



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- *Nelson*
- 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: November 12, 2020

Item #: P20-213

Planner: Paul Anthony

Phone: 733-0440 ext. 1303

Email: panthony@jacksonwy.gov

Owner:

Virginian Lodge LLC
PO Box 7396
Jackson, WY 83001

Applicant:

Benjamin Goldberg
PO Box 13308
Wilson, WY 83003

REQUESTS:

The applicant is submitting a request for a Zoning Compliance Verification for the property located at 750 W. Broadway, legally known as, LOT 1, VIRGINIAN ADDITION.

For questions, please call Paul Anthony at 307-733-0440, x1303 or email to the address shown to the left. Thank you.

Please respond by: **November 26, 2020 (Sufficiency)**
December 3, 2020 (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: Virginian Lodge ZCV
Physical Address: 750 W Broadway, Jackson, WY 83001
Lot, Subdivision: Lot 1, Virginian Addition PIDN: 22-41-16-33-2-06-001

PROPERTY OWNER.

Name: Virginian Lodge, LLC Phone: 307-203-2460
Mailing Address: PO Box 7396, Jackson, WY ZIP: 83002
E-mail: Robert.Huggins@orion-companies.com

APPLICANT/AGENT.

Name: Benjamin Goldberg Phone: 781-608-9183
Mailing Address: PO Box 13308, Jackson, WY ZIP: 83002
E-mail: Ben.Goldberg@orion-companies.com

DESIGNATED PRIMARY CONTACT.

Property Owner Applicant/Agent

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

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

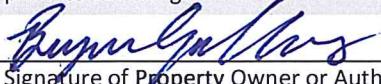
Application Fee. Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

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

Benjamin Goldberg

Name Printed

11/5/2020

Date

Agent

Title

LETTER OF AUTHORIZATION

Virginian Lodge, LLC _____, "Owner" whose address is: 750 W Broadway
Jackson, WY 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

_____, as the owner of property
more specifically legally described as: Lot 1 of the Virginian Addition to the Town of Jackson, Teton
County, Wyoming, according to that plat recorded in the Office of the Teton County Clerk on August 16, 2004
as Plat No. 1129 (PIDN: 22-41-16-33-2-06-001)

(If too lengthy, attach description)

HEREBY AUTHORIZES Benjamin Goldberg 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:



(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: G.P.

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

STATE OF WYOMING

)

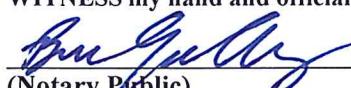
)SS.

COUNTY OF TETON

)

The foregoing instrument was acknowledged before me by Robert Higgins this 10 day of
May, 2020.

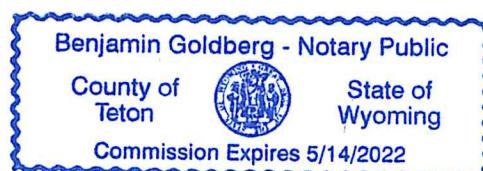
WITNESS my hand and official seal.



(Notary Public)

My commission expires: 5/14/22

(Seal)





November 10, 2020

On behalf of Virginian Lodge, LLC, the record owner of the Property, I request that the Town of Jackson issue a zoning compliance verification ("ZCV") pursuant to Section 8.6.2 of the Town of Jackson Land Development Regulations ("LDRs") to confirm a legal non-conforming use of a portion of the approximately 7.79 acre parcel at 750 W Broadway that is more particularly described as Lot 1 on Plat No. 1129, and is further identified as PIDN 22-41-16-33-2-06-001 (the "Property"). Specifically, I request that the Town confirm that use of the southeast portion of the lot for six (6) recreational vehicle/trailer sites ("RVs") is a legal non-conforming use.

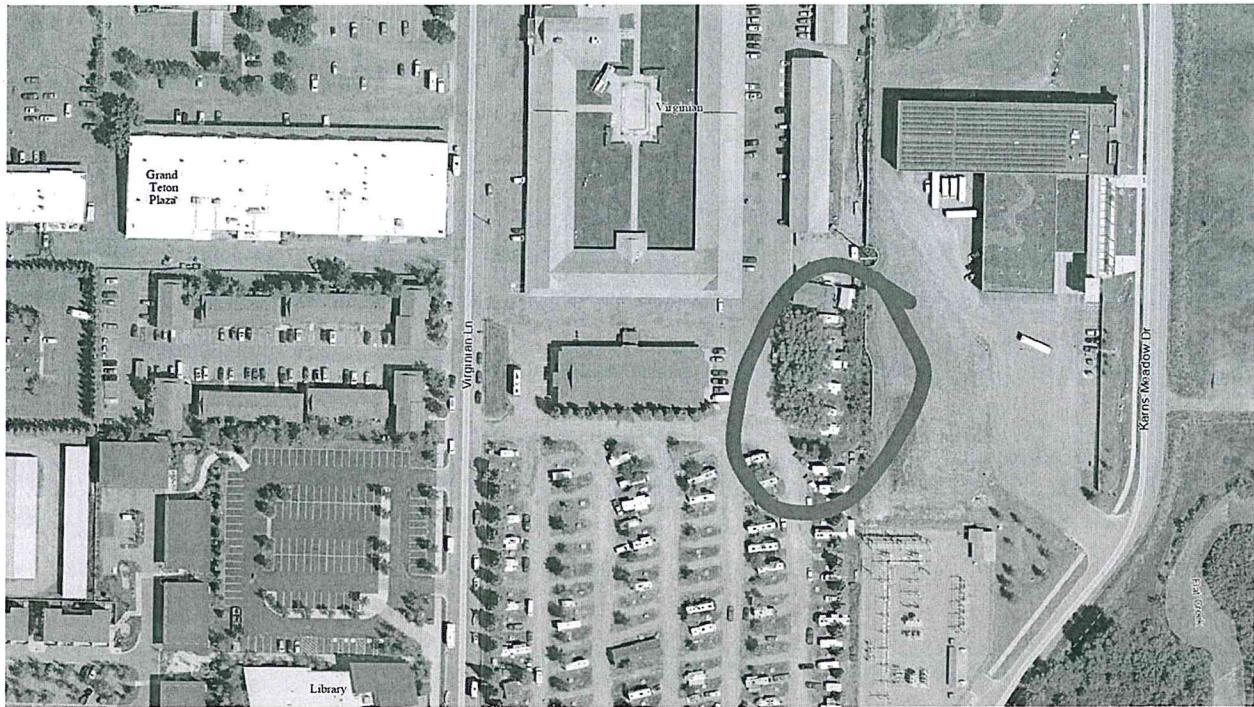
As shown in Exhibit A, six RVs have been located in the same general vicinity of the Property since at least 1967 and continuing uninterrupted to today. The RVs have been primarily used to house employees of the Lodge on a year-round basis. This use is further evidenced by the written statements of Phil Napierskie, whose family owned the Lodge from 1965 until earlier this year, Judy Peters, the Director of Operations for the Lodge who has worked at the Lodge for 23 years, and Nelly Tzompa, the head of housekeeping for the Lodge who has occupied one of the RV sites for 24 years. Their statements are attached to this application as Exhibit B-1, B-2, and B-3 respectively.

The foregoing demonstrates that use of the southeast portion of the lot for six (6) RV sites was established before any LDRs were adopted by the Town and that the use has continued uninterrupted to today.

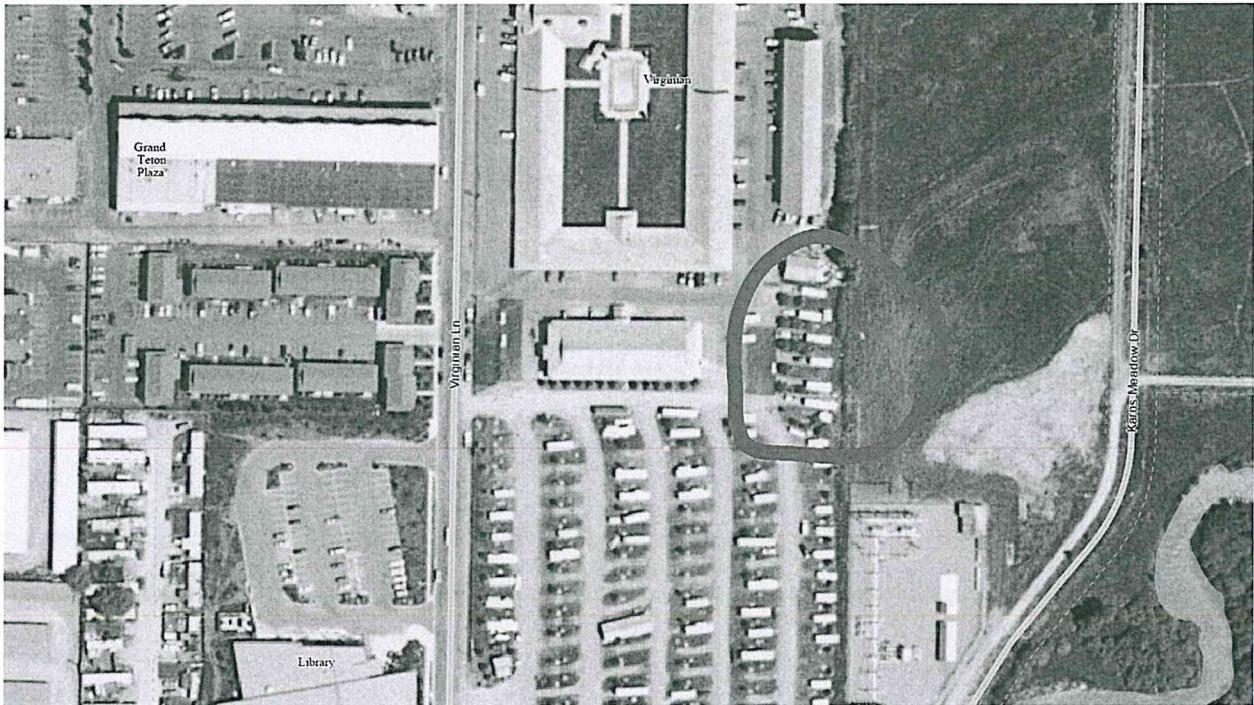
Thank you,

Benjamin Goldberg

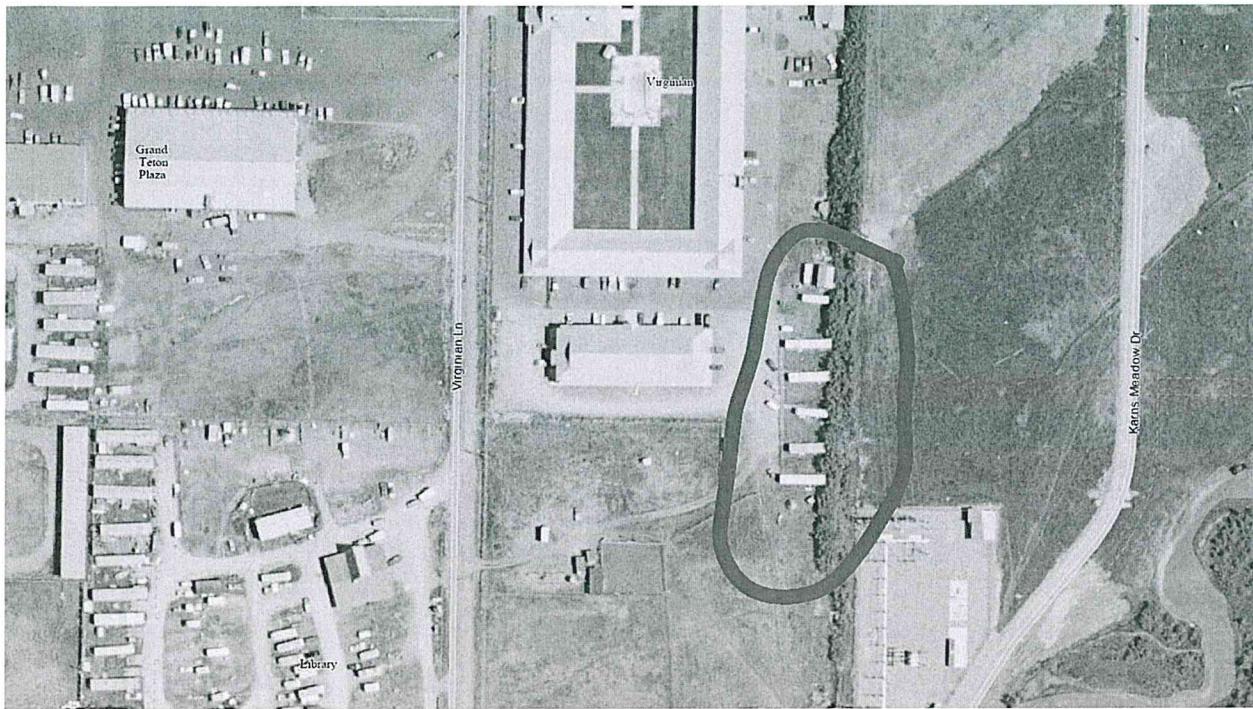
EXHIBIT A



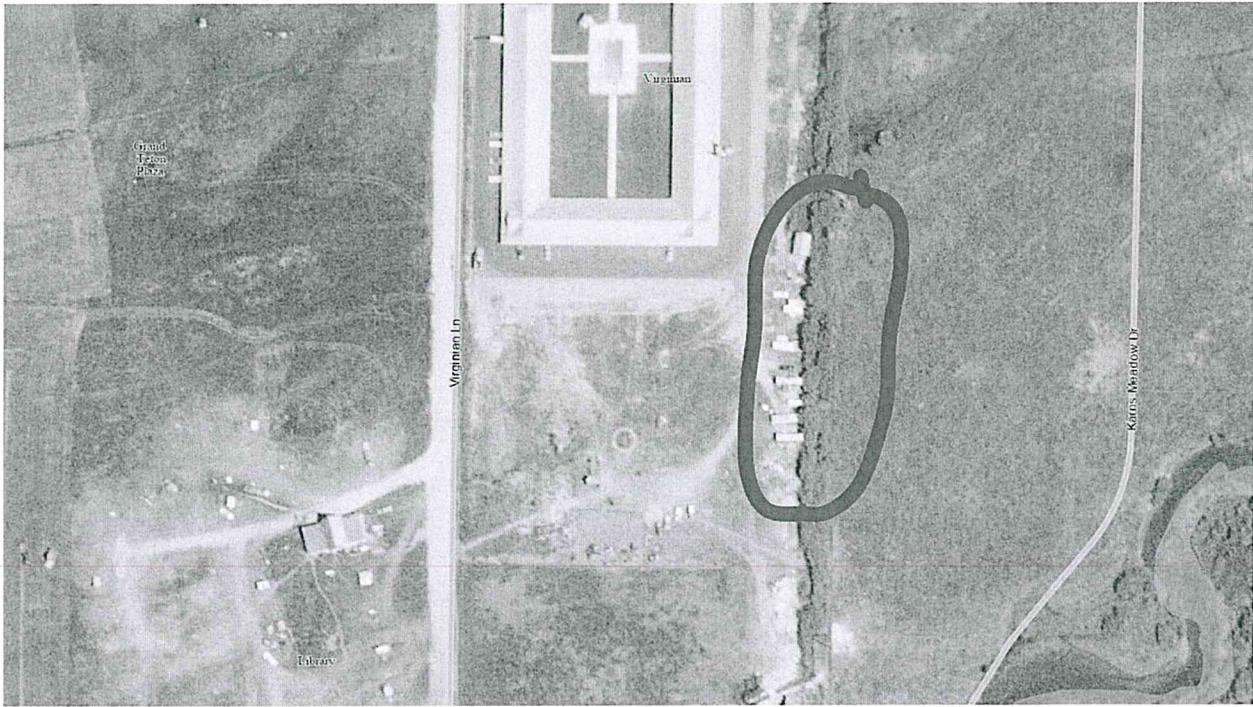
2020 – Aerial Photo – Teton County GIS



1999 – Aerial Photo – Teton County GIS



1977 Aerial Photo – Teton County GIS



1967 Aerial Photo – Teton County GIS

11/5/20

To Whom It May Concern:

My name is Phil Napiereskie. My family, through Flat Creek Development Co., was the owner of the Virginian Lodge and RV park at 750 West Broadway and 90 Virginian Lane, Jackson Wyoming, from 1965 until its sale earlier this year.

I am personally aware that since the early 1970's, the six trailers/mobile homes have been continuously located and used in the same general vicinity as they are today (the southeast portion of the northern parcel).

Glenn P. Napiereskie, II
Phil Napiereskie

Exhibit B-2

11/4/20

My name is Judy Peters, Director of Operations at the Virginian Lodge. I have worked here for 23 years. There have been 6 trailer spots in the south-east corner of the Virginian Lodge at 750 West Broadway for the entire time I have worked here. They are used for Virginian employee housing.

A handwritten signature in black ink that reads "Judy Peters". The signature is fluid and cursive, with "Judy" on the top line and "Peters" on the bottom line, slightly overlapping.

Exhibit B-3

The Virginian Lodge Hotel

Hello, my name is Nelly Tzompa, I am the head housekeeper of The Virginian Lodge.

I have been working at The Virginian Lodge for 24 years. I have a trailer in space #3 and it has

maintained in the same spot for 23 years. To my knowledge the 6 trailers that are used for

employee housing have been in the same space for at least the 24 years that I have worked here.

There have been many employees that have come and gone, but the 6 spots have always been in

the same location. Two of the trailers including my own have occupied the space for 23 years

straight. Having the trailers is very convenient not for only easy walking commute for employees

to get to work, but for the conventionality of being able to stay on the lot when receiving meals

and being on call when fast service is needed throughout the hotel. Most employees who do live

in one of the six spots often work multiple shifts; either day shift or night shift, and in the summer

time many times both shifts. Having 6 employee housing is just as beneficial to the employees as

it is to the hotel. The hotel has fast, effective help whenever needed and employees have the

security of having a home.

Nelly Tzompa