



# 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

<p>Date: July 23, 2021</p> <p>Item #: P21-197</p> <p>Planner: Tyler Valentine</p> <p>Phone: 733-0440 ext. 1305</p> <p>Email: tvalentine@jacksonwy.gov</p> <p><b>Owner:</b> Leland, LLC PO Box 726 Worland, WY 82401</p> <p><b>Applicant:</b> Audrey Cohen-Davis PO Box 11156 Jackson, WY 83002</p>	<p><b>REQUESTS:</b></p> <p>The applicant is submitting a request for a Zoning Compliance Verification for the property located at 170 N. Millward St. ,legally known as UNITS 101, 102, 103, 104, 001, 002, 003, 004, MILLER PARK LOFT CONDOS ADDITION (EMPLOYEE HOUSING)</p> <p>For questions, please call Tyler Valentine at 307-733-0440, x1305 or email to the address shown to the left. Thank you.</p>
<p><b>Please respond by: August 6, 2021 (Sufficiency)</b> <b>August 13, 2021 (with Comments)</b></p>	

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



**PLANNING PERMIT APPLICATION**  
**Planning & Building Department**

150 E Pearl Ave. | ph: (307) 733-0440  
P.O. Box 1687 | [www.townofjackson.com](http://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: Miller Park Loft Condominiums  
Physical Address: 170 N. Millward Street, Jackson WY 83001  
Lot, Subdivision: Units 101, 102, 103, 104, 001m 002, 003 and 004 f teh Miller Parks Lofts Codo Addition PIDN: PIN #TMP 0005020, 21, 22, 23, 15, 16, 17, 18

**PROPERTY OWNER.**

Name: Leland, LLC Phone: (307) 347-9801  
Mailing Address: PO Box 726, Worland, WY ZIP: 82401  
E-mail: krista@westernsageaccounting.com

**APPLICANT/AGENT.**

Name: Audrey Cohen-Davis, Cohen-Davis Law, P.C. Phone: (307) 249-5100  
Mailing Address: P.O. Box 11156, Jackson, WY ZIP: 83002  
E-mail: audrey@cohendavislaw.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](http://www.townofjackson.com/200/Planning)

<b>Use Permit</b>	<b>Physical Development</b>	<b>Interpretations</b>
____ Basic Use	____ Sketch Plan	____ Formal Interpretation
____ Conditional Use	____ Development Plan	<input checked="" type="checkbox"/> Zoning Compliance Verification
____ Special Use	____ Design Review	<b>Amendments to the LDRs</b>
<b>Relief from the LDRs</b>	<b>Subdivision/Development Option</b>	____ LDR Text Amendment
____ Administrative Adjustment	____ Subdivision Plat	____ Map Amendment
____ Variance	____ Boundary Adjustment (replat)	<b>Miscellaneous</b>
____ 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](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 #: \_\_\_\_\_ Environmental Analysis #: \_\_\_\_\_  
Original Permit #: \_\_\_\_\_ Date of Neighborhood Meeting: \_\_\_\_\_

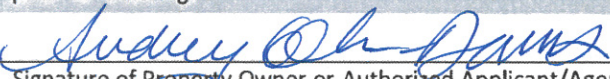
**SUBMITTAL REQUIREMENTS.** Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) 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.
- ☒ **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  
Audrey Cohen-Davis, Cohen-Davis Law, P.C.  
\_\_\_\_\_  
Name Printed

July 23, 2021  
\_\_\_\_\_  
Date  
Owner, Attorney  
\_\_\_\_\_  
Title

**LETTER OF AUTHORIZATION**

Leland, LLC

"Owner" whose address is:

821 Pulliam Ave, Worland, WY 82401

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

\_\_\_\_\_, as the owner of property  
 more specifically legally described as: Units 101, 102, 103, 104, 001, 002, 003, and 004 of  
 The Miller Park Lofts Condominiums Addition of the Town of Jackson, Teton County, Wyoming,  
 according to the plat recorded in the Office of the Teton County Clerk on July 12, 2012 as Plat No. 1318

(If too lengthy, attach description)

HEREBY AUTHORIZES Audrey Cohen-Davis, of 85 West Snow King Avenue, Jackson, Wyoming

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 IDAHO )

)SS.

COUNTY OF NEZ PERCE )

The foregoing instrument was acknowledged before me by Forrest Kelly Clay this 19th day of July, 2021.

WITNESS my hand and official seal.

(Seal)

Debra R. Behler  
 (Notary Public)

My commission expires: 04-01-2026





July 23, 2021

**VIA HAND DELIVERY**

Paul Anthony, Planning Director  
Town of Jackson Planning and Building Department

Re: Zoning Compliance Verification – The Miller Park Lofts Condominiums Addition to the Town of Jackson, Teton County Wyoming, according to that plat recorded in the Office of the Teton County Clerk on July 12, 2012 as Plat No. 1318

Dear Paul:

Cohen-Davis Law, P.C. represents RHD Real Estate LLC, a Wyoming limited liability company of which Joe Rice is a member, in connection with a signed contract to purchase the following employment based deed restricted condominium units currently owned by Leland, LLC:

Units 101, 102, 103, 104, 001, 002, 00 and 004 of the Miller Park Lofts Condominiums Addition to the Town of Jackson, Teton County Wyoming, according to that plat recorded in the Office of the Teton County Clerk on July 12, 2012 as Plat No. 1318 and further defined in the Declaration of Condominium recorded for said property.

Unit 101: PIN TMP #TMP 005020  
Unit 102: PIN TMP #TMP 005021  
Unit 103: PIN TMP #TMP 005022  
Unit 104: PIN TMP #TMP 005023  
Unit 001: PIN TMP #TMP 005015  
Unit 002: PIN TMP #TMP 005016  
Unit 003: PIN TMP #TMP 005017  
Unit 004: PIN TMP #TMP 005018

By way of background, on January 31, 2013, the developer of the White Buffalo Club, Jackson Equity Partners II, LLC sold the above 8 units to Forrest Kelly Clay and Susan Clay pursuant to document 0829795 bk 833 pg. 339-339 filed with the Teton County Clerk's office. On March 13, 2013, Leland LLC acquired the Employee Units as set forth in the Warranty Deed recorded with the Teton County Clerk on November 22, 2019 as Document Number 0981836.



On behalf of RHD Real Estate LLC, we are submitting this letter and the enclosed application as a request for a Zoning Compliance Verification in accordance with 8.6.2 of the Town of Jackson Land Development Regulations (the "Town LDRs").

In particular, we are requesting a Zoning Compliance Verification for a determination of the requirement for the Amended Housing Mitigation Plan and the Special Restrictions for Employee Housing Miller Park Lofts Condominiums Addition to the Town of Jackson, recorded as Doc 0818072, bk 813 pg. 815-823 on July 12, 2012 in the Office of the Teton County Clerk ("Special Restriction"), and that such is in compliance with the Town LDRs and zoning regulations in effect in 2012, at the time the Amended Housing Mitigation Plan and the Special Restriction were approved in accordance with Section 51200 Minor Deviations, 51200 E. Development Plan Standards, 51200.K. Amendment to Development Permit in the Town, or any other provision required by the Town at the time by the White Buffalo Development, LLC (e.g. Article IV, Section 4240(B) of the LDR's in effect in 2012).

We also specifically request verification that the Amended Housing Mitigation Plan pursuant to Section 49550, Employee Housing Standards of the Town LDRs and that the Deed Restriction complies with the Town LDRs and TCHA Guidelines in effect in 2012 and Town zoning requirements for the above units. The attached letter dated June 7, 2021 from Stacy Stoker, Housing Manager of the Jackson/Teton County Housing Authority ("TCHA") provides its interpretation of the Special Restrictions for Miller Park lofts Employee Housing Rental Units as limited to individuals who are employed "on-site." "On-site is defined as "employed by a business or non-profit approved by the TCHA within 1,000 feet of the land where the Miller Park Lofts are located." The TCHA letter also confirms that Merry Piglets, Liberty Burger and Blue Lion businesses are all located within 1,000 feet of the land at 170 N. Millward. and "are therefore approved as Onsite local employment for the purposes of qualifying tenants to rent the Miller Park Loft Employee Housing Units."

Enclosed is a \$601.00 check for the zoning compliance submission.



**COHEN-DAVIS LAW**

A PROFESSIONAL CORPORATION

Respect. Trust. Integrity.

Thank you.

Audrey Cohen-Davis  
Cohen-Davis Law, P.C.

Enclosures (1)

cc: clients





**Jackson/Teton County Affordable Housing Department**

Stacy A. Stoker  
Housing Manager  
sstoker@tetoncountywy.gov  
P: 307.732.0867

Joe Rice

Sent via email: [joe@bcrg.co](mailto:joe@bcrg.co)

June 7, 2021

Dear Mr. Rice,

RE: Interpretation of Special Restrictions for Miller Park Lofts Employee Housing Rental Units

The Special Restrictions for Units 101, 102, 103, 104, 001, 002, 003, and 004 at 170 N. Millward St. (Miller Park Lofts) limit tenants to individuals who are employed onsite. "Onsite" is defined as employed at a business or non-profit approved by TCHA within 1,000 feet of the land where Miller Park Lofts are located.

You have requested approval for the following businesses:

1. Merry Piglets
2. Liberty Burger
3. Blue Lion.

All of these businesses are located within 1,000 feet of the land at 170 N. Millward and are therefore approved as Onsite local employment for the purposes of qualifying tenants to rent the Miller Park Loft Employee Housing Units.

Sincerely,

Stacy A. Stoker  
Housing Manager