

**REFERRAL FORM**

Carbon County Planning and Development Department  
215 West Buffalo Street, Suite 317  
Rawlins, WY 82301  
Phone: 307-328-2651 Fax: 307-328-2735

Date Sent: 03/31/2023

**Request Returned: 04/14/2023**

Website: [www.carbonwy.com](http://www.carbonwy.com)

Case File Numbers:	Subdivision Name:	Type of Application:
Z.C. Case #2023-03 and MIN SUB Case #2023-02	"Derby Estates First Minor Subdivision"	Zone Change Request from RAM to RRA and a Minor Subdivision Request

Involved Parties:	Email Addresses:	Phone Numbers:
Staff Contact: Sarah Brugger, Planning Director and Kristy R. Rowan, Deputy Zoning Administrator	<a href="mailto:sarahbrugger@carbonwy.com">sarahbrugger@carbonwy.com</a> <a href="mailto:kristyrowan@carbonwy.com">kristyrowan@carbonwy.com</a>	307-328-2651
Applicant and Land Owner: James Bosler P.O. Box 1285 Saratoga, WY 82331		
Summary of Requests: <ul style="list-style-type: none"><li>Request for a Zone Change from Ranching, Agriculture, and Mining (RAM) to Rural Residential Agriculture (RRA) for Lots 1-3 located in the proposed Derby Estates First Minor Subdivision encompassing approximately 15 acres. RRA-5.00 (Lot 1); RRA-5.00 (Lot 2); RRA-5.00 (Lot 3). The RRA Zone is intended to be applied in areas of the County which are particularly suited to large-lot development that allow both agricultural and residential uses intermingled. <b>AND</b></li><li>Minor Subdivision Request to create three (3) lots (Lot 1 = 5 Acres; Lot 2 = 5 Acres; Lot 3 = 5 Acres). The applicant is also applying for a zone change request (see above Z.C. Case #2023-03) to comply with the Carbon County Zoning Resolution of 2015, as amended.</li></ul>		
Parcel Identification Number: 18833120004400		
General Location of Property: Approximately 2.5 miles northeast of Saratoga off Carbon County Road #550 (Buck Creek Road/205 Connector) on the north side.		
Legal Description: A parcel of land located within Lot 2 of Section 31, Township 18 North, Range 83 West, 6 <sup>th</sup> P.M., Carbon County, Wyoming.		

***The Carbon County Planning and Development Department has received a Zone Change Request and a Minor Subdivision Request as referenced above. Your comments are an important part of the evaluation process. In order to review all appropriate agency comments and incorporate them into the Staff Reports, please respond by April 14, 2023. If written comments are received after the deadline, comments will be provided to the Carbon County Planning & Zoning Commission and the Carbon County Board of County Commissioners.***

NOTE: Hearing Dates are tentative, call for confirmation at 307-328-2651.

Carbon County Planning & Zoning Commission Hearing Date: 05/01/2023

Board of County Commissioners Hearing Date: 06/06/2023

<b>Carbon County Agencies &amp; Departments, Towns, Local Conservation Districts</b>	<b>Referral Sent US Mail, Email</b>	<b>Subdivisions 60 days notice local conservation districts</b>
Planning & Zoning Commission	X	
Commissioners c/o County Clerk	X	
Attorney's Office	X	
Road & Bridge Department	X	
Sheriff's Office – County Sheriff	X	
Fire Dept. – County Fire Warden	X	
Assessor	X	
Land Office – <b>Subdivisions Only</b>	X	
<b>Towns</b>		
Saratoga – Town Council	X	
Saratoga – Planning Commission	X	
<b>Local Conservation District</b>		
Saratoga-Encampment-Rawlins Conservation District		X

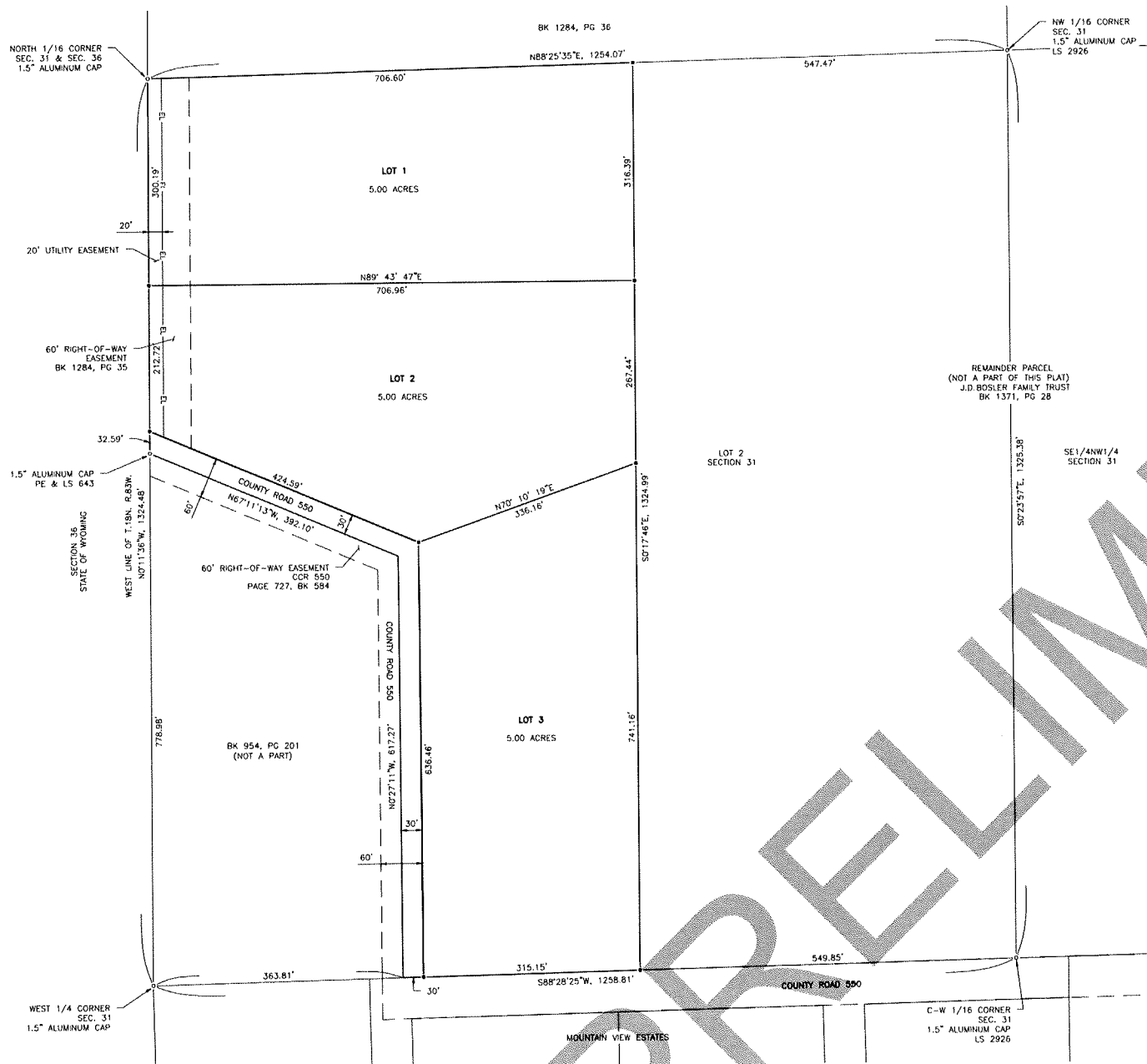
<b>State Agencies, Departments, &amp; Divisions</b>	<b>Referral Sent US Mail or Email</b>
Wyoming Rural Water – Michelle Christopher	X
Wyoming Game & Fish – Will Schultz	X
Wyoming Game & Fish & Habitat Protection Program	X
Wyoming State Engineer's Office	X

<b>Federal Agencies, Outside of Carbon County, Local Utility Companies, &amp; Other</b>	<b>Referral Sent US Mail or Email</b>
Carbon Power & Light	X

DERBY ESTATES FIRST MINOR SUBDIVISION

LOCATED WITHIN

LOT 2 OF SECTION 31, T.18N., R.83W. OF THE 6TH P.M., CARBON COUNTY, WYOMING

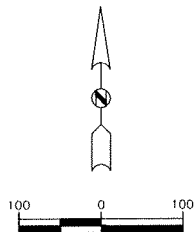


LEGEND

- FOUND MONUMENT AS NOTED
- 2" ALUMINUM CAP ON 5/8"x24" REBAR - TO BE SET
- MINOR SUBDIVISION LOT BOUNDARY
- EXISTING LOT BOUNDARY
- - - EXISTING EASEMENT LINE
- - - EL - PROPOSED EASEMENT LINE

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE GEODETIC MERIDIAN THROUGH THE WEST 1/4 OF SECTION 31



PURPOSE STATEMENT:

THE PURPOSE OF THIS MINOR SUBDIVISION IS TO SUBDIVIDE A 7.2 ACRE PORTION OF LAND IN LOT 2 OF SECTION 31 T.18N R.83W, TO CREATE THREE NEW LOTS APPROXIMATELY 5 ACRES IN SIZE.

NOTES:

1. THE AREA OF LOTS IN THIS MINOR SUBDIVISION ARE AS FOLLOWS:  
LOT 1 = 5.00 ACRES  
LOT 2 = 5.00 ACRES  
LOT 3 = 5.00 ACRES
2. 3 LOTS = 15.00 ACRES  
COUNTY ROAD 550 R.O.W. = 0.71 ACRES
3. THE 20' UTILITY EASEMENT SHOWN HEREON IS CREATED BY THIS MINOR SUBDIVISION PLAT FOR THE PURPOSE OF INSTALLING AND MAINTAINING PUBLIC UTILITIES.
4. REMAINING UNPLATTED PORTIONS OF PARCEL 1 AND PARCEL 2 AS DESCRIBED IN WARRANTY DEED, BOOK 1371, PAGE 28, TO BE COMBINED.

CERTIFICATION OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT JAMES D. BOSLER, BEING THE OWNER IN FEE SIMPLE OF THOSE LANDS DESCRIBED BY THAT WARRANTY DEED RECORDED IN BOOK 1371 AT PAGE 28 IN THE OFFICE OF THE CARBON COUNTY CLERK, DO HEREBY DEDICATE THE FOLLOWING LANDS TO DERBY ESTATES FIRST MINOR SUBDIVISION, THE BOUNDARY OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND WITHIN LOT 2 OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 83 WEST, 6TH P.M., CARBON COUNTY, WYOMING, WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION:  
BEGINNING AT THE NORTH 1/16 CORNER OF SECTIONS 31 AND 36, ALSO BEING THE NORTH WEST CORNER OF LOT 2 OF SECTION 31;

THENCE ON AND ALONG THE NORTH LINE OF SAID LOT 2, N.88°25'35"E., 706.60 FEET;  
THENCE S.0°17'48"E., 1324.99 FEET TO THE SOUTH LINE OF LOT 2;  
THENCE ON AND ALONG SAID SOUTH LINE, S.88°28'25"W., 345.15 FEET;  
THENCE N.0°27'11"W., 617.27 FEET;  
THENCE N.67°11'13"W., 392.10 FEET TO THE WEST LINE OF LOT 2;  
THENCE ON AND ALONG THE WEST LINE OF LOT 2, N.0°11'36"W., 545.50 FEET TO THE POINT OF BEGINNING;  
SAID DERBY ESTATES FIRST MINOR SUBDIVISION CONTAINING 15.71 ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS AND EASEMENTS AS SHOWN HEREON, WITH THE FREE CONSENT, AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER, AND DESIGNATED THE SAME AS THE DERBY ESTATES FIRST MINOR SUBDIVISION, IN THE COUNTY OF CARBON, STATE OF WYOMING; AND DO HEREBY DEDICATE THE ROAD RIGHT-OF-WAY FOR COUNTY ROAD 550 FOR PUBLIC ROAD AND UTILITY PURPOSES AND THE EASEMENTS SHOWN HEREON FOR PUBLIC UTILITIES.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

OWNER (S) \_\_\_\_\_  
JAMES D. BOSLER

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
BY \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL.

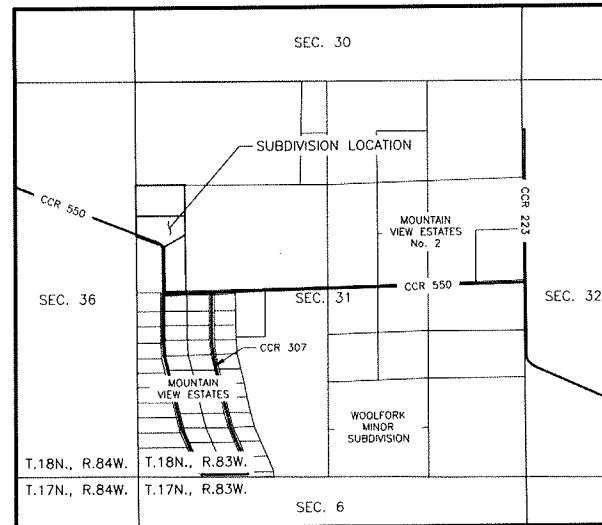
MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

NOTE:

- NO PUBLIC MAINTENANCE OF STREETS OR ROADS.
- NO PROPOSED CENTRALIZED SEWAGE SYSTEM.
- NO PROPOSED CENTRAL WATER SUPPLY SYSTEM.

Per Wyoming State Statute 18-5-306(d): THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.



VICINITY MAP (NOT TO SCALE)

CARBON COUNTY PLANNING AND ZONING COMMISSION CERTIFICATE:

THIS MINOR SUBDIVISION WAS APPROVED BY THE CARBON COUNTY PLANNING AND ZONING COMMISSION ON THIS DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN

PLANNING DIRECTOR/ZONING OFFICER

BOARD OF CARBON COUNTY COMMISSIONER'S CERTIFICATE:

THIS MINOR SUBDIVISION APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING, FOR FILING WITH THE CLERK AND RECORDER OF CARBON COUNTY AND FOR CONVEYANCE TO THE COUNTY OF THE PUBLIC DEDICATIONS SHOWN HEREON; SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY OBLIGATES CARBON COUNTY FOR FINANCING OR CONSTRUCTION OF IMPROVEMENTS ON LANDS, STREETS, OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO BY THE BOARD OF COUNTY COMMISSIONERS; AND FURTHER THAT SAID APPROVAL SHALL IN NO WAY OBLIGATE CARBON COUNTY FOR MAINTENANCE OF STREETS WHICH ARE NOT DEDICATED TO THE PUBLIC NOR UNTIL ALL IMPROVEMENTS SHALL HAVE BEEN COMPLETE TO THE SATISFACTION OF THE BOARD OF COUNTY COMMISSIONERS AND ACCEPTED BY PROPER RESOLUTION.

DATED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN

ATTEST:  
CARBON COUNTY CLERK

CLERK AND RECORDER'S CERTIFICATE:

THIS MINOR SUBDIVISION WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., 20\_\_\_\_, AND IS DULY RECORDED AS DOCUMENT NO. \_\_\_\_\_ IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_.

CLERK AND RECORDER

BY \_\_\_\_\_  
DEPUTY

SURVEYOR'S CERTIFICATE:

I, LYLE J. CASCIATO, OF ENGINEERING ASSOCIATES, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS IS A TRUE, CORRECT, AND COMPLETE MINOR SUBDIVISION PLAT OF THE DERBY ESTATES FIRST MINOR SUBDIVISION AS LAID OUT, PLATTED, DEDICATED, AND SHOWN HEREON, THAT SUCH MINOR SUBDIVISION WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY OTHERS UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS, AND STREETS OF SAID MINOR SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH THE CARBON COUNTY SUBDIVISION REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.



DRAWN BY: LHW  
JOB NO. 22400.12  
FIELD BOOK NO. 5.5  
DRAWING NO. 22400.12



ENGINEERING ASSOCIATES - SARATOGA, WYOMING  
CONSULTING ENGINEERS & SURVEYORS

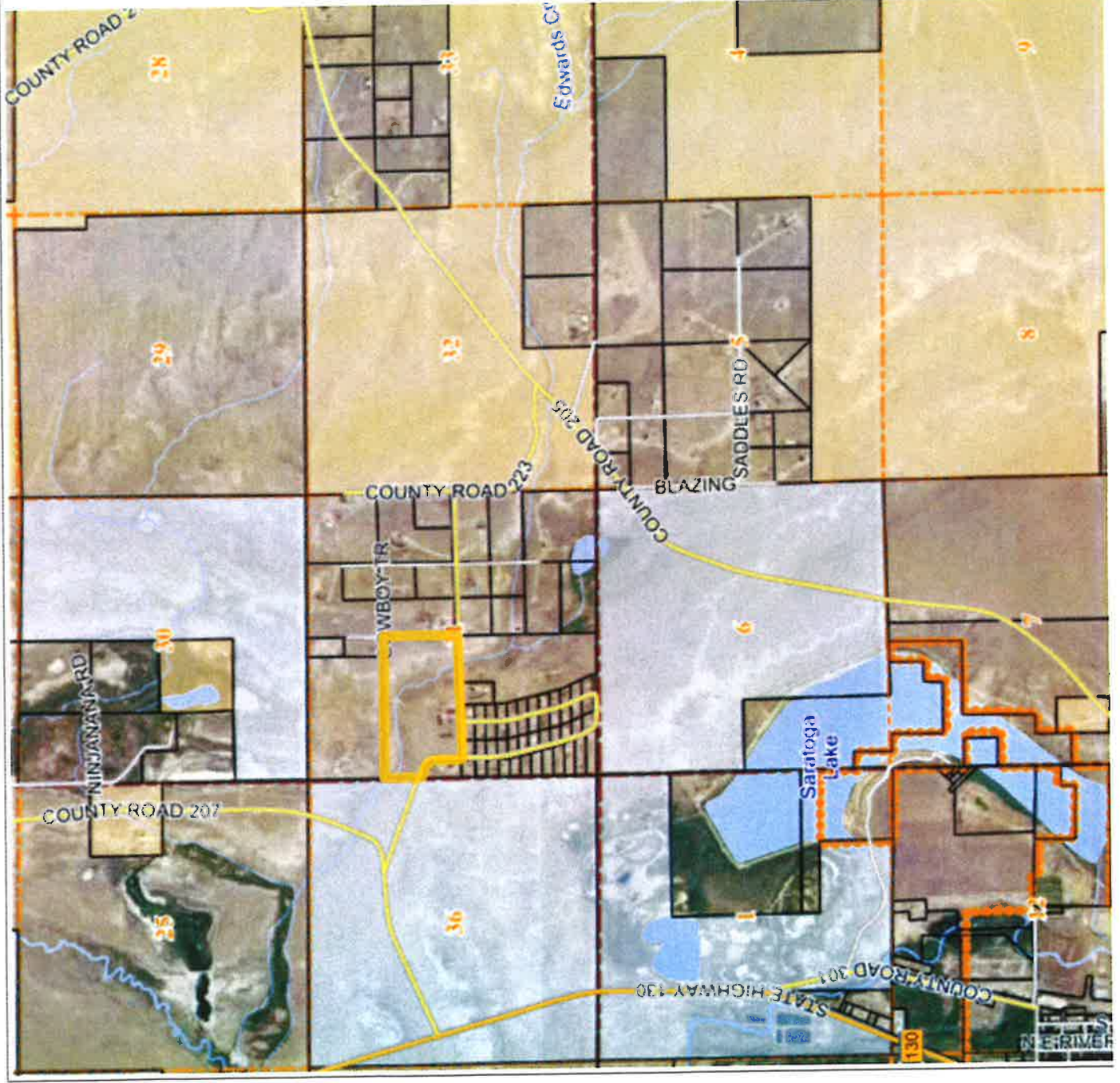






# Carbon County, Wyoming

James "Jim" Bosler  
GEO/PIN #: 18833120004400



- Lot and Parcel Lines
- Township Line
- Municipal Limits
- Rivers and Creeks
- U.S.F.S.
- B.L.M.
- State of Wyoming
- Carbon County
- Railroad
- U.S. Highway
- State Highway
- County Road

2022 Aerial Photography (2ft) e to Carbon  
any kind by Carbon County or Greenwood Mapping, Inc. for complete  
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**CARBON COUNTY****Department of Planning and Zoning**

215 West Buffalo, Suite 317

Rawlins, WY 82301

Tel (307) 328-2651 FAX (307) 328-2735

**C. C. P. Z.****MAR 24 2023**[www.carbonwy.com](http://www.carbonwy.com)Current Application Fee Plus public notice costs.Fee Paid \$ 200.00 Date 03/24/2023Case File No. Z.C. CASE #2023-03**DATE RECEIVED**☒ **APPLICATION FOR A ZONE CHANGE OR**☐ **AMENDMENT OF ZONING RESOLUTION – TEXT AMENDMENT**

(To be completed by applicant)

Applicant: James Bosler Date: 03/24/2023Mailing Address: P.O. Box 1285 Saratoga, WY 82331 Phone: (307) 760-8235Email Address for all notifications: jdbosler@msn.comOwners (if not Applicant): James Bosler Date: 03/24/2023Mailing Address: P.O. Box 1285 Saratoga, WY 82331 Phone: (307) 760-8235Email Address for all notifications: jdbosler@msn.comDescription of Zoning Resolution Amendment: (attach additional sheets if necessary) N/A**LEGAL DESCRIPTION OF THE PROPERTY(S):** (attach additional sheets if necessary)GEO/Parcel Identification Number(s) (PIN) #: 06-18833120004400Quarter Sections LOT 2 (SW1/4NW1/4) Section 31 Township T18N Range R83WSubdivision Name DERBY ESTATES FIRST MINOR SUBDIVISION Block N/A Lots 1 – 3Site Address or Location: Approximately 2.5 miles northeast of Saratoga off Carbon County Road #550  
(Buck Creek Road/205 Connector) on the north sideCurrent Zone District: RAMProposed Zone District: RRA (Lot 1 = RRA-5; Lot 2 = RRA-5; Lot 3 = RRA-5)Lot or Parcel Size: 15+/- acres (total for entire minor subdivision)Please indicate at least one (1) of the following reasons for the zone change and attach an explanation or justification for the request:

- ☒ Is necessary to come into compliance with the Zoning Resolution;
- ☐ The existing zoning of the land was the result of a clerical error;
- ☐ The existing zoning of the land was based on a mistake of fact;
- ☐ The existing zoning of the land failed to take into account the constraints of the affected property due to natural characteristics of the land, including but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;
- ☒ The affected property or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or
- ☐ The proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Zoning Resolution.

**The application will not be processed until it is accepted as complete. The applicant is solely responsible for submitting a complete application and any delays that result from inaccuracies or an incomplete application.**

**Please attach the following required information:**

1. Application fee (see Current Fee Schedule). In addition, the cost(s) of all notice(s) and recording resolution fee(s) shall be paid by the applicant.
2. Proof of ownership:
  - a. Warranty Deed, Title Policy, or Contract for Deed, and
  - b. Signed authorization letter from the owner if other than applicant.
3. A written legal description of all property that is subject to this application. The legal description must contain the seal of a professional land surveyor, registered in the State of Wyoming. The applicant must provide the legal description in "Word" format for advertising/publication purposes.
4. A Statement demonstrating that the proposed Zone Change Request is generally consistent with the Goals, Strategies and Actions of the Comprehensive Land Use Plan, including the Future Land Use Map. In addition, the staff will provide a summary at the Planning & Zoning Commission meeting.
5. Site Plan and Vicinity Map.
6. Statement of purpose and need.
7. Ingress and egress should be provided to each parcel by a binding and recordable easements of not less than forty (40) feet in width to a public road unless specifically waived by the Board.
8. Provide a completed affidavit (attached) that must accompany the adjacent property owners listing (attached), attesting that the submittal includes true and accurate listing of the adjacent/abutting property owners as reflected in the records of the Carbon County Assessor's Office.
9. Provide copies of the Current Notice of Valuation(s) for the subject property. Notice of Valuation(s) can be obtained from either the County Assessor's Office or from the County's website.
10. Current Tax Certificate(s) – must be signed by the Carbon County Treasurer or authorized deputy.
11. The applicant shall post a sign on the approach to the subject property not less than fourteen (14) days prior to the Planning & Zoning Commission meeting date. The Planning Department will provide the applicant a sign and approve the posting location. The Applicant/Owner should provide digital photos of the posted sign with date and time stamps and submit the photos to the Planning Department.

**OPTIONAL INFORMATION THAT MAY EXPEDITE REVIEW.** This information is typically required for subdivision and building permit applications.

1. Wyoming Dept. of Environmental Quality:  
Septic/Wastewater Permit(s)-application submitted? Yes ☐ No ☐ Pending ☐  
Permit # \_\_\_\_\_ Date Issued: \_\_\_\_\_
2. Wyoming State Engineer's Office:  
Well water permit(s)-application submitted? Yes ☐ No ☐ Existing ☐  
Permit # \_\_\_\_\_ Date Issued: \_\_\_\_\_
3. Survey Map must contain the seal of a professional land surveyor, registered in the State of Wyoming.

**I do hereby certify that the foregoing representation and attachments are true and correct to the best of my knowledge.**

James Bosler  
**PRINTED SIGNATURE-landowner**

James D Bosler  
**SIGNATURE-landowner**

03/24/2023  
**DATE**

James Bosler  
**PRINTED SIGNATURE-applicant**

James D Bosler  
**SIGNATURE-applicant**

03/24/2023  
**DATE**

**CARBON COUNTY**  
**Department of Planning and Zoning**  
215 West Buffalo, Suite 317  
Rawlins, WY 82301  
Tel (307) 328-2651 FAX (307) 328-2735

**C. C. P. Z.**

[www.carbonwy.com](http://www.carbonwy.com)

**MAR 24 2023**

Current Application Fee **Plus** public notice costs.

Case File No. MIN SUB CASE #2023-02

**DATE RECEIVED**

**APPLICATION FOR A MINOR SUBDIVISION/RECORD OF SURVEY**  
(Please Print or Type)

Name of Minor Subdivision Plat/Record of Survey: DERBY ESTATES FIRST MINOR SUBDIVISION

Applicant: James Bosler Date: 03/24/2023

Mailing Address: P.O. Box 1285 Saratoga, WY 82331 Phone: (307) 760-8235

Email Address for all notifications: jdbosler@msn.com

Owners (if **not** Applicant): James Bosler Date: 03/24/2023

Mailing Address: P.O. Box 1285 Saratoga, WY 82331 Phone: (307) 760-8235

Email Address for all notifications: jdbosler@msn.com

Name of Developer: N/A Date:

Mailing Address: N/A Phone:

Email Address: N/A

**LEGAL DESCRIPTION OF THE PROPERTY(S):** (attach additional sheet(s) if necessary)

GEO/Parcel Identification Number(s) (PIN) #: 06-18833120004400

Quarter Sections LOT 2 (SW1/4NW1/4) Section 31 Township T18N Range R83W

Subdivision Name DERBY ESTATES FIRST MINOR SUBDIVISION Block N/A Lots 1 – 3

Site Address or Location: Approximately 2.5 miles northeast of Saratoga off Carbon County Road #550  
(Buck Creek Road/205 Connector) on the north side

Lot or Parcel Size: 15+/- acres (total for entire minor subdivision)  
(Lot 1 = RRA-5; Lot 2 = RRA-5; Lot 3 = RRA-5)

Existing Zoning: RAM

Density: 1 principal dwelling unit and accessory structures for each lot

Proposed Zoning: RRA (Lot 1 = RRA-5; Lot 2 = RRA-5; Lot 3 = RRA-5)

**In accordance with Section 1.15 Adequacy of Applications, the application will not be processed until it is accepted as complete. The applicant is solely responsible for submitting a complete application.**

If additional information is necessary, please include attachments and use page 5.

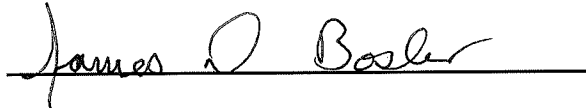


**-SIGNATURE PAGE-**

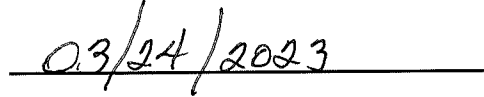
**I do hereby certify that the foregoing  
representations and attachments are true and correct to the best of my knowledge.**

**James Bosler**

**PRINTED SIGNATURE-landowner**



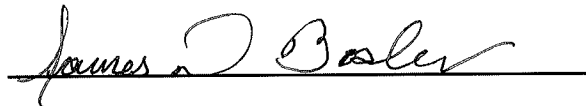
**SIGNATURE-landowner**



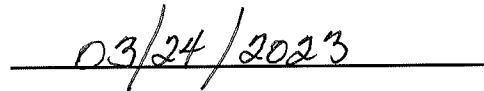
**DATE**

**James Bosler**

**PRINTED SIGNATURE-applicant/acting agent/developer**



**SIGNATURE-applicant/acting agent/developer**



**DATE**

**ATTACHMENTS:**

**Affidavit and APO Listing**

**Tax Certificate**

**Current Fee Schedule**

Date: 03/24/2023

Rezoning Proposal and Minor Subdivision – Derby Estates First Minor Subdivision

Acreage: Approximately 15 acres  
(GEO/PIN #: 18833120004400)

Requests:

- Zone Change Request from RAM to RRA (Lots 1 thru 3):
  - Lot 1 = 5.00 Acres (RRA-5)
  - Lot 2 = 5.00 Acres (RRA-5)
  - Lot 3 = 5.00 Acres (RRA-5)
- Minor Subdivision Request to subdivide the 15-acre parcel into three (3) separate lots

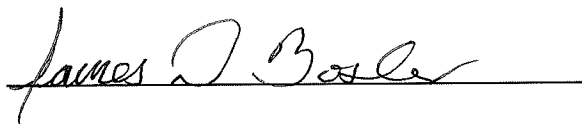
Statement of Purpose and Need:

I purchased this property in April, 2016, and I would like to subdivide the 15-acre parcel into three (3) separate lots. Carbon County Road #550 provides access to Lot 3 and a recorded private easement provides access to Lots 1 and 2.

I would like to have the opportunity to sell these lots to potential buyers who would be able to build homes and accessory structures on these lots. In order to apply for building permits to build, I need to bring the 15-acre parcel into compliance with both the current Carbon County Zoning Resolution of 2015, as amended, and the Carbon County Minor Subdivision Regulations, as amended.

The RRA Zone District is more appropriate and suitable for this area and the affected property or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of this area. I am requesting that the both the Carbon County Planning & Zoning Commission and the Carbon County Board of County Commissioners approve both the zone change and minor subdivision requests.

Sincerely,

A handwritten signature in black ink, appearing to read "James I. Bosler", is written over a horizontal line.

James Bosler (Applicant and Land Owner)