



# 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
- Joint Housing Dept

**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: February 11, 2021	<b>REQUESTS:</b>
Item #: P21-029	<p>The applicant is submitting a request for a Basic Use Permit to add the use short term rental to the property located at 245 N. Glenwood St. legally known as LOT 7, BLK. 1, ORIGINAL TOWNSITE OF JACKSON.</p> <p>For questions, please call Katelyn Page at 733-0440, x1302 or email to the address shown below. Thank you.</p>
Planner: Katelyn Page	
Phone: 733-0440 ext. 1302	
Email: <a href="mailto:kpage@jacksonwy.gov">kpage@jacksonwy.gov</a>	

**Owner**

Marilyn R. Hartman  
1700 Bassett St. Unit 1009  
Denver, CO 80202

**Applicant:**

Frank Paniszczyk  
19030 Kimber Creek Ln.  
Cypress, TX 77429

**Please respond by:** **February 24, 2021 (Sufficiency)**  
**March 3, 2021 (with Comments)**

**RESPONSE:** For Departments not using Trak-it, please send responses via email to:  
[kpage@jacksonwy.gov](mailto:kpage@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

Fees Paid \_\_\_\_\_

*For Office Use Only*

Date & Time Received \_\_\_\_\_

Application #s \_\_\_\_\_

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

**PROJECT.**

Name/Description: Change of Use from Long Term Rental to Short Term Rental  
Physical Address: 245 N. Glenwood St., Jackson Wy  
Lot, Subdivision: Lot 7, Block 1, Original Townsite of Jackson PIDN: 22-41-16-28-4-06-016

**PROPERTY OWNER.**

Name: Marilyn R. Hartman Phone: 307-690-1814  
Mailing Address: 1700 Bassett St. Unit 1009, Denver Co ZIP: 80202  
E-mail: 307-690-1814  
Marilynjacksonhole@yahoo.com

**APPLICANT/AGENT.**

Name: Frank Paniszczyn Phone: 817 323 9656  
Mailing Address: 19030 Kimber Creek Ln Cypress, TX ZIP: 77429  
E-mail: paniszczynfrank@comcast.net

**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](http://www.townofjackson/200/Planning)

Use Permit	Physical Development	Interpretations
<input checked="" 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 type="checkbox"/> Zoning Compliance Verification
<input type="checkbox"/> Special Use	<input type="checkbox"/> Design Review	<b>Amendments to the LDRs</b>
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)	<b>Miscellaneous</b>
<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](http://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 #: N/A Environmental Analysis #: N/A  
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](http://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](http://www.townofjackson.com/200/Planning) and select the relevant application type for the fees.

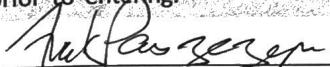
**Will pay on phone**

**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](http://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](http://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

Frank Paniszczyn  
Name Printed

2.1.21

Date

Contracted Buyer  
Title

**LETTER OF AUTHORIZATION**

MARILYN R. HARTMAN, "Owner" whose address is: 1700 Basalt St Unit 10  
Denver, Co 80202

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

more specifically legally described as: LOT 7, BLOCK 1, ORIGINAL TOWNSITE  
OF JACKSON WY 83001 (AKA: 245 N. GLENWOOD ST JACKSON WY)

(If too lengthy, attach description)

HEREBY AUTHORIZES FRANCIS AND DE RHOND PANISZCZYK OR THEIR LLC 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:

Marilyn R. Hartman

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: Owner

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

STATE OF Colorado

)

COUNTY OF Denver

)

SS.

The foregoing instrument was acknowledged before me by Marilyn R. Hartman this 6th day of January, 2021.

WITNESS my hand and official seal.

(Seal)

(Notary Public)

My commission expires: July 23, 2021

COLLIN FLYNN HOPKINS NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20194028793 MY COMMISSION EXPIRES JULY 31, 2023
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8.4.1, BASIC USE PERMIT NARRATIVE REQUEST  
245 Glenwood Street, Jackson Wyoming, 83001

February 10, 2021

**Property Location:** 245 N. Glenwood Street, Jackson Wyoming, 83001

**Legal Description:** Lot 7, Block 1, Original Townsite of Jackson Wyoming 83001

**Property Owner:** Marilyn R. Hartman

**Buyers:** Frank and Rhonda Paniszczy, Also Known as Jackson Hole Realty Partners, LLC

**Lot Description:** 50' wide by 140' long

**Lot Improvements (as built):** 4800 square foot building, three stories as follows

- **Top Floor (Apartment 1):** 1600 square feet: 1 unit apartment with 2 Bedrooms and 2 Baths
- **Middle Floor (Apartment 2):** 800 square feet, with 2 Bedrooms and 1 Bath
- **Middle Floor (Apartment 3):** 800 square feet, with 2 Bedrooms and 1 Bath
- **Ground Floor:** 1600 square feet: retail space
- **Construction date and type:** 1992; wood frame construction

**Neighborhood Zone:** CR-2

**Included in the Jackson Lodging Overlay see Fig. 1.**

**Narrative description of the use:**

Frank and Rhonda Paniszczy and Jackson Hole Realty Partners are under contract to purchase the commercial building located at 245 N. Glenwood St., Jackson Wyoming, legally known as Lot 7, Block 1 in the Original townsite of Jackson. The building has a total of three floors. Each floor is 1600 sq ft in size. The top floor is a single apartment with 2 bedrooms and 2 baths and is being used as a long-term rental. The second story includes two apartments. Each one of these apartments include two bedrooms and one bath and are used as long-term rentals. The bottom floor is a retail space currently under lease. We are requesting that the Town of Jackson issue a Basic Use Permit (BUP) pursuant to Article 2.2.12 of the LDR to allow the short-term rentals the building's top two floors that are now long-term rental apartments. This property lies within the lodging overlay (Fig. 1).

The bottom floor will remain a retail space.

- **Proposed location of use:** Top and Middle Floor of building located at 245 N. Glenwood Street; Apartment 1, Apartment 2, and Apartment 3.
- **There will be no new physical development as part of this BUP request.**
- **The ground floor will continue to exist as a retail space with no change of use at this time.**

- This property is zoned CR-2 as shown on the provided map from Fig. 2. Table 2.2.4C Allowed Uses shows both apartments and Short-Term Rental Units as permitted uses with a Basic Use Permit with short-term rentals allowed in the lodging overlay.
- This property is located in the Lodging Overlay as shown on the provided map Fig. 1.
- Property does not fall in the Natural Resource Overlay and complies with all setback and buffer standards per LDR 8.2.2as shown in Fig. 3.
- This request for change of use conforms to the definition of "Change of Use" provided in Article 6.1.2.F
- The change of use to short-term rental for this property conforms to the allowed use stated in Article 6.1.5.C for Lodging Uses. The two subject floors for short-term rentals will allow rental reservations limited to less than 31 days.
- In order to comply with the parking of a short-term rental, said property will follow the Use Table for CR-2 provides that parking requirements for short term rentals will be 1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU. Each of the three apartment units are greater than 500 sf, so the calculated parking of  $1.5 \times 3 = 4.5$  parking spaces is needed for the apartment parking. There are 7 spaces in the back of the building designated for this parking. The retail, since it is not changing use, remains at 5 spaces on 245 N. Glenwood Street.
- In order to comply with Article 6.3.5.C.1 where short term rentals are subject to lodging workforce housing requirements, we have attached the mitigations spreadsheet showing what we need to pay in lieu for housing mitigation to change the use of the apartments from long term to short term. See Worksheet Attachment 1.
- The housing mitigation spreadsheet shows that the current apartment (unrestricted) use earns a .121 unit credit (Attachment 1).
- The housing mitigation spreadsheet shows that the short-term rentals for those same 3 units creates a cost of .613 units.
- The sum of the credits is .492 units or \$133,680.43 in lieu of payment.
- Point of Clarification for Parking—Prior conversations with a Jackson Town Planning Department official suggested that a change in use at the building would require the building's owner to remove the 5 parking spaces that are in the front of the building (on Glenwood St.). If this is the case, Jackson Hole Realty Partners, humbly request that the removal of these 5 spaces in front of the building would be delayed until or in the event of changing the use of the bottom floor retail space. Their lease ends in 2023. The removal of these 5 parking spots at this time would be a parking burden on the food pantry and their patrons that currently services Jackson area residents. This is due to the primary street setback of 10'. The non-conforming physical development is not being altered and pursuant to LDR 1.9.2B.2 nonconforming physical development may be maintained or altered.

### **Proposed Development Program**

There is no proposed development program for this request to change of use.

### **Site Plan:**

Since there is no development change with this request. The only site information associated with the property is the property outline shown in Fig. 4. The attached list of minimum standards for a site plan, established in the Administrative Manual is as follows:

**Top Floor (Apartment 1) need for parking Short Term Rentals:** 1.5 parking spaces for 2 Bedroom unit>/= 500 sq. ft.

**Middle Floor (Apartment 2) need for parking Short Term Rental:** 1.5 parking spaces for 2 Bedroom unit>/= 500 sq. ft.

**Middle Floor (Apartment 3) need for parking Short Term Rental:** 1.5 parking spaces for 2 Bedroom unit>/= 500 sq. ft.

**Ground Floor (Retail) Need for parking:** 5 existing parking spaces are in the front of building

### **Floor Plans:**

See Figures 5 through 7 for references to the floorplans for the three apartments in question. There will be no changes made to these floor plans once the change of use from apartment to short term rental commences.

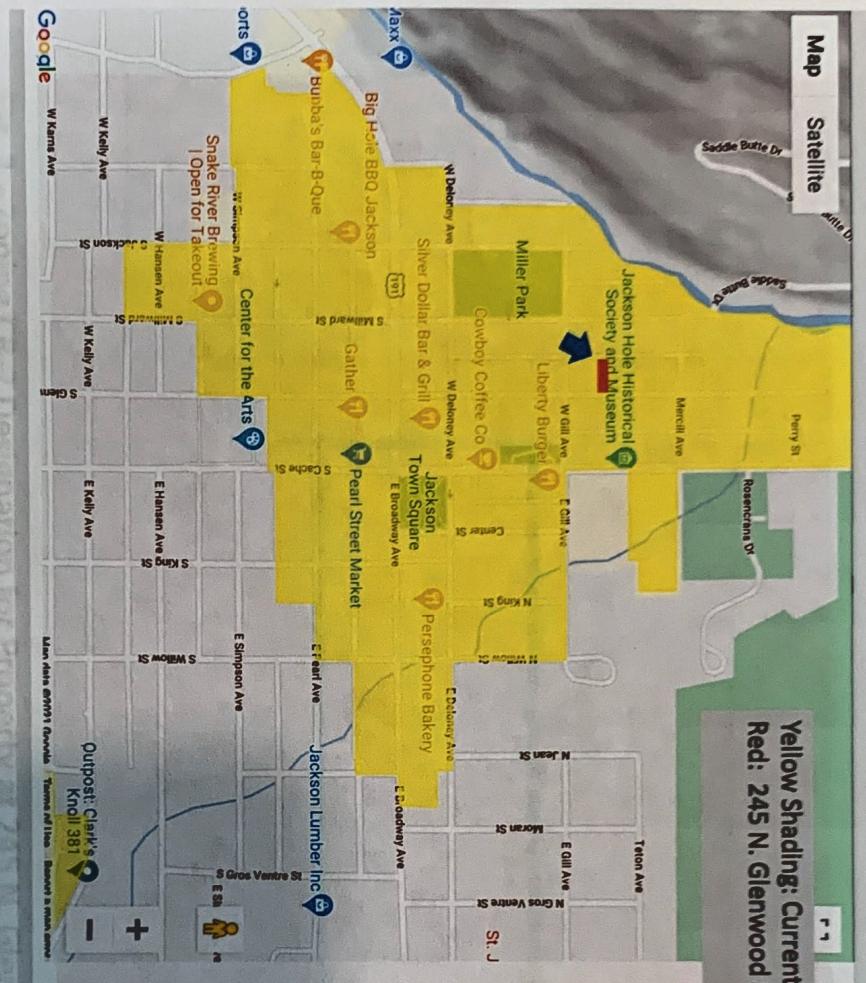


Fig. 1- City of Jackson Lodging Overlay

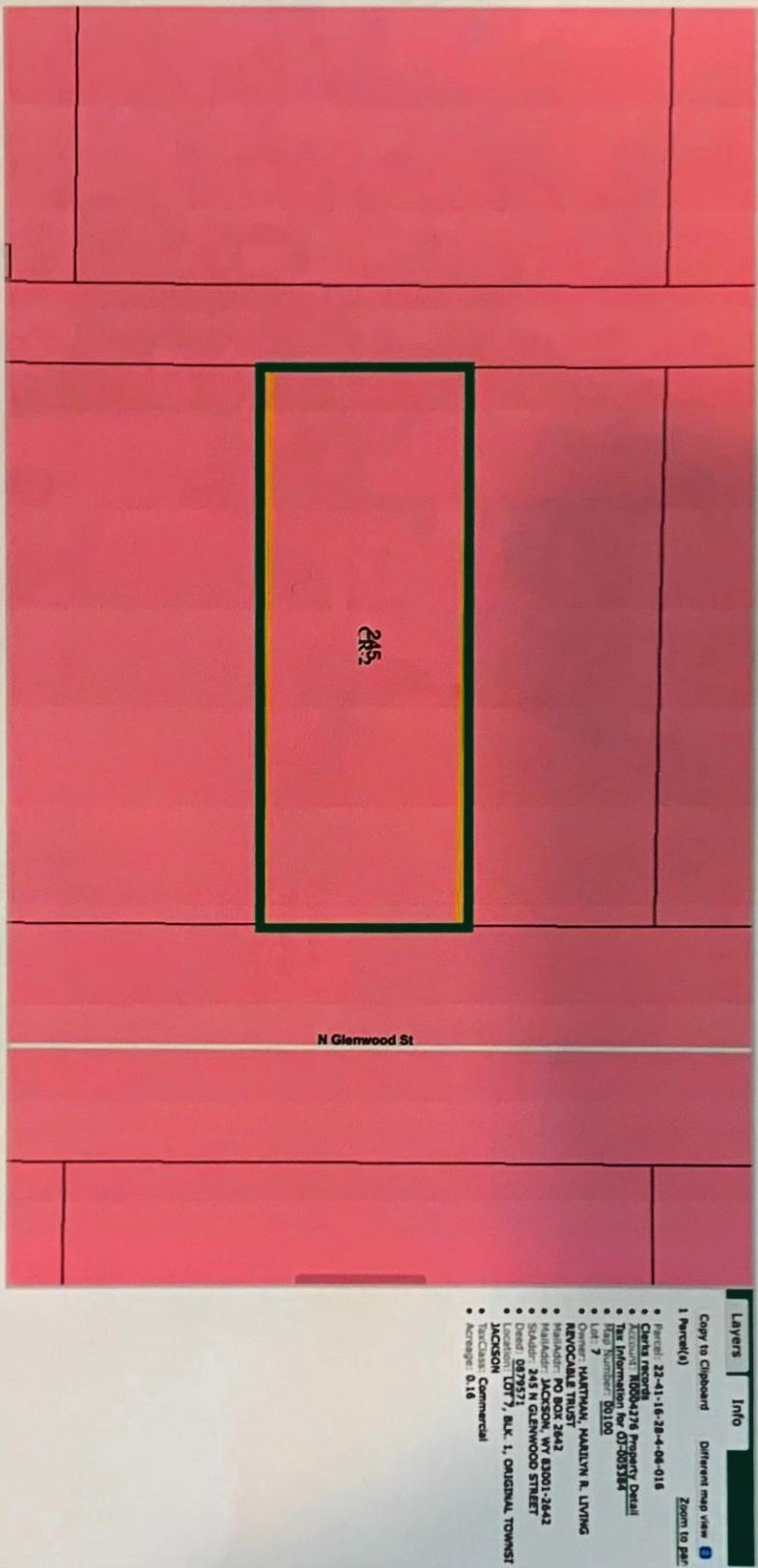


Fig. 2 --Zoning CR-2 Designation for Property at 245 N. Glenwood St.

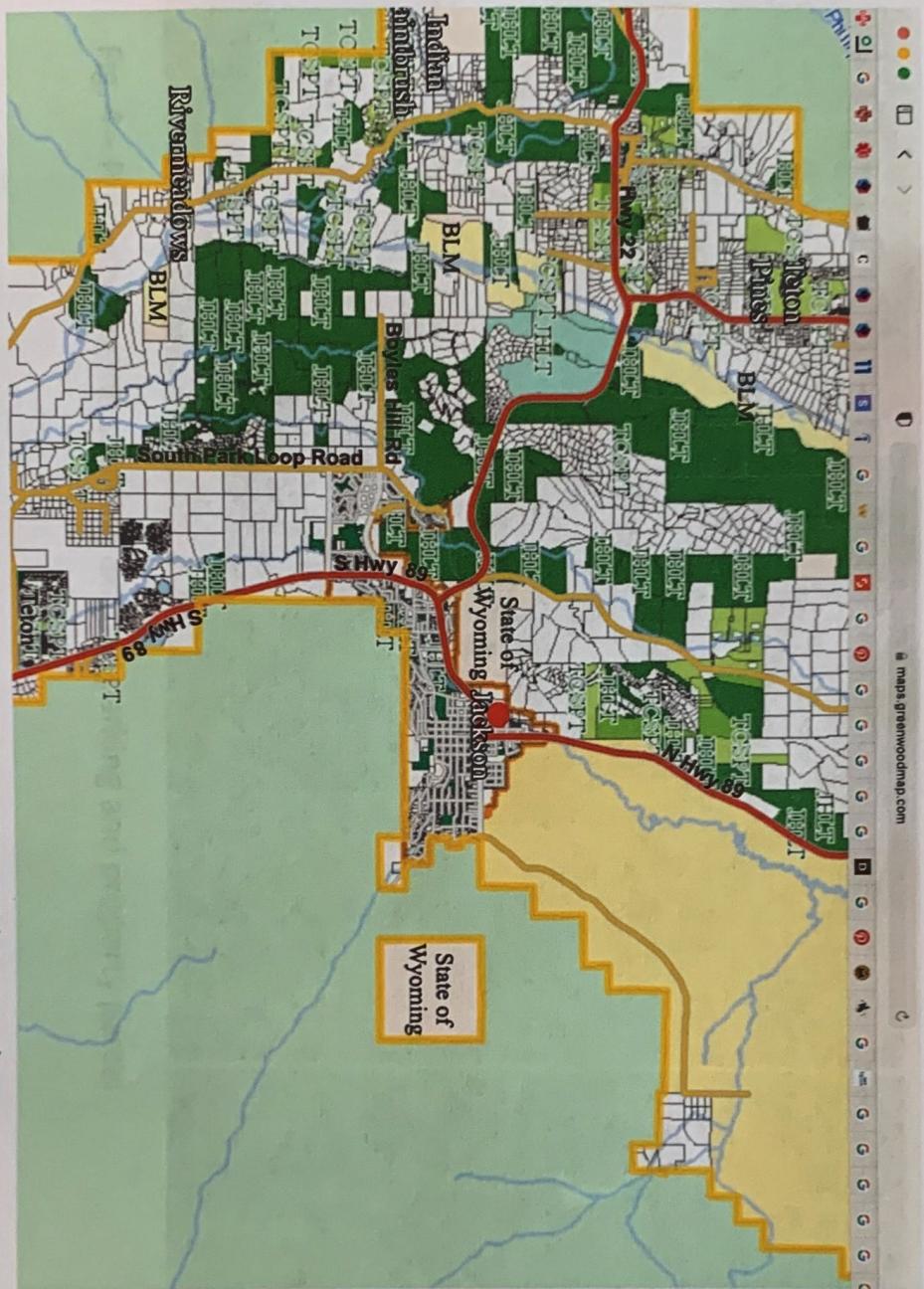


Fig. 3- Natural Resource Overlay and Property location within overlay

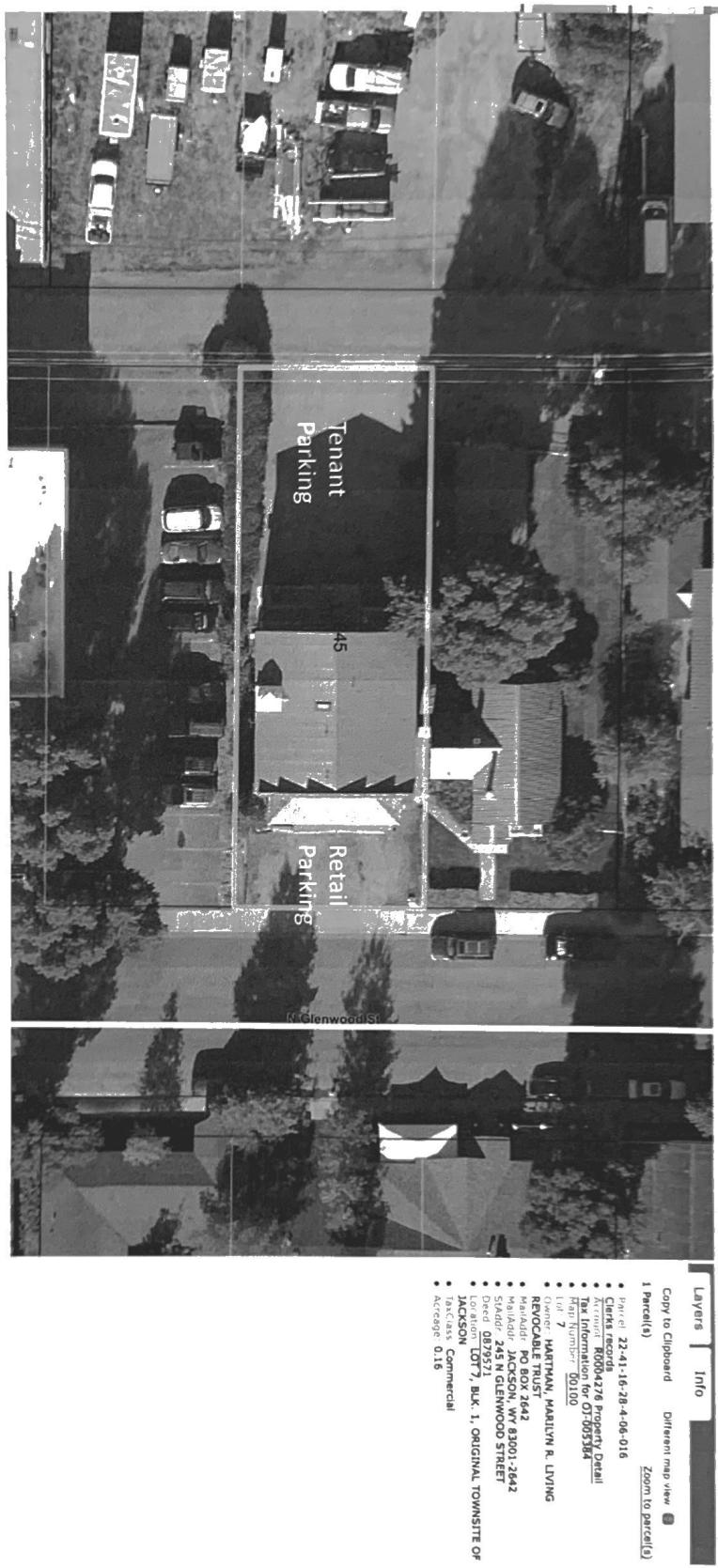
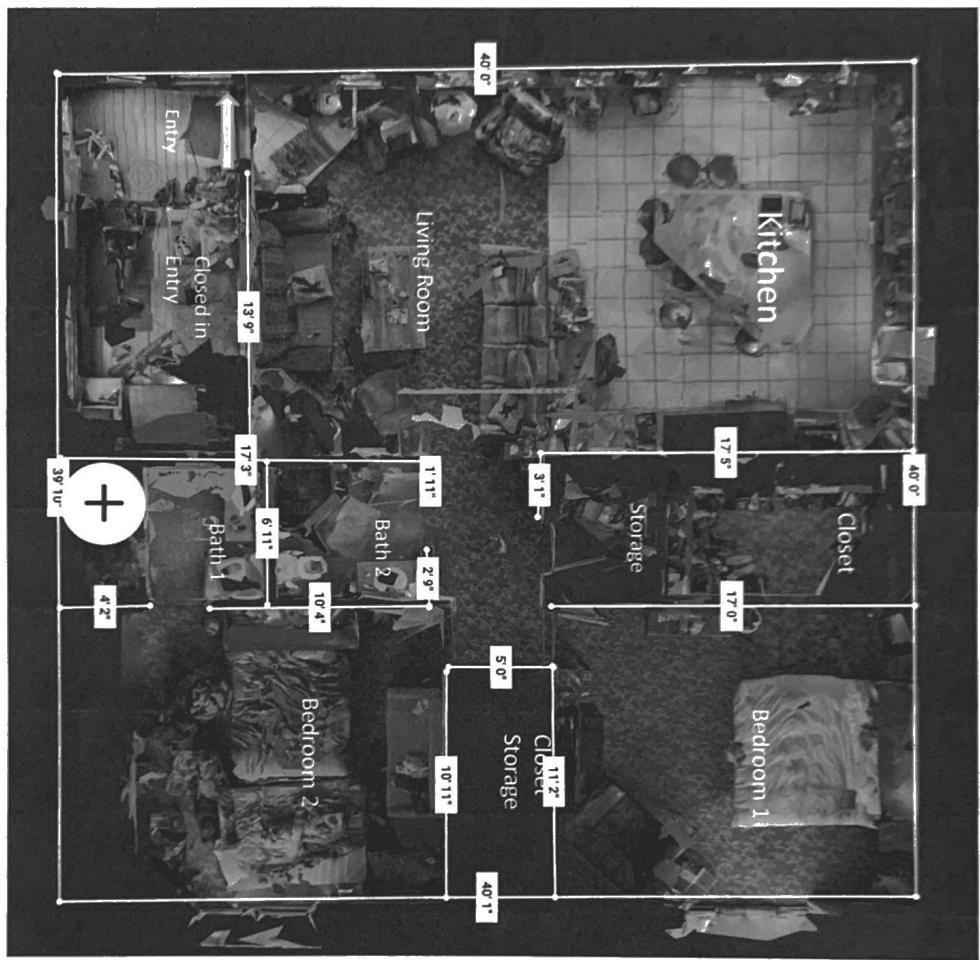


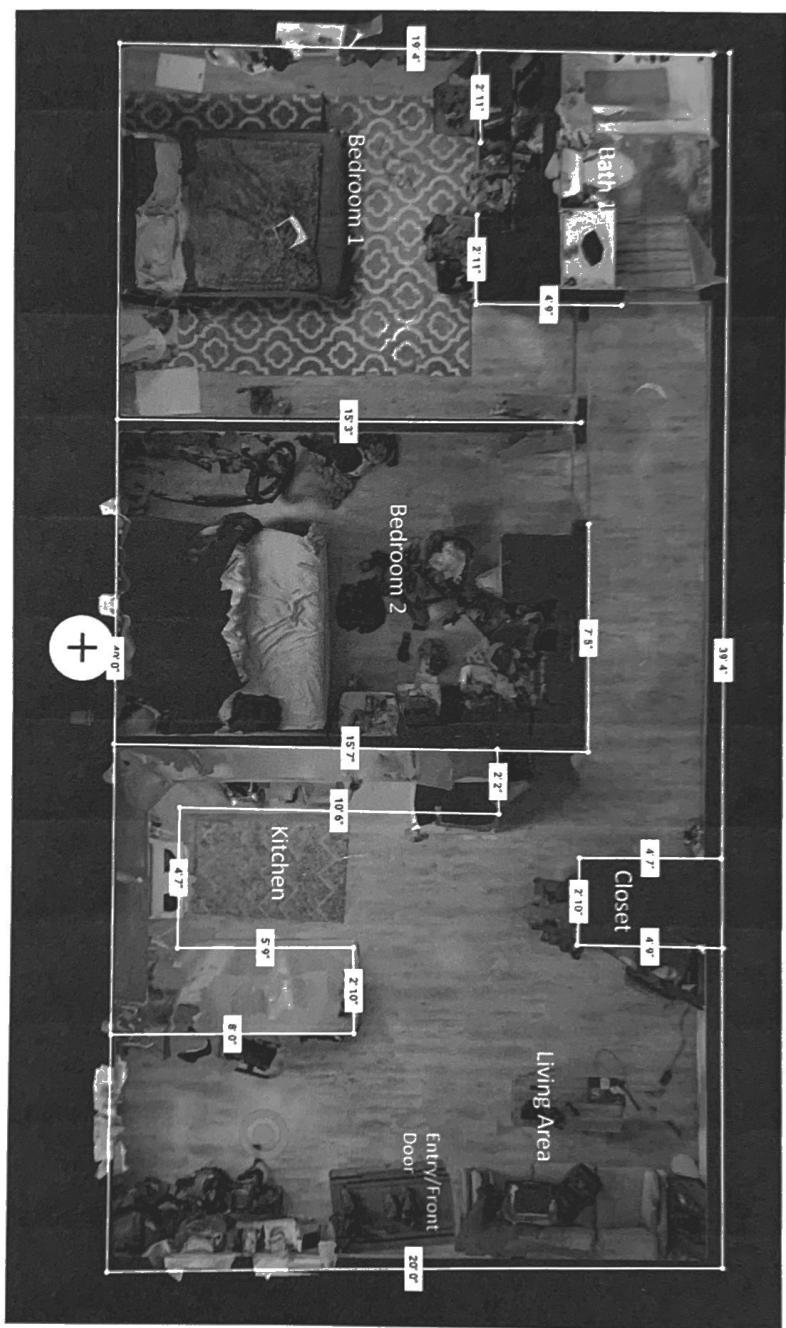
Fig. 4—Property Outline showing existing parking and property parcel



Top Floor Apartment 1  
2 Beds, 2 Bath Apartment, 1600 sq ft, 40x40  
Measurements of drawing are not exact, photo is  
provided as an estimate based on photos taken  
with a special camera since the current owner has  
not provided true floorplans to contracted buyer.

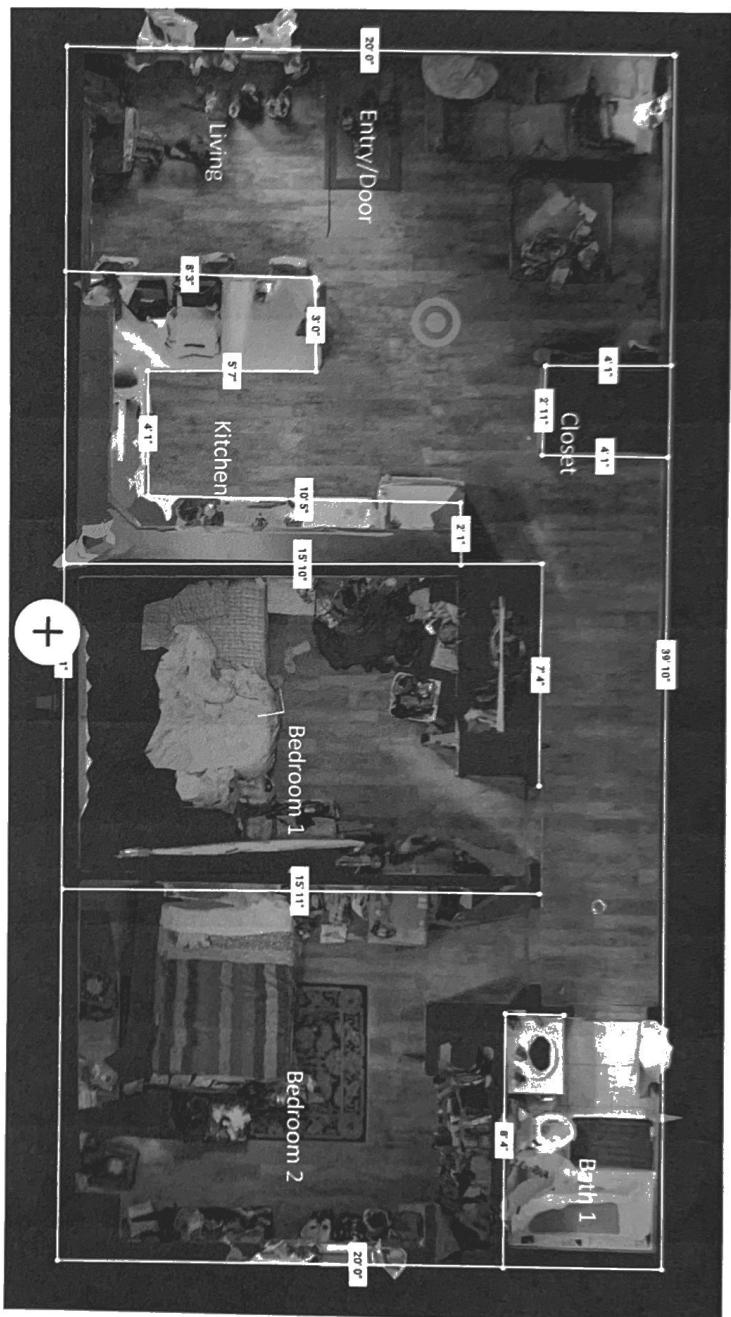
Fig. 5

Fig. 6



Apartment 2 on the 2nd Floor  
2 Beds, 1 Bath Apartment,  
800 sq ft, 40 x 20  
Measurements of drawing are not exact,  
photo is provided as an estimate based  
on photos taken with a special camera  
since the current owner has not provided  
true floorplans to contracted buyer.

Fig. 7



Apartment 3 on the 2nd Floor  
2 Beds, 1 Bath Apartment,  
800 sq ft, 40 x 20  
Measurements of drawing are not  
exact, photo is provided as an  
estimate based on photos taken  
with a special camera since the  
current owner has not provided true  
floorplans to contracted buyer.

