

# JOHNSON COUNTY PLANNING AND ZONING COMMISSION

## REGULAR MEETING-TUESDAY, MAY 4, 2021

Vice-Chairman Julie Baker called the meeting of the Johnson County Planning and Zoning Commission to order May 4, 2021 at 7:02PM.

Those present were Commission member Layne Qualm, Manny Rodriguez, Planner Jim Waller, Barry Crago Deputy County Attorney and Vicki Edelman County Clerk. Commission Chairman Travis Pearson participated by telephone and Jake Hatch was absent. Public members present were Mark Bedford and Dave Stewart.

Layne Qualm moved to approve the minutes of the March 2, 2021 meeting as amended. Manny Rodriguez seconded; Motion carried.

Layne Qualm moved to approve the documentation regarding the cancellation of the April 6, 2021 because of lack of agenda items. Manny Rodriguez seconded; Motion carried.

Planner Waller presented the following report to the Commission on the Bilderback Bungalos, LLC and Kathleen Miller Living Trust Boundary Line Adjustment.

**Case:           BLA-2021-002**

**Item:           Kathleen Miller and Bilderback Bungalos LLC Boundary Line Adjustment**

**Summary:     Approval of Proper Use & Implementation**

### **Background information:**

1. Proposed Boundary Line Adjustment located off Turkey Ln and Highway 16 W.
2. Owner of record; Bilderback Bungalos, LLC as filed in Book 87A68 page 311 (.54 Ac).
3. Owner of record, Kathleen Miller Living Trust dated 12/21/2015 as filed in Book 87A63 page 639-640 (1.17 Ac).
4. County process requires verification of the proper use and implementation of the boundary line adjustment as allowed under W.S. 18-5-303. County regulations require a survey with property descriptions and a signed notarized affidavit describing the intent with approval statements and signatures.

### **Planning Considerations:**

1. W.S. 18-5-303, viii—a division which is created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee.
  - a. Merging involves more than a single conveying document.
2. Kathleen Miller is owner of the LLC.
3. The intent of the exemption is to modify the Kathleen Miller Living Trust Parcel by increasing and adding all the creek bottom area to the larger parcel.
  - a. The exemption cannot be used to create separate parcels.
  - b. The attached Exhibit A shows the well and the septic tank manhole.
  - c. The small parcel owned by Bilderback Bungalos would need to work with neighboring parcels for a septic solution if the existing system fails or creates a problem.
    - i. Septic Tanks and wells minimum separation distance-50 feet
    - ii. Leachfields and wells minimum separation distance-100 feet.
    - iii. Leachfields and open water minimum separation distance-50 feet.

**Recommendations:**

1. Review and hear any open public comments.
2. Approve as presented. Advise owner that a septic solution should be discussed for the future.
  - a. Forward the Affidavit to the Board for final approval.

Layne Qualm moved to approve the Boundary Line Adjustment per Planner Waller's recommendations with the caveat septic solutions be addressed in future planning. Manny Rodriguez seconded; motion carried.

Dave Stewart met with the Commission to discuss his plan to split his property into 3 parcels. He presented a map showing what this would look like; stating he would like guidance on going forward with a sketch plan. One lot is in the flood plain and would require building restrictions. Chairman Pearson stated step #1 would be a flood plain study for the Commission to review. Mr. Stewart reported he would not have a problem with the lot in question being designated a "non-buildable" lot; it is an income producing lot right now since it has several billboards on it. Mr. Stewart said his well is 140' deep and he has an 1883 territorial water right which he would designate to be attached to the lot his house is on (the 20-acre lot- Lot 1). The Commission agreed he would need to start the formal minor subdivision process, presenting the application and sketch plan to them for review.

Planner Waller reported the subdivision regulations are nearly complete. The checklists as appendix H are pending. Planner Waller requested Attorney Crago to discuss the specifics of the advertisement's, public notifications, and the number of days of advertisement and how the specifics will work. General specifics were discussed and the Planner will attempt to wrap up the final changes. All final details can be determined during a final review which occur at the meeting June 1, 2021. Under this scenario the advertisement could be appear on June 3, 2021 newspaper. This would allow for public hearings in Buffalo and Kaycee the middle of July. Attorney Crago mentioned all advertisements must follow the Wyoming Administrative Procedures Act.

There being no old business, Vice-Chairman Baker called for the staff report.

Planner Waller reported construction is starting in Loren Carlat's large acreage subdivision. There have been questions about family exemptions and if some parcels can be split. Each parcel has deed restrictions. There are about 6 new water wells within that division.

Planner Waller reported septic permitting for both new systems and replacement systems has increased. There are several replacements in Richardson Park.

Other issues reported and discussed were some of the other large acreage divisions, accesses, addressing, and road naming.

A road surface issue was reported in the Shores @ Lake DeSmet Subdivision regarding the chip seal to Shoreline Drive.

A few questions have been received regarding the use of family exemptions as related to family trusts. The Planner stated landowners must own property for 10 years before parcels can be split using the family exemption. This applies to all parcels that were created after February 2019.

Planner Waller also reported the county gave him the added responsibility of the rural addressing effective February 1, 2021. There are several cases for new road names and there might be some changes needed to addressing numbers. It is anticipated that Planning and Zoning will have more input on road naming as subdivisions are reviewed.

John Jenkins has also been in contact with Planner Waller regarding potential sales in his PUD and some building development. There are a few items that might still be pending installation that may be under the development agreement/escrow agreement. Items are road signs and fire apparatus items.

Planner Waller also reported he has turned his budget into the Commissioners, and it is the same as last year.

Vice-Chairman Julie Baker called for public comment and there being none; the regular meeting adjourned at 8:15 pm.

Respectfully,

Julie Baker  
Julie Baker, Vice Chairman

6/1/2021  
Date

Attest: Vicki Edelman  
Vicki Edelman, County Clerk

