



# TOWN OF WHEATLAND

## PLANNING OFFICE

600 9<sup>TH</sup> STREET • WHEATLAND • WYOMING  
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**Applicant:** Capstone Industries, LLC, representing Laramie Peak Museum Association.  
**Request:** A variance to reduce the north side yard setback from twenty-five feet to fifteen feet in a General Business District.  
**Location:** Town of Wheatland, Squaw Mountain Subdivision, Tract 4, Lot 3, 1601 16<sup>th</sup> Street, Wheatland, WY 82201.  
**Meeting:** Board of Adjustment – January 16<sup>th</sup>, 2024.

### Proposal Details

Laramie Peak Museum has contracted Capstone Industries to construct a new storage building on the west side of the property. Due to unforeseen infrastructure issues, the variance approved in November of 2023 for the original expansion is no longer feasible. Laramie Peak Museum has decided to move the project to the west side of the property. Normally fifteen feet would be adequate for the construction Capstone Industries is proposing, but the north property line is abutting a residential zone, Platte County Housing Authority Services for Seniors, making the setback twenty-five feet. Capstone Industries would like to reduce this setback to fifteen feet.

According to Wheatland Municipal Code (WMC) 18.35.030(c)(2)(b), the side yard setback for a General Business District is twenty-five feet from residential property lines where abutting a residential zone and five feet where abutting an alley. According to WMC 18.95.150, the Board of Adjustment is granted the power to adjust the applications of WMC Title 18.

### Agency Comments

Electric Super Intendent Preston Meier: No problem on my end.

Water Super Intendent Rick Keck: No issue with water or wastewater.

Chief of Wheatland Police Department Doug Willadsen: Looks good to me.

Platte County Emergency Manager Antony Krotz: I see no issues with the setback variance.

No other agency comments were received for this application.

### Neighbor Comments

No neighbor comments were received for this application.

### Analysis

**Pros:**

1. **Economic Development:** The proposed storage building by Capstone Industries for Laramie Peak Museum would contribute to the economic development of the area. It aligns with the town's goals of fostering business growth and supporting cultural institutions.
2. **Infrastructure Approval:** Both the Electric Superintendent and Water Superintendent have indicated no issues from their respective departments. This suggests that the proposed construction aligns with existing infrastructure capabilities.
3. **Public Safety:** The Chief of Wheatland Police Department and Platte County Emergency Manager have given their approval, suggesting that the project does not pose any risks to public safety or emergency response in the area.
4. **No Objections from Neighbors:** The absence of any neighbor comments indicates that local residents do not have immediate concerns or objections to the proposed variance.

#### **Cons:**

1. **Setback Violation:** The variance requested involves a reduction in the north side yard setback from twenty-five feet to fifteen feet. This may impact the residential zone abutting the property, potentially affecting the privacy and aesthetics of neighboring homes.
2. **Unforeseen Infrastructure Issues:** The relocation of the project due to unforeseen infrastructure issues might raise concerns about the feasibility and potential future complications of the new site. This could be a point to consider during the board's evaluation.

#### **Possible Stipulations:**

1. **Landscaping Requirements:** The Board of Adjustment could stipulate additional landscaping measures to mitigate the visual impact of the reduced setback on neighboring properties.
2. **Noise and Light Restrictions:** Considering the proximity to a residential zone, the board might impose restrictions on noise levels and outdoor lighting to minimize disturbances to nearby residents.
3. **Periodic Inspections:** The board may require periodic inspections during and after construction to ensure compliance with the approved plans and any stipulations imposed.
4. **Community Outreach:** Capstone Industries could be encouraged to engage in community outreach to address any concerns or questions from neighbors, fostering a positive relationship with the surrounding community. A certified letter was sent to the Platte County Housing Authority Services for Seniors explaining this request with no response. What information was given to the seniors living in the residential zone is unknown to the Wheatland Planning Office.

#### **Conclusion:**

While the project brings economic benefits and has received positive feedback from relevant agencies, the reduction in the north side yard setback could have concerns. The Board of Adjustment should weigh the pros and cons, considering the stipulations to ensure that the project aligns with the town's regulations and minimizes negative impacts on the residential zone. The absence of neighbor objections and approval from essential services is positive but should not overshadow the need for a thorough evaluation of potential drawbacks.

#### **Attachments**

1. Aerial view of property with proposed location of storage building.

### **Requirements for Approval**

A three-member agreement from the Board of Adjustment from one of the five options is required for a quorum.

### **Board of Adjustment Options**

1. Approve the request as proposed.
2. Approve the request with stipulations recommended by the Board of Adjustment.
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 is an automatic continuance to the next regularly scheduled meeting, and a motion fails due to the lack of a second.





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