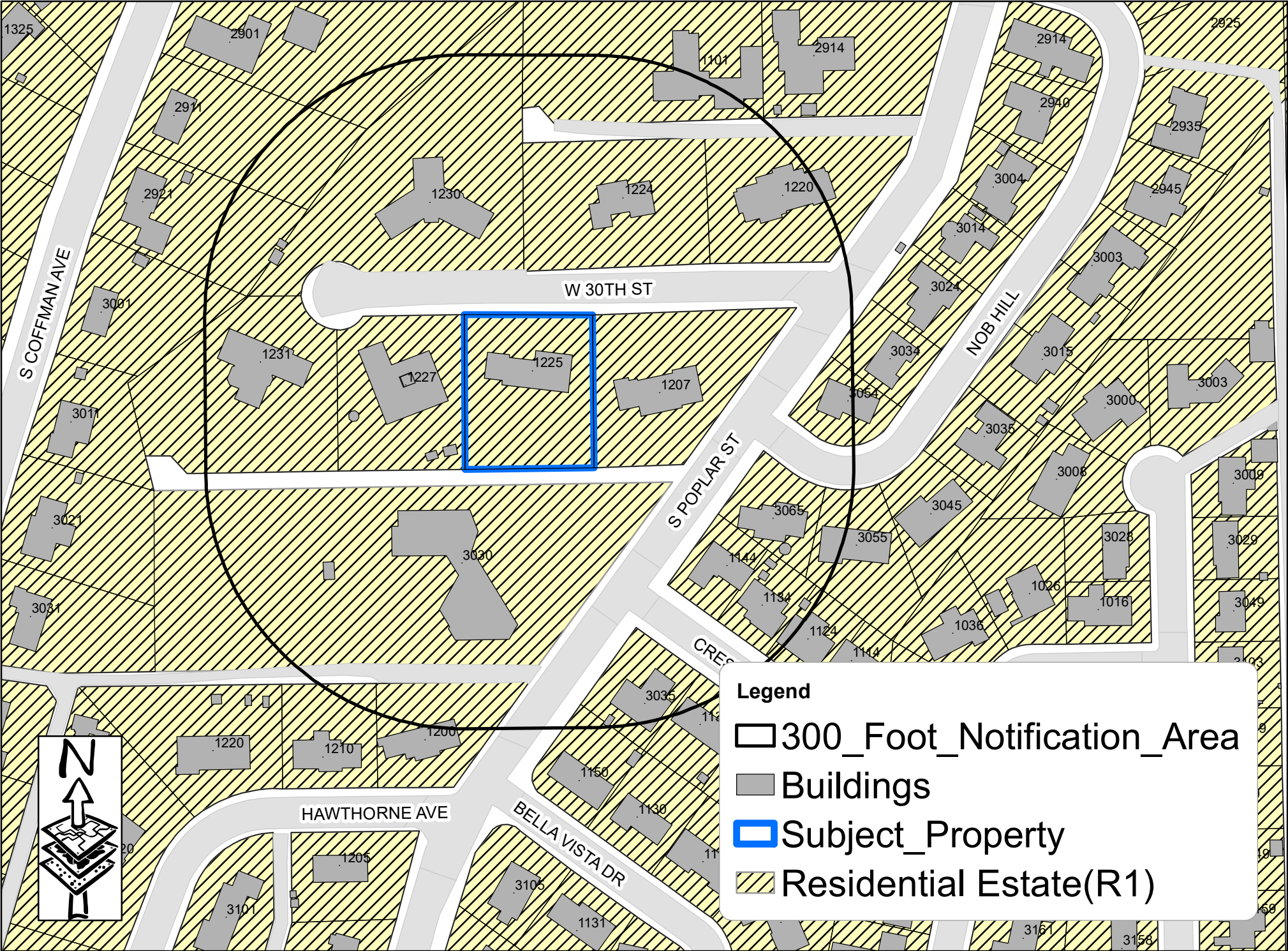
Sample Motion to Approve:

I note that the Planning and Zoning Commission has considered all relevant factors, including, but not limited to, those set forth in Casper Municipal Code Section 17.12.240(H), and find that the Conditional Use Permit meets the two (2) findings required by Casper Municipal Code Section 17.12.240(G). On that basis, I move to **approve** CUP-114-2021, with the one (1) condition listed under the "Recommendation" section of the staff report.

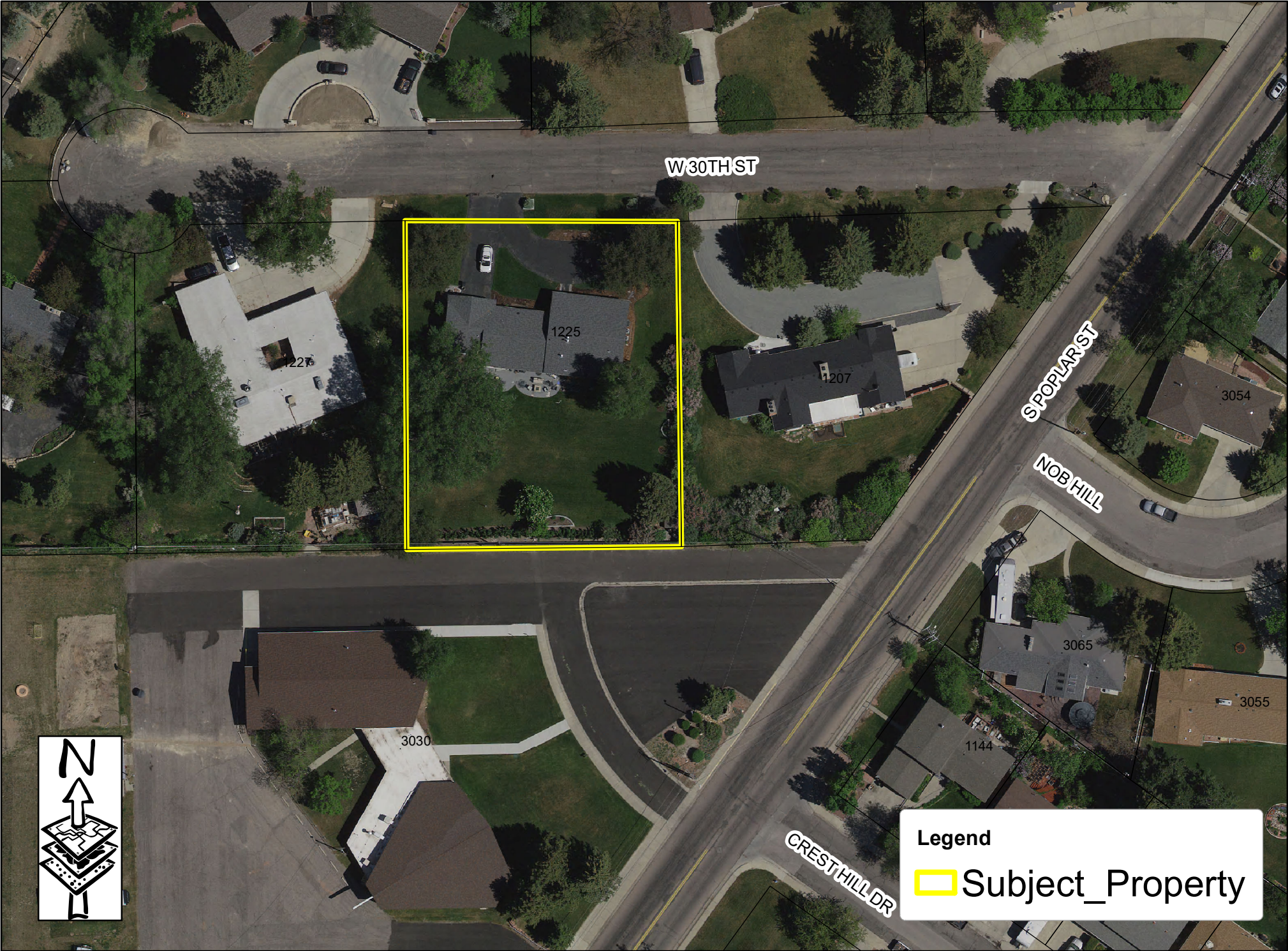
Sample Motion to Deny:

I move to **deny** CUP-114-2021, because the Conditional Use does not meet the two (2) findings required for approval under Section 17.12.240(G).

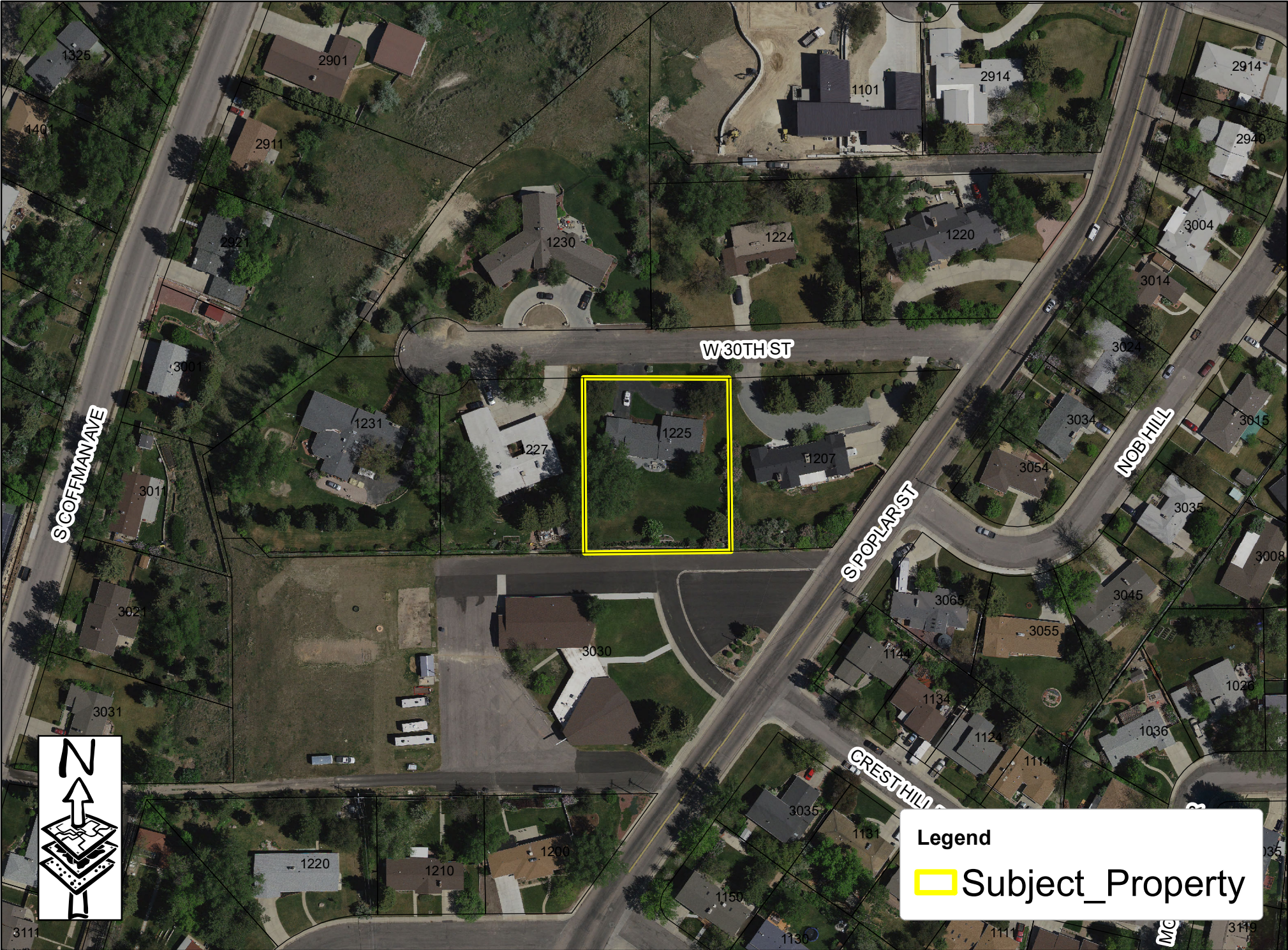
1225 W 30th St. - CUP (Oversized Detached Garage)



1225 W 30th St. - CUP (Oversized Detached Garage)



1225 W 30th St. - CUP (Oversized Detached Garage)





City of Casper Planning Division

Conditional Use Permit Application

OWNER'S INFORMATION:

NAME: EMERICK HUBER
MAILING ADDRESS: P.O. BOX 5
TELEPHONE: 307-277-1710 EMAIL: _____

LOCATION OF REQUEST:

ADDRESS: 643 E 17TH ST
LEGAL DESCRIPTION: LOT 4 & 5
Number of Lots: 2 Size of Lots: 2X 50-150
Current Zoning: RES Current Use: RES
Purpose for which the property is proposed to be used: ELEVATOR FOR HEALTH PURPOSES
Prior restrictions placed on the property: _____

Floor area square footage: 305 ft Number of Occupants or Employees: 1
Building Footprint: ELIVATOR 18005 ft Number of off-street parking spaces: 20+

A PLOT PLAN (Simple Site Plan) IS REQUIRED, SHOWING:

(WHERE APPLICABLE)

170' X 100'	lot size and dimensions	size and location of buildings	off-street parking spaces <u>20+</u>
	routes for ingress and egress	internal traffic control <u>NA</u>	fencing, screening, and landscaping <u>NA</u>
	signs and lighting <u>NA</u>	setback distances <u>NA</u>	

The following owner's signature, or agent, signifies that all information on the application is accurate and correct to the best of the owner's knowledge, and that the owner has thoroughly read and understands all application information and requirements.

SIGNATURE OF PROPERTY OWNER: Emerick Huber
DATE: 12-16-21

SUBMIT TO:

Community Development Department
Planning Division
200 N David, RM 203
Casper, WY 82601
Phone: 307-235-8241
E-mail: ccollins@casperwy.gov

A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES FROM OWNER
- PROOF OF OWNERSHIP
- \$600 APPLICATION FEE (NON-REFUNDABLE)
- PLOT PLAN (Simple Site Plan) OF THE PROPERTY

FOR OFFICE USE ONLY:

DATE SUBMITTED:

REC'D BY: _____

NATRONA COUNTY ASSESSOR PROPERTY PROFILE

Account #: R0058629	Local #: 02270037000300	Parcel #: 33791522200700
Tax Year: 2022	Levy: 72.89	# of Imps: 2
Tax Dist: 0150	Map #: 337915222004 00	LEA: 0301Res04
PUC:	Initials: RBERRY	Acct Type: Residential
Assign To: UnAssigned		Created On: 02/14/2019
		Active On: 01/01/2021
		Inactive On:
		Last Updated: 10/24/2021

Owner's Name and Address	Property Address
HUBER, EMERICK BOX 5 CASPER, WY 82602	643 E 17TH ST, CASPER

Legal

BUTLER HTS BLK 37 LOT 3 W 10' & LOT 4-5 S 10' OF ADJ ALLEY OF LOT 3 W 10' & LOTS 4&5 & S 10' ADJ ALLEY OF E 40' OF LOT 3 & LOTS 1, 2A & 3A

Section	Township	Range	Qtr	QtrQtr	Government Lot	Government Tract
15	33	79	NW			

Subdivision Information

Sub Name	Block	Lot	Tract
BUTLER HTS	37	3 W 10' & 4-5	

Land Valuation Summary

Land Type	Abst Cd	Value By	Net SF	Measure	# of Units	Value/Unit	Actual Val	Asmt %	Assessed Val
Residential	10001	Market	18,731	Square Feet	18,730. 800000	\$4.44	\$83,165	9.50%	\$7,901
Class				Sub Class	0.43		\$83,165		\$7,901
Land Subtotal:									

Land Attributes

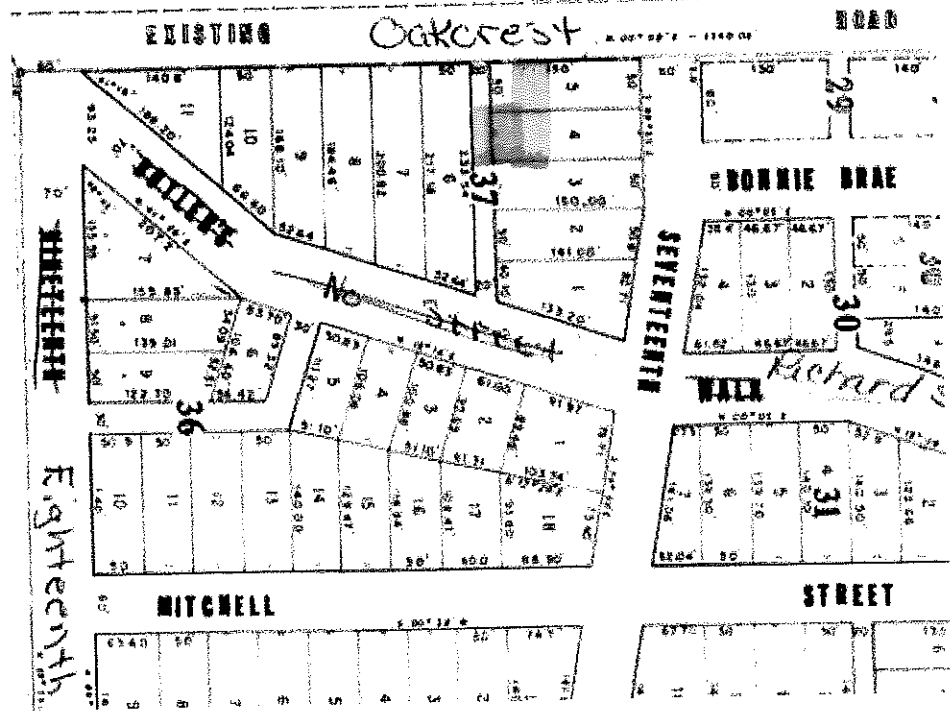
Attribute	Description	Adjustment
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Improvement Valuation Summary

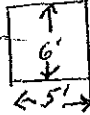
Imp #	Property Type	Abst Code	Occupancy	Class	Actual Value	Asmt %	Assessed Val*
1	Residential	10101	Single Family Residential		\$183,311	9.50%	\$17,415
2	Out Building	10600	Detached Garage		\$158,893	9.50%	\$15,095
Improvement Subtotal:					\$342,204		\$32,509

Total Property Value

Total Value:	\$425,369	\$40,411
*Approximate Assessed Value		



PROPOSED
ELIVATOR



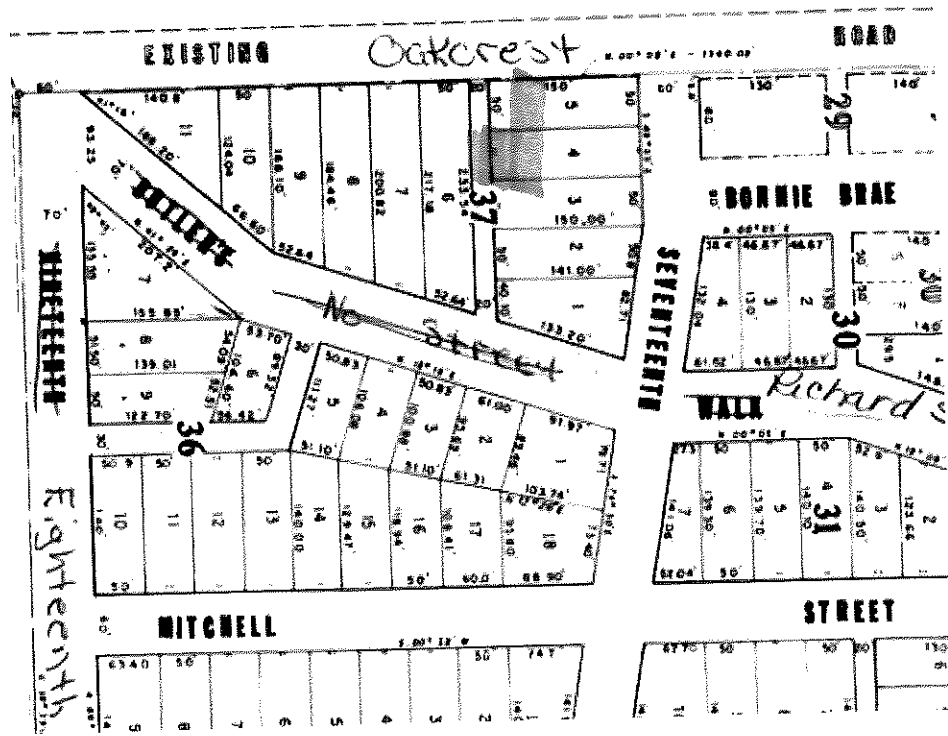
LIVING SPACE
&
GARAGE

Lot 4 & 5

PROPERTY P.A.
CA.

10'

10'



PROPOSED
ELEVATOR



LIVING SPACE
&
GARAGE

Lot 4 & 5

PROPERTY P
C



ESTABLISHED

COMIE BAE

SEVENTEENTH

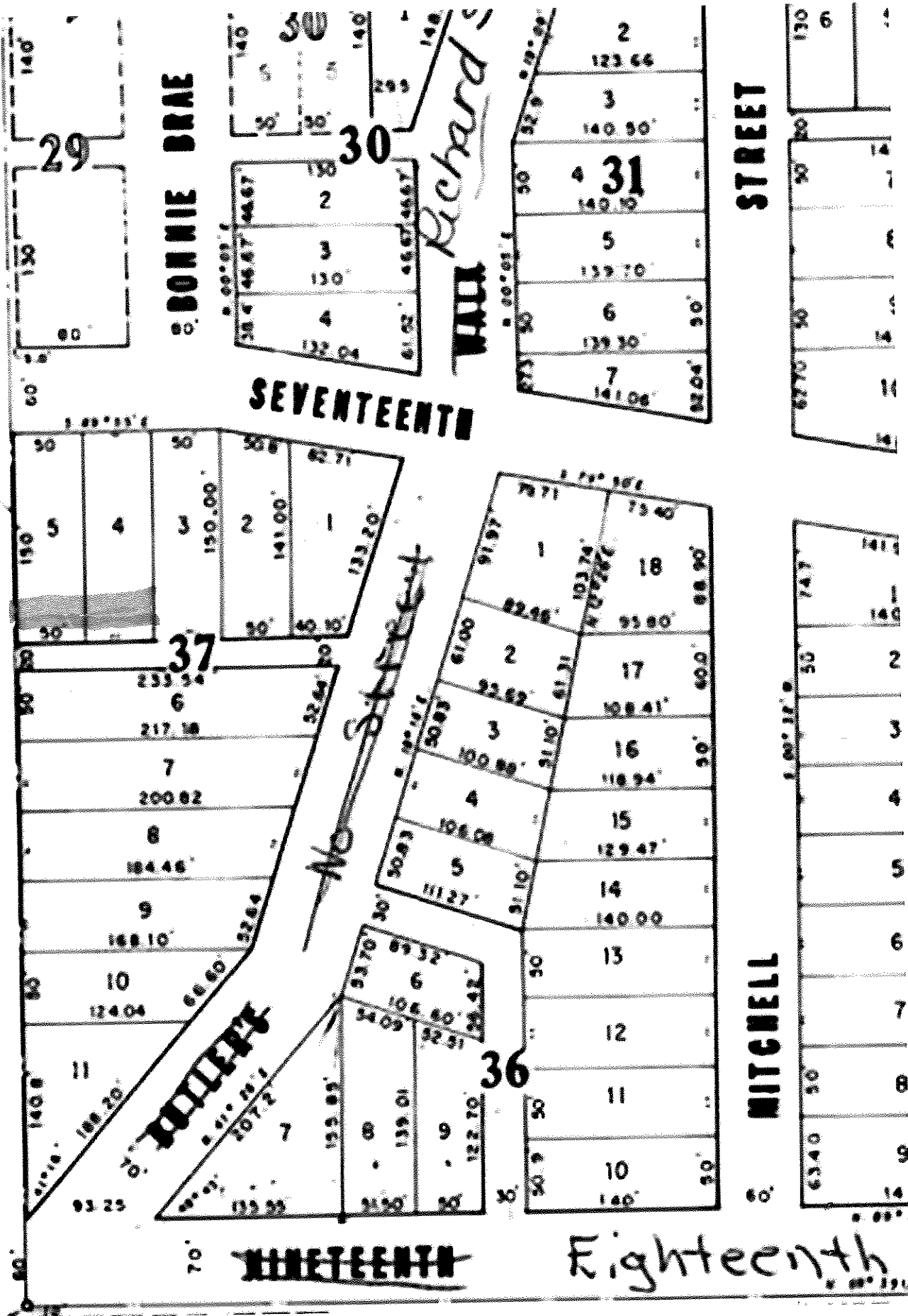
Richard

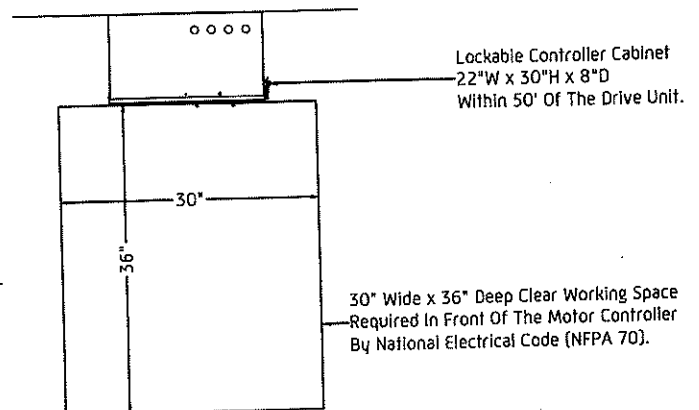
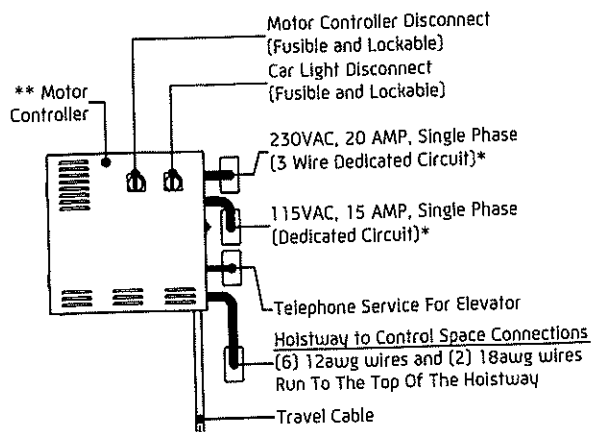
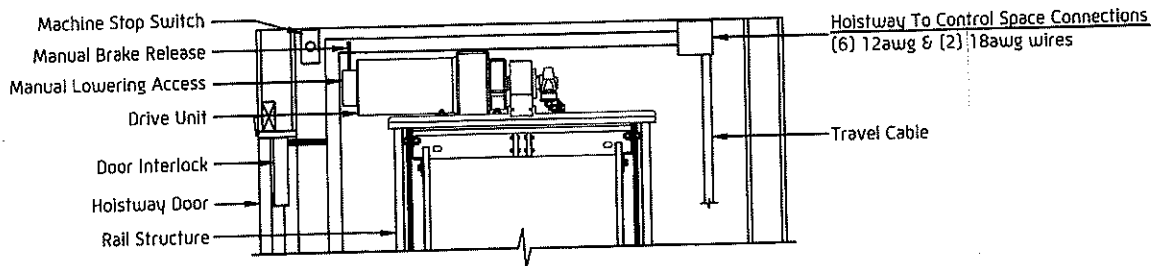
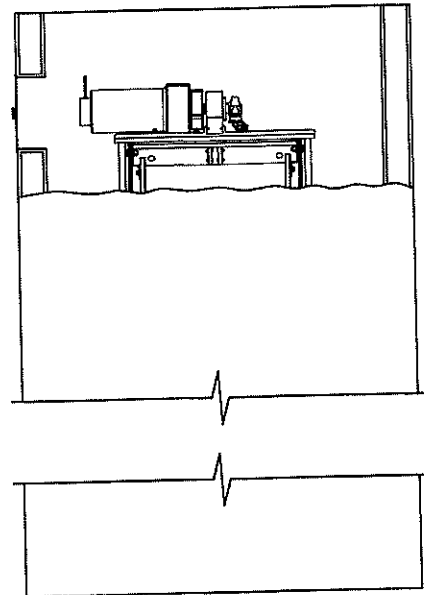
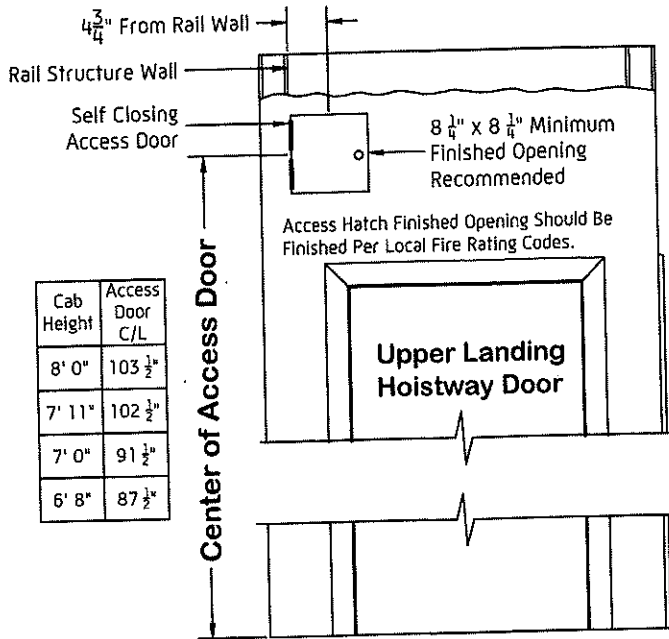
FEEL

MICHEL

~~NINETEENTH~~

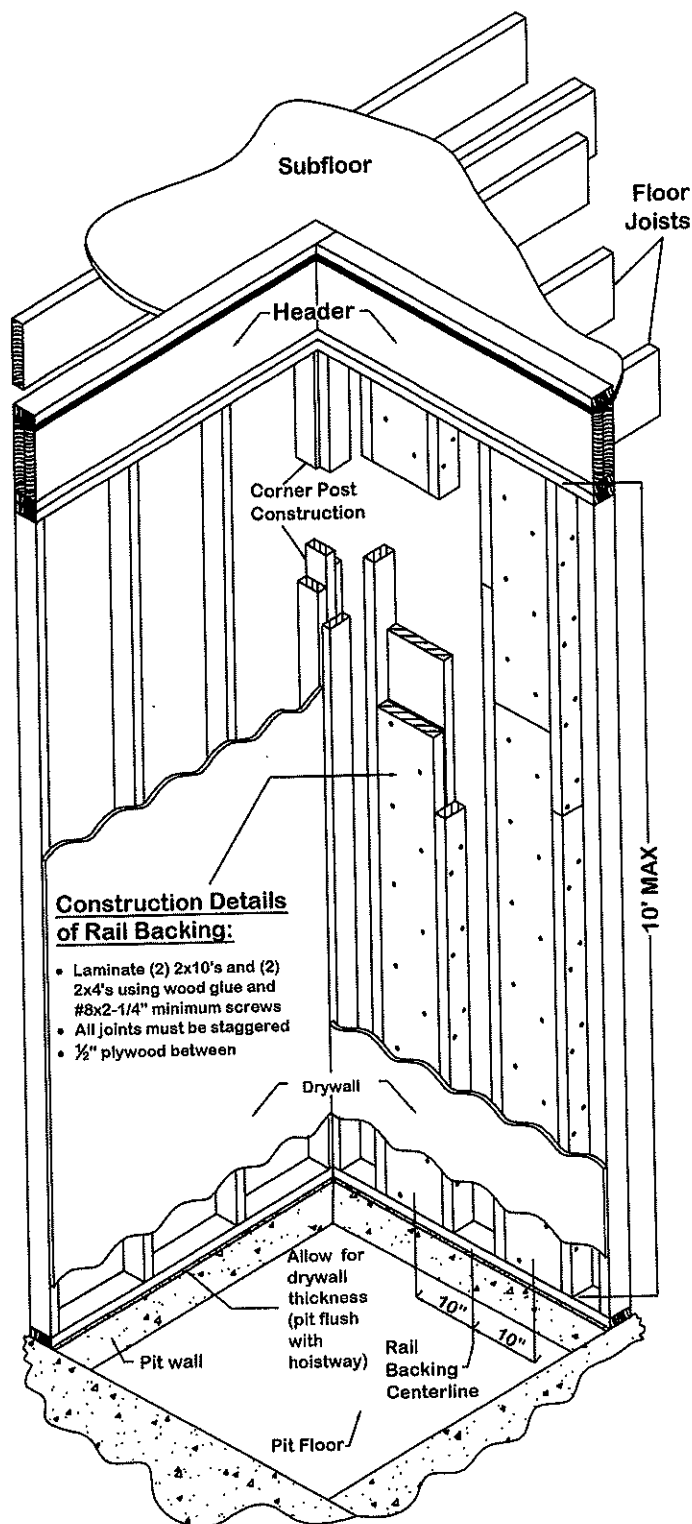
Eighteenth





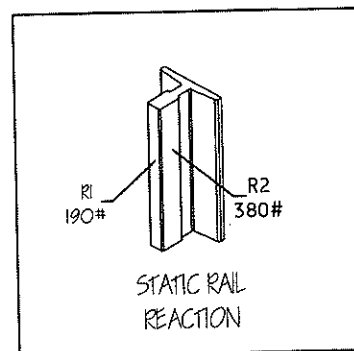
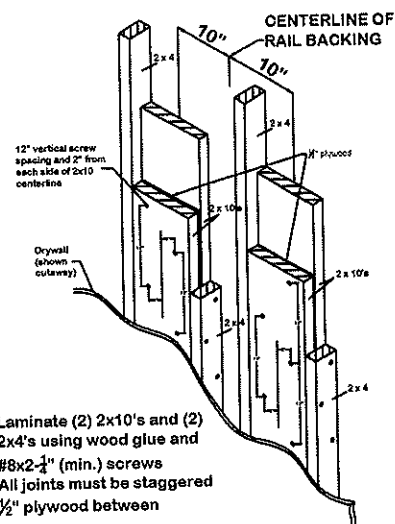
*Feeding breaker must not be a G.F.C.I.
 ** The control space must be maintained between 32° to 80° F.

MARKOVATOR ELEVATOR & LIFT			
800 E. 64TH AVE. UNIT 6 DENVER, CO 80229		303-623-7433	
TITLE			SCALE
REMOTE CONTROL SPACE - LH MOTOR - RL			NONE
DRAWN BY	DATE	DRAWING NO.	REV
TKG	11/03/21	110321-15	RO
JOB INFORMATION			
HUBER RESIDENCE			



Typical Hoistway Construction Details

Typical Rail Backing Construction

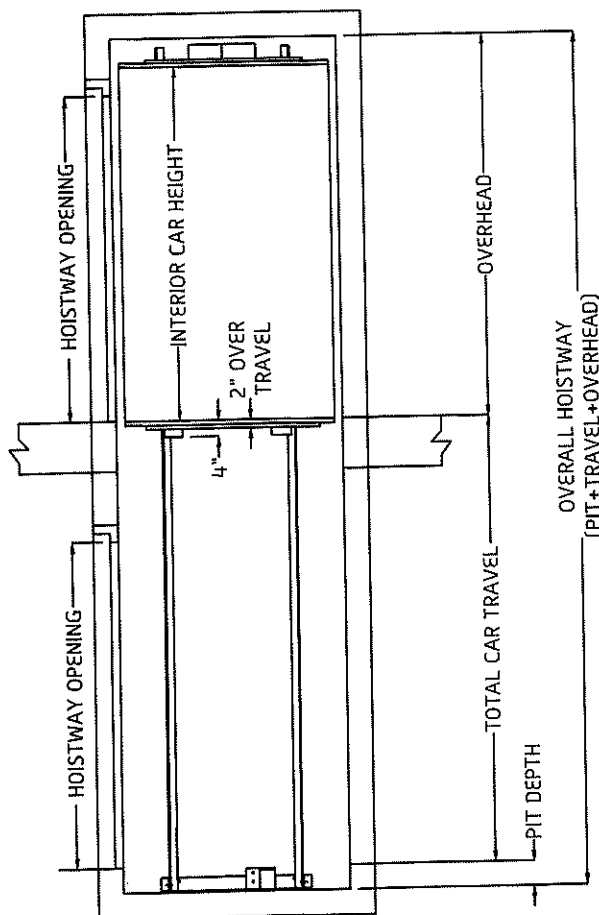


MARKOVATOR ELEVATOR & LIFT			
800 E. 64TH AVE. UNIT 6 DENVER, CO 80229			303-623-7433
TITLE			SCALE
TYPICAL HOISTWAY CONSTRUCTION			NONE
DRAWN BY	DATE	DRAWING NO.	REV
TKG	11/03/21	110321-15	RO
JOB INFORMATION			
HUBER RESIDENCE			

NOTES:

- 1) CONSULT LOCAL AUTHORITY TO ENSURE COMPLIANCE WITH STATE AND LOCAL CODES.
- 2) THE HOISTWAY IS REQUIRED TO BE FREE OF ALL PIPES, WIRING, AND OBSTRUCTIONS NOT RELATED TO THE OPERATION OF THE ELEVATOR.

Travel (ft)	0'0"-15'0"	15'1"-30'0"	30'1"-50'0"
Hydro Static Load (lbs)	2552	2942	3399
Hydro Impact Load (lbs)	5277	5667	6124
Travel (ft)	0'0"-15'0"	15'1"-30'0"	30'1"-50'0"
IGD Static Load (lbs)	3082	3374	3764
IGD Impact Load (lbs)	5807	6099	6489
Travel (ft)	0'0"-15'0"	15'1"-30'0"	30'1"-50'0"
Drum Static Load (lbs)	2552	2942	3399
Drum Impact Load (lbs)	5277	5667	6124



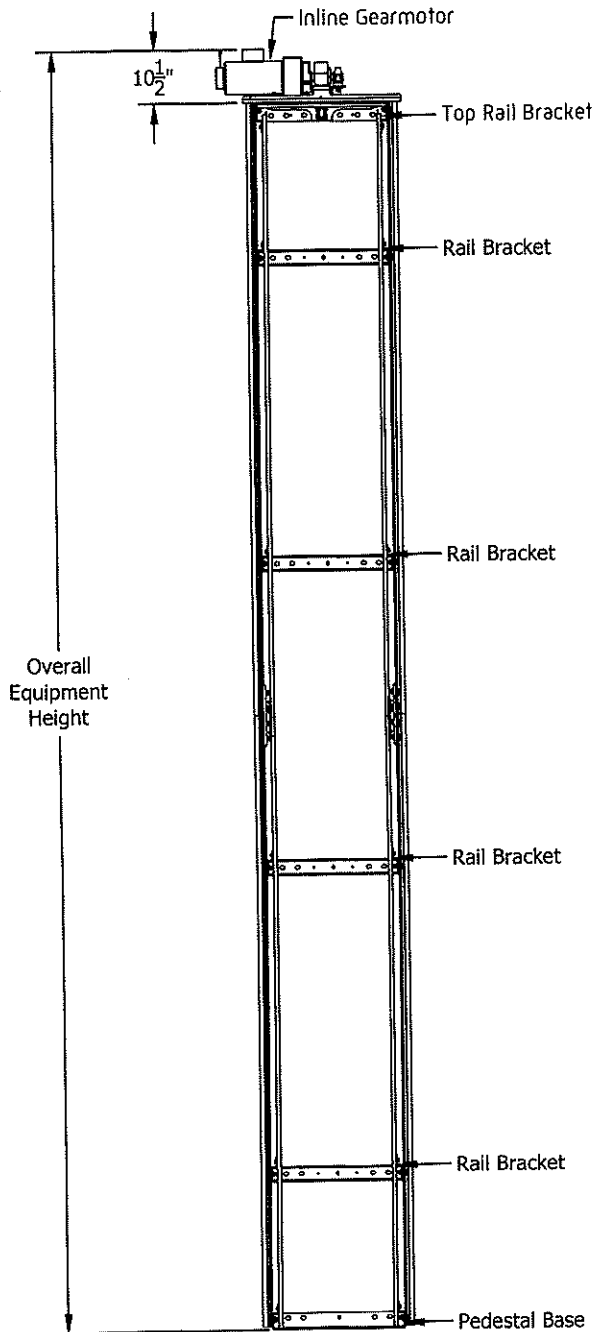
JOB SPECIFIC INFORMATION:

276-1/2"	OVERALL HOISTWAY
120"	OVERHEAD
150-1/2"	FLOOR TO FLOOR TRAVEL
6"	PIT DEPTH

MARKOVATOR ELEVATOR & LIFT			
800 E. 64TH AVE. UNIT 6 DENVER, CO 80229 303-623-7433			
TITLE 2 STOP ELEVATION			SCALE NONE
DRAWN BY TKG	DATE 11/03/21	DRAWING NO. 110321-15	REV RO
JOB INFORMATION			
HUBER RESIDENCE			

Notes

- 1) All bracket elevations are reference from the pit floor to the center of the bracket.
- 2) Each rail section shall have a minimum of one bracket.
- 3) The maximum rail section length is 10'-0"
- 4) The maximum space between brackets is 6'-0".



Please note that this is a typical drawing.
There may be more or less brackets than shown in this view.

Hoistway Information	
Pit Depth	6"
Floor To Floor Travel	150-1/2"
Overhead	120"
Overall Hoistway	276-1/2"

Equipment Information	
Overall Equipment Height	263-3/4"
Total Rail Height	252-1/2"

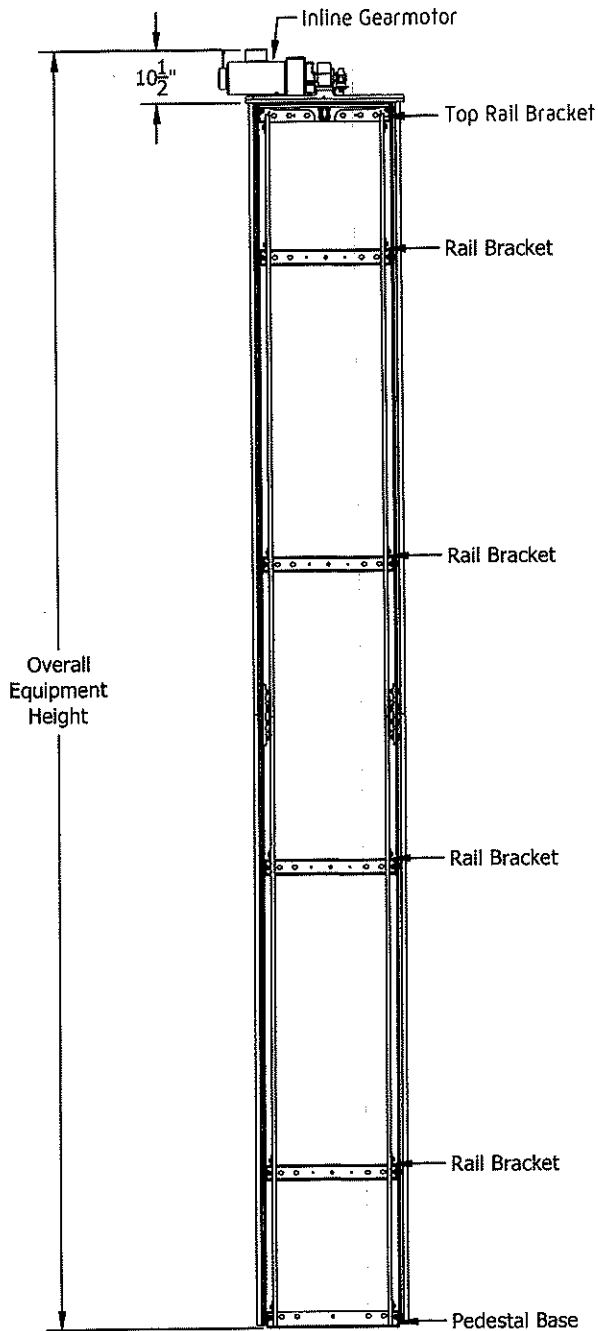
Bracket Elevations			
Top 42	#4	Rail Bracket	243"
Int #1 120	#3	Rail Bracket	180-1/2"
	#2	Rail Bracket	120-1/2"
Base 90	#1	Rail Bracket	60-1/2"

Preliminary Rail Bracket Elevations Are Subject To
Change If The Hoistway Information Above Changes.

MARKOVATOR ELEVATOR & LIFT			
800 E. 64TH AVE. UNIT 6 DENVER, CO 80229			303-623-7433
TITLE RAIL BRACKET ELEVATION DRAWING			SCALE NONE
DRAWN BY TKG	DATE 11/03/21	DRAWING NO. 110321-15	REV RO
JOB INFORMATION			
HUBER RESIDENCE			

Notes

- 1) All bracket elevations are reference from the pit floor to the center of the bracket.
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MARKOVATOR ELEVATOR & LIFT			
800 E. 64TH AVE. UNIT 6 DENVER, CO 80229		303-623-7433	
TITLE	RAIL BRACKET ELEVATION DRAWING		SCALE NONE
DRAWN BY TKG	DATE 11/03/21	DRAWING NO. 110321-15	REV RO
JOB INFORMATION			
HUBER RESIDENCE			

MARKOVATOR IGD SPECIFICATIONS

GENERAL:

- PIT DEPTH: 6"
- TRAVEL: 150-1/2" (MINIMUM 12" BETWEEN STOPS)
- OVERHEAD: 120"
- 40 FPM
- CAPACITY: 945#
- CAR/FRAME WEIGHT: 915#
- STOPS: 2
- SINGLE OPENING
- HOISTWAY SWING DOORS BY OTHERS

CAR FEATURES:

- 48" X 54" CAR SIZE
- 7' - 11" INTERIOR CAR HEIGHT
- UNFINISHED MAPLE FLAT PANEL INTERIOR WALLS WITH FLAT PANEL CEILING
- (1) FLAT MATCHING WOOD HANDRAIL
- MATCHING WOOD CAR SILL
- UNFINISHED 31/32" PLWOOD FLOOR SET FOR 3/4" FLOORING (BY OTHERS)
- (2) ENERGY SAVING RECESSED LED LIGHTS WITH BLACK TRIM RINGS
- (1) 7' - 11", 36" CLEAR, BIN SILVER SYMMETRY SAFETY 3 PANEL CAR DOORS WITH NO VISION PANELS, RIGHT HAND - POWER OPERATED

FIXTURES:

- BRUSHED STAINLESS CAR OPERATING PANEL (COP) WITH LED FLOOR POSITION INDICATOR
- BRUSHED STAINLESS RECESSED PHONE BOX (PHONE JACK INCLUDED)
- (1) BRUSHED STAINLESS HALL STATIONS WITH CALL BUTTON AND POSITION INDICATOR
- (1) BRUSHED STAINLESS HALL STATIONS WITH KEY, CALL BUTTON AND POSITION INDICATOR

MECHANICAL EQUIPMENT:

- COUNTERWEIGHTED CHAIN DRIVE
- MODULAR 6 1/4" T-RAIL STRUCTURE
- UNDERSLUNG CAR FRAME ASSEMBLY
- ADJUSTABLE RAIL BRACKETS
- 208/230 VAC, 60HZ, 20 AMP SINGLE PHASE POWER SUPPLY FOR MOTOR CONTROLLER
- 120 VAC, 60HZ, 15 AMP SINGLE PHASE POWER SUPPLY FOR CAR LIGHTING
- (2) #60 ROLLER CHAINS (9,920# AVERAGE BREAKING STRENGTH EACH)
- CODE COMPLIANT ELECTRICAL DISCONNECTS
- SYMMETRY ELEVATING SOLUTIONS INVERTER CONTROLLED VARIABLE SPEED 2HP IN-LINE GEARED DRIVE ASSEMBLY

SAFETY DEVICES: (2019)

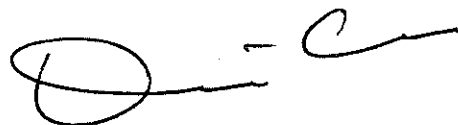
- SLACK CHAIN SAFETY DEVICE - TYPE "A" INSTANTANEOUS (SYMMETRY ELEVATING SOLUTIONS MODEL SSD-01)
- INTEGRAL MOTOR CONTROLLER SUPPLY DISCONNECT
- INTEGRAL CAR LIGHT SUPPLY DISCONNECT
- (2) UPPER AND (1) LOWER FINAL LIMITS
- MACHINE STOP SWITCH
- PIT STOP SWITCH
- CARTOP STOP SWITCH
- IN-CAR EMERGENCY STOP SWITCH AND ALARM
- SAFETY SWITCH FOR CAR GATE/DOOR(S)
- BATTERY BACKUP EMERGENCY CAR LIGHT AND ALARM
- (2) RH SYMMETRY DOOR LOCKING DEVICES (DOORS BY OTHERS)

CONTROLS: REMOTE CONTROLLER

- PROGRAMMABLE LOGIC CONTROLLER (PLC)
- NON-SELECTIVE COLLECTIVE AUTOMATIC OPERATION
- SELF DIAGNOSTIC SYSTEM WITH DIGITAL DISPLAY
- AUTOMATIC CAR LIGHTING
- SINGLE FLOOR DESIGNATED CAR HOMING
- UNINTERRUPTIBLE POWER SUPPLY (UPS) FOR CAR LOWERING AND AUTOMATIC GATE OPERATION (IF PROVIDED) IN THE EVENT OF POWER FAILURE
- MANUAL LOWERING DEVICE

OPTIONAL INCLUDED FEATURES:

- UNAUTHORIZED HOISTWAY ENTRY DETECTION KIT
- SYMMETRY DOOR LOCKING DEVICES (SLD)
- CAR OVER 15 SQ FT
- ALTERNATE MAIN CONTROLLER W/ CAT5
- SLIMLINE PHONE
- MAIN CONTROLLER ANCILLARY FAN KIT INSTALLED
- MAIN CONTROLLER MOUNTING STRIPS INSTALLED
- TRIM BY OTHERS CAB PACKAGE
- (2) RECESSED PULLS (FOR DOORS BY OTHERS) - BRUSHED STAINLESS
- (2) SETS OF NAIL FINS FOR 36" X 96" DOORS BY OTHERS - BRUSHED STAINLESS



12-7-21

THIS UNIT IS DESIGNED AND MANUFACTURED TO MEET THE APPLICABLE REQUIREMENTS OF ASME A17.1-2019 WHEN PROPERLY EQUIPPED AND INSTALLED.

MARKOVATOR ELEVATOR & LIFT

800 E. 64TH AVE, UNIT 6 DENVER, CO 80229 303-623-7433

TITLE SCALE

SPECIFICATION SHEET N/A

DRAWN BY DATE DRAWING NO. REV.

TKG 11/03/21 110321-15 R0

JOB INFORMATION

HUBER RESIDENCE

REV	DATE	BY	NOTES
R0	11/03/21	TKG	NEW DRAWING
	/ /		
	/ /		
	/ /		
	/ /		

January 14, 2022

MEMO TO: Members of the Planning and Zoning Commission

FROM: Liz Becher, Community Development Director
Craig Collins, AICP, City Planner

SUBJECT: **CUP-118-2021** – Request for an amendment to Conditional Use Permit granted March 25, 2014, to enlarge the allowable size of an oversized, detached garage, located at 643 East 17th Street, described as Portions of Lots 3, 4, 5 and the Adjacent Alley, Block 37, Butler Heights Addition. The previously-approved Conditional Use Permit allowed for a maximum building footprint of 1,800 square feet for said detached garage. The current request proposes to enlarge the size of the detached garage by thirty (30) additional square feet. Applicant: Emerick Huber.

Recommendation:

The Planning and Zoning Commission may approve the requested Conditional Use Permit after consideration of public testimony and the facts of the case, as presented during the public hearing:

1. If all minimum regulations/standards of the Municipal Code are satisfied; and,
2. After consideration of any relevant factors, including, but not limited to those articulated in Section 17.12.240(H) (*outlined on page 2*), and upon finding that the request is in keeping with the two (2) required findings listed in Section 17.12.240(G), (*outlined on page 3*).

Should the Planning and Zoning Commission vote to approve the requested Conditional Use Permit, staff recommends the inclusion of the condition below to reiterate the time limitation on Conditional Use Permit approvals.

1. Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Conditional Use Permit shall be “exercised,” and all conditions shall be met within one (1) year of the date of approval, or the Conditional Use Permit shall become null and void.

Code Compliance:

Staff has completed all public notice requirements of Section 17.12.240 of the Casper Municipal Code pertaining to Conditional Use Permits, including notification of property owners within three hundred (300) feet by first class mail, posting a sign on the property, and publishing legal notice in the Casper Star-Tribune. **Staff has received one public comment regarding this case.**

APPLICABLE REGULATIONS & STANDARDS

- Section 17.12.120(F)(4) – Detached garages and/or accessory buildings shall not exceed 1,500 square feet, nor cover more than 15% of the total area of the lot or lots associated with the primary residence, whichever is less. A Conditional Use Permit is required for detached garages and/or accessory buildings that exceed this limitation.
- Section 17.12.120(F)(6) - Buildings greater than 120 square feet in area shall be similar in design, exterior residential materials, and roof pitch to the principal and/or surrounding residential neighborhood buildings. Vertical metal siding is expressly prohibited.
- Section 17.12.120(G) – A Conditional Use Permit is required for detached garages and/or accessory buildings that exceed twelve feet in an exterior wall building height above the finished floor, measured at the primary access to the building.
- Section 17.12.120(I) – One detached garage and two accessory buildings (sheds), not exceeding 400 square feet in area combined, are permitted in association with the principal building.
- Section 17.12.240(I) – In any case in which a Conditional Use Permit has not been exercised and the work completed within one (1) year from the date of issuance, such permit shall be void, and have no further force or effect.

RELEVANT FACTORS

Section 17.12.240(H) - In making its findings, the Commission shall consider any relevant factors, including, but not limited to, the following, if applicable to the proposed use:

- a. Area and height to be occupied by buildings or other structures.
- b. Density of the proposed use in terms of units per acre and the number of offices, employees, occupants, or all three.
- c. Volume of business in terms of the number of customers per day.
- d. Increased traffic congestion or hazard caused by the use which may be over and above normal traffic for the area, as determined by the City Engineer and Community Development Director.
- e. Location of use with respect to the same or similar uses within a three hundred foot (300') radius of the perimeter of the described property.
- f. Any other criteria affecting public health, safety, and welfare, as provided for by written rules of the Commission.

REQUIRED FINDINGS

Section 17.12.240(G) of the Casper Municipal Code states that no conditional use permit shall be granted unless the Commission finds the following:

1. The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare;
2. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.

GUIDANCE ON CONDITIONS

Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Commission may impose reasonable conditions on a Conditional Use Permit, including, but not limited to, time limitations, requirements that one or more things be done before construction is initiated, or conditions of an ongoing nature. By way of illustration, not limitation, the following limitations or modifications can be placed upon a Conditional Use Permit, to the extent that such conditions are necessary to ensure compliance with the criteria of Section 17.12.240(G) and (H):

1. Size and location of site;
2. Street and road capacities in the area;
3. Ingress and egress to adjoining public streets;
4. Location and amount of off-street parking;
5. Internal traffic circulation systems;
6. Fencing, screening, and landscaped separations;
7. Building bulk and location;
8. Usable open space;
9. Signs and lighting; and,
10. Noise, vibration, air pollution and other environmental influences.

Summary:

The Owner of the property located at 643 East 17th Street has applied for an amendment to a previously-granted Conditional Use Permit (CUP) from March of 2014 in order to enlarge the allowable size of a 1,800 square foot detached garage. The property is located south of the intersection of East 17th Street and Oakcrest Avenue, and is zoned R-2 (One Unit Residential). The existing Conditional Use Permit for the property allowed for a 1,800 square foot, detached structure, with an accessory dwelling unit on the upper floor. The property is approximately 18,700 square feet in size, and the existing structure was built at the maximum size permitted by the CUP. The reason for the requested amendment is to allow for exterior construction to allow for a 30 square foot elevator shaft/enclosure.

The question before the Planning and Zoning Commission is whether the current proposal is compatible with the surrounding area. Specifically, Section 17.12.240(H) of the Municipal Code provides guidance on the factors that should be considered by the Commission when making its findings. It should be noted that those factors may, or may not, be applicable in all cases. The relevant factors are found in the Code Compliance section, above, and are listed immediately below for the Commission's deliberation. *(Staff's discussion/explanation of each factor is provided in italics)*

- Area and height to be occupied by buildings or other structures. *(The Commission must decide if the area/height of the structure is consistent with occupied buildings/structures in the surrounding area).*
- Density of the proposed use in terms of units per acre and the number of offices, employees, occupants, or all three. *(The density of the use is not applicable in this case because the density of the land use is not increasing).*
- Volume of business in terms of the number of customers per day. *(The volume of business is not applicable in this case, because the use is accessory to the primary dwelling, and not a business).*
- Increased traffic congestion or hazard caused by the use, which may be over and above normal traffic for the area, as determined by the City Engineer and Community Development Director. *(The proposed oversized garage will not contribute to traffic congestion or hazards over and above normal traffic for the area).*
- Location of use with respect to the same or similar uses within a three hundred foot (300') radius of the perimeter of the described property. *(The Commission is to decide if the proposed structure is out of character with the size/scale of other structures in the area).*
- Any other criteria affecting public health, safety, and welfare, as provided for by written rules of the Commission. *(After hearing public testimony, does the Commission believe there to be any other criteria that affect public health, safety or welfare?)*

As is the process with all Planning and Zoning Commission cases that require the Commission to make findings, staff provides the following example motions for consideration by the Commission to assist in making their formal motion:

Sample Motion to Approve:

I note that the Planning and Zoning Commission has considered all relevant factors, including, but not limited to, those set forth in Casper Municipal Code Section 17.12.240(H), and find that the Conditional Use Permit meets the two (2) findings required by Casper Municipal Code Section

17.12.240(G). On that basis, I move to **approve** CUP-118-2021, with the one (1) condition listed under the “Recommendation” section of the staff report.

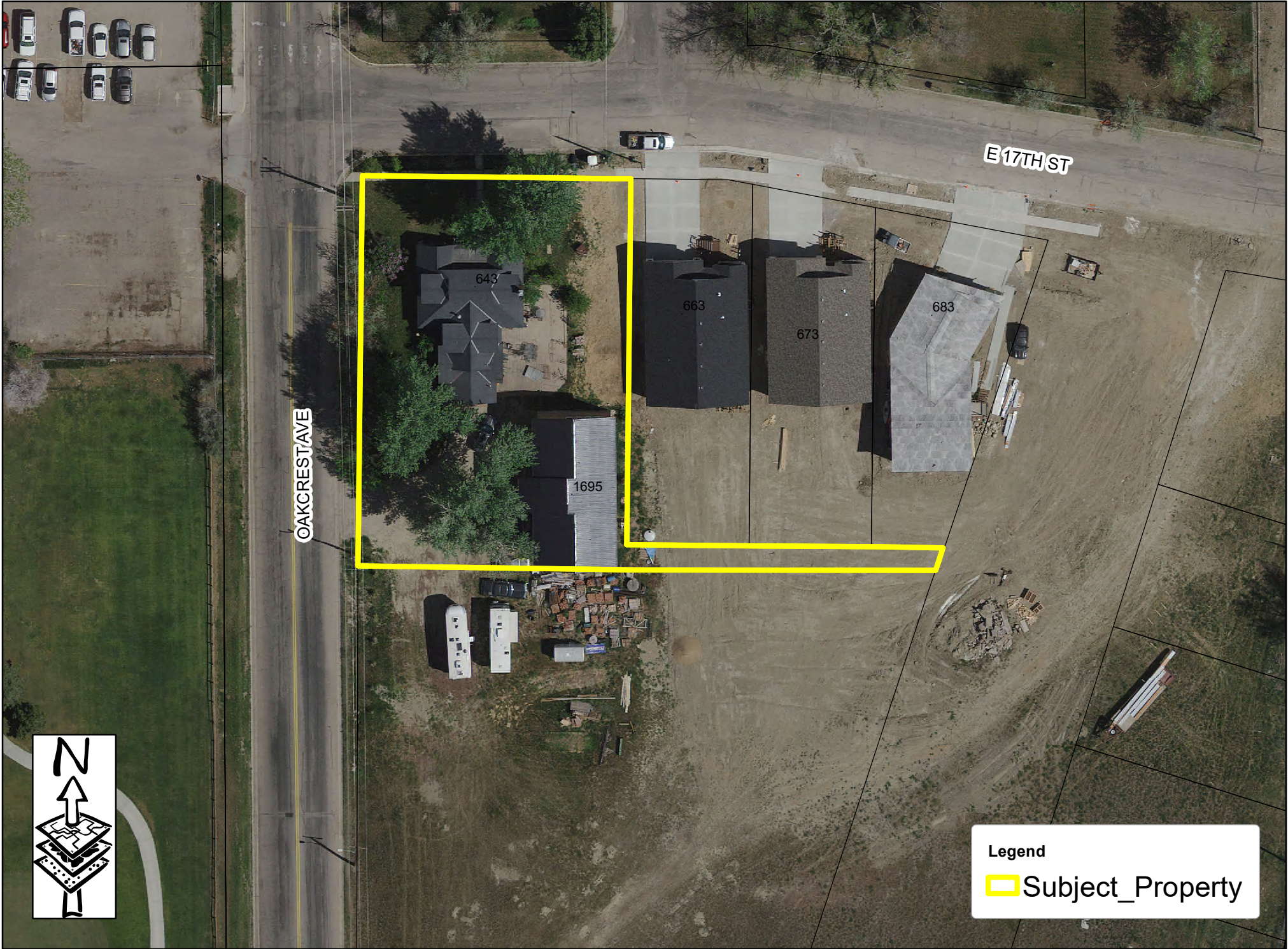
Sample Motion to **Deny**:

I move to **deny** CUP-118-2021, because the Conditional Use does not meet the two (2) findings required for approval under Section 17.12.240(G).

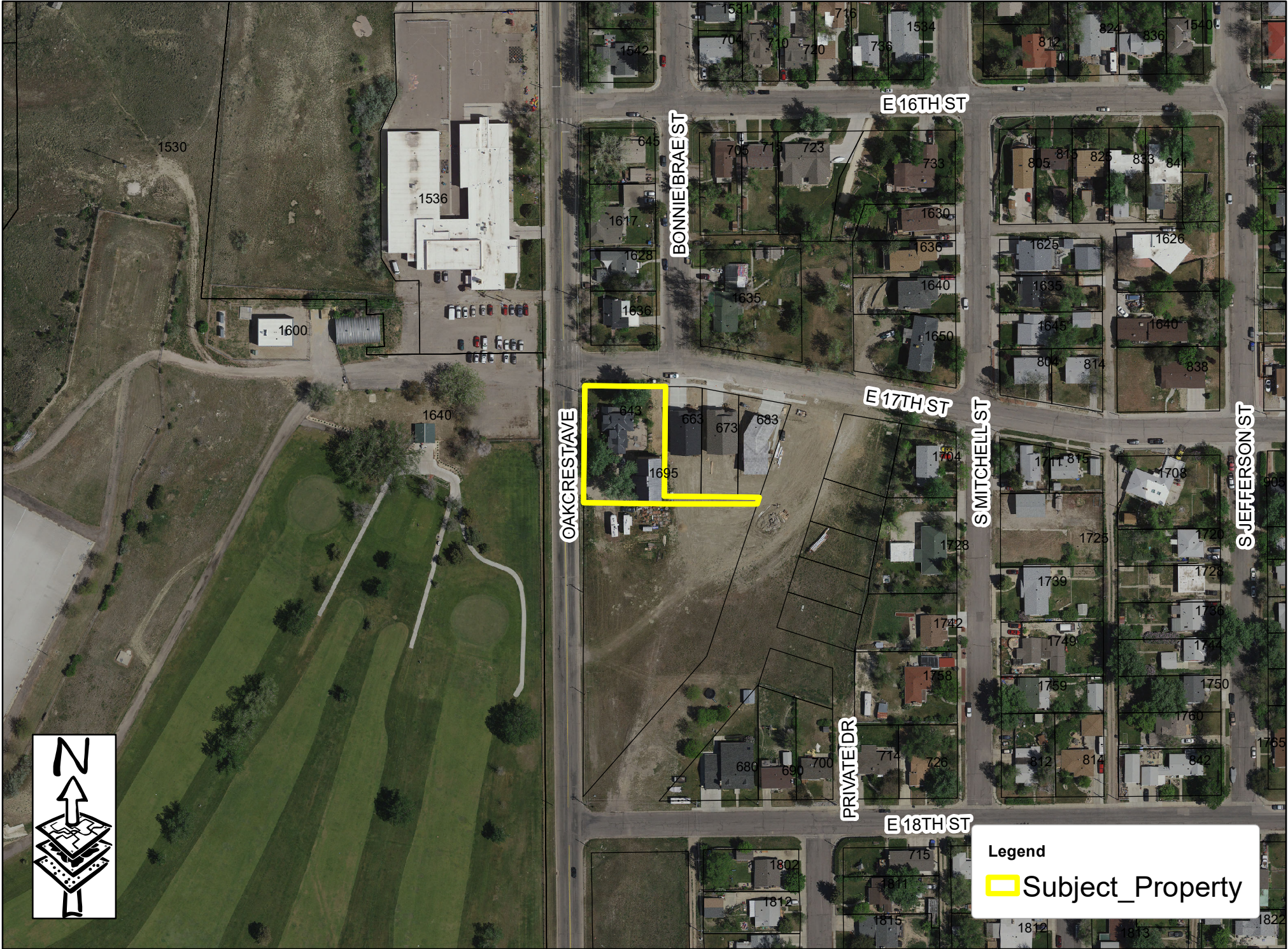
643 East 17th St. - CUP (Garage Expansion)



643 East 17th St. - CUP (Garage Expansion)



643 East 17th St. - CUP (Garage Expansion)



Kristie Turner

From: M B <mebrooksmsu@gmail.com>
Sent: Sunday, January 9, 2022 6:39 PM
To: Planning
Subject: CUP-118-2021 Permit & Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It concerns,

First, I would like to be contacted, email response is fine, regarding any extenuating circumstances as it relates to CUP-118-2021. I have spoken with Emmerick Huber, the applicant, and his plan and purpose seem reasonable to me. However, if there is some specific or extraordinary reason the city has for requiring this permit then I do want to be contacted. If not, then proceed with using the following statement.

Public Statement/Comment:

"My property, 663 East 17th Street Casper, WY 82601 abuts the applicants', Emmerick Huber, property. I have spoken with the applicant and he has made clear his intentions, plan, and reasoning. I find no reason to oppose his plan and wholeheartedly support the project given the benefits it will provide to his use and enjoyment of said structure. I appreciate the City of Casper's due diligence in the matter, and hope the applicant's permit is approved."

Please do not use any additional comments other than what is bracketed under the heading **Public Statement/Comment**.

--

Respectfully,
Michael Brooks

From: [M.B](#)
To: [Planning](#)
Subject: CUP-118-2021 Permit & Public Comment
Date: Sunday, January 9, 2022 6:39:50 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Please do not use any additional comments other than what is bracketed under the heading **Public Statement/Comment.**

--

Respectfully,
Michael Brooks

PREVIOUS CASE NOTES

CITY OF CASPER, WYOMING
PLANNING AND ZONING COMMISSION
PUBLIC HEARING

CONDITIONAL USE PERMIT

MARCH 25, 2014

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case PLN-14-017-C

The Planning and Zoning Commission of the City of Casper held a public hearing at 6:00 p.m., March 25, 2014, in the City Council Chambers, City Hall, 200 North David, Casper, Wyoming, to consider the following:

PLN-14-017-C – Petition for a Conditional Use Permit for an 1,800 square foot, oversized, detached garage, in excess of the 1,500 square foot maximum permitted; and with 22' walls, in excess of the 12' maximum wall height permitted; and to allow an accessory dwelling unit in an R-2 (One Unit Residential) zoning district; all on Lots 4-5, Block 37, Butler Heights Addition, located at 643 East 17th Street. Applicant: Emerick Huber.

Having considered the evidence and testimony presented at the hearing, the Planning and Zoning Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT:

1. Emerick Huber applied for a Conditional Use Permit for an 1,800 square foot, oversized, detached garage, in excess of the 1,500 square foot maximum permitted; and with 22' walls, in excess of the 12' maximum wall height permitted; and to allow an accessory dwelling unit in an R-2 (One Unit Residential) zoning district; all on Lots 4-5, Block 37, Butler Heights Addition, located at 643 East 17th Street.
2. The subject property is zoned R-2 (One Unit Residential), and Section 17.32.030 of the Casper Municipal Code lists, as a conditional use in the R-2 (One Unit Residential) district, "accessory dwelling unit."
3. Section 17.12.121(F)(4) of the Casper Municipal Code requires a Conditional Use Permit for any detached garage that exceeds more than 15% of the lot area, up to a maximum of 1,500 square feet in size. Based on this requirement, and the 15,000 square foot size of the property, the applicant would be permitted to construct a detached accessory building up to 1,500 square feet in size (footprint) by right. The accessory building in question has been constructed three hundred (300) square feet larger than the 1,500 square foot maximum, with a building footprint of 1,800 square feet.



4. Section 17.12.121(G) of the Casper Municipal Code states that a Conditional Use Permit is required for detached accessory buildings that exceed twelve (12) feet in exterior wall height. The accessory building in question has been constructed with twenty-two (22) foot high walls.
5. The petition for the Conditional Use Permit was submitted at least thirty (30) days prior to the Planning and Zoning Commission public hearing, as required by the Casper Municipal Code.
6. Property owners within a three hundred (300) foot radius of the perimeter of the property were notified by first class mail, of the date, time, and place of the public hearing, as required in Section 17.12.240(D) of the Casper Municipal Code.
7. The property was posted, and a public notice was published as required in Section 17.12.240(D) of the Casper Municipal Code.
8. The oversized footprint and height of the detached accessory building are mitigated by the larger-than-average size of the applicant's property, as well as by the vacant lots owned by the applicant on the south and east which separate the structure from the neighboring properties. At sixty (60) feet, the setback of the building from Oakcrest Avenue is larger than the twenty-five (25) foot minimum required. The nearest adjacent residences are more than three hundred (300) feet away on the east, and approximately two hundred (200) feet to the north.
9. The requested Conditional Use Permit is for the addition of a single dwelling unit, for a total of two (2) dwelling units, to be located on the property, which consists of two (2) platted lots. The combined area of the two (2) lots is approximately 15,000 square feet, and the minimum lot size in the R-2 (One Unit Residential) zoning district is 4,000 square feet. According to R-2 (One Unit Residential) zoning requirements, a single dwelling unit is permitted on each lot of record; therefore, the proposed accessory dwelling unit would not contribute to a higher density of dwelling units in the neighborhood than would normally be allowed by the number of lots present.
10. The volume of business is not applicable because the property is not being proposed to be used as a business.
11. There will not be unreasonable congestion or a traffic hazard caused by the proposed oversized accessory building/accessory dwelling unit, as determined by the City Engineer and the Community Development Director.
12. There is one approved accessory dwelling unit located within three hundred (300) feet, at 1635 Bonnie Brae Street. There are no known oversized accessory buildings located within three hundred (300) feet of the subject property.

13. There are no other criteria, affecting public health, safety, and welfare, as provided for by written rules of the Commission.
14. The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare.
15. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.

CONCLUSIONS OF LAW:

Based on the foregoing findings, the Commission has jurisdiction over the proposed Conditional Use pursuant to Section 17.12.240 of the Casper Municipal Code Zoning Ordinance of the City of Casper. NOW, THEREFORE, the Planning and Zoning Commission hereby **approves** a Conditional Use Permit for an 1,800 square foot, oversized, detached garage, in excess of the 1,500 square foot maximum permitted; and with 22' walls, in excess of the 12' maximum wall height permitted; and to allow an accessory dwelling unit in an R-2 (One Unit Residential) zoning district; all on Lots 4-5, Block 37, Butler Heights Addition, located at 643 East 17th Street, with the following condition:

CONDITION:

1. Either the principal dwelling unit or the accessory dwelling unit shall, be occupied by the owner of the property, or an immediate family member of the property owner.

DATED this 25th day of March, 2014.

APPROVED AS TO FORM:

Wallace Tremblay

CITY OF CASPER
PLANNING AND ZONING COMMISSION

By: Fred Maguire
Fred Maguire, Chairman

By: Liz Becker
Liz Becker, Secretary

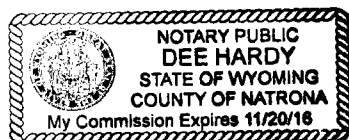
I, the undersigned, agree to the conditions placed on this Conditional Use Permit.

By: *Emerick Huber* 4-15-14
Emerick Huber Date

STATE OF WYOMING)
) ss.
COUNTY OF NATRONA)

This instrument was acknowledged before me on this 2nd day of April, 2014 by Fred Maguire as Chairman of the Planning and Zoning Commission of the City of Casper.

(Seal)

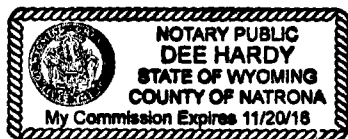


Dee Hardy
(Signature of notarial officer)
Notary
Title (and Rank)

STATE OF WYOMING)
) ss.
COUNTY OF NATRONA)

This instrument was acknowledged before me on this 2nd day of April, 2014 by Liz Becher as Secretary of the Planning and Zoning Commission of the City of Casper.

(Seal)

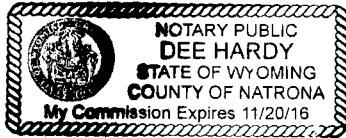


Dee Hardy
(Signature of notarial officer)
Notary
Title (and Rank)

STATE OF WYOMING)
) ss.
COUNTY OF NATRONA)

This instrument was acknowledged before me on this 15th day of April,
2014 by Emerick Huber, as property owner of Lots 4-5, Block 37, Butler Heights Addition,
located at 643 East 17th Street.

(Seal)



Dee Hardy
(Signature of notarial officer)

Notary
Title (and Rank)