



TOWN OF WHEATLAND

PLANNING OFFICE

600 9TH STREET • WHEATLAND • WYOMING
OFFICE 307 • 322 • 2692 FAX 307 • 322 • 2968

Applicant: Kirby Wilson

Request: Special Use Permit

Location: Part of the NW4SE4, of Section 12, Township 24 North, Range 68 West, 1700 9th Street, Wheatland, WY 82201.

Meeting: Planning and Zoning Commission – January 4th, 2024

Proposal Details

Kirby Wilson, owner of Wilson Storage, would like to build a new permanent storage unit on the concrete pad, located on the northeast corner of his property. Kirby originally wanted to build a storage unit the same size as the existing west storage unit to match the other storage units. Due to a Town of Wheatland water line going through the east side of the property, Kirby was not granted his original request. Kirby would like to utilize the existing concrete pad, which does not interfere with the water line, and place a smaller storage unit.

According to Wheatland Municipal Code (WMC) 18.40.020(b)(3) uses requiring a special use permit within a Highway Business District are commercial storage units. According to WMC 18.95.010 (e) in considering a petition for a special use permit, compatibility shall be determined on the basis of neighborhood character, parking needs, town infrastructure, sign requirements, and traffic congestion possibilities. According to WMC 18.95.010(f) permits shall be issued by the planning office after planning commission approval.

Agency Comments

Water Super Intendent Rick Keck for the Town of Wheatland: No issues with water and wastewater at the concrete pad location.

Chief Bob Glasson of the Wheatland Fire Department: No issues from the Fire Department.

Chief Doug Willadsen of the Wheatland Police Department: I'm fine with it.

Building Inspector Walter Martin with the Town of Wheatland: See attachment.

No other agency comments were received for this application.

Neighbor Comments

None were received.

Analysis

Pros:

1. **Utilization of Existing Infrastructure:** Kirby Wilson's proposal to use the existing concrete pad demonstrates a practical and resource-conscious approach. This minimizes the need for additional construction, potentially reducing environmental impact and costs.
2. **Economic Benefits:** The addition of a new storage unit may contribute positively to the local economy by creating job opportunities during construction and potential employment within the storage facility once operational.
3. **Compliance with Zoning Regulations:** Kirby Wilson's application aligns with the Town of Wheatland Municipal Code, which designates commercial storage units as a use requiring a special use permit within a Highway Business District. This indicates that the proposal is consistent with existing zoning regulations.
4. **Consideration of Town Infrastructure:** By avoiding interference with the water line on the east side of the property, Kirby demonstrates an awareness of and consideration for town infrastructure, which aligns with the code's requirement for compatibility with town infrastructure.

Cons:

1. **Altered Size of Storage Unit:** The downsizing of the storage unit from the originally proposed size might be viewed as a drawback, especially if it deviates significantly from the standards set by existing structures in the area. This could impact the visual uniformity of the property.
2. **Water Line Constraint:** The initial request for a storage unit matching the size of the existing one was denied due to the presence of a Town of Wheatland water line on the east side of the property. The new proposal might be considered a compromise, but it still necessitates careful consideration to avoid any potential impacts on the water line.

Possible Stipulations:

1. **Architectural Consistency:** To address concerns about altered size, the Planning and Zoning Commission may stipulate that the new storage unit should conform to the architectural aesthetics of existing structures on the property.
2. **Environmental Impact Assessment:** Considering the proximity of the water line, the commission may stipulate an environmental impact assessment to ensure that the construction and operation of the storage unit will not adversely affect the water infrastructure.

In conclusion, while Kirby Wilson's proposal aligns with certain positive aspects such as economic benefits and adherence to zoning regulations, consideration of the altered size and environmental concerns should be considered. Stipulations can be implemented to address these issues and ensure that the proposed commercial storage unit aligns with the Town of Wheatland's planning and zoning goals.

Attachments

1. Aerial View of property with proposed location of storage unit on concrete pad.
2. Letter of Justification written by Kirby Wilson.
3. Agency comment of Town of Wheatland Building Inspector.

Requirements for Approval

A four-member agreement from the Planning and Zoning Commission from one of the five options is required for a quorum.

Planning and Zoning Commission Options

1. Approve the request as proposed.
2. Approve the request with stipulations recommended by the Planning Commission.
3. Postpone to a definite time, continues the request to the next regularly scheduled meeting of the commission to allow further review to be done. Applicant would not need to reapply; certified mailing and public notice fees would be billed to the Town.
4. Postpone Indefinitely. Request or motion is neither approved or disapproved and the request or motion cannot be brought up again during the meeting; however, it can be brought back as a new request at a future meeting. Applicant would have to reapply and would pay the application fee, and public notice.
5. Deny the request.

Failure to achieve a quorum result, due to less than seven members present is an automatic continuance to the next regularly scheduled meeting, any other reason for failure to achieve a quorum is considered approval of the request. A motion fails due to the lack of a second.

Platte County, Wyoming

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- 2022 Aerial Photography (hi res, limited area)
- Railroad
- US Highway/Interstate
- State Highway
- County Road
- Municipal Limits
- Bureau of Land Management
- Department of Defense
- Forest Service
- State of Wyoming
- Bureau of Reclamation



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I would like to build a new Storage Building on the concrete pad, I tore a old building down and I was going to build a 40x600 unit just like the one in front, but we found a water line under that proposal. The concrete pad that is existing there does not have a water line under it.

Thankyou Rudy Wilson



TOWN OF WHEATLAND
600 9TH St. WHEATLAND, WY. 82201
1-307-322-2962



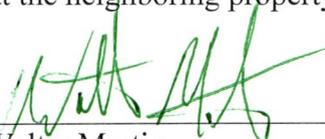
Subject: Special Use Permit 24-01

Location: 1700 9th Street
Wheatland, WY 82201

To Whom it May Concern:

After review as the Building Official/Fire Marshal, it has come to my attention that the neighboring occupancy, Horton Fuels has 53,000 gallons of fuel storage directly adjacent to the property line where Mr. Wilson would like to construct his additional storage building. According to IFC 2021 5704.2.9.6.1.1 and NFPA 30 Table 22.4.1.1(a) and (b), the 53,000 gallons of fuel should not be stored closer than 25 or 50 feet (depending on specifics of tank construction that have not been investigated yet) to a property line that can be built upon. While this egregious code violation is not Mr. Wilson's issue to correct, it should be noted that this condition does increase the fire hazard to any structure located where Mr. Wilson is proposing new construction.

After visiting with Mr. Wilson, it was determined that the building will be constructed of non-combustible material, no electricity will be serviced to the building, and the storage will be of his own personal property. These factors do lower the risk and potential loss of property should a fire occur. At this time, I will not prevent the construction of the building in the location Mr. Wilson desires, however it is hereby noted that Mr. Wilson is aware of the potential hazard and his right to pursue civil liability against Horton Fuels should a fire occur. The Town of Wheatland will also be investigating solutions to correct the IFC Code violations present at the neighboring property.



Walter Martin
Building Official
Fire Code Official

Mayor: Brandon Graves **Council:** Alan Madsen, Josh Kauffman, Tony Montoya, William Allison