

Public Hearing

The Mills Planning and Zoning Board will hold a public hearing on 3 June 2021, at 5:30 p.m., or as time allows, and the Mills City Council will hold a public hearing at the 7:00 p.m. meeting on 8 June 2021, both at the Mills Town Hall located at 704 Fourth Street in Mills, Wyoming, to consider a petition for variance for Lots 47-49, Agate Addition, Town of Mills, concerning front and rear setbacks in a Developing Residential (D-R) Zoning District.

Comments can be made in writing and given to the Town Clerk or Town Planner prior to 21 May.

(Do not include text below line – for reference only)

For publication on: 2 May 2021



CITY OF MILLS

EST. 1921

704 Fourth Street
P.O. Box 789
Mills, Wyoming 82644
Phone: 307-234-6679
Fax: 307-234-6528

MEMORANDUM

Date: 4 June 2021
To: Mills City Council
From: Scott Radden, City Planner
Subject: 8 June 2021 – Council Meeting

VAR 1-2021: A petition for variance to allow for a twenty-foot front setback and a ten-foot rear setback on Lots 47-49, Agate Addition (Owner/Applicant: Michael and Janis Hammond).

Background:

Mr. & Mrs. Hammond, the owner of Lots 47, 48 & 49, Agate Addition, Town of Mills, has submitted a petition for variance for twenty-foot front setback and a ten-foot rear setback within a Developing Residential (D-R) Zoning District. The original petition went through P&Z in April, but the City Attorney recommended that since a portion of each driveway was only 20 feet long, that the owner should petition that as well. In the original letters sent out to the property owners within 140', the owner stated that they were asking for 20' front and 10' rear setbacks. Staff therefore did not require the owner to send out letters to owners within 140' again due to costs and repetitiveness.

Finding of Facts:

1. Mr. Hammond submitted the Petition for Variance on 3 March 2021.
2. Lot 47 is a smaller, non-conforming lot; Lot 48 has a sewer easement running through it significantly limiting the buildable area and Lot 49 has an odd shape and difficult topography. All three lots are platted at an off angle which all makes current Developing Residential (D-R) Zoning District setbacks very tough to meet.
3. A public hearing notice was re-advertised at least 15 days prior to the public hearing, in the Casper Star-Tribune, on 2 May 2021.
4. Notifications were sent to all property owners within 140 feet of the said property.
5. Out of the 25 properties within 140 feet, the Owners have 3 lots; two property owners with 3 lots had no objections and 1 property owner with 2 lots objected (see attached); The City of Mills owns 4 lots within 140' of the subject property and 14 properties did not respond.

6. The applicant states that a hardship exists: Existing homes to the south on S. 3rd Ave. have ten-foot rear setbacks and some less than 25-feet for front setback.
7. The applicant stated that the variance will not result in a gain in use, service or income to a greater extent than available to other landowners in the vicinity and that '(Mr. & Mrs. Hammond) would like to utilize Lots 47-49 no different than other owners have on the street.
8. Mr. Hammond provided proposed plot plans for homes on Lots 47 & 48 which would work with a 20' front and 10' rear setbacks.
9. Lot 47 has approximately 1.5' between lot line and back of sidewalk on S. 3rd Ave. Lots 48 and 49 have over 10' of space between the lot line and back of curb (see attached plot plans).

Conclusion:

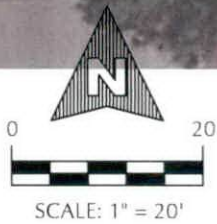
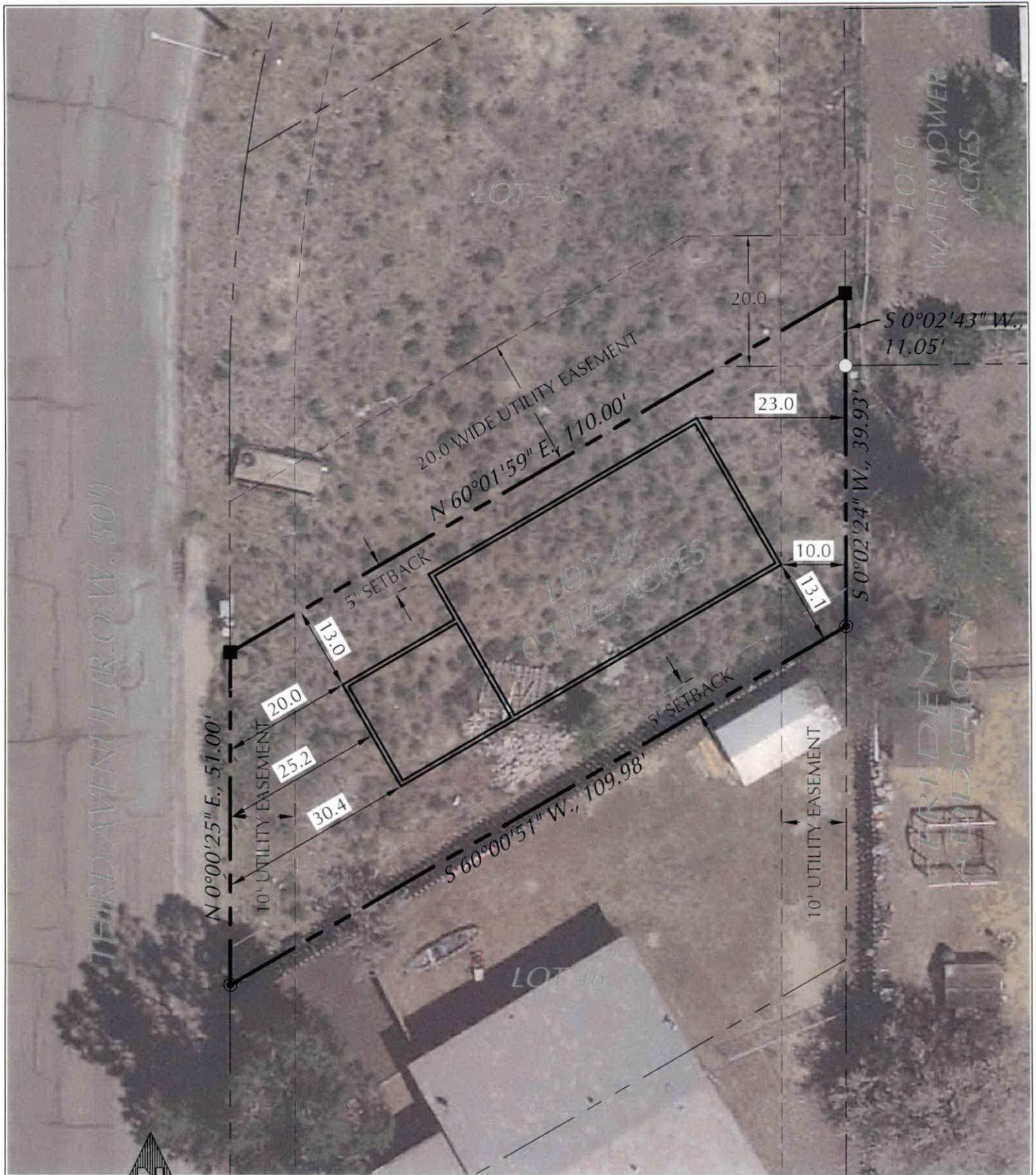
An unnecessary hardship was not willfully created by the applicant. The variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property. A hardship to the applicant exists in that Lots 47-49 are odd shaped, have pre-existing non-conformances, topography and easement areas which does make it difficult to accommodate reasonably sized homes and meet all the requirements within the D-R Zoning District. A hardship to the applicant exists to not being able to use the property to its full extent based on these issues.

Staff Recommendation:

Staff recommends the Planning and Zoning Board forward a "Do Pass" recommendation to the City Council to allow a variance of twenty-foot front and a ten-foot rear setback on Lots 47-49, Agate Addition, City of Mills with the following conditions:

1. The variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property.
2. The variance, if granted, allows the applicant to utilize and develop the lot, but not result in a gain in use, service or income greater to other landowners in the vicinity.
3. The owner constructs the site in accordance with all local, state and federal rules and regulations.

At the 3 June 2021 P&Z Board meeting, the P&Z forwarded a "Do Pass" recommendation to the Mills Council for VAR 1-2021.



LEGEND

- RECOVERED BRASS CAP
- ⊙ RECOVERED 3/4" REBAR
- SET 5/8" REBAR W/ALUMINUM CAP

PLOT PLAN
 LOT 47 OF AGATE ADDITION TO THE TOWN OF MILLS,
 SW1/4NW1/4, SECTION 12, T.33N., R.80W., 6th P.M.,
 NATRONA COUNTY, WYOMING

PLOT PLAN

Date: 1/21/2021

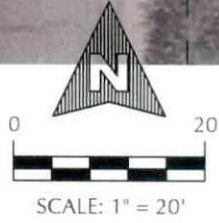
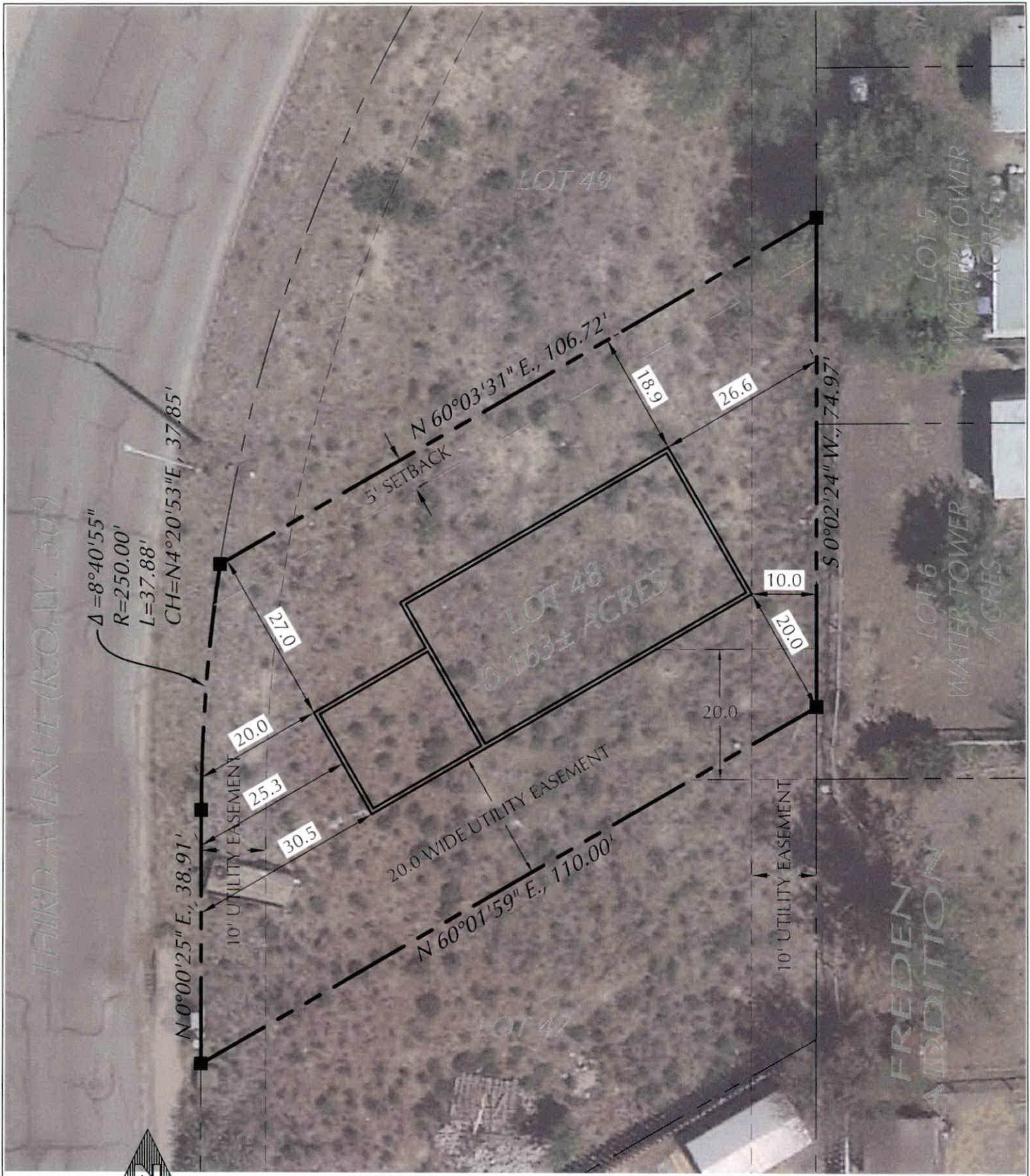
Rev. Date: 4/22/2021

Drawn By: JLS

Checked By: JLS

Prepared by Shane Surveying / P.O. Box 51412 / Casper, WY 82605 / PH: (307)251-7488

Job No.: 2-21



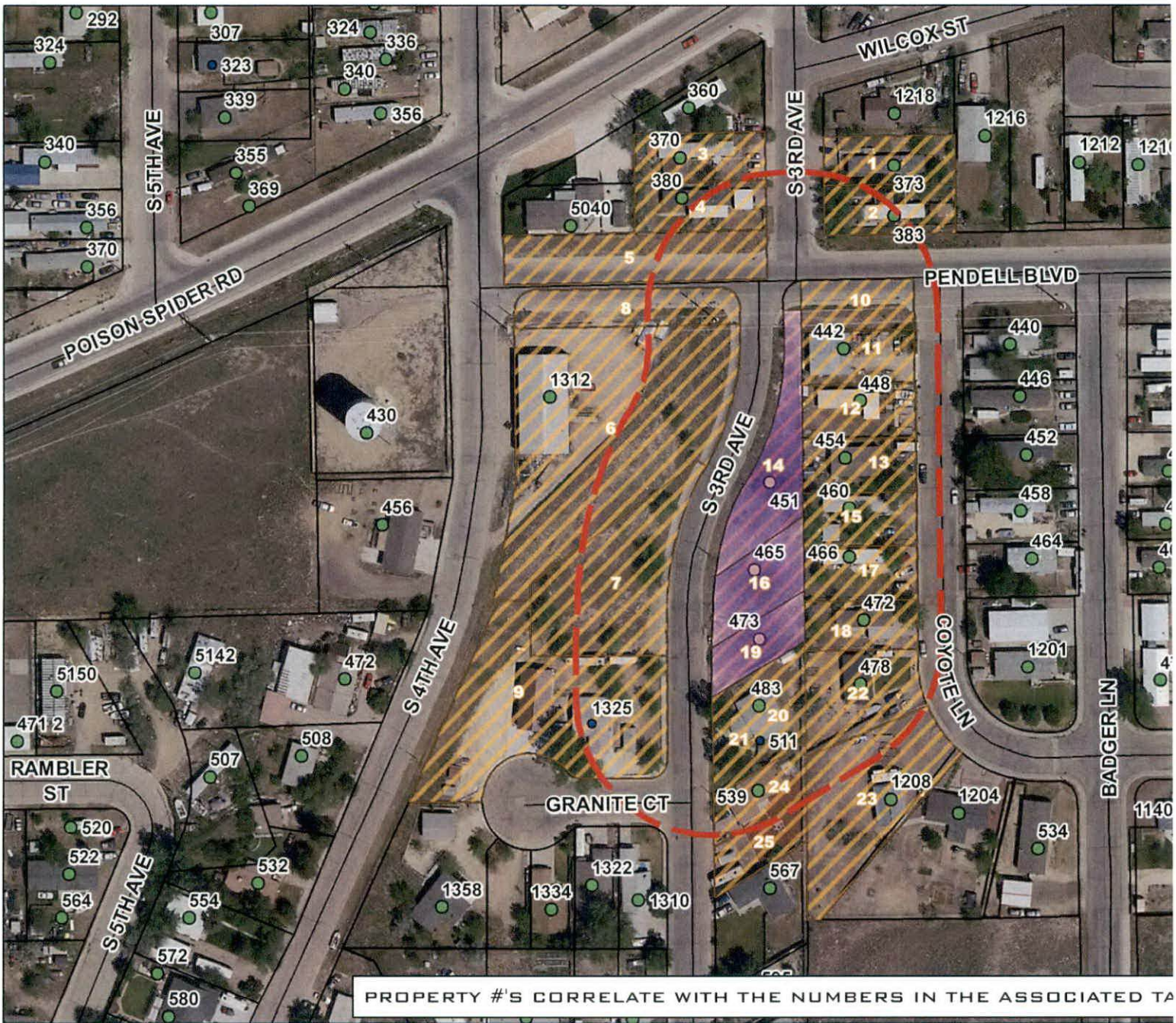
LEGEND

■ SET 5/8" REBAR W/ALUMINUM CAP

PLOT PLAN

LOT 48 OF AGATE ADDITION TO THE TOWN OF MILLS,
SW1/4NW1/4, SECTION 12, T.33N., R.80W., 6th P.M.,
NATRONA COUNTY, WYOMING

PLOT PLAN	Date: 1/21/2021	Rev. Date: 4/21/2021	Drawn By: JLS	Checked By: JLS
Prepared by Shane Surveying / P.O. Box 51412 / Casper, WY 82605 / PH: (307)251-7488		Job No.: 2-21		



HAMMOND PROPERTY - VARIANCE MILLS, WYOMING

BOUNDARY: 2021 GIS DATA CODE: 1411071-NORD
DATE: 2021-12-17 BY: BSR

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1 INCH = 150 FEET



140' RADIUS

HAMMOND PROPERTY

PROPERTY OWNERS WITHIN 140' OF HAMMOND PROPERTY

PROPERTY #	GEOCODE	OWNER	OWNER 2
1	33801222200300	CASTELLOW RESIDENTIAL PROPERTIES LLC	CFD: FULTON, JANET I
2	33801222200400	ALLEN, GENE ET AL	
3	33801222300200	OROZCO, MARIA SYLVIA	
4	33801222300300	GODDARD, NANCY ANN ET AL	
5	33801222300400	MILLS, TOWN OF	
6	33801222300700	MOUNTAIN VIEW ENTERPRISES LLC	
7	33801222303900	MILLS, TOWN OF	
8	33801222304000	MILLS, TOWN OF	
9	33801222304200	IVES, CHARLES R D ET UX	
10	33801222900100	MILLS, TOWN OF	
11	33801222900200	PETERSON, BRODY O ET AL	
12	33801222900300	PETERSON, BRODY O ET AL	
13	33801222900400	DONAIS, AMBER ELIZABETH FROMM ET AL	
14	33801222900500	HAMMOND, MICHAEL K ET AL	
15	33801222900600	MUIR, PAMELA KAY ET AL	
16	33801222900700	HAMMOND, MICHAEL K ET AL	
17	33801222900800	COLEMAN, ROBERT	
18	33801222900900	BROST, MIKE ET UX	
19	33801222901000	HAMMOND, MICHAEL K ET AL	
20	33801222901100	RICHARD LI INVESTMENTS LLC	ATTN: MARY RICHARD
21	33801222901100	RICHARD LI INVESTMENTS LLC	ATTN: MARY RICHARD
22	33801222901200	RUSH, PATRICIA L ET AL	
23	33801222901300	ROHLER, TOM ET AL	
24	33801222901400	HOUSER, TRACY COLE ET UX	
25	33801222901500	HOUSER, TRACY COLE ET UX	

Notice to Owners of Neighboring Properties:

Please return this letter by February 26, 2021 to:

Date: February 18th, 2021

Mills Town Planner
P.O. Box 789
Mills, WY 82644

RE: **REQUEST FOR VARIANCE**

**THE TOWN OF MILLS HAS RECEIVED THE FOLLOWING REQUEST FOR A VARIANCE REQUEST.
YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name(s): Mike Hammond

Address or Location/Legal Description: Agate lot 47,48, and 49

Description of Request: This variance request is asking for the setback to be adjusted to 10 feet in the back lot and 20 feet in the front lot to accommodate the angled nature of the lots so the new stick-built structures will be allowed to have similar setbacks to the other homes in the street.

This request will be considered by Town of Mills Town Council at their regularly scheduled meeting on the 2nd or 4th Tuesday of every month, at 7:00 p.m. in the Town Hall Council Chambers, at 704 Fourth St.

Response Letter from Owners of Neighboring Properties within 140 Feet of Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Council Members:

My name is PATRICIA RUSH and I am familiar with the proposal by Mike Hammond
(Printed name) (Applicant name)

for the variance request described above.

RECEIVED

MAR 02 2021

I have **NO OBJECTION** to the Variance Request.

Name: Patricia Rush

Address: 478 Coyote Lane PO Box 2425 Mills, WY

Comments: ..

I **OBJECT** to the Variance Request:

Name: _____

Address: _____

Reason for Objection: _____

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Response Letter from Owners of Neighboring Properties within 140 Feet of Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Council Members:

My name is Brady Peterson and I am familiar with the proposal by Mike Hammond
(Printed name) *(Applicant name)*

for the variance request described above.

I have NO OBJECTION to the Variance Request.

Name: Brady Peterson

Address: 448 Coyote Lane

Comments: _____

I OBJECT to the Variance Request:

Name: _____

Address: _____

Reason for Objection: _____

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Response Letter from Owners of Neighboring Properties within 140 Feet of Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Council Members:

My name is Mary Richards and I am familiar with the proposal by Mike Hammond
(Printed name) (Applicant name)

for the variance request described above.

I I have **NO OBJECTION** to the Variance Request.

Name: Richards LT Investments LLC

Address: 103 Magnolia Casper WY 82604

Comments: Note: Address Change

Britney L. Fitch is currently CPA - purchasing supplies.

 I **OBJECT** to the Variance Request:

Name: _____

Address: _____

Reason for Objection: _____

RECEIVED
MAR 0

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Dear Council Members:

My name is _____ and I am familiar with the proposal by Mike Hammond
(Printed name) *(Applicant name)*

for the variance request described above.

_____ I have NO OBJECTION to the Variance Request.

Name: _____

Address: _____

Comments: _____

X I OBJECT to the Variance Request:

Name: DARLA R. IVES

Address: 1325 Granite Crt Mills, WY 82644

Reason for Objection: I would like to see on paper how these structures will fit on subject property - There are 2 manholes on subject property. What is going to be done about them? How big are the homes as in square footage.

RECEIVED

MAR 05 2021