



# TOWN OF WHEATLAND PLANNING OFFICE

600 9<sup>TH</sup> STREET • WHEATLAND • WYOMING  
OFFICE 307 • 322 • 2692 FAX 307 • 322 • 2968

**Applicant:** Charisma Irvine  
**Request:** Variance to reduce the front setback from 25 feet to 5 feet for an addition to an existing residence.  
**Location:** 907 11<sup>th</sup> Street, Wheatland, WY 82201.  
**Meeting:** Board of Adjustment – February 17<sup>th</sup>, 2025

## Proposal Details

Charisma Irvine is seeking approval from the Board of Adjustment to reduce the front setback from 25 feet to 5 feet to accommodate an addition to her residence.

### Property Details:

- **Zoning:** Residential
- **Legal Description:** Original Town Subdivision, Block 94, Lot 4
- **Current Use:** Residential single-family home
- **Lot Characteristics:** The lot has existing structures and available rear yard space.

### Applicant's Justification for the Request:

- The applicant states that the front setback reduction is necessary to accommodate the expansion of their home.
- The application does not explicitly indicate if utility constraints in the backyard prevent an addition to the rear of the home.

## Agency Comments

Department	Response
Platte County Assessor (Danette Eppel)	No objections to the variance.
Wheatland Police Department (Doug Willadsen)	No issues identified.

Department	Response
<b>Town Water Superintendent (Rick Keck)</b>	No water concerns. However, the sewer lateral runs to the front—recommended that the applicant scope the sewer line before construction.
<b>Attorney Douglas Weaver</b>	No objection as long as visibility for drivers is not obstructed—does not believe it will be.
<b>Building Inspector (Virgil Marlin)</b>	Opposes the variance. States that the property has available rear yard space for an addition, making the front expansion unnecessary. Believes the addition would detract from neighborhood aesthetics and reduce property values. Expresses concern that granting this variance would set a precedent, leading to more requests that push homes closer to the sidewalk.

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### Neighbor Comments:

- **Rebecca Gregory (1154 Pine Street):**
  - **Strongly opposes the request.**
  - Concerned about the **impact on neighborhood uniformity**—no other houses have such a **small front setback**.
  - Worries that approval will **set a precedent** for other similar requests, eroding the consistency of the residential district.
  - Believes the **addition would crowd the sidewalk**, negatively impacting the streetscape.

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## Analysis

### Pros (Supporting the Variance):

- **Provides Additional Living Space** – The variance would allow the homeowner to expand their living area.
- **No Safety Concerns Raised by Law Enforcement** – The police department has no objections to the request.
- **Infrastructure Can Be Managed** – The sewer lateral concern can be addressed by requiring an inspection before construction.

### Cons (Concerns About Approval):

- **Significant Reduction in Setback** – A reduction from **25 feet to 5 feet** is an **80% decrease**, which is a **substantial departure** from zoning requirements.
- **Alternative Space Available** – The **Building Inspector’s report** notes that the **rear yard could accommodate an addition**, meaning the front yard expansion is not the only option.
- **Impact on Neighborhood Aesthetics** – The new structure would be **visually inconsistent** with the surrounding homes, which maintain a uniform front setback.
- **Property Value Concerns** – The **Building Inspector and a neighbor** raised concerns that pushing the home closer to the sidewalk **could negatively affect property values** in the area.
- **Precedent for Future Variances** – Approving this request **could open the door** to additional variances, leading to a **gradual erosion of setback regulations** in the neighborhood.

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## Possible Stipulations for Consideration

If the Board **approves** the variance, the following stipulations should **help mitigate concerns**:

1. **Sewer Inspection Requirement:** The applicant must **scope the sewer lateral before construction** to prevent future infrastructure issues.
2. **Architectural Consistency:** The new addition must be **designed to match the existing neighborhood aesthetic** in terms of materials and facade.
3. **Visibility Safeguards:** The structure must not obstruct **pedestrian or vehicular sightlines**.
4. **Limit on Further Encroachments:** Approval should **not** set a precedent for additional front-yard setback variances in the neighborhood.
5. **Mandatory Rear Yard Evaluation:** The applicant should **prove that rear yard expansion is infeasible** before final approval is granted.

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## Conclusion & Recommendation

### Findings:

- The **variance is not necessary** for reasonable use of the property, as there is **available rear yard space**.
- The **requested setback reduction is extreme**, reducing the setback from **25 feet to 5 feet**.
- The **Building Inspector, a neighboring property owner, and the Planning Office** have raised **valid concerns** about the **precedent this variance would set**.
- There is **no documented hardship** that prevents an addition from being constructed in an alternate location.

### Recommendation:

**Denial of the variance is recommended.**

### Justification for Denial:

- The applicant has **reasonable alternatives** to construct an addition without a variance.
- Approving this request **would set a precedent** for more encroachments in the future.
- The **aesthetic integrity and property values** of the neighborhood could be negatively impacted.
- The **Building Inspector has formally objected**, citing zoning consistency concerns.

### Alternative Compromise:

If the Board **wishes to consider an alternative approach**, it may consider a **reduced setback variance** (e.g., 10-15 feet instead of 5 feet) while **requiring justification for why the rear yard is not a viable option**.

## Requirements for Approval

Three members of the Board of Adjustment must be present to form a quorum. A majority agreement, from a quorum of the Board of Adjustment, for one of the five options below is required.

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## 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**, continuing the request to the next regularly scheduled meeting of the commission to allow further review. The applicant would not need to reapply; certified mailing and public notice fees would be billed to the Town.
4. **Postpone indefinitely.** The request or motion is neither approved nor disapproved and cannot be brought up again during the meeting; however, it can be brought back as a new request at a future meeting. The applicant would have to reapply and pay the application fee and public notice costs.
5. **Deny the request.**

Failure to achieve a majority agreement of a quorum for any option is an automatic continuance to the next regularly scheduled meeting at the expense of the Town of Wheatland.

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### Prepared by:

**Douglas R. Dumont**

Planner, Town of Wheatland

**Date:** February 10, 2025

Dear Committee Members,

We would like to have the ability to add onto our existing house. We need to expand, as we've outgrown the current two bedrooms, with the addition of our daughter in April. This addition will allow us to stay in our current neighborhood. We absolutely love our neighbors and would rather not go elsewhere to buy another home.

Thank you for your time and consideration on this very important matter.

Sincerely,

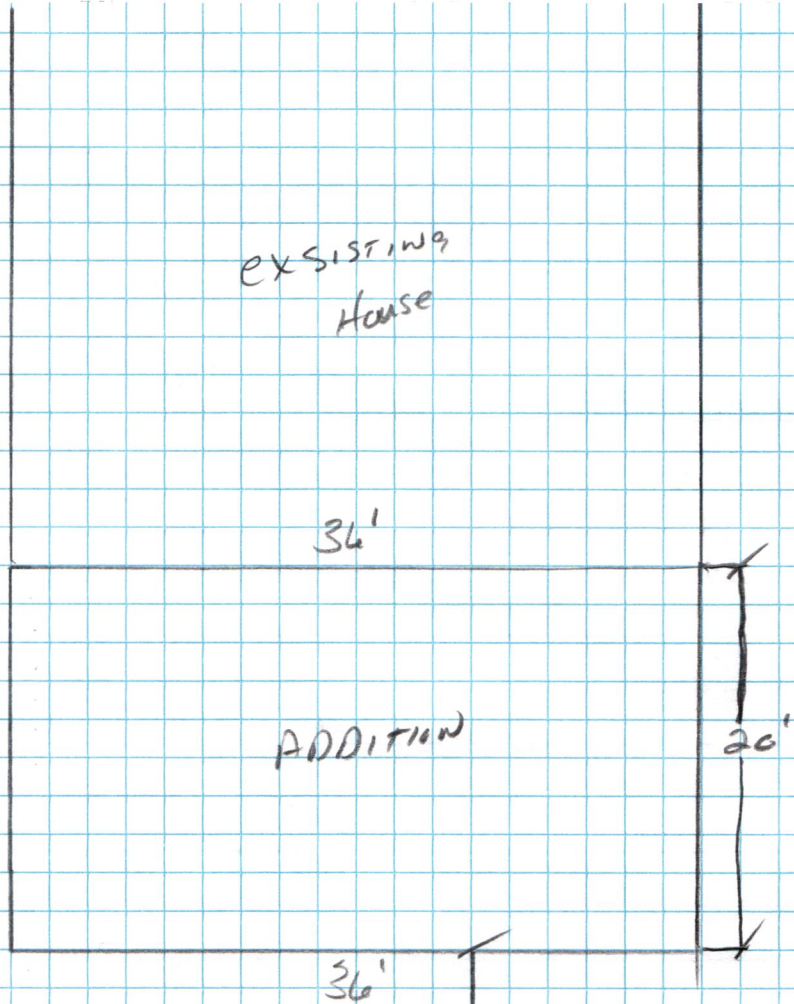
Irvine Family

Chase IRVING

907 11TH Street

Wheatland wy 82201

EXISTING  
House



36'

ADDITION

20'

20'6"

Back of CURB

25'

C<sub>L</sub> OF STREET

# Platte County, Wyoming

907 11th Street  
VAR-25-01



- Township Line
- 2022 Aerial Photography (in res. limited areas)
- 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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**From:** Building Inspector <bi@townofwheatlandwy.org>

**Sent:** Friday, January 31, 2025 11:42 AM

**To:** Town of Wheatland Planner <planner@townofwheatlandwy.org>

**Subject:** Re: Request for Input – VAR-25-01 (907 11th Street) Variance Application

Doug,

I do not believe a variance should be approved to the front yard setback requirements at 907 11<sup>th</sup> St account available space in the rear yard for addition to structure.

I have attached photographs of 907 11<sup>th</sup> St to show the existing dwelling, available space in rear yard and previous additions to the structure.

In my opinion, the addition to the front of the house would detract from the overall aesthetic of the surrounding area, reduce neighborhood property values and set precedence for this type of variance to be applied in other residential areas within the Town of Wheatland.

Thanks,

Virgil Marlin

Building Department



907 11th Street



Addition would extend dwelling inline with evergreen tree

Original dwelling currently has existing addition to front of dwelling.

907 11th Street



Space is available for addition to dwelling  
in rear yard with out variance

907 11th Street



Space is available for addition to dwelling  
in rear yard with out variance.

Original dwelling currently has existing addition  
to rear of dwelling.