

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

Case File Numbers:	Subdivision Name:	Type of Application:
Z.C. Case #2023-04 and MIN SUB Case #2023-03	"Derby Estates Second 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	sarahbrugger@carbonwy.com kristyrowan@carbonwy.com	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">Request for a Zone Change from Ranching, Agriculture, and Mining (RAM) to Rural Residential Agriculture (RRA) for Lots 1 and 2 located in the proposed Derby Estates Second Minor Subdivision encompassing approximately 10.04 acres. RRA-5.02 (Lot 1); RRA-5.02 (Lot 2). 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. ANDMinor Subdivision Request to create two (2) lots (Lot 1 = 5.02 Acres; Lot 2 = 5.02 Acres). The applicant is also applying for a zone change request (see above Z.C. Case #2023-04) to comply with the Carbon County Zoning Resolution of 2015, as amended.		
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 the SE1/4NW1/4 of Section 31, Township 18 North, Range 83 West, 6 th 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

Carbon County Agencies & Departments, Towns, Local Conservation Districts	Referral Sent US Mail, Email	Subdivisions 60 days notice local conservation districts
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 – Subdivisions Only	X	
Towns		
Saratoga – Town Council	X	
Saratoga – Planning Commission	X	
Local Conservation District		
Saratoga-Encampment-Rawlins Conservation District		X

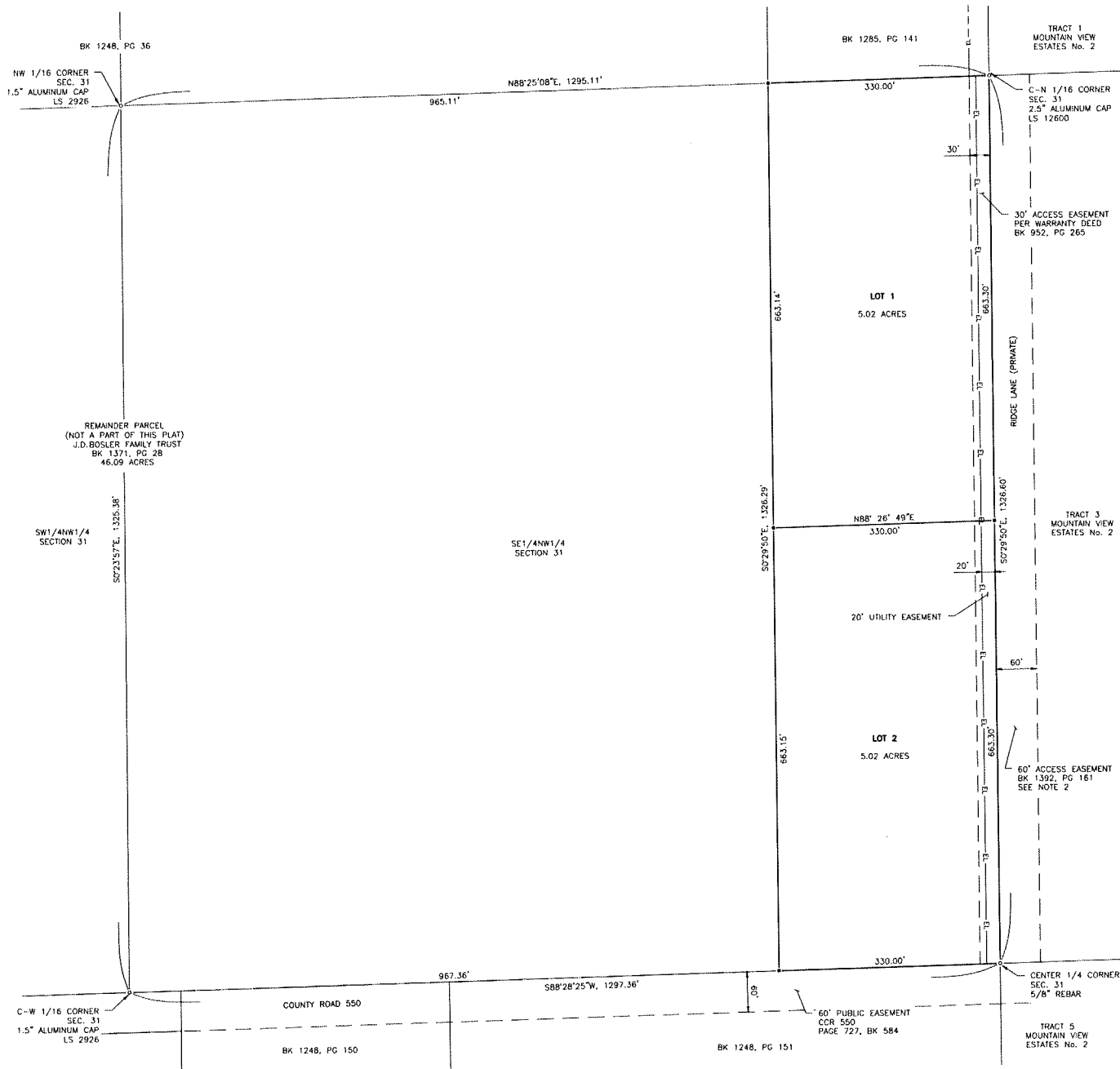
State Agencies, Departments, & Divisions	Referral Sent US Mail or Email
Wyoming Rural Water – Michelle Christopher	X
Wyoming Game & Fish – Will Schultz	X
Wyoming Game & Fish & Habitat Protection Program	X
Wyoming State Engineer's Office	X

Federal Agencies, Outside of Carbon County, Local Utility Companies, & Other	Referral Sent US Mail or Email
Carbon Power & Light	X

DERBY ESTATES SECOND MINOR SUBDIVISION

LOCATED WITHIN THE

SE1/4NW1/4 OF SECTION 31, T.18N., R.83W. OF THE 6TH P.M., CARBON COUNTY, WYOMING

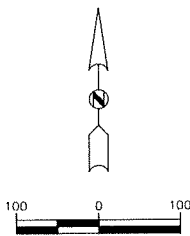


LEGEND

- 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 57 acre portion of land in the SE1/4NW1/4 of Section 31 T18N R83W, to create two new lots approximately 5 acres in size.

NOTES:

- The area of lots in this minor subdivision are as follows:
LOT 1 = 5.02 ACRES
LOT 2 = 5.02 ACRES
- Non-Exclusive grant of easement granted to James D. Bosler for purpose of ingress, egress, and regress.
- The 20' Utility Easement shown hereon is created by this Minor Subdivision Plat for the purpose of installing and maintaining public utilities.
- Remaining unplatted portions of Parcel I and Parcel II as described in Warranty Deed Book 1371, Page 28, to be combined into one parcel of 46 acres ±.

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 as follows:

Parcel I:

Lot 2 of Section 31, Township 18 North, Range 83 West, 6th P.M., Carbon County, Wyoming, excepting therefrom that parcel of land as conveyed in Warranty Deed, recorded April 3, 1998, Book 954, Page 201

Parcel II:

The SE1/4NW1/4 of Section 31, Township 18 North, Range 83 West, 6th P.M., Carbon County, Wyoming.

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 Second Minor Subdivision, in the County of Carbon, State of Wyoming; and do hereby dedicate 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

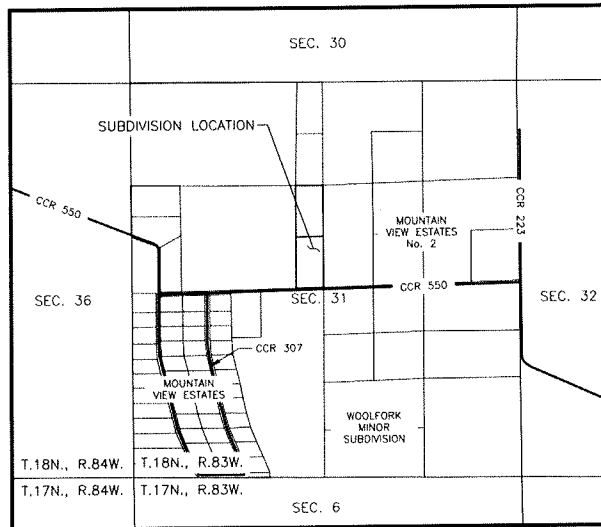
NOTE:

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. Cascardo, 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 Second 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.

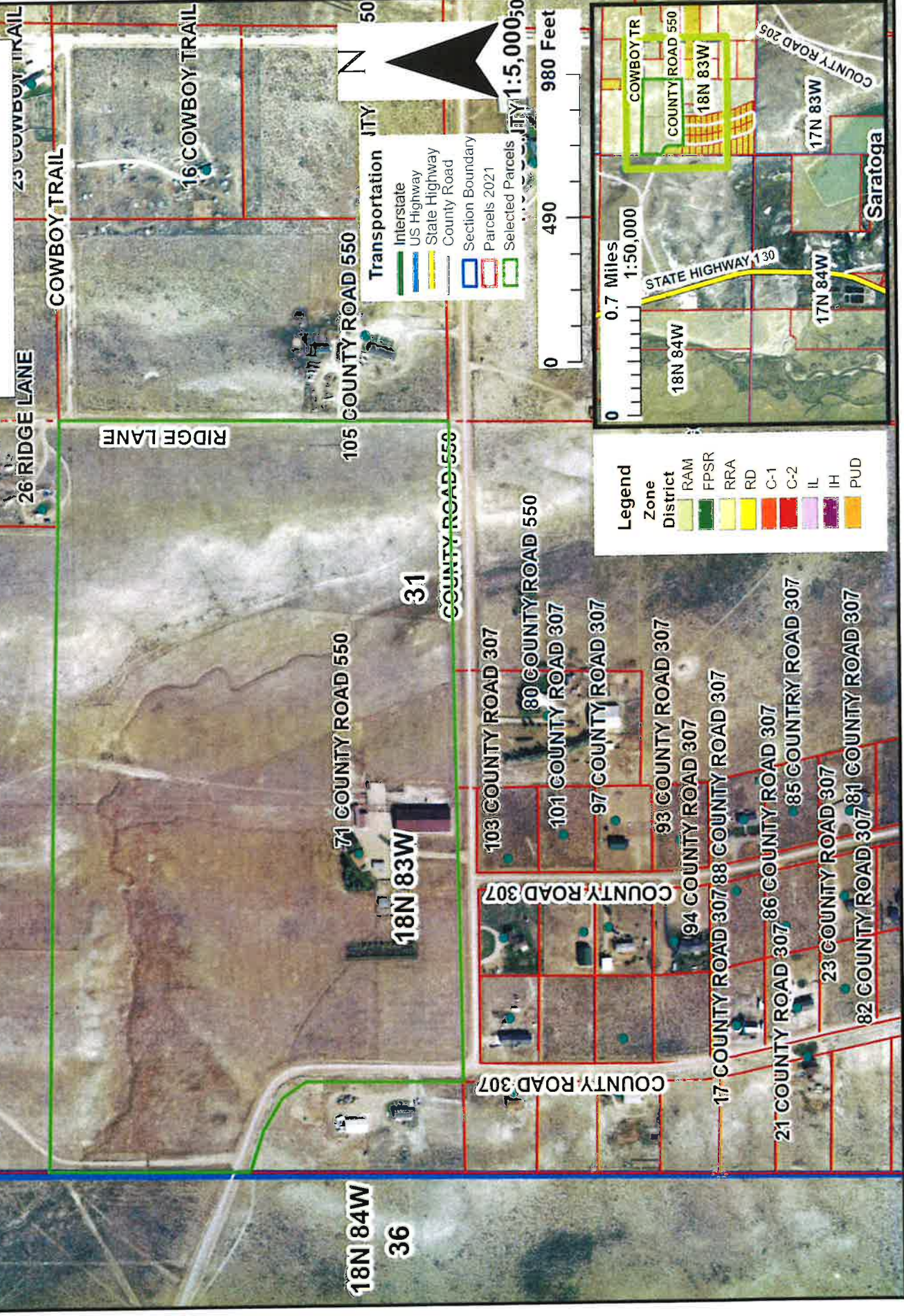


DRAWN BY: LHW
JOB NO. 22400.12
FIELD BOOK NO. S.5
DRAWING NO. 22400.12



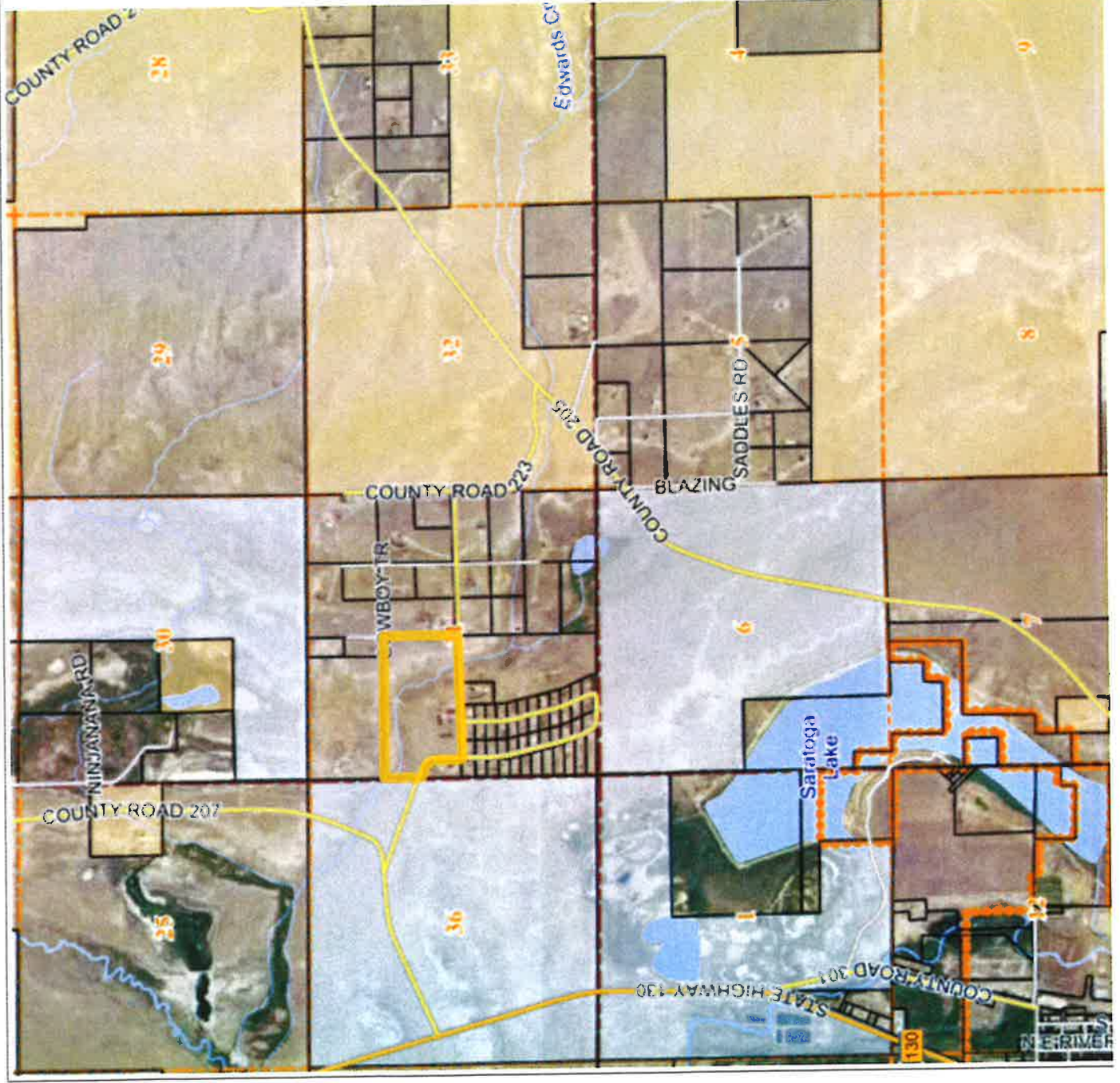
ENGINEERING ASSOCIATES - SARATOGA, WYOMING
CONSULTING ENGINEERS & SURVEYORS

James Bosler
Development Proposal
Parcel ID: 18833120004400



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
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any kind by Carbon County or Greenwood Mapping, Inc. for complete
accuracy, currency or correctness of this information, including, but not
limited to, warranties of title, merchantability, satisfactory quality or fitness
a particular purpose. This data is not necessarily accurate by surveying
standards, and is not to be used for legal conveyance. Carbon County n
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Section 4.6 RURAL RESIDENTIAL AGRICULTURE ZONE (RRA)

The Rural Residential Agriculture or 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. In all cases, agricultural uses shall have supremacy over residential uses.

A. Principally Permitted Uses:

1. General Agricultural activities.
2. Single-family dwellings and their accessory uses.
3. One (1) employee dwelling and/or one (1) accessory dwelling unit.
4. Timber Products, Non-Commercial.
5. Home occupations and home offices.
6. Cottage industries.
7. Extraction or production of mineral resources.
8. Roadside Stand.

B. Conditionally Permitted Uses:

The following uses are permitted subject to the review and approval pursuant to Chapter 5 – General Regulations Applying to all Districts and Uses:

1. More than one (1) employee dwelling and/or more than one (1) accessory dwelling unit.
2. Businesses that will not substantially distract from the agricultural or residential character of the area.
3. Public Use and Civic Use(s).
4. Private institutions.
5. Commercial Recreation including golf courses.
6. Bed and breakfast establishments and boarding house.
7. Recreation lodges and campgrounds.
8. Kennels and Animal Hospitals.
9. Timber Production.
10. Public utilities limited to above ground structures including sewage treatment and water supply facilities all conforming to Wyoming Department of Environmental Quality requirements.
11. Mobile Home Parks. See Chapter 5.
12. Telecommunication Towers and Facilities. See Chapter 5.
13. Electrical Substations and Transmission Lines. See Chapter 5.
14. Non-Commercial Wind Energy Collection Systems. See Chapter 5.
15. Commercial Scale Energy Facilities. See Chapter 6.

C. Accessory Uses:

1. Crop, garden and 4-H type non-commercial livestock uses.
2. Customary accessory structures and uses.
3. Signs, pursuant to Chapter 5-General Regulations Applying to all Districts and Uses.
4. Parking, pursuant to Chapter 5-General Regulations Applying to all Districts and Uses.

D. Minimum Lot Size:

1. Minimum Lot Area is Five (5) acres – See Chapter 5-General Regulations Applying to all Districts and Uses.
2. It is the intent of this Resolution that new parcels created in the RRA Zone be 5 acres or larger.

E. Other Regulations:

1. Minimum Yard Setbacks and Maximum Building Height – See Chapter 5-General Regulations Applying to all Districts and Uses.
2. Density: In order to avoid potential illegal subdivision creation, the zoning designation shall specify a density (i.e., RRA-10) meaning one principally permitted dwelling unit per 10 acres.

CARBON COUNTY**Department of Planning and Zoning**

215 West Buffalo, Suite 317

Rawlins, WY 82301

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

www.carbonwy.com**C. C. P. Z.****MAR 24 2023**Current Application Fee Plus public notice costs.Fee Paid \$ 200.00 Date 03/24/2023Case File No. Z.C. CASE #2023-04**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 SE1/4NW1/4 Section 31 Township T18N Range R83WSubdivision Name DERBY ESTATES SECOND MINOR SUBDIVISION Block N/A Lots 1 and 2Site 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-5.02 and Lot 2 = RRA-5.02)Lot or Parcel Size: 10+/- 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.**MAR 24 2023****www.carbonwy.com**Current Application Fee **Plus** public notice costs.Case File No. **MIN SUB CASE #2023-03****DATE RECEIVED****APPLICATION FOR A MINOR SUBDIVISION/RECORD OF SURVEY**
(Please Print or Type)Name of Minor Subdivision Plat/Record of Survey: DERBY ESTATES SECOND MINOR SUBDIVISIONApplicant: 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.comName 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) #: 06-18833120004400Quarter Sections SE1/4NW1/4 Section 31 Township T18N Range R83WSubdivision Name DERBY ESTATES SECOND MINOR SUBDIVISION Block N/A Lots 1 and 2Site Address or Location: Approximately 2.5 miles northeast of Saratoga off Carbon County Road #550
(Buck Creek Road/205 Connector) on the north sideLot or Parcel Size: 10+/- acres (total for entire minor subdivision)
(Lot 1 = RRA-5.02 and Lot 2 = RRA-5.02)Existing Zoning: RAMDensity: 1 principal dwelling unit and accessory structures for each lotProposed Zoning: RRA (Lot 1= RRA-5.02 and Lot 2 = RRA-5.02)**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

James D Bosler

SIGNATURE-landowner

03/24/2023

DATE

James Bosler

PRINTED SIGNATURE-applicant/acting agent/developer

James D Bosler

SIGNATURE-applicant/acting agent/developer

03/24/2023

DATE

ATTACHMENTS:

Affidavit and APO Listing

Tax Certificate

Current Fee Schedule

Date: 03/24/2023

Rezoning Proposal and Minor Subdivision – Derby Estates Second Minor Subdivision

Acreage: Approximately 10 acres
(GEO/PIN #: 18833120004400)

Requests:

- Zone Change Request from RAM to RRA (Lots 1 and 2):
 - Lot 1 = 5.02 Acres (RRA-5.02)
 - Lot 2 = 5.02 Acres (RRA-5.02)
- Minor Subdivision Request to subdivide the 10-acre parcel into two (2) separate lots

Statement of Purpose and Need:

I purchased this property in April, 2016, and I would like to subdivide the 10-acre parcel into two (2) separate lots. A recorded and recorded private easement provides access to these lots.

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 10-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, reading "James W. Bosler", written over a horizontal line.

James Bosler (Applicant and Land Owner)