



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

<p>Date: August 12, 2022</p> <p>Item #: P22-204</p>	<p style="text-align: center;">REQUESTS:</p> <p>The applicant is submitting a request for a Minor Deviation to the Development Plan for a six- lot subdivision at 445 E. Kelly Avenue, legally known as PT SE1/4NW1/4, SEC. 34, TWP. 41, RNG. 116., PIDN: 22-41-16-34-2-00-027 and 028</p> <p>For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.</p>
<p>Planner: Tyler Valentine</p> <p>Phone: 733-0440 ext. 1305</p> <p>Email: tvalentine@jacksonwy.gov</p>	
<p>Owner Teton County PO Box 1727 Jackson, WY 83001</p>	
<p>Applicant Jackson/Teton County Affordable Housing PO Box 714 Jackson, WY 83001</p>	
<p>Please respond by: September 2, 2022 (with Comments)</p>	

RESPONSE: For Departments not using Trak-it, please send responses via email to:
alangle@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: _____
Physical Address: _____
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: _____ Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

APPLICANT/AGENT.

Name: _____ Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

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

_____ Basic Use
_____ Conditional Use
_____ Special Use

Relief from the LDRs

_____ Administrative Adjustment
_____ Variance
_____ Beneficial Use Determination
_____ Appeal of an Admin. Decision

Physical Development

_____ Sketch Plan
_____ Development Plan
_____ Design Review

Subdivision/Development Option

_____ Subdivision Plat
_____ Boundary Adjustment (replat)
_____ Boundary Adjustment (no plat)
_____ Development Option Plan

Interpretations

_____ Formal Interpretation
_____ Zoning Compliance Verification

Amendments to the LDRs

_____ LDR Text Amendment
_____ Map Amendment

Miscellaneous

_____ Other: _____
_____ 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 <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-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

Date

Name Printed

Title



Jackson/Teton County Affordable Housing Department

Kristi Malone

Housing Supply Specialist

kristi.malone@tetoncountywy.gov

P: 307.732.8571

August 5, 2022

RE: Request for Minor Deviation to 445 E Kelly Development Plan (P21-290)

Dear Tyler,

Please accept this request for a minor deviation to the Development Plan approved February 7, 2022 for a six-lot subdivision at 445 E. Kelly Avenue.

Since the Development Plan was a prerequisite for the Subdivision Plat application submitted on March 24, 2022, the basis for review focused on zone-specific subdivision standards and did not include a review of any physical development. Since then, planning for physical development of the subject site has revealed a need for small changes to the sizes and configurations of proposed lots prior to finalizing the Subdivision Plat. These changes only recently came to light and were not anticipated during the initial approval process because our partners on this project, Habitat for Humanity, had not yet completed architectural design of the townhome structures to be developed on the site. Overall design of lots at the Development Plan phase provided a configuration that allows for shared parking, access and green space with roughly the same size lots that all meet zone-specific minimum lot size standards. With template building plans for each of the forthcoming townhouse buildings complete, our project partners informed us that some lot sizes and configurations need to be slightly modified to accommodate the template building design. The requested minor deviation is described below and in the attached map exhibits.

Review of an amendment is limited to the proposed changes, so nonchanging portions of the Development Plan approval are noted as such.

	LDR STANDARD	APPROVED	PROPOSED	RESULT
NUMBER OF LOTS	6 lots max	6 lots	6 lots	No change
DENSITY	3 units/lot = 18 units max	3 units/lot = 18 units max	3 units/lot = 18 units max	No change
MIN LOT SIZE	7,500 sf min	7,590 sf min	7,639.3 sf min	
LOT 1		7,731 sf	7,730.1 sf	-0.9 sf
LOT 2		7,790 sf	7,787.1 sf	-2.9 sf
LOT 3		8,389 sf	8,318.7 sf	-70.3 sf
LOT 4		7,648 sf	7,663.6 sf	+15.6 sf
LOT 5		7,758 sf	7750 sf	-8 sf
LOT 6		7,590 sf	7639.3 sf	+49.3 sf
EXACTIONS	x 4 new lots	x 4 new lots	x 4 new lots	No change
ACCESS	Required to all lots	Easement from Kelly Ave to all lots	Easement from Kelly Ave to all lots	No change
UTILITIES	Public water and sewer	Connection to public water and sewer	Connection to public water and sewer	No change

REQUIRED PERMITS MIN LSR (MEASURED SITE-WIDE)	Development Plan + Plat	Development Plan + Plat	Development Plan + Plat	No change
	14,073 sf	19,172 sf	19,172 sf	No change

Findings for approval of a minor deviation:

1. Complies with the standards of the current LDRs;

Minor deviations to proposed lot sizes and configurations comply with the standards of Section 2.2.6.D on Development Options and Subdivision standards for the NL-5 zone and with Division 7.2 on Subdivision Standards of the Town of Jackson Land Development Regulations as demonstrated in the table above.

2. Does not include reductions in the amount of open space set aside or required resource protection; and

This six-lot subdivision is achieved through an outright land division based on minimum lot size for the NL-5 zone and does not require dedicated open space. The site design for physical development will not change as a result of this minor deviation and resource protection will not be impacted.

3. Does not include increases in the amount of building floor area

This minor deviation is for lot size which is a determinant of maximum allowed floor area, but since any increase in size of a single lot results in a paired decrease in size of an adjacent lot, net floor area is not increased.

	Approved Lot Size	Resulting Floor Area (max)	Proposed Lot Size	Resulting Floor Area (max)	Difference in Floor Area
Lot 1	7,731 sf	3,692 sf	7,730.1 sf	3,692.04 sf	-0.36 sf
Lot 2	7,790 sf	3,716 sf	7,787.1 sf	3,714.84 sf	-1.16 sf
Lot 3	8,389 sf	3,956 sf	8,318.7 sf	3,927.48 sf	-28.12 sf
Lot 4	7,648 sf	3,659 sf	7,663.6 sf	3,665.44 sf	6.24 sf
Lot 5	7,758 sf	3,703 sf	7750 sf	3,700.00 sf	-3.20 sf
Lot 6	7,590 sf	3,636 sf	7639.3 sf	3,655.72 sf	19.72 sf
TOTAL		22,362 sf		22,355.52 sf	-6.88 sf

Conditions of Development Plan approval put in place by Town Council will not be impacted by this Minor Deviation.

1. If the applicant does not submit a Subdivision Plat application within 18 months of Development Plan approval, the Development Plan will expire.

Resolved—Subdivision Plat application was submitted March 2022.

2. All habitable structures shall be fire sprinklered as long as the development does not include a fire turnaround.

Ongoing—All habitable structures are designed to be fire sprinklered and shall be constructed accordingly.

3. Upon submittal of the first building permit(s), the applicant shall provide an overall phasing plan and construction management plan.

Resolved—Application for B22-0360-362 included phasing and construction management plan.

4. Upon submittal of the first building permit(s), the applicant shall demonstrate compliance with the snow storage standards in LDR Section 6.2.5.C.
5. *Resolved—Application for B22-0360-362 included snow storage plans.*

Thank you for your review and I look forward to your response.

Sincerely,

Kristi Malone

Kristi Malone



Town of Jackson
150 E Pearl Avenue
PO Box 1687, Jackson, WY 83001
P: (307)733-3932 F: (307)739-0919
www.jacksonwy.gov

Date: March 15, 2022

LETTER OF AUTHORIZATION

NAMING APPLICANT AS OWNER'S AGENT

PRINT full name of property owner as listed on the deed when it is an individual OR print full name and title of President or Principal Officer when the owner listed on the deed is a corporation or an entity other than an individual : Teton County, a duly organized county of the State of Wyoming

Being duly sworn, deposes and says that Teton County is the owner in fee of the premises located at:
Name of property owner as listed on deed

Address of Premises: 445 E Kelly Avenue

Legal Description: PT SE1/4NW1/4, SEC. 34, TWP. 41, RNG. 116.

Please attach additional sheet for additional addresses and legal descriptions

And, that the person named as follows: Name of Applicant/agent: Jackson/Teton County Affordable Housing Department

Mailing address of Applicant/agent: PO Box 714 Jackson, WY 83001

Email address of Applicant/agent: kristi.malone@tetoncountywy.gov, ahnorton@tetoncountywy.gov

Phone Number of Applicant/agent: 307-732-0867

Is authorized to act as property owner's agent and be the applicant for the application(s) checked below for a permit to perform the work specified is this(these) application(s) at the premises listed above:

☒ Development/Subdivision Plat Permit Application ☒ Building Permit Application

☒ Public Right of Way Permit ☒ Grading and Erosion Control Permit ☐ Business License Application

☒ Demolition Permit ☒ Other (describe) Pre-application meetings, Admin Adjustments, Zoning Compliance Verification

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.

Natalia D Macker

Property Owner Signature

Natalia D. Macker, Chair, Teton County Board of Commissioners

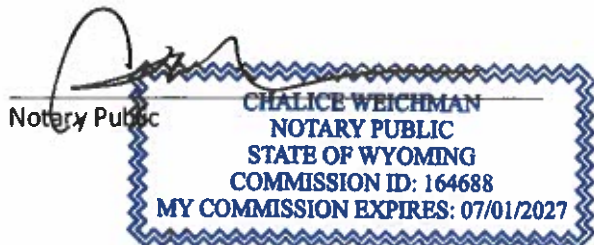
Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner), partnership or other non-individual Owner

ATTEST: Manner Mupley

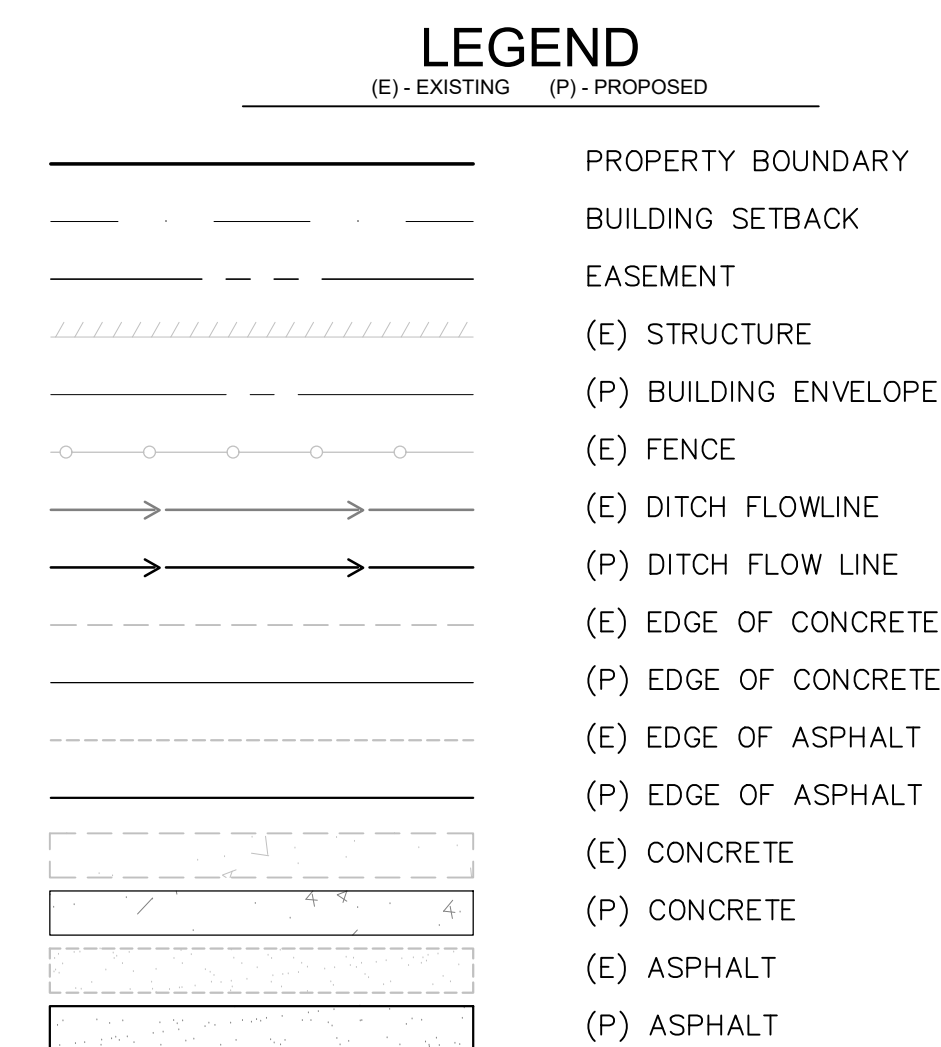
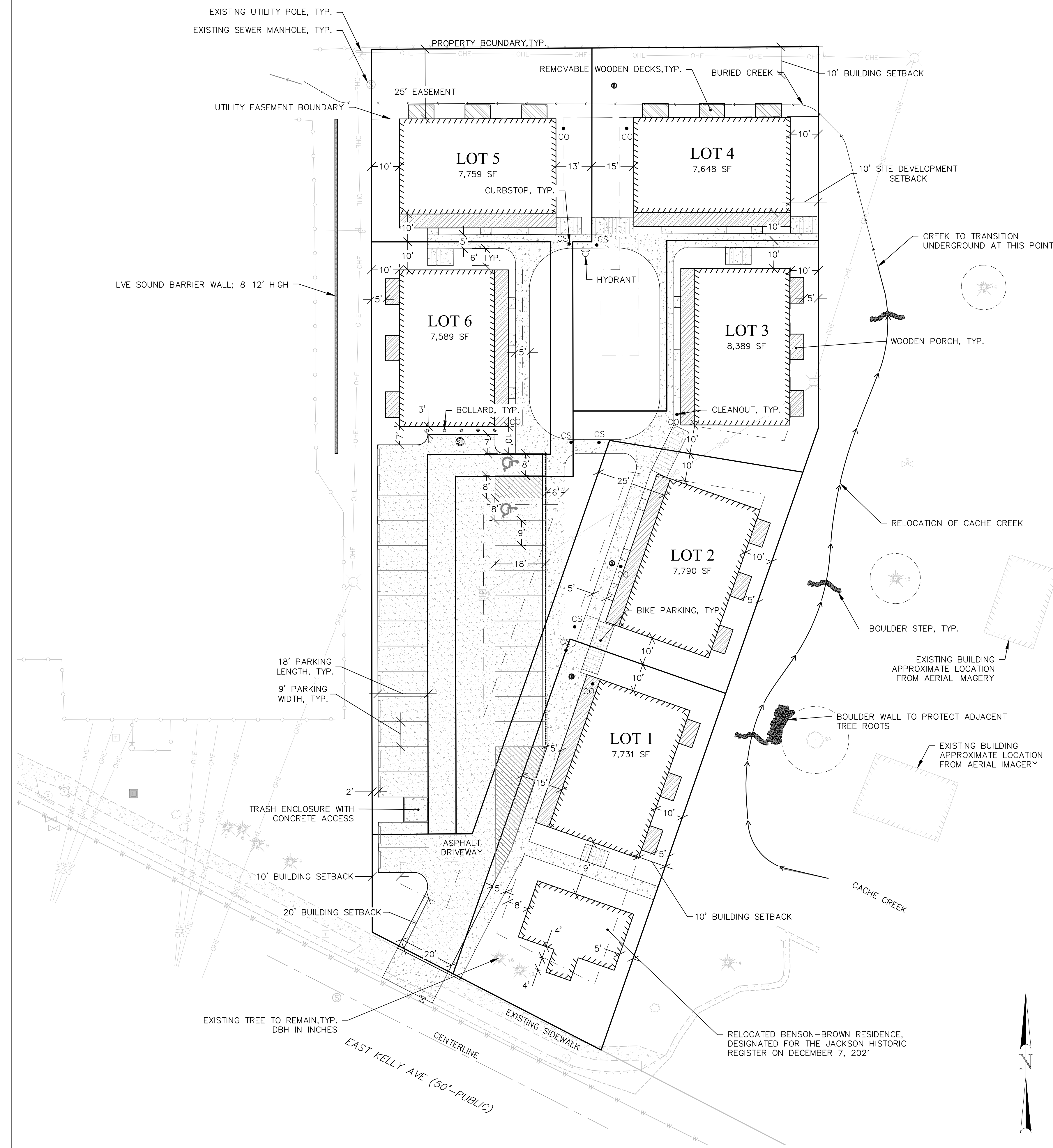
STATE OF WYOMING)
) SS.
COUNTY OF TETON)



The foregoing instrument was acknowledged before me by NATALIA D. MACKER this 15th day of MARCH, 2022. WITNESS my hand and official seal.



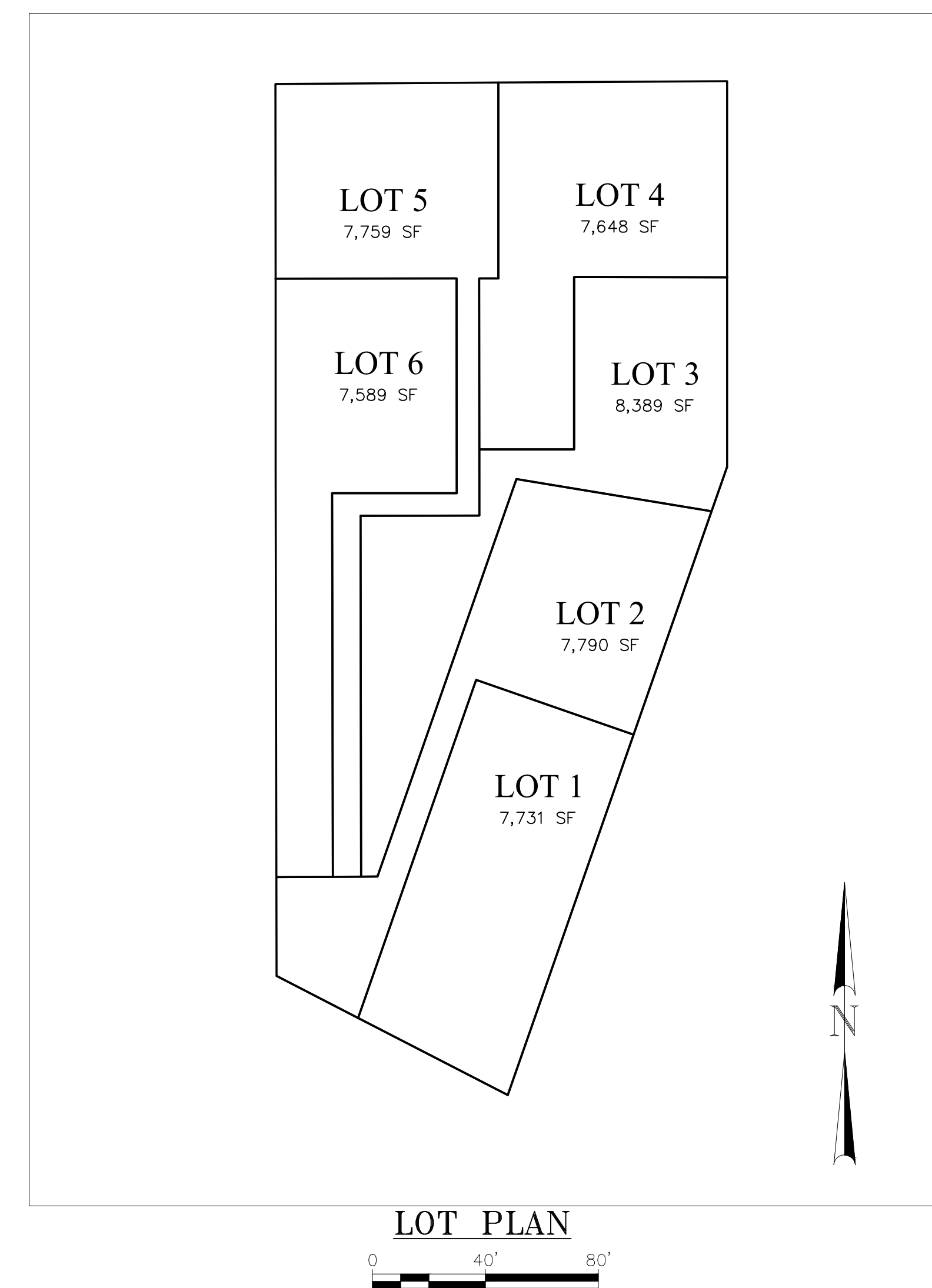
My commission expires: 7-1-2027

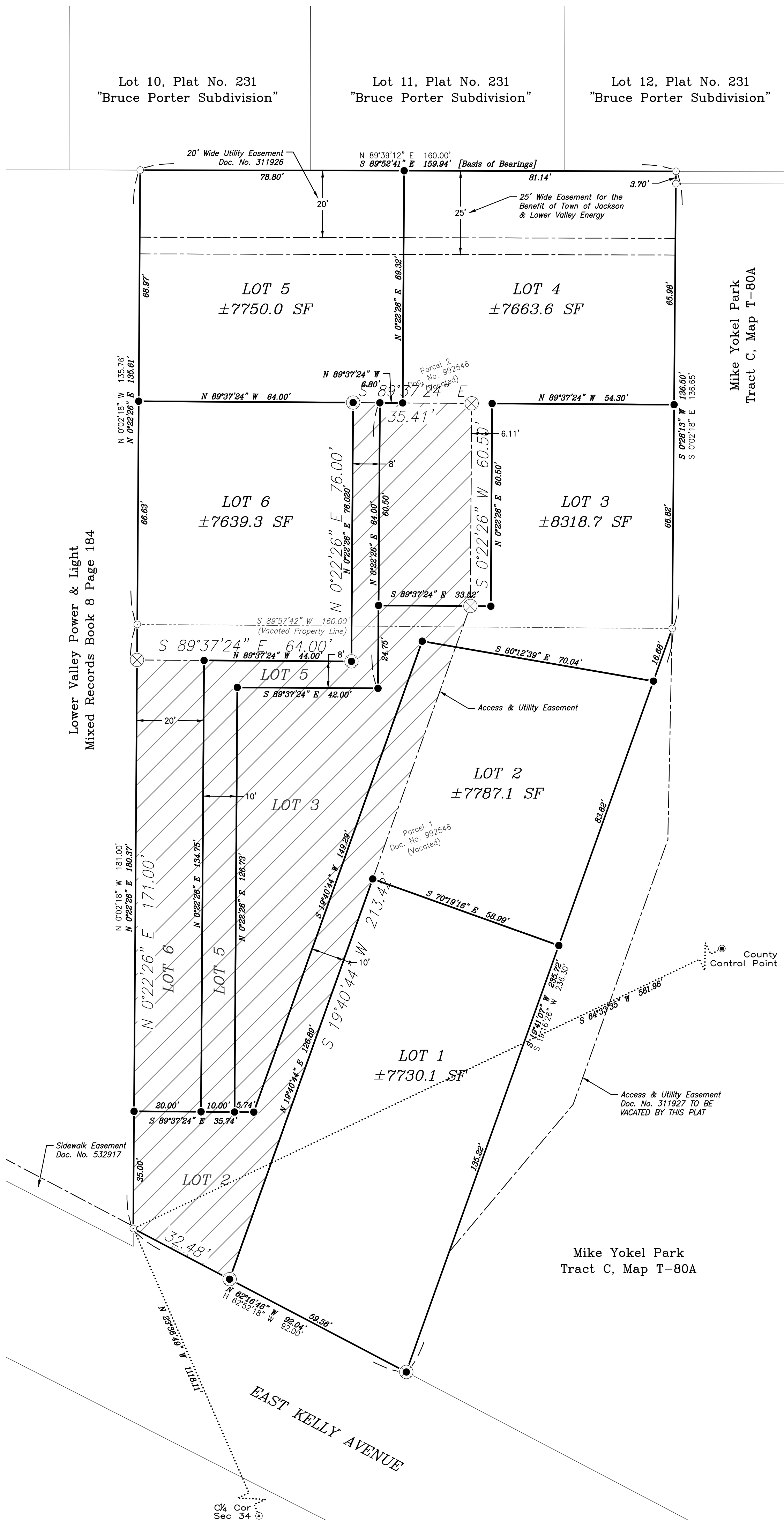


PARKING NOTES

PARKING COUNT

TOTAL PARKING SPACES: 27
ADA PARKING SPACES: 2
VAN ACCESSIBLE ADA PARKING SPACES: 1





CERTIFICATE OF SURVEYOR

State of Wyoming))) ss
County of Teton)

I, David Fehringer, of Lander, Wyoming, hereby certify, to the best of my knowledge and belief:

that this plat was made from the notes and data of an actual survey conducted on October 11 of 2021, and from records on file with the Office of the Clerk of Teton County, Wyoming, and that it correctly represents the boundaries, property corners, and site conditions found at the time of said survey;

that this plat correctly represents the final plat of the 445 EAST KELLY AVENUE ADDITION TO THE TOWN OF JACKSON within the SE1/4NW1/4 of Section 34, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming;

that the foregoing 445 EAST KELLY AVENUE ADDITION TO THE TOWN OF JACKSON is identical to the parcels of land conveyed in that Warranty Deed recorded as Document No. 992546 in the Office of the Clerk of Teton County, Wyoming, being more particularly described as follows:

COMMENCING at the C1/4 corner of said Section 34, as marked by a 2.5–inch diameter steel pipe with a 3.25–inch diameter BLM brass cap with appropriate details;
THENCE N 23°36'49" W, 1118.11 feet, to a point lying on the northerly right-of-way line of East Kelly Avenue, as marked by a 5/8–inch diameter rebar with a 2.5–inch diameter aluminum cap inscribed "PE & LS 578", said point being identical to the southwest corner of Parcel 1 as described in Document No. 992546 recorded in the Office of the Clerk of Teton County, Wyoming, and being the POINT OF BEGINNING;
THENCE N 0°22'26" E, 180.37 feet, along the west line of said Parcel 1 to its northwest corner, as marked by a 5/8–inch diameter rebar with a 2–inch diameter aluminum cap inscribed "PE & LS 578";
THENCE N 0°22'26" E, 135.61 feet, along the west line of Parcel 2 as described in said Document No. 992546 to its northwest corner, as marked by a 5/8–inch diameter rebar with a 2–inch diameter aluminum cap inscribed "PE & LS 578";
THENCE S 89°52'41" E, 159.94 feet, along the north line of said Parcel 2 to its northeast corner, as marked by a 5/8–inch diameter rebar with a 2–inch diameter aluminum cap inscribed "PE & LS 578";
THENCE S 0°28'13" W, 136.50 feet, along the east line of said parcel 2 to its southeast corner, as marked by a 5/8–inch diameter rebar with a 2–inch diameter aluminum cap inscribed "PE & LS 578";
THENCE S 19°41'07" W, 235.72 feet, along the east line of said Parcel 1 to its southeast corner, being coincident with the aforementioned northerly right-of-way line of East Kelly Avenue, and marked by a 5/8–inch diameter rebar with a 2–inch diameter aluminum cap inscribed "PLS 16012" set this survey;
THENCE N 62°16'46" W, 92.04 feet, along said northerly right-of-way line to the POINT OF BEGINNING.

Said parcel encompasses 1.08 acres, more or less.

The basis of bearings for this survey is referenced to a direct GPS measurement and is considered geodetic (geodetic north using WGS84, NAD83), resulting in a measured bearing of S 89°52'41" E along the north line of Parcel 2 described in Document No. 992546 recorded in the Office of the Clerk of Teton County, Wyoming.

David Fehringer
Wyoming PLS License No. 10052

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me by David Fehringer on this _____ day of _____, 2022.
Witness my hand and official seal.

Notary Public

My commission expires:

CERTIFICATE OF OWNER

State of Wyoming))) ss
County of Teton)

The undersigned owner and proprietor hereby certifies that the foregoing subdivision of those lands conveyed in Document No. 992546 recorded in the Office of the Clerk of Teton County, Wyoming and situated within Section 34, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, as shown on this plat, is with their free consent and in accordance with their desires;

that the name of this subdivision shall be 445 EAST KELLY AVENUE ADDITION TO THE TOWN OF JACKSON;

that this subdivision contains 6 lots, LOT 1 through LOT 6, as shown hereon;

that this subdivision is subject to a 25' wide access and utility easement across Lots 4 and 5 for benefit of Lower Valley Energy, Inc. and Town of Jackson, as shown hereon;

that Lots 4 and 5 of this subdivision are subject to that 20' wide utility easement as described in Document No. 311926 recorded in the Office of the Clerk of Teton County, Wyoming;

that this subdivision benefits from that variable width access and utility easement as described in Document No. 311927 recorded in said Office;

that access across all roads, driveways, and parking areas located within said subdivision is hereby granted to emergency vehicles including police, ambulances, and fire department vehicles;

that this subdivision is subject to any other easements, restrictions, reservations, rights-of-way, and conditions of sight and/or record including, but not limited to those shown hereon;

that all rights under and by virtue of the Homestead Exemption Laws of the State of Wyoming are hereby waived and released;

that the undersigned owner hereby reserves unto themselves, and their heirs, successors, and assigns, the right to perform all necessary construction activities in, under, over, upon, and across the foregoing subdivision to grade, install infrastructure, landscaping, utilities, and roadways, and to store materials thereon, and to make such other uses thereof as may be reasonably necessary and incidental to the completion of the development of the foregoing subdivision;

that the undersigned owner hereby reserves unto themselves, and their heirs, successors, and assigns, the right to vacate and re-plat any lot(s) of the foregoing subdivision and/or perform a boundary adjustment within the foregoing subdivision for all lots that remain in the ownership of the undersigned;

SIGNATURE BY SEPARATE AFFIDAVIT
Natalia D. Macker, Chair of Teton County Board of County Commissioners

GENERAL NOTES

THIS SUBDIVISION WILL BE CONNECTED TO THE TOWN OF JACKSON WATER SUPPLY AND DISTRIBUTION SYSTEMS. NO PUBLIC MAINTENANCE OF ANY PRIVATE WATER DISTRIBUTION SYSTEM. THIS SUBDIVISION WILL HAVE NO PUBLIC MAINTENANCE OF STORM WATER COLLECTIONS AND TREATMENT SYSTEMS.

NO KNOWN FAULT LINE EXISTS IN THIS SUBDIVISION.

THIS SUBDIVISION WILL BE CONNECTED TO THE TOWN OF JACKSON SEWER COLLECTION AND TREATMENT SYSTEMS. NO PUBLIC MAINTENANCE OF ANY PRIVATE COLLECTION MAINS AND SERVICES.

AT THE TIME OF THIS PLAT WATER AND SEWER SERVICES ARE NOT CONSTRUCTED. ACCESS TO ALL FUTURE SEWER AND WATER FACILITIES, INCLUDING PIPELINES, MANHOLES, METERS AND VALVES IS HEREBY GRANTED TO THE TOWN OF JACKSON.

THIS SUBDIVISION IS SUBJECT TO A SUBDIVISION IMPROVEMENT AGREEMENT RECORDED WITH THIS PLAT.

NO PUBLIC MAINTENANCE OF PRIVATE ROADS WITHIN THIS SUBDIVISION.

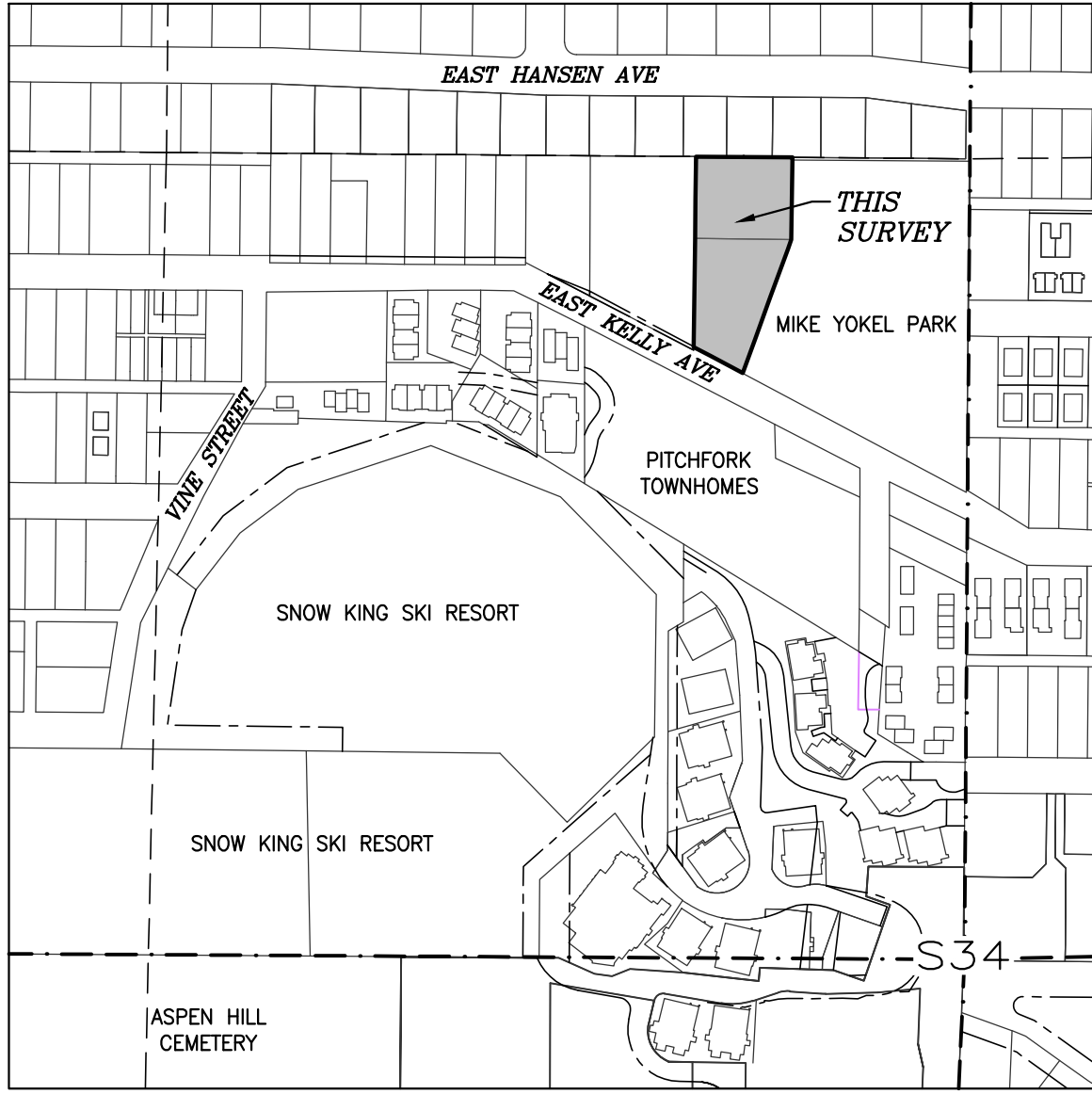
THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO THE FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.

SELLER DOES NOT WARRANT TO THE PURCHASER THAT THEY HAVE ANY RIGHTS TO THE NATURAL FLOW OF ANY STREAM OR RIVER WITHIN OR ADJACENT TO THIS SUBDIVISION.

WYOMING LAW DOES NOT RECOGNIZE ANY RIPARIAN RIGHTS TO THE CONTINUED NATURAL FLOW OF A STREAM OR RIVER TO PERSONS LIVING ON THE BANKS OF THE STREAM OR RIVER.

THIS SUBDIVISION SHALL NOT BE SUBJECT TO FURTHER DIVISIONS, EXCEPT IN ACCORDANCE WITH AND AS PERMITTED BY THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS.

VICINITY MAP



Showing SE1/4NW1/4 of Section S34
T. 41 N., R. 116 W., 6th P.M.,
Teton County, Wyoming

CERTIFICATE OF ACCEPTANCE

State of Wyoming))) ss
County of Teton)

The foregoing 445 EAST KELLY AVENUE ADDITION TO THE TOWN OF JACKSON was approved at the regular meeting of the Town Council held this _____ day of _____, 20____, in accordance with Section 15–1–415, Wyoming Statutes, and the Town of Jackson Land Development Regulations.

SIGNATURE BY SEPARATE AFFIDAVIT
Hailey Morton Levinson, Mayor

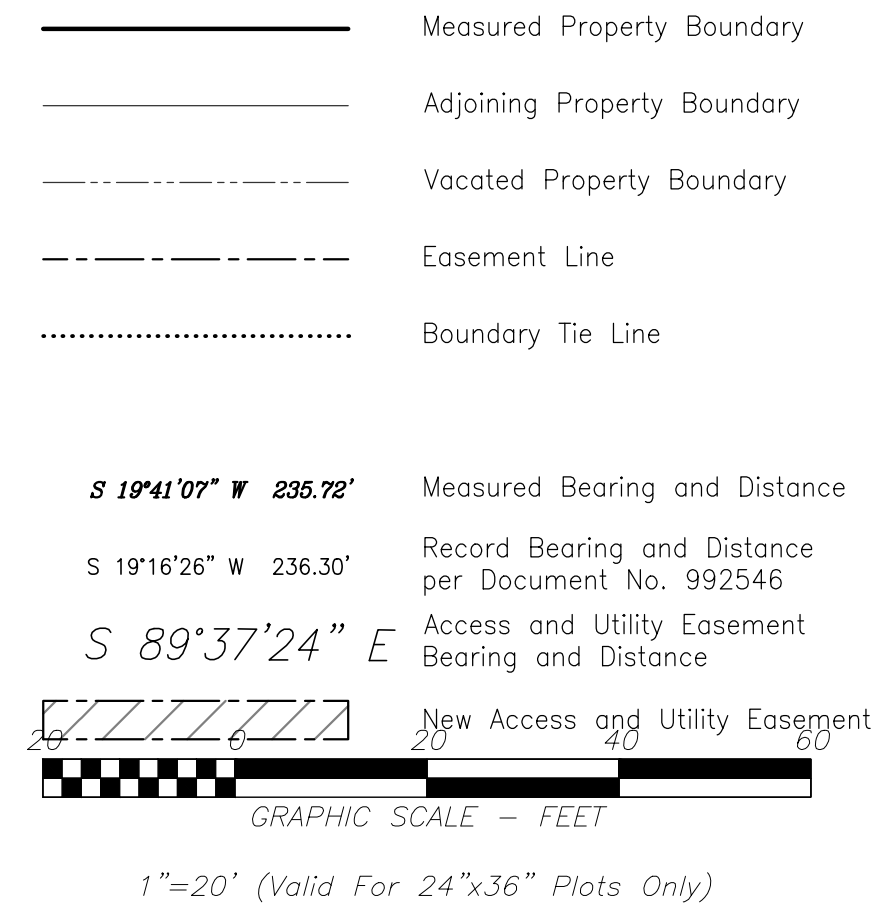
SIGNATURE BY SEPARATE AFFIDAVIT
Brian Lenz, Town Engineer

Attest:
ATTESTATION INCLUDED ON MAYOR'S SEPARATE AFFIDAVIT
Riley Taylor, Clerk

SIGNATURE BY SEPARATE AFFIDAVIT
Paul Anthony, Planning Director

LEGEND

- Indicates a 24–inch long, 5/8–inch diameter rebar with a 2–inch diameter aluminum cap inscribed "PLS 10052" set this survey
- Indicates a 5/8–inch diameter rebar with a 2–inch diameter aluminum cap inscribed "PE & LS 578" found this survey
- Indicates a 5/8–inch diameter rebar found this survey
- Indicates a 2.5–inch diameter steel pipe with a 3.25–inch diameter BLM brass cap with appropriate details found this survey
- Indicates a 3.25–inch diameter brass cap pipe monument inscribed "RLS 164" with other appropriate makings found this survey



FINAL PLAT
445 East Kelly Avenue
Addition to the Town of Jackson
Being a portion of
SE1/4NW1/4 of Section 34
T. 41 N., R. 116 W., 6th P.M.
Teton County, Wyoming

CONSULTANTS



y2consultants.com
307 733 2999

Final Plat

PROJECT NUMBER: 20263
DRAWING DATE: 3/10/2022
FINL REVISION DATE:
DRAWN BY: MNW
REVIEWED BY: MNW

OWNER

Teton County
445 East Kelly Avenue
Jackson, WY 83001

SURVEYOR

Y2 Consultants, LLC
180 S Willow Street
PO Box 2870
Jackson, WY 83001
Phone: 307-733-2999

SUBDIVISION INFORMATION

Number of Lots: 6

Average Area Per Lot:
7,814.8 SF

Total Project Area:
46,886.6 SF/1.08 Acres

SHEET:

1 of 1