

*Town of Alpine  
Planning & Zoning*



*Chairman:*

*Melisa Wilson*

*Commission Members:*

*Susan Kolbas*

*Dan Schou*

**Mayor Green & Council Members;**

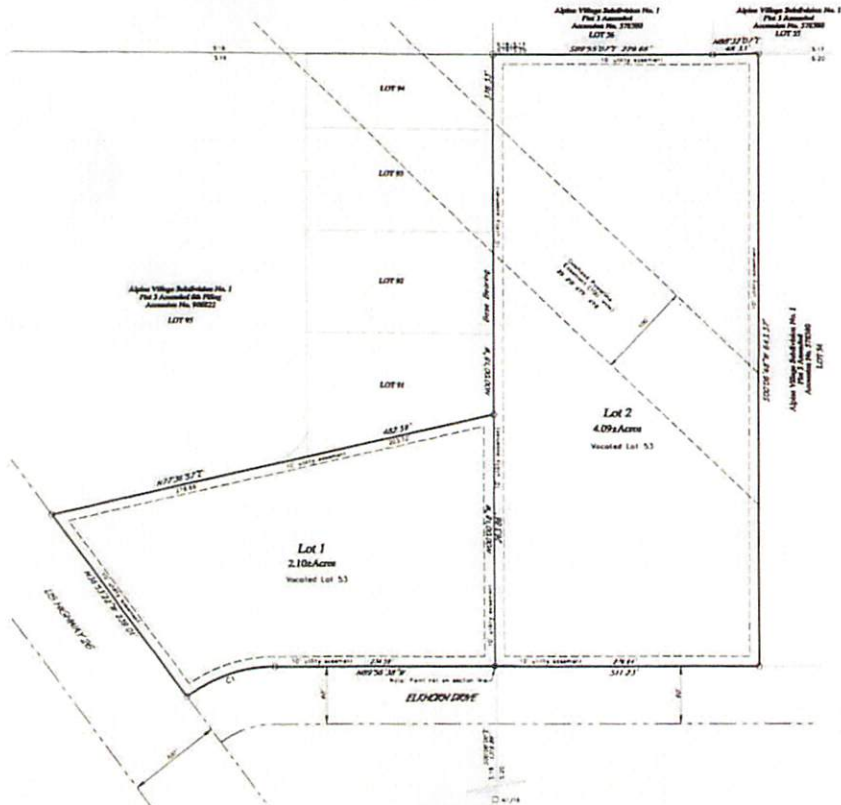
**Recommendation for Replat Approval and Signature**  
**Dead Horse Addition to the Town of Alpine**

The Planning and Zoning Commission met at their scheduled bi-monthly Commission meeting to review and discuss the replat application and associated plat map supplied by Surveyor Scherbel, LTD., on behalf of Lincoln County Investments, LLC, for the simple subdivision replat application for the property located at on Elkhorn Drive.

Mr. Marlowe Scherbel was in attendance to discuss the re-plat project with those present. Ms. Christine Wagner presented the staff report for the application. It was noted that there was no written opposition to the subdivision nor was no verbal opposition present at the meeting.

**Mr. Dan Schou moved to approve the simple replat application for Dead Horse Addition to the Town of Alpine, RE-Plat #03-24. Ms. Susan Kolbas seconded the motion. Vote: 3 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

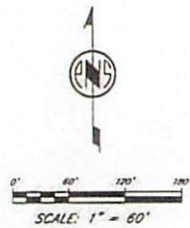
# DEAD HORSE ADDITION



**CURVE TABLE**

CURVE	LENGTH	DELTA	MARKS	CHORD BEARING	CHORD	TANGENT
C1	100.00'	N 65.52°	155.28'	N 71.76° 30' P	65.34'	51.44'

- LEGEND**
- Indicates a Corner Record filed or to be filed in the Office of the Clerk of Lincoln County.
  - Indicates a 1/2" x 24" steel reinforcing rod with an aluminum cap inscribed "SURVEYOR SCHERBEL 1107 and other details, set this survey.
  - Indicates a 1/2" x 24" steel reinforcing rod with or without an aluminum cap inscribed "\_\_\_\_\_" and other details, bound this survey.
  - Indicates an easement line.
  - Indicates a right-of-way line.
- The Bore Bearing for this survey is the west line of Lot 53 of Alpine Village No. 1 Plat 3 Amended, being N00°00'10\"/>

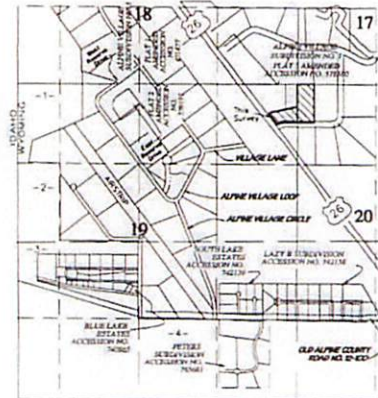


DATE: 11 October 2024  
 DRAWN BY: Don A. Scherbel  
 CHECKED BY: Karl A. Scherbel  
 FIELD AND COMPUTER FILE: 1107-001A-ADD-101-01

**SURVEYOR SCHERBEL, LTD.**  
 PROFESSIONAL LAND SURVEYORS

1107 N.E. 2ND STREET - WARRINGTON, WYO 83091 TEL 307-776-3347  
 801 121 1/2 AVENUE - P.O. BOX 1210 - LARAMIE, WYO 82001 TEL 307-735-8300 FAX 307-735-8310  
 JACKSON 870 TEL 307-233-5343 LARVA 10 TEL 307-766-3343 BENTLEYVILLE 10 TEL 307-847-8040

## LOCATION MAP T37N R118W



## CERTIFICATE OF OWNERS

STATE OF WYOMING }  
 COUNTY OF LINCOLN } ss.  
 I, the undersigned hereby certify that the addition of part of the NE 1/4 NE 1/4 of Section 19 and the NW 1/4 NE 1/4 of Section 20, T37N, R118W, within the incorporated limits of the Town of Alpine, Lincoln County, Wyoming, as shown on this plat and more particularly described in the Certificate of Survey, is with the best consent and in accordance with the orders of the owner and proprietor of the described lands;

that the name of the addition shall be the **DEAD HORSE ADDITION** to the Town of Alpine;

that it does hereby record Lot 53 of the Alpine Village Subdivision No. 1 Plat 3 Amended, as shown in the Office of the Clerk of Lincoln County, Wyoming, with Accession No. 316300 in accordance with Section 34-12-106, Wyoming Statutes 2023, as amended, and respectfully request the Clerk of Lincoln County to so much and put in accordance with Section 34-12-110;

that the 15' Utility easements shown herein along all lines of Lots 1 and 2 are hereby granted to all utility companies, their heirs, successors and assigns, including, but not limited to, Lower Valley Energy and Power Star Communications, for the underground installation and maintenance of all utilities including, but not limited to, water, sewer, power, telephone, cable television, gas, storm water drainage and irrigation facilities appurtenant to the subdivision;

that the undersigned owner hereby reserves a perpetual right of ingress, egress and egress over, under and across the above listed shared driveway and utility easement in order to provide a perpetual access and all utilities to whatever lands and owner may designate;

that said addition is subject to any assessments of record;

that this Addition is subject to that Declaration of Covenants, Conditions, and Restrictions of record in said Office in Book \_\_\_\_\_ of Platocratic Records on page \_\_\_\_\_ and any amendments thereto;

that Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons lying on the banks of a stream or river;

that all rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby released.

Lincoln County Investment, LLC  
 I, Karl A. Scherbel, Manager  
 The foregoing instrument was acknowledged before me by Karl A. Scherbel, Manager of Lincoln County Investment, LLC on this \_\_\_\_ day of \_\_\_\_\_, 2024.  
 Witness my hand and official seal.

Notary Public: \_\_\_\_\_ My Commission expires \_\_\_\_\_

## CERTIFICATE OF RECORDATION

This plat was filed for record in the Office of the Clerk of Lincoln County on the \_\_\_\_ day of \_\_\_\_\_, 2024.

April Burchard, Clerk

## CERTIFICATE OF SURVEYOR

STATE OF WYOMING }  
 COUNTY OF LINCOLN } ss.  
 I, Karl A. Scherbel, of Alpine, Wyoming, hereby certify that this plat was made from notes taken during an actual survey made by persons under my immediate supervision on July 23rd and from records in the Office of the Clerk of Lincoln County and that it correctly represents **DEAD HORSE ADDITION** described as follows:  
 identical with Lot 53 of the Alpine Village Subdivision No. 1 Plat 3 Amended, as shown in the Office of the Clerk of Lincoln County, Wyoming with Accession No. 316300  
 ENCOMPASSING an area of 6.197 acres, more or less.  
 that said addition was accurately surveyed, that the points thereof are accurately staked and marked with appropriate metal monuments, including magnetic tape, and marked as usual with the registration number of the Land Surveyor in visible characters of all its corners of the addition, and that their positions are correctly shown hereon;  
 that, to the best of my knowledge, it conforms with the municipal code of the Town of Alpine and to all applicable state statutes;  
 that the error of closure is not greater than one part in five thousand.



The foregoing instrument was acknowledged before me by Karl A. Scherbel this \_\_\_\_ day of \_\_\_\_\_, 2024.  
 Witness my hand and official seal.

Notary Public: \_\_\_\_\_ My Commission expires \_\_\_\_\_

## CERTIFICATE OF ACCEPTANCE

STATE OF WYOMING }  
 COUNTY OF LINCOLN } ss.  
 The foregoing **DEAD HORSE ADDITION** to the Town of Alpine was approved at the regular meeting of the Alpine Town Council on the \_\_\_\_ day of \_\_\_\_\_, 2024, in accordance with Sections 15-1-413 and 34-12-102, Wyoming Statutes, 2022, as amended.

Attest: \_\_\_\_\_  
 Mayor, Town of Alpine

Marion Chambers, Clerk Eric Green, Mayor



**OWNERS:** Lincoln County Investment, LLC  
 P.O. Box 12111  
 Jackson, Wyoming 83002

**LAND USE TABLE:** Total Number of Lots: 3  
 Average Lot Size: 2103 Acres  
 Total Acres: 6181 Acres

**SURVEYOR:** Surveyor Scherbel, LLC  
 P.O. Box 125  
 Alpine, Wyoming 8310  
 (307) 865-8378

**DATE:** January 2024

**DEAD HORSE ADDITION TO THE TOWN OF ALPINE IDENTICAL WITH LOT 53 OF ALPINE VILLAGE SUBDIVISION NO. 1 PLAT 3 AMENDED WITHIN**  
**NE 1/4 NE 1/4 SECTION 19**  
**NW 1/4 NW 1/4 SECTION 20**  
**T37N R118W**  
**LINCOLN COUNTY, WYOMING**

**May 6, 2024**

**Lincoln County Investments, LLC  
Lots #1 & 2 ~ Dead Horse Addition  
734 & 856 Elkhorn Drive  
Simple Replat**

**Staff Report from the Zoning Administrator**

- 1 The application and related filing fees have been submitted and processed by the Town of Alpine. All prepared forms have been deemed acceptable.
- 2 The Preliminary Plat has been submitted with applicant's lot boundaries lines identified. Information has been deemed acceptable.
- 3 All property Owners within the five hundred (500) foot radius have been notified of the proposed boundary line amended, with ample opportunity give to respond to the mailing. Response deadline was established as Monday, May 13<sup>th</sup>, 2024.
- 4 A total of Twenty-Two (22) notifications were mailed, of those mailings six (6) property owners had one or more lots within the notification area. The Town has received **NO** return mailings.
- 5 Of the mailings distributed, **to date**, there has been no verbal or written inquiry as to the replat application.
- 6 A Planning & Zoning Commission Meeting will be held to review and receive any and all additional comments from area property owners, review proposed re-plat map on the submitted application. Subsequently, a recommendation will be made to the Town Council for their consideration and/or subsequent approval on presented simple subdivision re-plat.

**Comments by Zoning Administrator:**

As part of the application process the applicant is to provide a description of the proposal and purpose of the replat. The description provided stated: The applicant, Lincoln County Investments, LLC, is currently in the process of annexing their property into the Town of Alpine under the MRC {Mixed Residential and Commercial District}. The property is located at the intersection of Elkhorn Drive and US Highway 26/89. The property is approximately 6.19+/- acres and the applicant is applying for a permit to divide the property into two (2) lots.

This is a simple subdivision application/process and requires no pre-application conference. The property has recently been annexed into the incorporated boundaries of the Town of Alpine.

With that said, applicants are to follow the guidelines that have been established by the Town in the Alpine Land Use and Development Code (LUDC) regarding the use of the property within their established zoning district. The "MRC" Mixed Residential and Commercial District has specifically established the Intent and Purpose of the District: This district is intended to accommodate a combination of residential multi-unit housing, retail commercial facilities, and other commercial services within selected areas of the community that are immediately accessible to primary roadways and near other residential district in the community. The purpose of the "MRC" District is to establish viable commercial expansion areas that can serve and be accessible to the entire community, as well as those residing in multi-unit housing within the "MRC" District. It is envisioned that multi-unit residential uses will, in some cases, be combined with approved commercial uses within one structure.

The simple subdivision process is the quickest and easiest way to complete a basic lot split. The simple subdivision only allows for the creation of one (1) additional lot or parcel. With this process there are no changes to the current zoning. Notifications are sent to landowners within five hundred (500) feet of the proposed simple subdivision. Upon scheduling the application, the Planning and Zoning Commission shall review and discuss the recommendations of the Zoning Administrator. Although no public hearing will be required, all notified property owners shall have fifteen (15) business days to submit their comments; this notification has allowed area landowners until May 13<sup>th</sup>, 2024, to submit their comments. Subsequently, the Planning and Zoning Commission shall approve, approve with conditions or modification, or deny the proposed subdivision. If approved by the Planning and Zoning Commission, the preliminary plat of the simple subdivision shall be deemed and accepted as a final plat. However, it is customary the Commission sends a recommendation to the Town Council for their information and consideration. If approved with modifications, the preliminary plat shall be revised and filed by the applicant as a final plat with the Zoning Administrator. Any appeal of the decisions by the Planning and Zoning Commission shall be made to the Alpine Town Council.

### Zoning Administrator Recommendation:

There have been no inquiries regarding the lot split. The applicant has demonstrated and/or met the requirements for the submitted simple subdivision application. It appears that these lots will be similar in size to the adjacent parcels of land.

It is my view that this lot split does not appear to be harmful to the adjacent neighbors, as this property was annexed into the incorporated boundaries under the "MRC" Mixed Residential and Commercial Zoning District. Permitted uses for this parcel are outlined in Section 3-204 (b) of the LUDC. If at a future date, development is proposed on these parcels, the applicants and/or developers will adhere to the currently adopted guidelines and/or regulations that are found in the LUDC.

**It is my opinion that this replat application should be approved. There is no justifiable means that would warrant a denial of the replat, so with that I would have to recommend approval of the simple replat.**

Furthermore: It should be noted that if the approved final plat is not recorded within one (1) year from the date of plat approval, or upon expiration of any time extension that may have been issued, the approval of such plat shall expire. Should the applicant thereafter desire to record the final plat, a new application for a new simple subdivision shall be required.