



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: May 10, 2021	REQUESTS:
Item #: P21-114	The applicant is submitting a request for a Development Plan Amendment, specifically for a 7-lot subdivision, for the property located at 105,115,125,135,145,155 and 165 Nelson Drive
Planner: Tyler Valentine	For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.
Phone: 733-0440 ext. 1305	
Fax: 734-3563	
Email: tvalentine@jacksonwy.gov	
Owner: Teton Landing PO Box 1677 Jackson, WY 83001	
Applicant: Fodor Law Office PO Box 551 Jackson, WY 83001	
Please respond by: May 24, 2021 (Sufficiency) June 1, 2021 (with Comments)	

Owner:

Teton Landing
PO Box 1677
Jackson, WY 83001

Applicant:

Fodor Law Office
PO Box 551
Jackson, WY 83001

Please respond by: **May 24, 2021 (Sufficiency)**
June 1, 2021 (with Comments)

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

FODOR LAW OFFICE, PC

Stefan J. Fodor

P.O. Box 551 / Jackson, WY 83001

307.733.2880 (t) / 307.733.2890 (f)

stefan@fodorlaw.com

May 7, 2021

Town of Jackson
Planning Department
c/o Annette Langley
Submitted via Email to: planning@jacksonwy.gov

Re: Amendment to Development Plan; Teton Landing

Dear Annette:

Please find enclosed an application to amend the approved Development Plan for the Teton Landing subdivision to reduce the number of lots from 7 to 5 lots. I will deliver the \$3,005.00 filing fee check to your office shortly.

Please let me know if you need anything else from us to process this application. Thank you.

Regards,


Fodor Law Office, PC
Stefan J. Fodor

Encl.



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: Teton Landing Development Plan Amendment
Physical Address: 105, 115, 125, 135, 145, 155 and 165 Nelson Drive
Lot, Subdivision: Teton Landing Addition to the Town of Jackson; Lots 1-7; Plat 1422 PIDN: See attached Exhibit A with PIDNs

PROPERTY OWNER.

Name: Teton Landing LLC Phone: 307-733-2880
Mailing Address: PO Box 1677, Jackson, Wyoming ZIP: 83001
E-mail: sdarwiche@hoteljackson.com

APPLICANT/AGENT.

Name: Fodor Law Office Phone: 307-733-2880
Mailing Address: PO Box 551 Jackson, Wyoming ZIP: 83001
E-mail: stefan@fodorlaw.com; jill@fodorlaw.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 checked="" type="checkbox"/> Development Plan	<input 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 #: P18-224 Environmental Analysis #: _____
Original Permit #: P19-152; P19-224; P20-140 Date of Neighborhood Meeting: 5/13/19

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?

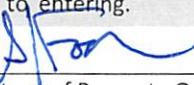
Application Fee. Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

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

Stefan Fodor

Name Printed

5/7/21

Date

Attorney

Title

Exhibit A to Planning Permit Application

PIDNs

105 Nelson Drive: 22-41-16-34-1-AX-001

115 Nelson Drive: 22-41-16-34-1-AX-002

125 Nelson Drive: 22-41-16-34-1-AX-003

135 Nelson Drive: 22-41-16-34-1-AX-004

145 Nelson Drive: 22-41-16-34-1-AX-005

155 Nelson Drive: 22-41-16-34-1-AX-006

165 Nelson Drive: 22-41-16-34-1-AX-007

LETTER OF AUTHORIZATION

Teton Landing LLC, "Owner" whose address is: _____

PO Box 1677, Jackson, Wyoming 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

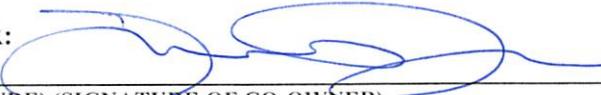
Teton Landing LLC, as the owner of property
more specifically legally described as: _____

Lots 1-7 of the Teton Landing Addition to the Town of Jackson, Wyoming according to that plat recorded in the Office of the Teton County Clerk on February 2, 2021 as Plat No. 1422

(If too lengthy, attach description)

HEREBY AUTHORIZES Fodor Law Office 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: Manager

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

STATE OF WYOMING)

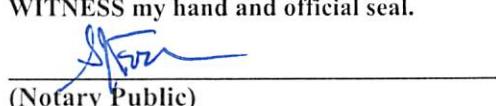
)SS.

COUNTY OF TETON)

)

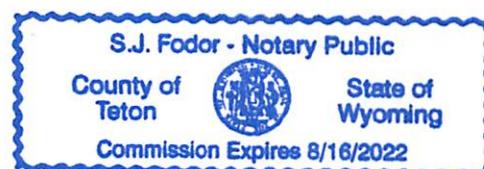
The foregoing instrument was acknowledged before me by SARAH DARWICH on this 13th day of
April, 2021.

WITNESS my hand and official seal.


(Notary Public)

My commission expires: 01.16.22

(Seal)



Development Plan Amendment Application

Teton Landing LLC

Teton Landing LLC (“Applicant”) owns Lots 1-7 of the Teton Landing Addition to the Town of Jackson, Wyoming according to that plat recorded in the Office of the Teton County, Wyoming Clerk on February 2, 2021 as Plat No. 1422 (“Property”). The Property is zoned NM-1 and there are currently no structures on the Property. The Town approved a Development Plan for the Property in 2019 for 7 lots (P19-152; P19-285) and a Subdivision Plat for the Property on October 19, 2020 for 7 lots (P20-140).

The Applicant now desires to reduce the number of lots on the Property from 7 lots to 5 lots with this Development Plan Amendment application (“Application”). As can be seen on the enclosed Development Plan, Lots 2-5 are proposed to be approximately 9,118.2 square feet. Lot 1 is proposed to be approximately 19,798.4 square feet. Lot 1 is significantly larger as it encompasses steeper slopes along its eastern side and Nelson Drive.

Access to the Property will be nearly identical to what exists today and what was shown on the Subdivision Plat. That is, access to the lots will from a private, 30-foot access and utility easement from Nelson Drive to the western boundary of Lot 4. This access easement will contain a 20-foot private road and 5 feet on either side of the road for utilities and snow storage, in accordance with the LDR standards for private roads. The Applicant proposes to vacate a portion of the 30-foot-wide access and utility easement on the new Lot 5 (which easement was granted to owners within the subdivision with the recordation of the Subdivision Plat). This vacation may be by separate instrument or by recordation of the new 5-lot subdivision plat. There is a note to this effect on the enclosed Development Plan.

This Application and proposed lot sizes are in keeping with the surrounding neighborhood character, and will provide an appropriate transition from the single-family, duplexes and townhomes to the south of the Property where lot sizes range from 3,500 square feet to 7,500 square feet (zoned NM-1) to those lots to the north of the Property where the average lot sizes range from 8,700-17,000 square feet (zoned NL-3).

DEV Plan Findings

This Application, and specifically the applicant’s proposal to reduce approved density from 7 lots to 5 lots, satisfies the criteria for approval of a Development Plan under the Town of Jackson Land Development Regulations (“LDRs”), Section 8.3.3(C).

- 1. Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan.**

The Applicant’s proposed subdivision and residential development are consistent with the future character area as described in the Jackson/Teton County Comprehensive Plan. The Comprehensive Plan designates the Property as being within the District 3 “Town Residential Core” and Subarea 3.4 May Park Area. The future character of these subareas is to “maintain

the existing medium to high density development pattern" with a mix of single-family lots and other development types. Here, the applicant is reducing the number of lots previously approved for the Property and is increasing overall lot size, thereby offering a better transition from the smaller lots of the Daisy Bush subdivision to the south of the Property to the larger lots within the Nelson subdivisions to the north of the Property. The access drive is consistent with the access drives in surrounding neighborhoods and will provide adequate access to each lot. The proposed lots exceed the minimum lot size requirement of the zone.

2. Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable.

No portion of this Property is in the NRO or the SRO.

3. Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMS facilities.

The 5 lots proposed by the applicant will have less impact on public facilities and services than the 7 lots currently approved for the Property. Appropriate school and park exactions will be paid for any *additional* impact this proposal has on parks and schools, though as shown in the enclosed park and school exaction sheets, we anticipate the park and school exactions for the 5-lot subdivision to be less than the 7-lot subdivision so additional exaction fees may not be owed. See LDRs, Section 7.5.2. Water and sewer connections and improvements are depicted on the enclosed Utility Plan. All structures will be fire sprinklered to mitigate the need for a hammerhead turnaround for fire access, and this requirement was included as a note on the Subdivision Plat and in the recorded CCRs for the subdivision. This requirement will also be included on any future subdivision plat and amended CCRs for the subdivision.

The Applicant also recorded a Subdivision Improvements Agreement as part of its original Subdivision Plat (Document Number 1008115). We anticipate this Subdivision Improvements Agreement will be updated and amended as part of the Subdivision Plat application process to reflect any changes approved with this amended Development Plan. Housing mitigation fees are not due at this time. The required housing mitigation fees will be paid at the appropriate time and will be based on the number and size of the homes on the Property.

4. Complies with the Town of Jackson Design Guidelines, if applicable.

The proposed subdivision does not include physical development and therefore the TOJ Design Guidelines do not apply at this time.

5. Complies with all relevant standards of these LDRs and other Town Ordinances.

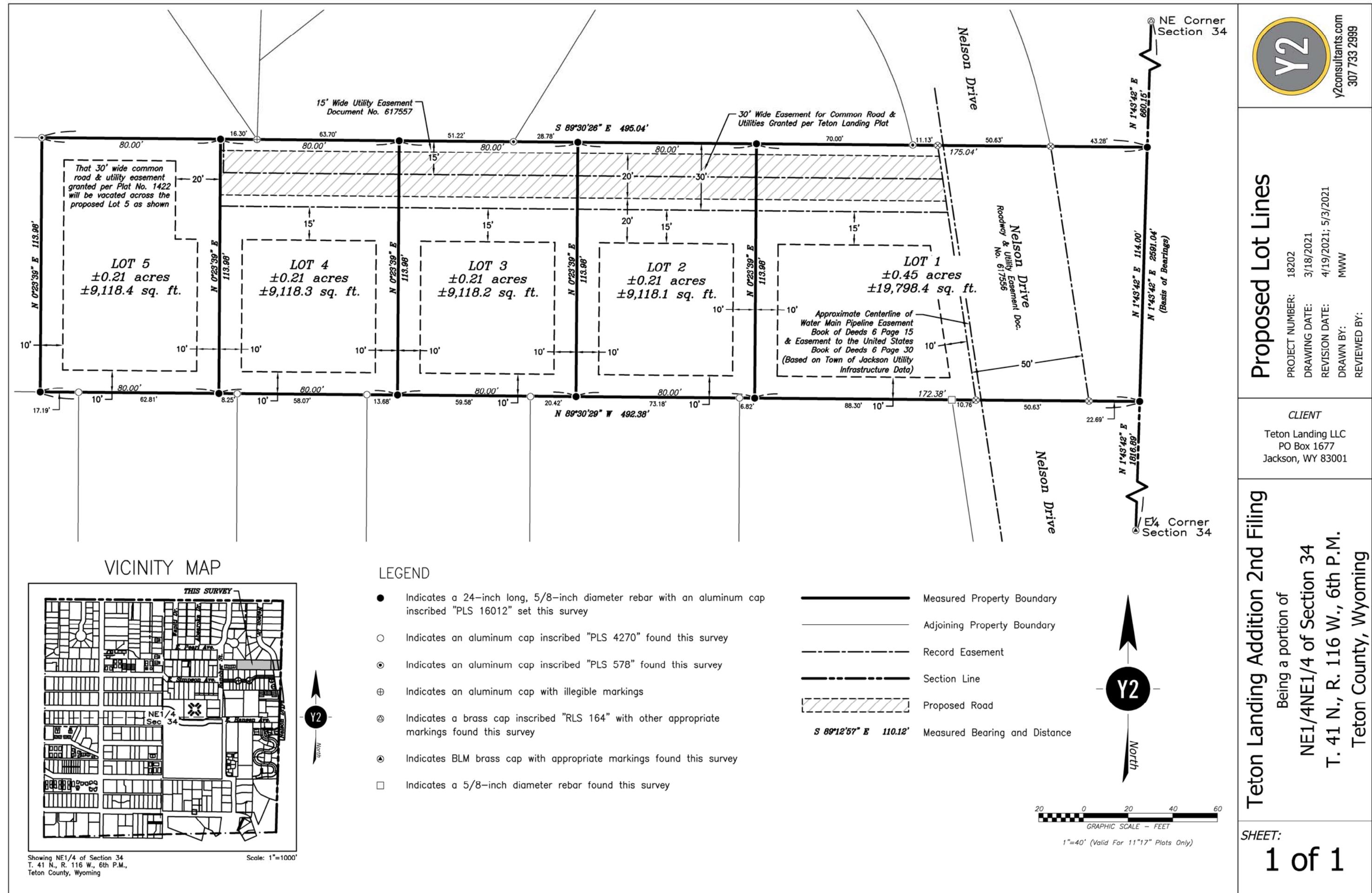
The proposed development complies with all relevant standards of the LDRs and other Town ordinances. The proposed lot sizes exceed the minimum lot size required in the NM-1 zoning district (3,750 square feet). Physical development on the Property will comply with applicable setbacks, FAR, and similar physical development standards.

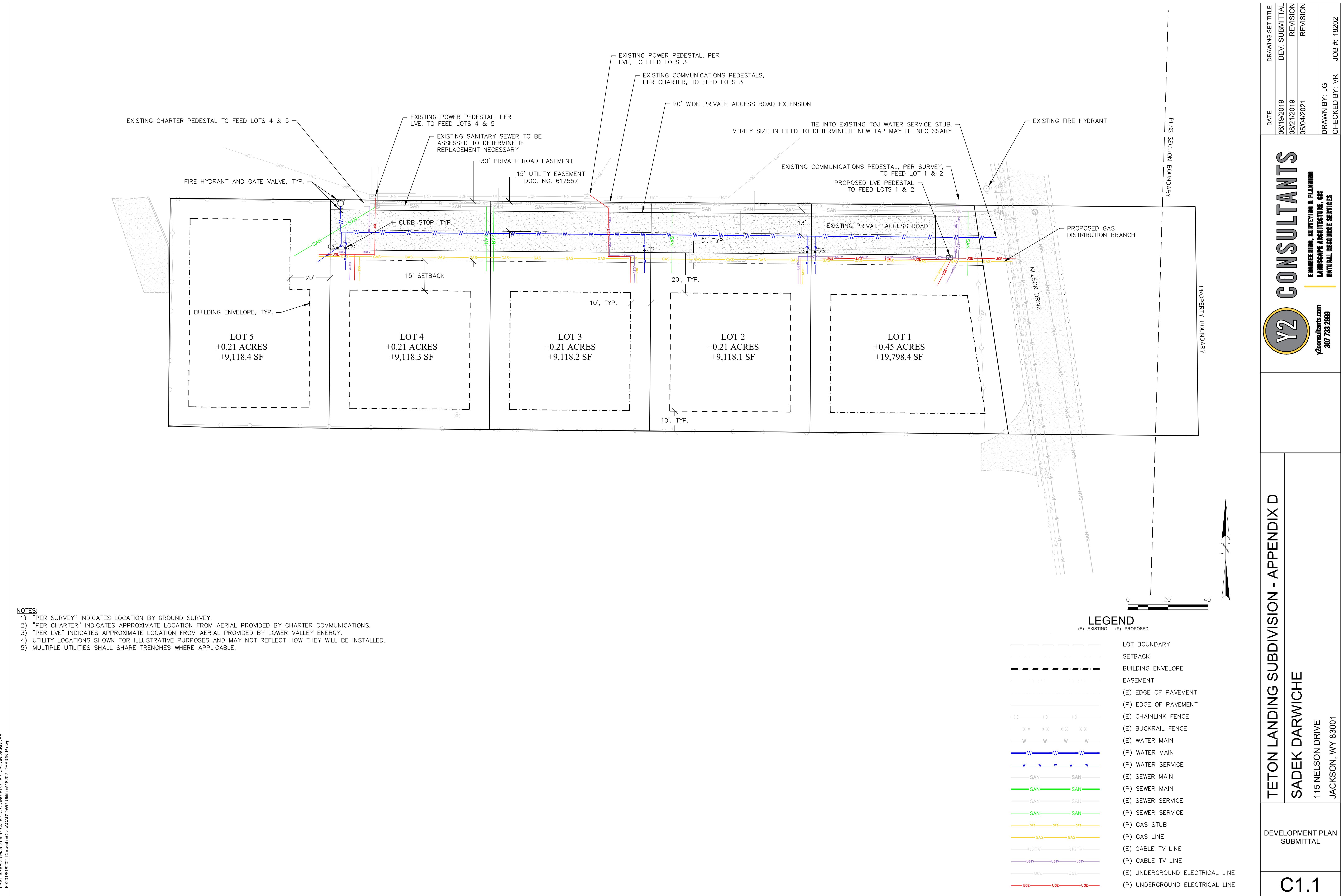
6. Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.

The proposed development is consistent with approved standards and conditions for the Property, but is less dense than what was previously approved for the Property. The prior Development Plan and Subdivision Plat approvals required a 30-foot-wide access and utility easement to the properties and a note on the final subdivision plat that all habitable structures have fire sprinklers so long as the road does not include a fire turnaround. These conditions are reflected on the enclosed Development Plan and will be reflected on the amended Subdivision Plat for the Property.

Request for Refund of Park and School Exaction Fees

The Applicant recorded its 7-lot Subdivision Plat for the Property on February 2, 2021 and paid park and school exactions calculated on 7 lots at the time the plat was recorded. If the Applicant's 5-lot Development Plan and Subdivision Plat are approved by the Town, the Applicant respectfully requests a refund of the difference in park and school exactions between 7 lots (which have been paid) and 5 lots, if any.





**TOWN OF JACKSON
LAND DEVELOPMENT REGULATIONS
DIVISION 7.5.3 - SCHOOL EXACTIONS
DATE: 4/2/2021**

CASH-IN-LIEU OF LAND DEDICATION: SECTION 49770

1. PROJECT NAME:	<u>Teton Landing Development Plan Amendment</u>	
2. LOCATION:	<u>Lots 1-7, Teton Landing Addition; Plat 1422</u>	
3. PROJECT NUMBER:	<u>TBD</u>	

4. CALCULATE REQUIRED DEDICATION OF LAND:

LAND DEDICATION REQUIREMENT	X	<u># OF UNITS</u>	=	LAND DEDICATION
.020 ACRES PER UNIT SINGLE & TWO-FAMILY		<u>5</u>		<u>0.10</u>
.015 ACRES PER UNIT MULTI-FAMILY				

5. CALCULATE CASH IN-LIEU:

<u>0.10</u>	LAND DEDICATION STANDARD	X	\$100,000 (VALUE OF LAND)	= \$ <u>10,000</u>	CASH- IN-LIEU
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**6. FOR INFORMATION ON PROVIDING AN INDEPENDENT CALCULATION, SEE LDR
SECTION 7.5.3 OPTION FOR INDEPENDENT CALCULATION OF DEDICATION
STANDARDS**

TOWN OF JACKSON
LAND DEVELOPMENT REGULATIONS
DIVISION 7.5.2 - PARK EXACCTIONS
DATE: 4/2/2021

CASH-IN-LIEU OF LAND DEDICATION: SECTION 49660

1. PROJECT NAME: Teton Landing Development Plan Amendment
2. LOCATION: Lots 1-7, Teton Landing Addition; Plat No. 1422
3. PROJECT NUMBER: TBD

4. CALCULATE PROPOSED PROJECT POPULATION:

<u>UNIT TYPE</u>	<u># OF UNITS</u>	<u>X</u>	<u>PERSONS HOUSED PER UNIT</u>	<u>PROJECTED POPULATION</u>
STUDIO	_____		1.25	_____
1 BEDROOM	_____		1.75	_____
2 BEDROOM	_____		2.25	_____
3 BEDROOM	<u>5</u>		3.00	<u>15</u>
4 BEDROOM	_____		3.75	_____
5 BEDROOM	_____		4.50	_____
EACH ADDITIONAL BEDROOM	_____		0.50	_____
DORMITORY	_____		1 per 150 sf of net habitable area	_____
TOTAL				_____

5. CALCULATE REQUIRED PARK ACREAGE:

$$\frac{15}{\text{TOTAL PROJECTED POPULATION}} \times \frac{9 \text{ ACRES}}{1000 \text{ RESIDENTS}} = \frac{0.135}{\text{REQUIRED ACRES}}$$

6. CALCULATE CASH-IN-LIEU:

$$\frac{0.135}{\text{REQUIRED ACRES}} \times \frac{\$100,000}{(\text{VALUE OF LAND})} = \frac{\$13,500}{\text{CASH-IN-LIEU}}$$

7. FOR INFORMATION ON PROVIDING AN INDEPENDENT CALCULATION, SEE LDR SECTION 7.5.2 OPTION FOR INDEPENDENT CALCULATION OF DEDICATION STANDARDS