



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- ☒ Public Works/Engineering
- ☒ Building
- ☐ Title Company
- ☒ Town Attorney
- ☒ Police

Joint Town/County

- ☒ Parks and Recreation
- ☒ Pathways
- ☒ Housing Department

Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor-
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

Federal Agencies

- ☐ Army Corp of Engineers

Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

Special Districts

- ☒ START
- ☒ Jackson Hole Fire/EMS
- ☐ Irrigation Company

Date: April 15, 2019

Item #: P19-085

Planner: Tyler Valentine

Phone: 733-0440 ext. 1305

Fax: 734-3563

Email: tvalentine@jacksonwy.gov

Owner:

Kristen Corbett & Dave Simpson
PO Box 3291
Jackson, WY 83001

Applicant:

Lois Corbett
PO Box 2169
Jackson, WY 83001

REQUESTS:

The applicant is submitting a request for a Variance for curb cut for the property located at 610 E. Hall Street, legally known as, PT. LOTS 12,13, BLK. 4, HALL 2 (T-65I FILED 9/5/12).

For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.

Please respond by: April 29, 2019 (Sufficiency)
May 5, 2019 (with Comments)

RESPONSE: For Departments not using Trak-it, please send responses via email to:
tstolte@jacksonwy.gov



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: 610 Hall Street partial redevelopment
Physical Address: 610 Hall Street
Lot, Subdivision: Part Block 4 Lot 12 & 13 Plat 000135 - HALL, J PIDN: 22-41-16-34-1-28-008

PROPERTY OWNER.

Name: Lois Corbett Phone: (307) 733-8138
Mailing Address: PO Box 2169, Jackson, WY ZIP: 83001
E-mail: NA

APPLICANT/AGENT.

Name: Kirsten Corbett and Dave Simpson Phone: (307) 690-9906 or 9907
Mailing Address: PO Box 3291, Jackson WY ZIP: 83001
E-mail: davesimpson67@gmail.com or kirstencorbett@gmail.com

DESIGNATED PRIMARY CONTACT.

____ Property Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit	Physical Development	Interpretations
____ Basic Use	____ Sketch Plan	____ Formal Interpretation
____ Conditional Use	____ Development Plan	____ Zoning Compliance Verification
____ Special Use	____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	____ LDR Text Amendment
____ Administrative Adjustment	____ Subdivision Plat	____ Map Amendment
<input checked="" type="checkbox"/> Variance	____ Boundary Adjustment (replat)	Miscellaneous
____ Beneficial Use Determination	____ Boundary Adjustment (no plat)	____ Other: _____
____ Appeal of an Admin. Decision	____ Development Option Plan	____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

- ☒ Application Fee. Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.
- ☒ Notarized Letter of Authorization. A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.
- ☒ Response to Submittal Requirements. The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Signature of Property Owner or Authorized Applicant/Agent

Name Printed

DAVE SIMPSON

Date

Title

4/10/19

AGENT FOR

LOIS CORRETT

LETTER OF AUTHORIZATION

Lois Corbett _____, "Owner" whose address is: PO Box 2169,
Jackson, WY 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)
Lois Corbett _____, as the owner of property
more specifically legally described as: Lois Corbett

(If too lengthy, attach description)

HEREBY AUTHORIZES Dave Simpson and Kirsten Corbett as
agent to represent and act for Owner in making application for and receiving and accepting
on Owners behalf, any permits or other action by the Town of Jackson, or the Town of
Jackson Planning, Building, Engineering and/or Environmental Health Departments
relating to the modification, development, planning or replatting, improvement, use or
occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed
conclusively to be fully aware of and to have authorized and/or made any and all
representations or promises contained in said application or any Owner information in
support thereof, and shall be deemed to be aware of and to have authorized any subsequent
revisions, corrections or modifications to such materials. Owner acknowledges and agrees
that Owner shall be bound and shall abide by the written terms or conditions of issuance of
any such named representative, whether actually delivered to Owner or not. Owner agrees
that no modification, development, platting or replatting, improvement, occupancy or use of
any structure or land involved in the application shall take place until approved by the
appropriate official of the Town of Jackson, in accordance with applicable codes and
regulations. Owner agrees to pay any fines and be liable for any other penalties arising out
of the failure to comply with the terms of any permit or arising out of any violation of the
applicable laws, codes or regulations applicable to the action sought to be permitted by the
application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing
on behalf of a corporation, partnership, limited liability company or other entity, the
undersigned swears that this authorization is given with the appropriate approval of such
entity, if required.

OWNER:

Lois E Corbett
(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title:

(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or
other non-individual Owner)

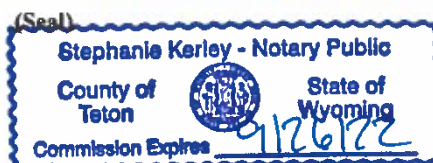
STATE OF Wyoming)
COUNTY OF Teton)SS.

The foregoing instrument was acknowledged before me by Lois Corbett this 11 day of
April, 2019.

WITNESS my hand and official seal.

(Notary Public)

My commission expires:



April 10, 2019

To:

Tyler Sinclair, Planning Director, Town of Jackson
Town of Jackson Board of Adjustment

From:

Dave Simpson and Kirsten Corbett, agents for Lois Corbett, property owner

Re:

Letter of justification for variance request

We are writing a letter as agents representing a Town of Jackson property owner, Lois Corbett. Lois is Kirsten's mother and Dave's mother-in-law. She is an 85-year-old resident of the Town of Jackson, who has lived in town since the 1970s. We are helping her try to pursue her dream of building a small single-family home in the Town of Jackson.

Project description and situation history

Lois currently lives in a condo in the Clusters, where she has lived since the mid-1970s. She owned other property in east Jackson for a number of years, and was hoping to sell her condo in the Clusters and be able to build a modest single-family home there. The property she previously owned was a lot in the Daisy Bush subdivision in east Jackson. However, the CC&Rs in Daisy Bush made the building plan she envisioned difficult financially, given her budget. For that reason, Lois opted to sell her lot in Daisy Bush and buy a lot with AR zoning at 610 Hall instead. She bought the AR lot in order to be able to build a smaller unit (and have more flexibility around design) on a lot that also already had a free-standing house on it. Having the existing home helps her bring in a small amount of income, which is helpful since she is retired.

In the meantime, the zoning at 610 Hall has changed from AR to NL-5. In general, the zoning is more flexible and allows for greater density. But we have learned about some very real challenges to her intended plan as a result of a change in what is allowable for curb cuts to facilitate vehicle access. There are also some apparent restrictions around the fact that her lot is located on the corner of Hall and Redmond, and on Redmond, which is considered a main town arterial road.

There is currently an older house on the east side of the lot, and an older mobile home on the west side of the lot. The concept from the beginning was to remove the trailer and build her unit as far to the west on the lot as possible, under allowable setbacks. The reason for this is two-fold. In the short term, that allows the existing house to remain on the east end of the lot, which provides both income to her, and a rental home in the community. (Stated simply: she cannot afford to scrape the whole lot and start anew.)

Her desired plan (currently allowed under the NL-5 zoning) is to build a roughly 1,600 square foot unit on a compact 40-foot by 20-foot building envelope on the west side of the lot, as close to

Redmond Street as allowable by current setbacks. As currently envisioned, this would consist of 800 square feet of living space on a second floor with a garage, entry, some living space and a single-run of stairs (allowing us to install a stair-access lift) on another 800 square feet at ground level. (See attached drawing of an intended site plan, elevation and a very rough concept for a floor plan). This was her intention all along when she bought the lot under the AR zoning.

She also wants to locate the home as far west as possible on the lot in order to preserve the ability to at some point in the future to remove the older house and build two additional units (for a total of three on the lot). Though Lois does not currently have the financial ability to do this, she does not want to preclude the ability to further develop the lot in the future by overly restricting the potential building envelope within allowable setbacks. Nor does it make sense to do so from a community standpoint (in terms of the need for housing) to develop the lot in a way that precludes future potential housing. Thus, the concept is to build on the west end of the lot first.

We are also trying to move quickly on this project for some personal reasons. Lois has a number of health issues, including diabetes and a cancer diagnosis. It has been her long-term dream to be able to live in a standalone home in Jackson, and, if that's going to happen, we need to move fairly quickly (hopefully building before next winter). Moreover, we (her daughter and son-in-law) live in a home just a few blocks from 610 Hall. As Lois begins to need more assistance at her age and with her diagnoses, part of the goal is to have her living nearer to us.

Restrictions on Property Vehicle Access

We have learned that under the new NL-5 zoning, although this new zoning allows for higher Floor Area Ratios and more flexible types of developments (including, potentially, up to three connected apartments in one building), the zoning does not allow for more than 20 feet of total curb cut along Hall Street for vehicle access (one 20-foot cut or two 10-foot cuts).

Under the previous AR zoning, by contrast, this lot was allowed curb cuts totaling 40 percent of the main street frontage. That would have allowed 40 feet of access on Hall, which was what Lois was planning when she bought the lot. This has been reduced to 20 feet under the NL-5 zone, even as the lot's development potential (FAR) was increased. That seemingly doesn't make a lot of sense.

Moreover, we were told by town planning staff that under NL-5 zoning, a driveway located within the front setback (which is 20 feet) cannot exceed the width of the curb cut (so there can only be one 20 foot-wide driveway or two 10 foot-wide driveways up to the front of the building envelope). Given the small lot size (the lot is 100 feet east-west by 70 feet north-south, and the total building footprint is 40' by 50' feet), that essentially means extremely limited parking and vehicle access for a lot that could easily provide three housing units.

We were initially told by in a meeting with town planning staff that because the lot has street frontage on both Hall and Redmond and lacks alley access, Lois could locate a second 20 foot curb cut/access point on Redmond, for 40 feet of total curb cut accessing the lot. However, we

were also told that it was possible that none of that access could be within 50 feet either direction of the sidewalk corner of Hall and Redmond (which includes some town right-of-way). We were asked to verify that latter point with the town engineer.

In a conversation with the town engineer, he confirmed that it was his view that there could be no curb cuts for access within 50 of the sidewalk corner of Hall and Redmond. In addition to that, he further told us that the town would not allow any access period off of Redmond because it was considered a main arterial town road.

Under the new zoning, combined with restrictions cited by the town engineer, this would mean that a lot that (in accordance with NL-5 zoning) could potentially have three apartments would only be allowed vehicle access via 20 total feet of curb cut and 20 feet of driveway width within the 20-foot front setback, with all driveway(s) required to be located on the easterly 50 feet of access along Hall Street, an area that represents roughly 15 percent of the perimeter of the lot. That is an incredibly limiting restriction, and represents serious challenges to development. That also means that any buildings located on the more westerly end the property (where Lois hopes to locate her home) would not be able to have any vehicle access to a garage, or any access for cars to be located adjacent to the building – a critical criteria for an elderly person, not to mention a major change from what was allowed when she bought the lot. It also means a simple lack of sufficient on-site parking.

Request for Variance

Given the above changes from when Lois bought the lot two years ago, and what we feel are excessive restrictions on vehicle access given the lot's unique circumstances, we are requesting a variance to allow for 40 feet of total curb cut for vehicle access along Hall Street. We are further requesting to be able to locate one of two 20-foot curb cuts within 10 feet of the surveyed lot corner closest to the corner of Redmond and Hall.

Findings for Variance

Reasoning for the variance request is as follows:

- In discussions with town planning staff, the new restriction to 20-foot curb cuts on the front of town lots seems to have been intended to apply to more standard 50' by 150' town lots, where there is only 50 feet of lot frontage on a main street. Moreover, town planning staff indicated the goal was to push any additional vehicle access to the rear of the lot, off an alley. Critical points in this request are:
 - This lot has 100 feet of frontage on Hall, the same frontage that two more standard 50' by 150' lots would have. We are not asking for any more curb cut on Hall than would be allowed under existing zoning if this lot and the lot behind it to the south were configured as standard 50' by 150' town lots.
 - We are also not asking for any more curb cut than would have been allowed under the previous AR zoning (40 percent of street frontage, in this case 40 feet).

- This restriction seems to be derived from planning around the more standard 50' by 150' town lot, most of which have alley access in addition to front access. In this case, there is no alley access. Instead we have increased street frontage on Hall (100 feet) as well as access off of Redmond (70 feet).
 - Even though this lot has secondary access from Redmond (instead of an alley), it is (under town regulations) not allowed to have an access point off of Redmond, because of that street's status as a main artery.
- As stated above, we also are requesting that the variance allow for one 20-foot curb cut to be located within 10 feet of the surveyed lot corner of Hall and Redmond (which would be roughly 24 to 30 feet from the edge of the sidewalk curb at the corner of Hall and Redmond, given town sidewalk/curb easements). Reasoning for that is:
 - Under the new NL-5 zoning, the town recently approved a development that is currently being built directly across the street at 605 Hall Street (on the opposing corner of Hall and Redmond to the north). This development, which is on a 50' by 150' town lot, was allowed to have a 20-foot curb cut within 10 feet of the surveyed lot corner, the very same thing we are requesting here.
 - We are not asking for anything different than what the town recently approved under current zoning directly across the street. Our request for a variance would simply allow what these neighbors have already been allowed to do within current zoning (since that lot has 50 feet of frontage on Hall, rather than 100 feet as Lois's lot has).
 - This variance request mirrors is currently being built on the north corner of Hall and Redmond in terms of driveway access/curb cut. It would be arbitrary to allow that access on the north corner of Hall and Redmond, and prohibit it on the south, simply because of this lot's irregular shape and lack of alley access.
 - This proposal improves upon what is on the ground today in terms of driveway access/curb cut. The existing driveway to the trailer is within several feet (maybe 5 or 6 feet?) of the surveyed lot corner. We propose moving that back to meet the side-yard setback for buildings of 10 feet. In addition, the current driveway for the existing trailer on this site sits partially within town right-of-way (to the north). We propose redeveloping in such a way that all vehicle parking would be accommodated on site. This improves the situation on the ground for both the town and the neighbors.
 - Access to any new building on the western side of the lot that has a garage (or in order to have the vehicle be located close to a building) would have to be located closer to the corner of Hall and Redmond than the apparent restriction of 50 feet (as stated by the town engineer), given the lack of alley access off the rear and the restriction prohibiting access off of Redmond.
- Lois Corbett bought this lot two years ago with a plan in mind. She did due diligence under AR zoning to make sure she could execute the plan envisioned. In the meantime, the town

changed the zoning. She is simply asking for the curb cut access that was allowed when she purchased the lot.

- In the larger picture, the Town of Jackson and Teton County officials have talked for decades (and with an increasing sense of urgency over the last few years) about the lack of housing in the town and county. Under the above scenario, we have a small town lot that is potentially able to provide three smaller housing units (allowed by the new NL-5 zoning), ideal for in-town housing. However, the limitations around parking and access (as a result of only being able to have 20 feet of curb cut along the eastern 50 feet of Hall Street) are at odds with the development potential of this lot. Under the allowable curb-cut scenario, there simply is not adequate access to park cars for that number of units.
 - On the one hand, with the new NL5 zoning (replacing the AR zone) the town increased Floor Area Ratios and development flexibility with building types, and reduced required Landscape Ratios, in an apparent attempt to allow more housing development in alignment with the 'town as heart' concept. So it does seem to make a lot of sense to simultaneously restrict the ability to provide parking for that development on site by only allowing 20 feet of curb cut access to a single lot, especially given that that access can only be located within a window that's in one particular area representing about 15 percent of the perimeter of the lot.
 - This new curb cut limitation as it applies to this lot is also at odds with the vast majority of situations on the ground in town now.

Thank you in advance for your consideration of this matter. We look forward to the opportunity to present our variance request in person.

Kirsten Corbett, Dave Simpson and Lois Corbett
(307) 690-9907 or (307) 690-9906

