

AGENDA

Planning and Zoning Commission

June 5, 2019 – REGULAR MEETING

5:30 PM

The New Business items have been placed on the agenda in the order they were received. Please note that at 9:00 p.m., the Commission will evaluate the remainder of the agenda to determine if time constraints will permit the full agenda to be heard at this meeting. All items not heard at this meeting will be postponed to the next regularly scheduled PC/BOA meeting of June 19, 2019 or to a special meeting scheduled by the Commission.

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

1. CALL TO ORDER
2. ROLL CALL
3. MATTERS FROM THE PUBLIC
4. APPROVAL OF MINUTES
 - I. May 15, 2019
5. OLD BUSINESS
6. NEW BUSINESS
7. BOARD OF ADJUSTMENT
 - I. Item P19-085: Request for a variance from the curb cut standard in the Neighborhood Low Density-5 (NL-5) Zoning District for the property located at 610 Hall Avenue.
8. PLANNING COMMISSION
9. MATTERS FROM THE COMMISSION
10. AGENDA FOLLOWUP
11. MATTERS FROM STAFF
12. ADJOURNMENT

**MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
MAY 15, 2019**

The meeting of the Planning and Zoning Commission was called to order at 5:30 p.m. on 5/15/19, in the Town Hall Council Chambers.

ROLL CALL:

x Anne Schuler, _x_ David Vandenberg, _x_ Katie Wilson, _x_ Abby Petri, _x_ Chris Beaulieu, _x_ William Gale, __ Thomas Smits

STAFF: Tyler Valentine, Tyler Sinclair

MATTERS FROM THE PUBLIC: None

APPROVAL OF MINUTES:

April 17, 2019 Joint Meeting

A motion was made by: Anne Schuler seconded by: Katie Wilson
Motion approved or denied by a _4_ to _0_ vote (David Vandenberg abstained)

May 1, 2019 Joint Meeting

A motion was made by: Abby Petri seconded by: Katie Wilson
Motion approved or denied by a _5_ to _0_ vote (David Vandenberg abstained)

OLD BUSINESS: None

PLANNING COMMISSION

1. **ITEM P19-047:** REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT FOR A NEW CAR WASH LOCATED AT 660 WEST BROADWAY AVENUE.

STAFF PRESENTATION: Tyler Valentine

APPLICANT PRESENTATION: Robert Infinger

PUBLIC COMMENT: None

PC DISCUSSION: The discussion surrounded the wildlife corridor that the carwash is in and what

the role of the Planning Commission is with regards to wildlife corridors.

MOTION:

Based upon the findings as presented in the staff report and as made by the applicant for Item P19-047, I move to make findings 1-8 as set forth in Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations relating to 1) Compatibility with Future Character; 2) Use Standards; 3) Visual Impacts; 4) Minimizes adverse environmental impact; 5) Minimizes adverse impacts from nuisances; 6) Impact on Public Facilities; 7) Other Relevant Standards/LDRs; and 8) Previous Approvals for a Conditional Use Permit and recommends **approval** to the Town Council for a new Heavy Retail/Service use (car wash) located at 660 W. Broadway Avenue (Lot 2), subject to the department reviews attached hereto and the following conditions of approval:

1. Prior to issuance of a Building Permit, the applicant shall pay the affordable housing fee in the amount of \$8,422.40.
2. At the time of Building Permit submittal that applicant shall provide a cost breakdown for the proposed landscaping. In addition, prior to issuance of a Building Permit a bond for 125% of the cost of landscaping shall be provided.
3. At the time of Building Permit submittal the applicant shall provide a cost breakdown for the 18 willows for purposes of bonding. Additionally the applicant shall provide the final off-site location for the 2:1 mitigation.
4. At the time of Building Permit submittal the applicant shall demonstrate compliance with the second condition of approval in the EA related to fencing.
5. Prior to submittal of a Building Permit the applicant shall revise site plan to include pedestrian connectivity from Karns Meadow Drive to the building, preferably to the immediate north of the kiosk.
6. Prior to submittal of a Building Permit the applicant shall revise the site plan to either remove the bail-out exit or relocate it so that no vehicles exit onto Karns Meadow beyond the shared access drive.
7. Prior to submittal of a Building Permit the applicant shall revise the site plan to remove the guest space adjacent to the trash enclosure.
8. Prior to submittal of a Building Permit the applicant shall revise the site plan to round out the northeast corner of landscaping to maintain a 6' wide sidewalk.
9. At the time of Building Permit submittal the applicant shall provide a lighting plan for the site that complies with the Town's lighting standards.

10. At the time of Building Permit submittal the applicant shall provide a preliminary signage plan to be reviewed with the Building Permit which includes directional signage.
11. The applicant shall work with the Town on providing a decorative wall material for the 6' retaining wall along the southern property line.
12. The shared access shall not be used as a queuing lane for the car wash.
13. The applicant work with Staff prior to Building Permit submittal to revise the landscape plan to ensure that sight viability concerns in the northeast corner are addressed.
14. All exterior and interior lighting shall be reduced/dimmed or complete shut-off at night due to the EA and close proximity to Karns Meadow.

A motion was made by: William Gale seconded by: Anne Schuler
Motion approved or denied by a _4_ to _1_ vote

2. ITEM P19-059: AMENDMENT TO SNAKE RIVER CANYON RANCH MASTER PLAN, SUB AREA III

STAFF PRESENTATION: Tyler Sinclair

APPLICANT PRESENTATION: Brenden Schulte

PUBLIC COMMENT: None

PC DISCUSSION:

How did the discrepancy of height come about? SRSC Architect and Teton County interpretation of height were not the same. The applicant made the request for a height variance to make the site plan work with no changes. The Planning Commission sees no negative impact on the Town of Jackson. There is also a smaller impact with the increased height because the building is up against a hill.

MOTION:

The LDRs state that the PC does not have a 'voting participation' in the review of a Resort Master Plan amendment, thus no motion is intended. However, the Town Planning Commission is expected to provide its recommendations and comments as appropriate.

NEW BUSINESS: None

MATTERS FROM COMMISSION:

What are the rules regarding cutting trees down?

AGENDA FOLLOWUP: None

MATTERS FROM STAFF:

Town of Jackson is working on hillside regulations.

Town of Jackson is working on downtown parking.

How can the Town incentivize property owners to improve the land around Flat Creek?

There will be lots of lodging being built this summer as a result of applicants getting in before the regulations changed.

Town Attorney resigned.

Town approved a public art plan.

Town is going through the budget process.

ADJOURN: 6:45 pm

A motion was made by: Anne Schuler seconded by: Katie Wilson

Motion approved or denied by a 6 to 0 vote



TOWN OF JACKSON BOARD OF ADJUSTMENT AGENDA DOCUMENTATION

PREPARATION DATE: MAY 31, 2019
MEETING DATE: JUNE 5, 2019

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: TYLER SINCLAIR
PRESENTER: TYLER VALENTINE

SUBJECT: **ITEMS P19-085:** REQUEST FOR A VARIANCE FROM THE CURB CUT STANDARD IN THE NEIGHBORHOOD LOW DENSITY-5 (NL-5) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 610 HALL AVENUE

APPLICANT: DAVE SIMPSON & KRISTEN CORBETT

OWNER: LOIS CORBETT

STATEMENT/PURPOSE

The applicant is requesting a variance from the curb cut standard in the NL-5 zone to allow 40 feet of curb cut in the form of two separate 20-foot wide cuts where the Land Development regulations (LDRs) allow only 20 feet of curb cut for the property addressed at 610 Hall Avenue.

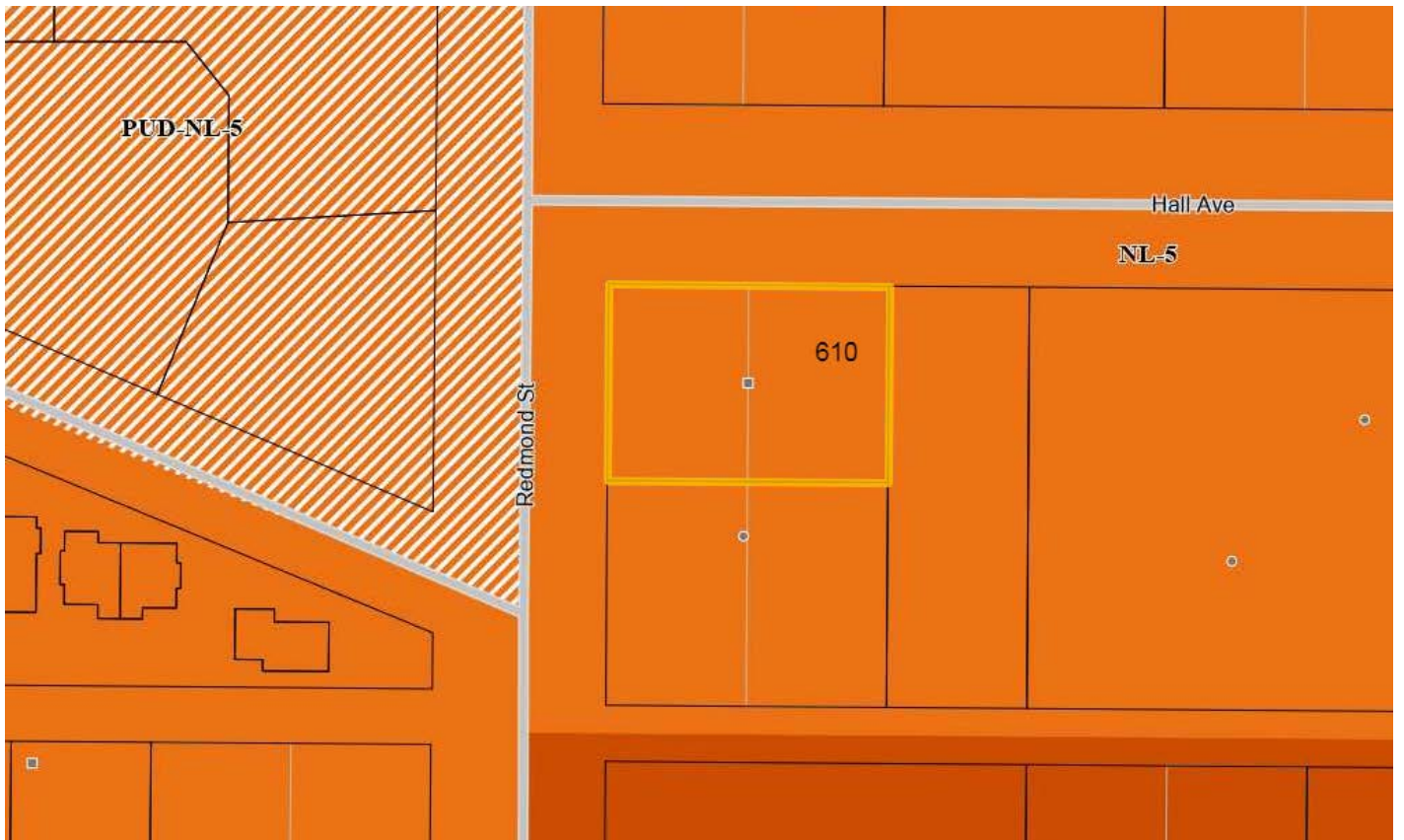
APPLICABLE REGULATIONS

Section 8.8.2. Variances

Section 2.2.6. Neighborhood Low Density-5 (NL-5)

LOCATION

The subject property is described as Part of Lots 12 & 13, Block 4, Hall 2 Addition to the Town of Jackson, and is addressed as 610 Hall Avenue. An aerial photo and zoning map are shown on the following page:



BACKGROUND/ALTERNATIVES

Existing Site Characteristics

The subject property was rezoned from Auto-Urban Residential (AR) to NL-5 in July 2018. The surrounding zoning to the north, south and east is also NL-5 with NL-5 Planned Unit Development (NL-5 PUD) to the west. The lot is 70 feet deep by 100 feet wide (7,000 sf) and located on the corner of Redmond Street and Hall Avenue. Curb and sidewalk are installed along Redmond Street, however, Hall Avenue has no curb or sidewalk. Currently the site has two single-story structures: a 1,080 sf detached single-family home built in 1970 and a 784 sf mobile home (single-wide) placed on the property in 1975. The detached single-family home is nonconforming to the front (north) and side (east) setbacks, and the mobile home is a nonconforming use which also is nonconforming to the side street (west) setback. Two separate gravel driveways exist along Hall Street each approximately 20 feet wide which provide vehicular access and parking to each unit. Because required parking needs to be entirely on-site, the subject site is nonconforming to the parking requirements because the parking spaces for the mobile home are partially within the public right-of-way and parking for the single-family home is located entirely within the public right-of-way. In addition, the site is nonconforming to the maximum allowed curb cut standard in the NL-5 zone of 20 feet.

**For purposes of this report Staff will refer to curb cuts along Hall Avenue even though no curb and gutter are currently installed.*

Applicant's Request

The applicant is requesting a variance from the 20-foot maximum curb cut standard to allow 40 feet of curb cut along Hall Avenue in the form of two 20-foot wide curb cuts separated by a distance of at least 20 feet. The overall plan for the site is to eventually remove both units and replace them with two new detached units which is allowed in the NL-5 zone. The first phase of this plan consists of removing the mobile home, replacing it with a new two-story dwelling and leaving the existing single-family home and its associated driveway untouched. A new 20-foot wide curb cut and driveway will be provided for the new dwelling unit. This variance request would ensure that after the applicant installs a new 20-foot wide curb cut for the new dwelling unit, an additional 20 feet of curb cut remains to benefit the existing and future single-family home.

The applicant's justification for the variance is based upon their lot configuration being 100-feet wide by 70-feet deep whereas typical lots are 50-feet wide by 150-feet deep (50' x 150'). In addition, the subject lot is not permitted to take access off Redmond Street and has no alley access as do the majority of lots along Hall Avenue. The applicant states that limiting their 100-foot wide lot to only 20 feet of curb cut limits their ability to redevelop the site. The applicant states that since the Town has set access standards that allow 20 feet of curb cut for every typical 50 foot wide lot, allowing the subject property to have two 20-foot wide curb cuts on a 100-foot wide lot aligns with the overall street character of not only Hall Street but the majority of residential streets in Town.

In addition to the variance request, the applicant seeks an expiration date of 2 years from the date of approval whereas the LDRs provide a 1 year expiration. The reason for the extended expiration date is related to financing limitations associated with the sale of a separate property which may take more time than what the LDRs provide.

STAFF ANALYSIS

From 1994 until the zoning changed to NL-5, the previous AR zoning had a curb cut standard that allowed for 20 feet of curb cut or 40% of your lot width, whichever is greater. With regards to the subject lot, AR zoning would have allowed 40 feet of curb cut which is what the applicant now seeks. However the new zoning allows curb cuts of 20 feet or 40% of the lot width, whichever is less. This changes does not affect

typical 50' x 150' lots, but significantly affects wider lots such as the applicant's because it now allows only a single 20-foot curb cut. The intent of the rule change is to limit and consolidate curb cuts where possible to create a street character better suited for pedestrian movement while encouraging access to be taken off of the alley. For lots such as 610 Hall Avenue, the curb cut change means that redevelopment can be more challenging, specifically when it comes to meeting the parking requirements for multiple new units.

In reviewing the applicant's request, Staff found special circumstances related to the subject lot in terms of its configuration. The subject lot is 100 feet wide x 70 feet deep and is one of the few properties in the vicinity that is not a typical 50' x 150' lot. In addition, the subject lot is one of the few properties in the vicinity that lacks alley access. Furthermore the subject lot is not permitted to take access off of Redmond Street due to its street classification.

Under the findings below, Staff has found that due to the special circumstances of the subject lot, strict application of the 20-foot curb cut standard would create a hardship on the applicant's plans to redevelop the site in a reasonable manner because it limits a wide lot to only 20 feet of curb cut making it difficult to meet parking requirements for multiple units. In addition, 40 feet of curb cut in the form of two separate 20-foot wide curb cuts is consistent with the curb cut pattern in the NL-5 zone and along Hall Avenue. In fact, the two properties just north of the subject site, each typical 50' x 150' lots, are under construction each having their own 20-foot wide curb cut and driveway. Staff finds that the applicant's request meets all findings for a variance, meets the intent of the zoning and will encourage the owner to develop their property in a reasonable manner consistent with surrounding development.

In addition, Staff supports a 2-year expiration deadline for the Variance. The applicant has worked in good faith over the past few years to pursue redevelopment of the subject lot and allowing deadline flexibility of one additional year is reasonable and does not defeat any purpose of the LDRs. If approved, the 2-year expiration date is the deadline for when a Building Permit must be submitted.

PUBLIC COMMENT

Staff has received no public comment at this time.

STAFF FINDINGS

Pursuant to Section 8.8.2 Variances of the Land Development Regulations, the following findings shall be made prior to granting the Variance.

1. ***Special conditions and circumstances exist.*** *There are special circumstances or conditions which are peculiar to the land or building for which the Variance is sought that do not apply generally to land or buildings in the neighborhood.*

Complies. Staff finds that special circumstances and conditions do exist on the property at 610 Hall Avenue, specifically related to the lot's configuration of 100 feet wide by 70 feet deep, the lack of an alley and the inability to take access off of Redmond Street. The subject lot is 100 feet wide and 70 feet deep with no alley which is unlike typical 50' x 150' lots with alleys. In addition, no curb cut off Redmond is permitted based on the street classification. As a result, options for access to the subject lot are limited to Hall Avenue with no more than 20 feet of curb cut permitted for the entire 100 feet of lot width. In other words the subject lot is as wide as two typical 50' x 150' lots but limited to a curb cut width of only one typical 50' x 150' lot. Ultimately residential development is dependent upon the ability to provide parking and access to meet the minimum LDR requirements but also to ensure the site functions practically. Providing parking and access becomes difficult because the

applicant's unique lot configuration results in limited lot depth forcing development to spread horizontally across the property without a sufficient amount of curb cut to accommodate new residential development.

2. ***Not result of applicant.*** *The special circumstances and conditions have not resulted from any willful modification of the land or building.*

Complies. As the lot existed prior to the applicant purchasing the property and prior to the adoption of the 1994 Land Development Regulations, the variance request is not the result of any actions by the applicant.

3. ***Strict application deprives reasonable use.*** *The special circumstances and conditions are such that strict application of the regulation sought to be varied would create a hardship on the applicant far greater than the protection afforded to the community.*

Complies. Staff finds that the strict application of the 20 foot curb cut standard on the subject lot would deprive the owner of reasonable use of the site. The intent of the curb cut standard is to encourage alley access but still provide sufficient space for primary street access while maintaining a street character that does not result in expansive curb cuts that interfere with pedestrian movement. However, based upon the special circumstances described above in Finding #1, the application of the curb cut standard limits the subject lot to only 20 feet of curb cut even though the lot is as wide as two typical 50' x 150' lots. As a result, redeveloping the subject lot with multiple units becomes challenging with regard to meeting the minimum parking requirements and those units having to share a single 20-foot wide curb cut and driveway. This is not a circumstance that typical 50' x 150' lots with alley access deal with as they can access and park vehicles off of the alley. Given that the lot is 100 feet wide, 40 feet of curb cut is reasonable and will allow the applicant similar development rights as those lots within the vicinity which are not similarly constrained.

4. ***Minimum Variance.*** *The variance sought is the minimum variance necessary to provide balance between the purpose of the regulation sought to be varied and its impact on the applicant.*

Complies. Staff finds that 40 feet of curb cut is the minimum variance necessary to provide a balance between the purpose of the regulation sought and its impact on the applicant based upon the width of the applicant's lot at 100 feet. Since the LDR standard for curb cuts on typical 50' x 150' lots is 20 feet, Staff finds that 40 feet of curb cut in the form of two 20-foot curb cuts to be consistent with the desired street character for Hall Avenue.

5. ***Not injurious to neighborhood.*** *The granting of the Variance will not be injurious to the neighborhood surrounding the land where the Variance is proposed, and it is otherwise not detrimental to the public welfare.*

Complies. Staff finds that this request will not be injurious to the surrounding neighborhood because the request will not create additional curb cuts beyond what is anticipated for the NL-5 zone and Hall Avenue.

6. ***Consistent with the LDRs.*** *The granting of the Variance is consistent with the general purpose and intent of the Land Development Regulations.*

Complies. Staff finds this variance to be consistent with the general intent of the Land Development Regulations as it seeks to maintain the anticipated street character and pattern of Hall Avenue. In

addition, the request allows the applicant to reasonably develop their lot consistent with the allowed density within the NL-5 zoning district.

ATTACHMENTS

Applicant Submittal
Departmental Reviews

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

The Planning Director recommends **approval** of Item P19-085, a Variance to the 20-foot maximum curb cut standard in the NL-5 zone to allow 40-feet of curb cut in two 20'-wide curb cuts for property addressed as 610 Hall Avenue subject to the Land Development Regulations, the attached department reviews and the following condition of approval:

1. The variance shall expire in two years.

SUGGESTED MOTION

Based upon the findings for a Variance as presented in the staff report related to 1) Special conditions and circumstances exists; 2) Not result of applicant; 3) Strict application deprives reasonable use; 4) Minimum Variance; 5) Not injurious to neighborhood; and 6) Harmony with LDRs as presented by the applicant and staff for Item P19-085, I move to **approve** a Variance to the 20-foot maximum curb cut standard in the NL-5 zone to allow 40-feet of curb cut in two 20'-wide curb cuts for the property addressed at 610 Hall Avenue, subject to the departmental reviews attached hereto and one condition of approval:

1. The variance shall expire in two years.



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 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

Date

Name Printed

Title

LETTER OF AUTHORIZATION

_____, "Owner" whose address is: _____

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

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

(If too lengthy, attach description)

HEREBY AUTHORIZES _____ 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: _____

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

STATE OF Wyoming)
COUNTY OF Teton)SS.
)

The foregoing instrument was acknowledged before me by _____ this _____ day of
_____, 20____.

WITNESS my hand and official seal.

(Seal)

(Notary Public)

My commission expires:

April 10, 2019

To:

Tyler Sinclair, Planning Director, Town of Jackson
Town of Jackson Board of Adjustment

From:

Dave Simpson and Kirsten Corbett, agents for Lois Corbett, property owner

Re:

Letter of justification for variance request

We are writing a letter as agents representing a Town of Jackson property owner, Lois Corbett. Lois is Kirsten's mother and Dave's mother-in-law. She is an 85-year-old resident of the Town of Jackson, who has lived in town since the 1970s. We are helping her try to pursue her dream of building a small single-family home in the Town of Jackson.

Project description and situation history

Lois currently lives in a condo in the Clusters, where she has lived since the mid-1970s. She owned other property in east Jackson for a number of years, and was hoping to sell her condo in the Clusters and be able to build a modest single-family home there. The property she previously owned was a lot in the Daisy Bush subdivision in east Jackson. However, the CC&Rs in Daisy Bush made the building plan she envisioned difficult financially, given her budget. For that reason, Lois opted to sell her lot in Daisy Bush and buy a lot with AR zoning at 610 Hall instead. She bought the AR lot in order to be able to build a smaller unit (and have more flexibility around design) on a lot that also already had a free-standing house on it. Having the existing home helps her bring in a small amount of income, which is helpful since she is retired.

In the meantime, the zoning at 610 Hall has changed from AR to NL-5. In general, the zoning is more flexible and allows for greater density. But we have learned about some very real challenges to her intended plan as a result of a change in what is allowable for curb cuts to facilitate vehicle access. There are also some apparent restrictions around the fact that her lot is located on the corner of Hall and Redmond, and on Redmond, which is considered a main town arterial road.

There is currently an older house on the east side of the lot, and an older mobile home on the west side of the lot. The concept from the beginning was to remove the trailer and build her unit as far to the west on the lot as possible, under allowable setbacks. The reason for this is two-fold. In the short term, that allows the existing house to remain on the east end of the lot, which provides both income to her, and a rental home in the community. (Stated simply: she cannot afford to scrape the whole lot and start anew.)

Her desired plan (currently allowed under the NL-5 zoning) is to build a roughly 1,600 square foot unit on a compact 40-foot by 20-foot building envelope on the west side of the lot, as close to

Redmond Street as allowable by current setbacks. As currently envisioned, this would consist of 800 square feet of living space on a second floor with a garage, entry, some living space and a single-run of stairs (allowing us to install a stair-access lift) on another 800 square feet at ground level. (See attached drawing of an intended site plan, elevation and a very rough concept for a floor plan). This was her intention all along when she bought the lot under the AR zoning.

She also wants to locate the home as far west as possible on the lot in order to preserve the ability to at some point in the future to remove the older house and build two additional units (for a total of three on the lot). Though Lois does not currently have the financial ability to do this, she does not want to preclude the ability to further develop the lot in the future by overly restricting the potential building envelope within allowable setbacks. Nor does it make sense to do so from a community standpoint (in terms of the need for housing) to develop the lot in a way that precludes future potential housing. Thus, the concept is to build on the west end of the lot first.

We are also trying to move quickly on this project for some personal reasons. Lois has a number of health issues, including diabetes and a cancer diagnosis. It has been her long-term dream to be able to live in a standalone home in Jackson, and, if that's going to happen, we need to move fairly quickly (hopefully building before next winter). Moreover, we (her daughter and son-in-law) live in a home just a few blocks from 610 Hall. As Lois begins to need more assistance at her age and with her diagnoses, part of the goal is to have her living nearer to us.

Restrictions on Property Vehicle Access

We have learned that under the new NL-5 zoning, although this new zoning allows for higher Floor Area Ratios and more flexible types of developments (including, potentially, up to three connected apartments in one building), the zoning does not allow for more than 20 feet of total curb cut along Hall Street for vehicle access (one 20-foot cut or two 10-foot cuts).

Under the previous AR zoning, by contrast, this lot was allowed curb cuts totaling 40 percent of the main street frontage. That would have allowed 40 feet of access on Hall, which was what Lois was planning when she bought the lot. This has been reduced to 20 feet under the NL-5 zone, even as the lot's development potential (FAR) was increased. That seemingly doesn't make a lot of sense.

Moreover, we were told by town planning staff that under NL-5 zoning, a driveway located within the front setback (which is 20 feet) cannot exceed the width of the curb cut (so there can only be one 20 foot-wide driveway or two 10 foot-wide driveways up to the front of the building envelope). Given the small lot size (the lot is 100 feet east-west by 70 feet north-south, and the total building footprint is 40' by 50' feet), that essentially means extremely limited parking and vehicle access for a lot that could easily provide three housing units.

We were initially told by in a meeting with town planning staff that because the lot has street frontage on both Hall and Redmond and lacks alley access, Lois could locate a second 20 foot curb cut/access point on Redmond, for 40 feet of total curb cut accessing the lot. However, we

were also told that it was possible that none of that access could be within 50 feet either direction of the sidewalk corner of Hall and Redmond (which includes some town right-of-way). We were asked to verify that latter point with the town engineer.

In a conversation with the town engineer, he confirmed that it was his view that there could be no curb cuts for access within 50 of the sidewalk corner of Hall and Redmond. In addition to that, he further told us that the town would not allow any access period off of Redmond because it was considered a main arterial town road.

Under the new zoning, combined with restrictions cited by the town engineer, this would mean that a lot that (in accordance with NL-5 zoning) could potentially have three apartments would only be allowed vehicle access via 20 total feet of curb cut and 20 feet of driveway width within the 20-foot front setback, with all driveway(s) required to be located on the easterly 50 feet of access along Hall Street, an area that represents roughly 15 percent of the perimeter of the lot. That is an incredibly limiting restriction, and represents serious challenges to development. That also means that any buildings located on the more westerly end the property (where Lois hopes to locate her home) would not be able to have any vehicle access to a garage, or any access for cars to be located adjacent to the building – a critical criteria for an elderly person, not to mention a major change from what was allowed when she bought the lot. It also means a simple lack of sufficient on-site parking.

Request for Variance

Given the above changes from when Lois bought the lot two years ago, and what we feel are excessive restrictions on vehicle access given the lot's unique circumstances, we are requesting a variance to allow for 40 feet of total curb cut for vehicle access along Hall Street. We are further requesting to be able to locate one of two 20-foot curb cuts within 10 feet of the surveyed lot corner closest to the corner of Redmond and Hall.

Findings for Variance

Reasoning for the variance request is as follows:

- In discussions with town planning staff, the new restriction to 20-foot curb cuts on the front of town lots seems to have been intended to apply to more standard 50' by 150' town lots, where there is only 50 feet of lot frontage on a main street. Moreover, town planning staff indicated the goal was to push any additional vehicle access to the rear of the lot, off an alley. Critical points in this request are:
 - o This lot has 100 feet of frontage on Hall, the same frontage that two more standard 50' by 150' lots would have. We are not asking for any more curb cut on Hall than would be allowed under existing zoning if this lot and the lot behind it to the south were configured as standard 50' by 150' town lots.
 - o We are also not asking for any more curb cut than would have been allowed under the previous AR zoning (40 percent of street frontage, in this case 40 feet).

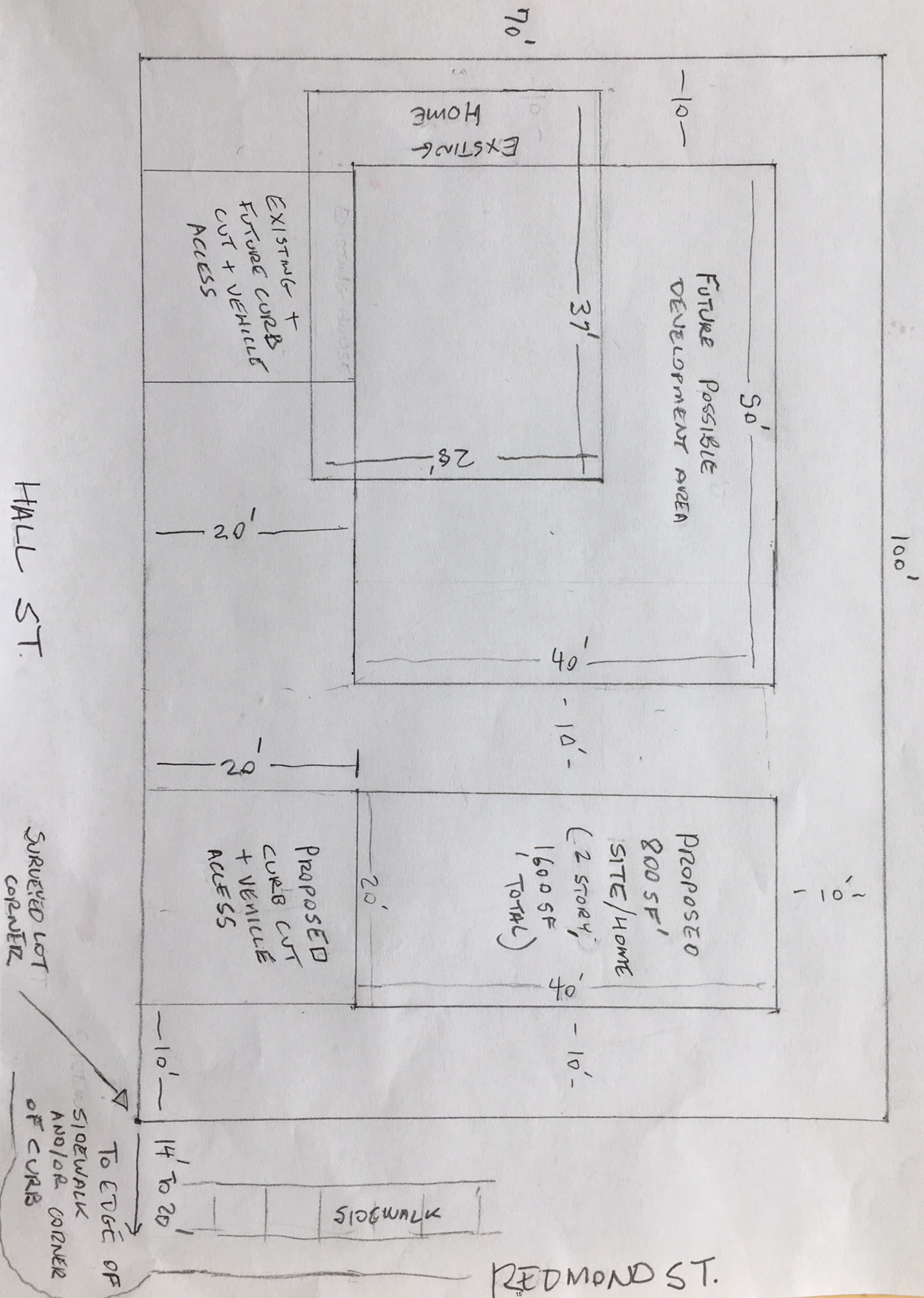
- o This restriction seems to be derived from planning around the more standard 50' by 150' town lot, most of which have alley access in addition to front access. In this case, there is no alley access. Instead we have increased street frontage on Hall (100 feet) as well as access off of Redmond (70 feet).
 - o Even though this lot has secondary access from Redmond (instead of an alley), it is (under town regulations) not allowed to have an access point off of Redmond, because of that street's status as a main artery.
- As stated above, we also are requesting that the variance allow for one 20-foot curb cut to be located within 10 feet of the surveyed lot corner of Hall and Redmond (which would be roughly 24 to 30 feet from the edge of the sidewalk curb at the corner of Hall and Redmond, given town sidewalk/curb easements). Reasoning for that is:
 - o Under the new NL-5 zoning, the town recently approved a development that is currently being built directly across the street at 605 Hall Street (on the opposing corner of Hall and Redmond to the north). This development, which is on a 50' by 150' town lot, was allowed to have a 20-foot curb cut within 10 feet of the surveyed lot corner, the very same thing we are requesting here.
 - We are not asking for anything different than what the town recently approved under current zoning directly across the street. Our request for a variance would simply allow what these neighbors have already been allowed to do within current zoning (since that lot has 50 feet of frontage on Hall, rather than 100 feet as Lois's lot has).
 - This variance request mirrors is currently being built on the north corner of Hall and Redmond in terms of driveway access/curb cut. It would be arbitrary to allow that access on the north corner of Hall and Redmond, and prohibit it on the south, simply because of this lot's irregular shape and lack of alley access.
 - o This proposal improves upon what is on the ground today in terms of driveway access/curb cut. The existing driveway to the trailer is within several feet (maybe 5 or 6 feet?) of the surveyed lot corner. We propose moving that back to meet the side-yard setback for buildings of 10 feet. In addition, the current driveway for the existing trailer on this site sits partially within town right-of-way (to the north). We propose redeveloping in such a way that all vehicle parking would be accommodated on site. This improves the situation on the ground for both the town and the neighbors.
 - o Access to any new building on the western side of the lot that has a garage (or in order to have the vehicle be located close to a building) would have to be located closer to the corner of Hall and Redmond than the apparent restriction of 50 feet (as stated by the town engineer), given the lack of alley access off the rear and the restriction prohibiting access off of Redmond.
- Lois Corbett bought this lot two years ago with a plan in mind. She did due diligence under AR zoning to make sure she could execute the plan envisioned. In the meantime, the town

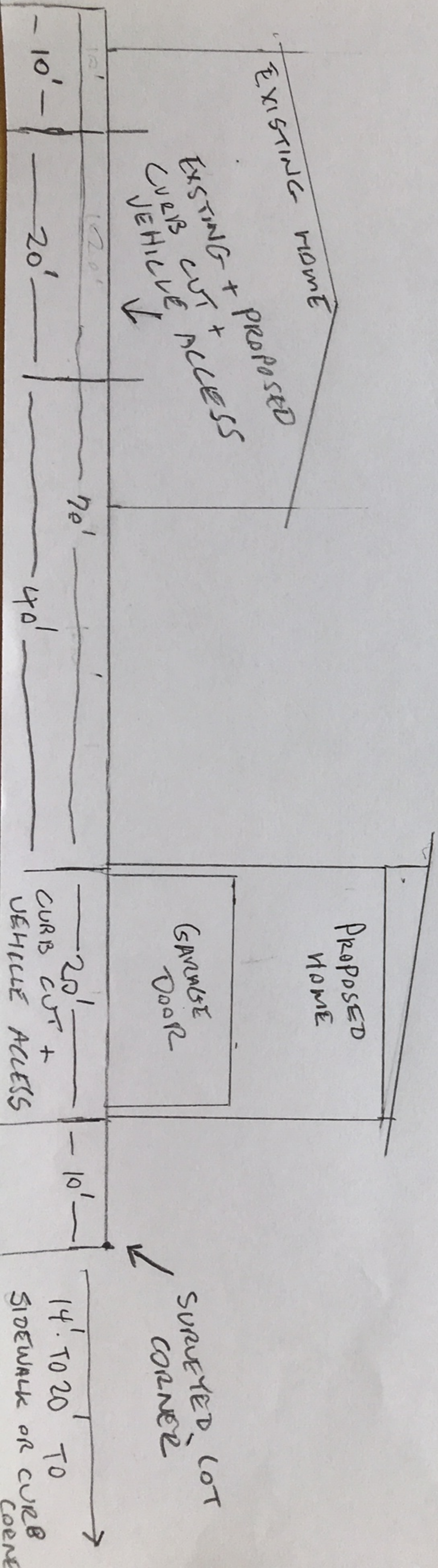
changed the zoning. She is simply asking for the curb cut access that was allowed when she purchased the lot.

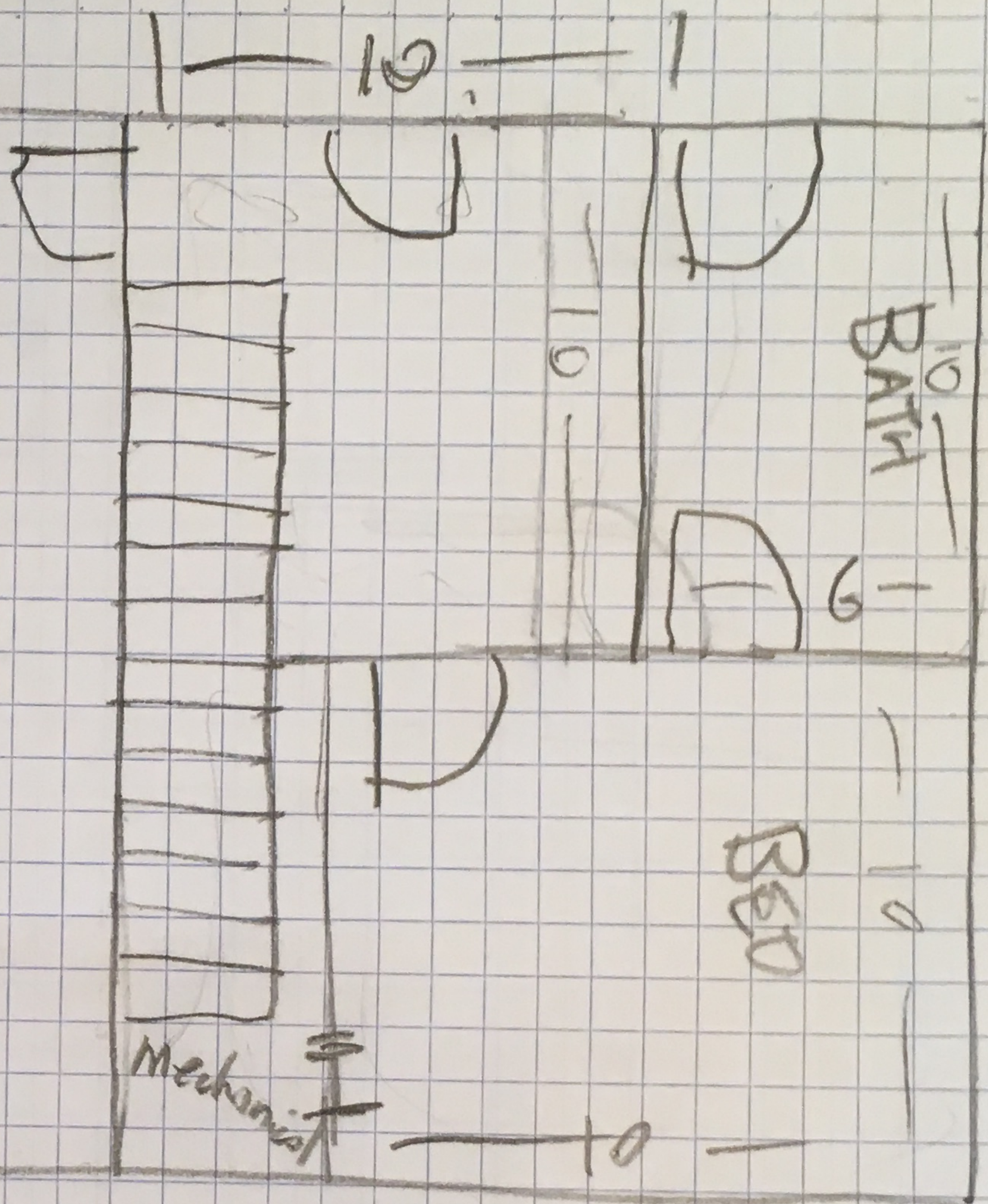
- In the larger picture, the Town of Jackson and Teton County officials have talked for decades (and with an increasing sense of urgency over the last few years) about the lack of housing in the town and county. Under the above scenario, we have a small town lot that is potentially able to provide three smaller housing units (allowed by the new NL-5 zoning), ideal for in-town housing. However, the limitations around parking and access (as a result of only being able to have 20 feet of curb cut along the eastern 50 feet of Hall Street) are at odds with the development potential of this lot. Under the allowable curb-cut scenario, there simply is not adequate access to park cars for that number of units.
 - o On the one hand, with the new NL5 zoning (replacing the AR zone) the town increased Floor Area Ratios and development flexibility with building types, and reduced required Landscape Ratios, in an apparent attempt to allow more housing development in alignment with the 'town as heart' concept. So it does seem to make a lot of sense to simultaneously restrict the ability to provide parking for that development on site by only allowing 20 feet of curb cut access to a single lot, especially given that that access can only be located within a window that's in one particular area representing about 15 percent of the perimeter of the lot.
 - o This new curb cut limitation as it applies to this lot is also at odds with the vast majority of situations on the ground in town now.

Thank you in advance for your consideration of this matter. We look forward to the opportunity to present our variance request in person.

Kirsten Corbett, Dave Simpson and Lois Corbett
(307) 690-9907 or (307) 690-9906







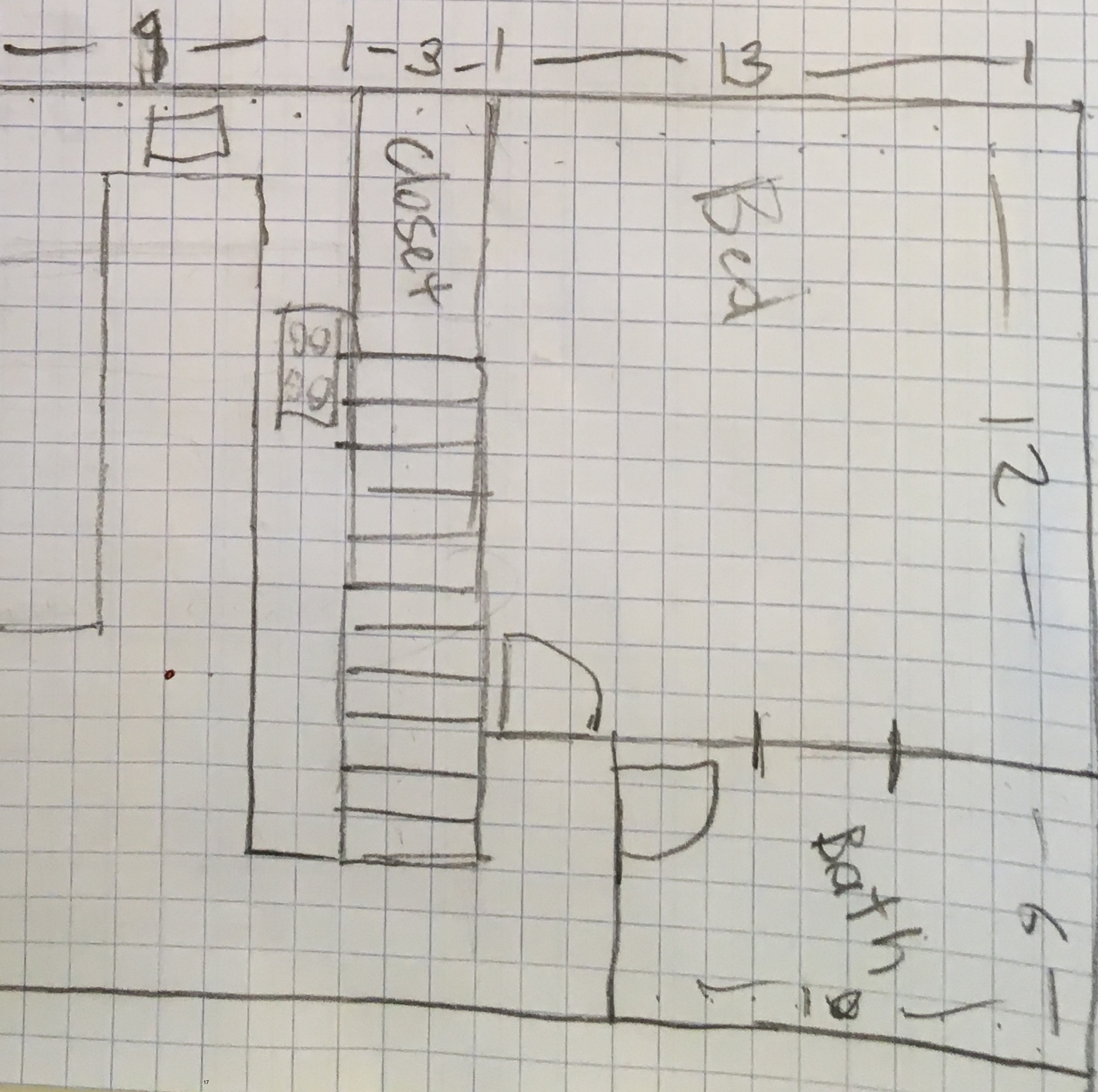
Garage

480 SF

Garage

1600 SF

Total



LIVING

Closet

Bath

Bed

PLANNING

Project Number	P19-085	Applied	4/15/2019	STOL
Project Name	Variance - 610 Hall Street	Approved		
Type	VARIANCE	Closed		
Subtype	PARKING	Expired		
Status	STAFF REVIEW	Status		

Applicant	Kristen Corbett & Dave Simpson	Owner	CORBETT, LOIS
------------------	--------------------------------	--------------	---------------

Site Address	City	State	Zip
610 E HALL AVENUE	JACKSON	WY	83001

Subdivision	Parcel No	General Plan
HALL, JOHN D 2ND	22411634128008	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	

Building Kelly Sluder	NO COMMENT	4/15/2019	5/6/2019	4/15/2019	
--------------------------	------------	-----------	----------	-----------	--

Fire Kathy Clay	APPROVED	4/15/2019	5/6/2019	4/18/2019	
--------------------	----------	-----------	----------	-----------	--

Joint Housing Dept Stacy Stoker	NO COMMENT	4/15/2019	5/6/2019	5/21/2019	
------------------------------------	------------	-----------	----------	-----------	--

Legal Audrey Cohen-Davis (5/3/2019 5:48 PM AC)	APPROVED W/CONDITI	4/15/2019	5/6/2019	5/3/2019	
--	--------------------	-----------	----------	----------	--

Pursuant to Wyoming State Statute § 15-1-608 and Section 8.8.2 of the Jackson LDR's, the Board of Adjustment must make all required findings in order to authorize or grant a variance adjusting the strict application or any provision of an ordinance.

Parks and Rec Steve Ashworth (4/19/2019 8:39 AM STOL)	NO COMMENT	4/15/2019	5/6/2019	4/19/2019	
---	------------	-----------	----------	-----------	--

No comment from Parks & Rec regarding P19-085.

Andy Erskine

Pathways Brian Schilling (5/1/2019 1:14 PM STOL)	APPROVED W/CONDITI	4/15/2019	5/6/2019	5/1/2019	
--	--------------------	-----------	----------	----------	--

P19-085 610 E Hall Variance

Comments from Teton County/TOJ Pathways Department

Status: approved w/conditions

- Ensure that the driveway is graded to an elevation that will allow for a possible future sidewalk along Hall St. The elevation should be such that the sidewalk could be a detached continuous sidewalk (so that the sidewalk is continuous across the driveway across at the same height or higher than the back of curb, approximately 6").

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Planning Tyler Valentine (5/30/2019 2:01 PM TV) Please see staff report.	APPROVED W/CONDITI	4/15/2019	5/6/2019	5/30/2019	
Police Todd Smith	NO COMMENT	4/15/2019	5/6/2019	4/15/2019	
Public Works Brian Lenz (5/18/2019 3:50 PM BTL) VARIANCE – APPROVED w CONDITIONS P19-085 ADDRESS: 610 East Hall OWNER: Lois Corbett APPLICANT: Kristen Corbett and Dave Simpson 5/18/2019 Brian Lenz, 733-3079 DATE OF SUBMITTAL: April 15, 2019 DATE OF MATERIALS: April 10, 2019 REVISION NO.: 00	APPROVED W/CONDITI	4/15/2019	5/6/2019	5/18/2019	
START Darren Brugmann	NO COMMENT	4/15/2019	5/6/2019		

The engineering division has reviewed your application for a VARIANCE submitted on and with application materials as dated above.

Requested Variances to the Following Section:

1. LDRs 2.2.6.B.2 Vehicle Access – Curb Cut Width Max: 20' or 40% of Lot Frontage, whichever is less.
2. LDRs 7.6.3.F.3 – Access Points: Driveway entrances shall not be allowed on arterial or collector streets unless no other access option exists. Driveways shall not be located in less than 50 feet from the curb-line on a intersecting street. Driveway entrance dimensions and construction details shall be in accordance with the driveway standards.

CONDITIONS OF APPROVAL

1. The number of curb cuts shall be limited to two (2) with a maximum width of twenty (20) feet.
2. Setback from the surveyed corner should not be less than the ten (10) feet shown on the propose plans.
3. Development of the lot frontage should consider the Hall Ave. frontage as two (2) fifty feet wide lots and conform to the development standards as though there was two lots.
4. No vehicular access to Redmond Street is allowed.