



# 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 16, 2023	<b>REQUESTS:</b>
Item #: P23-207	
Planner: Katelyn Page	
Phone: 733-0440 ext. 1302	
Email: <a href="mailto:kpage@jacksonwy.gov">kpage@jacksonwy.gov</a>	
<b>Owner:</b> Barret Aspen Drive, LLC c/o Fodor Law Office P.O. Box 551 Jackson, WY 83001	
<b>Applicant:</b> Stefan Foder Fodor Law Office P.O. Box 551 Jackson, WY 83001	
<b>Please respond by: December 7, 2023 (with Comments)</b>	

The applicant is submitting a Zoning Compliance Verification for the property located at 165 Aspen Drive legally known as LOT 2, ASPEN MILLWARD TOWNHOMES.

PIDN: 22-41-16-33-1-59-002

For questions, please call Katelyn Page at 307-733-0440 x1302, or e-mail to the address shown to the left. Thank you.

**Owner:**

Barret Aspen Drive, LLC  
c/o Fodor Law Office  
P.O. Box 551  
Jackson, WY 83001

**Applicant:**

Stefan Foder  
Fodor Law Office  
P.O. Box 551  
Jackson, WY 83001

**RESPONSE:** For Departments not using SmartGov, please send responses via email to:  
[planning@jacksonwy.gov](mailto:planning@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: 165 Aspen Drive Lot 2

Physical Address: Same

Lot, Subdivision: Lot 2 Aspen Millward Townhomes Addition Plat 1218 PIDN: 22-41-16-33-1-59-002

**PROPERTY OWNER.**

Name: Barrett Aspen Drive, LLC Phone: 307.733.2880  
Mailing Address: c/o Fodor Law Office/ PO Box 551 Jackson ZIP: 83001  
E-mail: stefan@fodorlaw.com

**APPLICANT/AGENT.**

Name: Stefan Fodor - Fodor Law Office Phone: 307.733.2880  
Mailing Address: PO Box 551 Jackson, WY ZIP: 83001  
E-mail: stefan@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](http://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	<input type="checkbox"/> 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)	<input type="checkbox"/> 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](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?

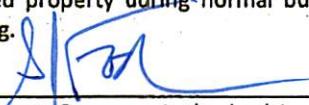
**Application Fee.** Fees are cumulative. Go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for the fees.

**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 <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](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

Stefan Fodor

Name Printed

11/9/2023

Date

Agent

Title



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:

### 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: ANNE PAWSAT DRESSLER Title: TRUSTEE

Being duly sworn, deposes and says that BARRET ASPE DRIV, LLC is the owner in fee of the premises located at:

Name of legal property owner as listed on deed

Address of Premises: 165 ASPEN DRIVE

Legal Description: LOT 2 & C-1/2 TENANCY IN COMMON INTEREST IN LOT 3 ASPEN MILLWARD TOWNHOMES ADD  
Please attach additional sheet for additional addresses and legal descriptions PLAT # 1218

And, that the person named as follows: Name of Applicant/agent: STEFAN FODOR FODOR LAW OFFICE

Mailing address of Applicant/agent: 76 BOB 551 JACKSON, WY 83001

Email address of Applicant/agent: Stefan.fodor@fodorlaw.com

Phone Number of Applicant/agent: 307-733-2080

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 in 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     Home Occupation     Other (describe) ZCR

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.

R. R. + R.

Property Owner Signature

TRUSTEE OF BARRET DODER DRESSLER HEREBY SWARS THAT I AM 2-8-21 MEMBER OF BARRET ASPEN DRIVE, LLC  
Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner

STATE OF FLORIDA )

) SS.

COUNTY OF MARTIN )

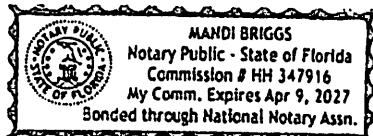
)

The foregoing instrument was acknowledged before me by Anne Pawsat-Dressler ID#  
day of November 2023. WITNESS my hand and official seal.

M. Br  
Notary Public

My commission expires:

4/9/27



**FODOR LAW OFFICE, PC**  
LLC

November 15, 2023

***Sent via Email and Hand Delivery***

Mr. Paul Anthony, Planning Director  
Town of Jackson  
150 E. Pearl Avenue  
Jackson, Wyoming 83001  
Email: [panthony@jacksonwy.gov](mailto:panthony@jacksonwy.gov)

Re: Zoning Compliance Verification; 165 Aspen Drive Lot 2 and a one half tenancy in common interest in Lot 3 Aspen-Millward Townhomes Plat 1218 (the “**Property**”)

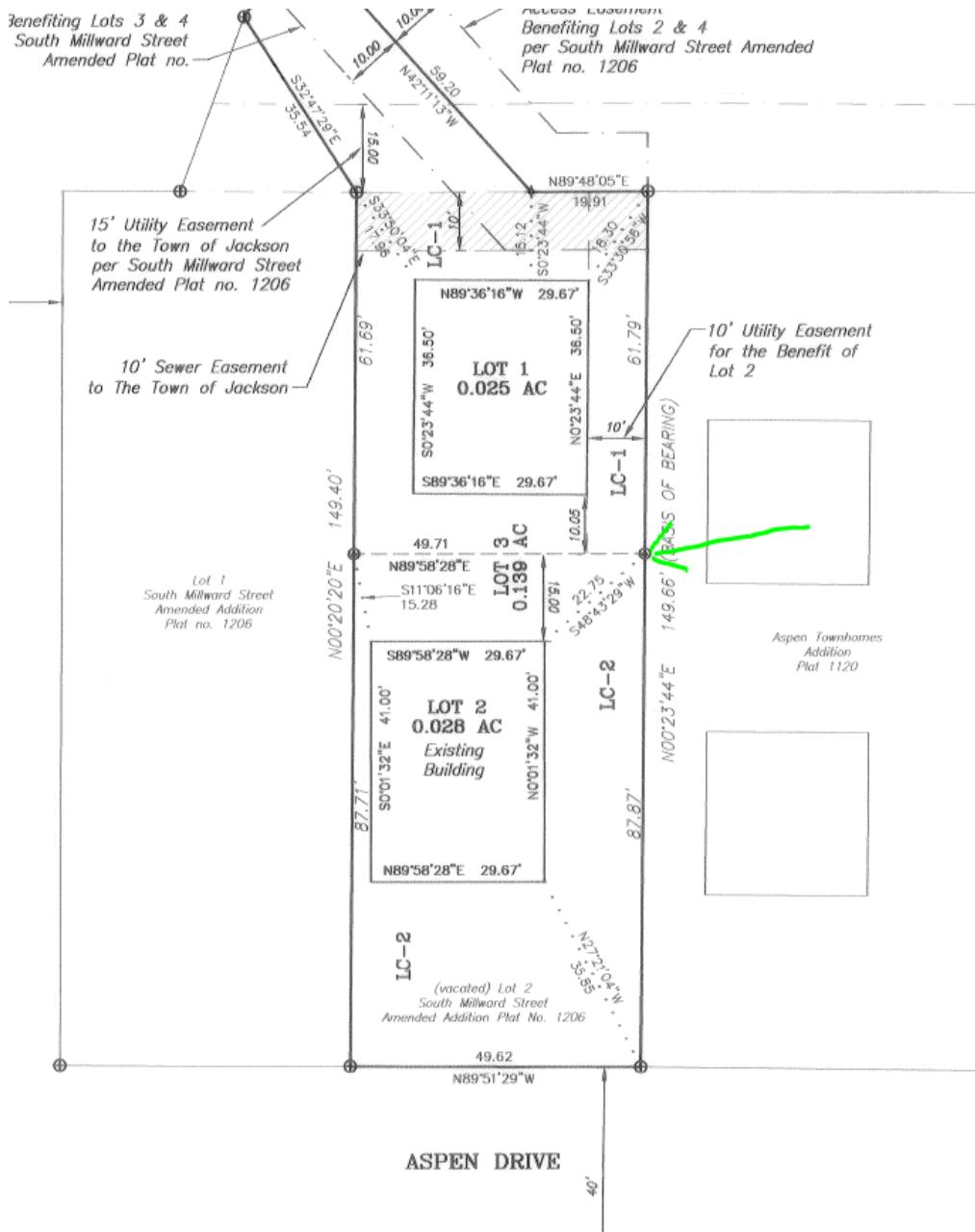
Dear Paul:

Pursuant to Section 8.6.3 of the Town of Jackson Land Development Regulations (“**LDRs**”), please consider this a request for a Zoning Compliance Verification (“**ZCV**”) for the above Referenced Property. This ZCV is being submitted on behalf of my client Barrett Aspen Drive, LLC which obtained the property via warranty deed recorded as document #1071458.

1. Please confirm that Lot 2 of the Property is a legally conforming lot and that the structure on Lot 2 is a legally conforming structure. Enclosure Surveying took the dimensional limitations of Lot 2 from Plat 1218, represented the distances and bearings on an exhibit and from that information was able to show the side yard setback for Lot 2 from the west property line. Enclosures exhibit dated 10/24/23 is attached here as Exhibit A and shows the side yard measurements from Lot 2 are 3.04’ at the northern end and 3.30’ at the southern end. Further, it has been confirmed that the existing structure is wholly within the dimensional limitations of Lot 2 as this structure was surveyed by Nelson Engineering on 10/26/23 as shown on the attached Exhibit B. The location of the building envelope has not changed since Plat 1218 was approved by the Town of Jackson and recorded. Our concern is primarily focused on the side yard setback. At the time the plat was recorded, NC-2 zoning required a 10’ side yard setback. The property is currently zoned NM-1 which also has a 10’ side yard setback. While it appears Lot 2 was approved without meeting the side yard setback, the structure was in existence at the time of the approval of Plat 1218 and under normal circumstances one cannot create nonconforming development through a development plan. We are seeking to confirm that the building footprint (Lot 2) is compliant with the LDRs. With the understanding that the structure is entirely within the building footprint as shown on Exhibit B, we are seeking to confirm that the structure is compliant with the LDRs.

**STEFAN J. FODOR • [STEFAN@FODORLAW.COM](mailto:STEFAN@FODORLAW.COM)**  
**PO Box 551 • JACKSON, WY 83001 • 307.733.2880 (T)**

2. If the structure on Lot 2 of the Property is deemed a non-conforming physical development under Section 1.9.2 of the current LDRs, please state why it is non-conforming physical development and what limitations exist on its expansion and replacement.
3. Please confirm the maximum scale of development on Lot 2 is 1,320 sf as per the certificate of owner on Plat 1218.
4. Please state whether Lot 2 and the southern portion of Lot 3 may be legally subdivided from Lot 1 and the northern portion of Lot 3 at the dashed line indicated by the green arrow in the screenshot below, and if so, please state the process for such subdivision.



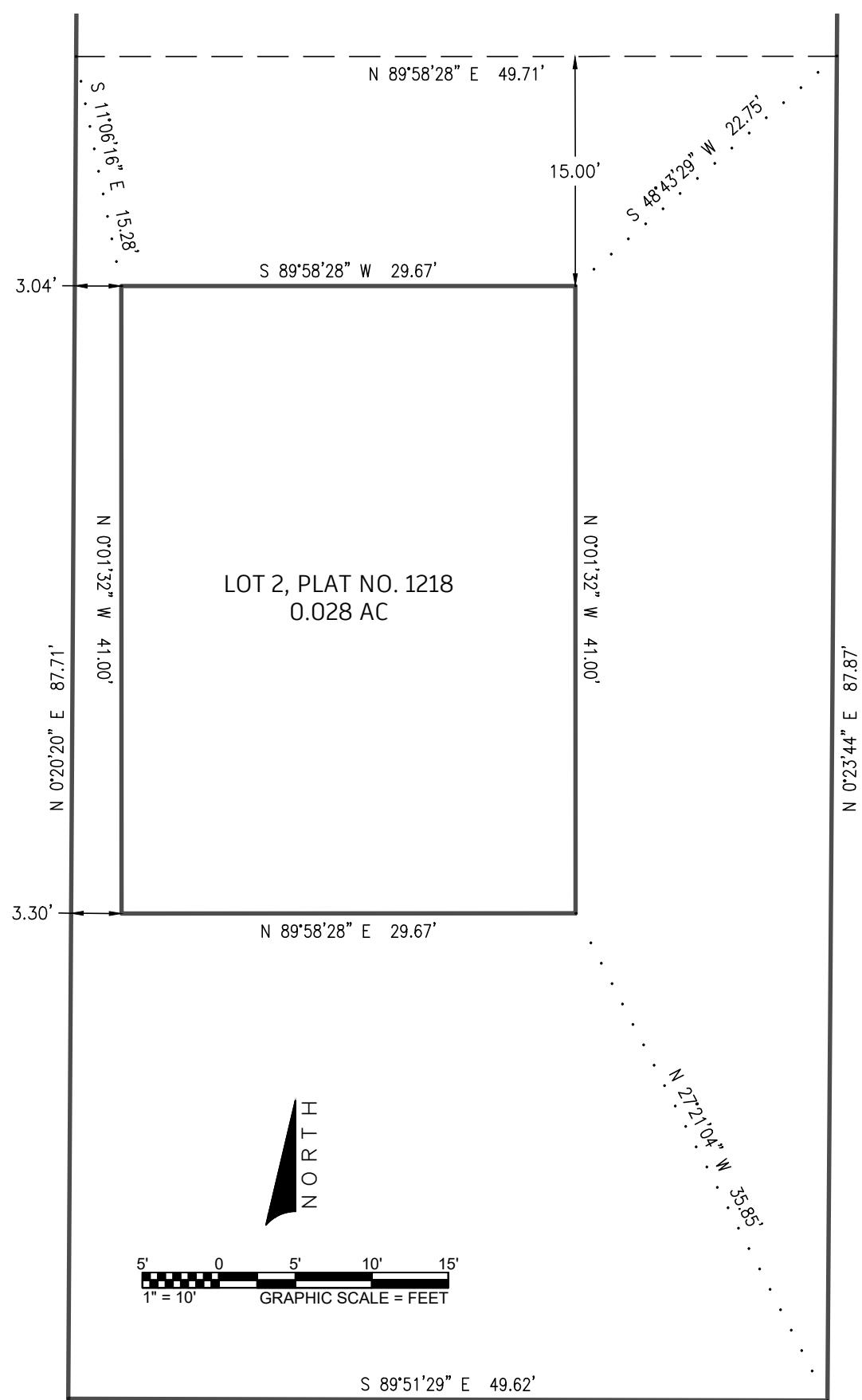
If you require any additional information to answer these questions, please let me know and I will do my best to provide the requested information as quickly as possible. Thank you for your time and attention to this matter.

STEFAN J. FODOR • STEFAN@FODORLAW.COM  
PO Box 551 • JACKSON, WY 83001 • 307.733.2880 (T)

Regards,

  
Fodor Law Office, PC  
Stefan J. Fodor

**STEFAN J. FODOR • STEFAN@FODORLAW.COM**  
PO Box 551 • JACKSON, WY 83001 • 307.733.2880 (T)



**ENCLOSURE**  
SURVEYING  
(307) 222-4336  
enclosuresurveying.com

PLAT NO. 1218 - DUE DILIGENCE EXHIBIT  
STREET ADDRESS: 165 ASPEN DRIVE  
LOT/PLAT/MAP: LOT 2, PLAT NO. 1218

DRAWING INFO  
DRAWING DATE: 10/24/2023  
REVISION DATE:  
DRAWN BY: MWW  
REVIEWED BY:

