

October 2 2015

ARTISTICAL WALL
TIMOTHY BOHAN
BOX 10708
JACKSON WY. 83002

Town of Jackson
Planning & Building Dept.

This variance is sought in order to complete (save) a structure that was renovated in 1999 when a building permit was issued along with a variance. See attached: All that has changed is the name of the road and the property line in question.

Brief history, the garage foundation and retaining wall were renovated in 1999 where there is over 40 yards of concrete and a lot of rebar & steel. This lot has been retained there for over 40 years. Possibly built off the mine shaft just above that holds water lines & valves that come and go from the cistern much further up the hill. From the days when hillside residences & businesses were supplied well water. The draw, (swail) to the west has forever been a recorded 20' wide water & utility easement. Somewhat unbuildable.

I have 3 options here to present, option 1 is simply to build what was drawn & permitted in 1999 covering the foundation completely as in traditional construction practice. This would require a variance with a 2'-4' side yard setback. This I believe would be the least intrusive to the neighbor to the west. Option 2 would be to asking for a 5' to 7' side yard setback in where there would be a stairway and narrow landing, deck accessing the 2nd story. Option 3 could be to build the 2nd story west wall 10' from the property line and ask for a variance to allow a deck & retaining wall at 2' to 4' from the property line. This option would create a nice use able private west deck. Though not preferable in the over all big picture this could work. Of course I am open to any other thoughts, suggestions, ideas, "options" staff may have.

Sincerely,



Tim Bohan



east view
existing garage

west view
from high point
of 2nd story →
roof



west view from
2nd story floor
(garage roof)

Town of Jackson

BUILDING INSPECTION Phone 733-0520

Location 990 W Gros Ventre Building Permit No. 990623
 Description of Work Garage Building Type Vn
 Occupancy Class u1 Date of Permit 11-17-99
 Owner Tim Bohan Contractor Self

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES UNTIL THE CONSTRUCTION IS COMPLETED.

Building Department Inspection Record

Inspection	Date	Inspector	Comments
Footing			
Foundation			
DO NOT POUR CONCRETE UNTIL THE ABOVE HAS BEEN SIGNED.			
Concrete Slab Floor			
Electrical Groundwork			
Plumbing Groundwork			
Mechanical Groundwork			
DO NOT POUR FLOOR UNTIL ABOVE HAS BEEN SIGNED.			
Framing			
Rough Plumbing			
Rough Electrical			
Gas Pressure Test			
Insulation			
COVER NO WORK UNTIL ABOVE HAS BEEN SIGNED.			
Drywall			
Electric Connection			
Gas Connection			
Water Service			
Sewer Service			
Final Electrical			
Final Plumbing			
Final Mechanical			
Final Building			

The General Contractor shall call for all Final Inspections and shall prohibit occupancy until all inspections have been made.



PLANNING DEPARTMENT

September 8, 2000

Mr. Tim Bohan
P.O. Box 10708
Jackson, Wyoming 83002

Re: Item 99-30 (BOA) – Lot 6, Hillside Subdivision; 990 W. Gros Ventre Drive

Dear Tim:

On December 1, 1999, the Jackson Board of Adjustment voted to approve your request for a variance to allow a 7.5-foot side yard setback for an addition and remodel to an existing two-car garage where a 10-foot setback is required. This letter serves as a reminder that pursuant to Section 5160.D of the Jackson Land Development Regulations, this variance will **expire on December 1, 2000**, if no building permit has been issued to establish the variation authorized by the approval.

Our records indicate that no building permit has been issued for this project, and there may be insufficient time to obtain one prior to the expiration date. Another available option would be to apply to the Board of Adjustment for a one-time, six-month extension of the variance. **A written application showing good cause for the extension must be submitted to the Jackson Planning Department on or before November 1, 2000.** The extension would require a public hearing and action by the Board of Adjustment. The permit shall be considered extended until the Board has acted upon the request.

If you have any questions or require further clarification on this matter, please feel free to contact me at 733-0440.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler W. Sinclair".

Tyler W. Sinclair, AICP
Associate Planner

TWS:JA

cc: Kelly Bowlin, Development Coordinator
File 99-30 (BOA)

received
10-25-99 (mmw)

Tim Bohan
Lot 6 Hillside Subdivision
Jackson, Wy

Town Zoning & Planning Commissioners

The conditions and circumstances of this variance are this; the back (west) retaining wall of my garage caved in. Time was of essence, so I formed and poured a concrete wall to retain the hill, moving the new wall approximately three ~~inches~~^{feet} to the east of the old wall. I did not seek a building permit because I was repairing an existing structure.

The flat useable area of the lot is relatively small and the garage structure is actually a significant part of retaining the hill. At the time this situation started the lot was in the county, but has since been ~~arranged~~^{annexed} into the Town.

The garage is a significant part of my life, owning a small drywall company and plowing snow in the winter. To tear out the new wall and move it two ~~inches~~^{feet} in order to be in compliance is unreasonable.

By granting the variance so I can build the new proposed garage should not hinder, bother, or distract the neighbors in any way. The highest point of the proposed new garage is the same height of the old garage. By draining the shed roof to the west the water will be distributed evenly into the draw, instead of being guttered out all in one spot. The new roof will deter the wintering deer from walking on it, as the old roof was fenced off.

The proposed structure can be built as proposed legally in compliance, simply by putting a second wall on the loft level at the ten ~~inches~~^{foot} setback point, having a two ~~inches~~^{foot} plus tomb there. This would be ridiculous; the structure would look exactly the same on the exterior. Granting the variance is constant with the general purposes and intent of the Land Development Regulations.

Sincerely,

Timothy Bohan

STAFF REPORT
Meeting Date: December 1, 1999

ITEM 99-30 (BOA)

APPLICANT: Timothy Bohan
P.O. Box 10708
Jackson, Wyoming 83001

REQUESTED ACTION: A variance to allow a 7'6" side yard setback for an addition and remodel to an existing two car garage where a 10 foot side yard setback is required.

LOCATION: The subject property is described as Lot 6 of the replat of the Hillside Subdivision, is addressed as 990 West Gros Ventre Drive and is located in the Neighborhood Conservation – Single Family (NC-SF) Zoning District.

PETITIONER'S JUSTIFICATION: See attached Application Submittal

APPLICABLE REGULATIONS: **Section 5160. Variances**
Table 2400. Schedule of Dimensional Limitations

RECOMMENDATION: The Planning Director recommends **approval** of a variance to allow a 7'6" side yard setback for an addition and remodel to an existing two car garage where a 10 foot side yard setback is required.

DEPARTMENTAL REVIEWS:

Public Works/Engineering:	No Comment.
Building:	No Comment.
Town Attorney:	No Comment.
Police:	No Comment.
Fire Prevention:	No Comment.

ATTACHMENTS: Vicinity Map
Location Photos
Application Submittal
Previous Zoning Action:
• Teton County Code Compliance Officer letter, dated September 30, 1999

PROJECT

BACKGROUND:

The subject property is located in the recently annexed Hillside Subdivision to the Town of Jackson.

The Town became involved with the subject property upon notice from Teton County Code Compliance Officer Bart Myers in his letter dated September 30, 1999, addressed to the applicant and property owner. This letter stated that the applicant was illegally building without a Building Permit and instructed the applicant to stop all work immediately until appropriate permits and reviews had been completed on the proposed construction. Teton County and Town staff agreed that it would be appropriate for the Town to continue working with the applicant, as the property would soon be annexed into the Town.

Town staff visited the subject site on October 13, 1999, with the applicant and observed that a new retaining wall was being constructed by the applicant along the western edge of the property where a previous retaining wall had recently failed. The applicant explained that it was his intention to replace the existing retaining wall and construct a new 22 foot high two car garage with a second story storage loft. This would replace the previously existing retaining wall and structures that have since been removed as a result of the failed retaining wall.

Staff explained that the applicant would be required to apply for a variance to construct an accessory structure over 14 feet in height within 5 feet of the property line in the NC-SF Zoning District.

A Building Permit was issued to the applicant on November 17, 1999, to complete construction of the new retaining wall and begin construction of a two car garage to a height of only 10 feet. The current Land Development Regulations allow for accessory structures up to 14 feet in height to be constructed to within 5 feet of the property line without a variance.

**PROJECT
DESCRIPTION:**

The subject property, 990 West Gros Ventre, is located on the northern end of West Gros Ventre Drive and is located in the Neighborhood Conservation – Single Family (NC-SF) Zoning District. Present development on the property includes 1 single family residence, a double car garage currently being constructed and a pump house used to supply water to the adjacent property

owner. The property to the north is owned by the State of Wyoming, Game and Fish Department and is unlikely to ever be developed. The properties to the east, west and south are single family residences also located in the Neighborhood Conservation – Single Family (NC-SF) Zoning District.

The applicant is proposing a two car garage with a second story storage loft at a total height of 22 feet. The applicant is proposing a 7'6" side yard setback where 10 feet is required. The proposed setback is the location of the already constructed new retaining wall on the property.

The General Site Data for the proposal is summarized below:

GENERAL SITE DATA

	Allowed / Required	Proposed
Site Area	N/A	1.18 acres / 51,401 ft ²
Building Square Footage	N/A	842 ft ²
Maximum FAR	N/A	N/A
Minimum LSR	N/A	N/A
Height	> 14'	22'
Front Setback (south)	30'	± 135'
Side Setback: west	10'	7'6"
east	10'	± 75'
Rear Setback (north)	5'	209'
Parking	2	6

**STAFF
 DISCUSSION:**

The proposed variance would allow for a 7'6" side yard setback for an addition and remodel to an existing two car garage with a second story storage loft where a 10 foot side yard setback is required.

The subject site's topography and location provide natural screening of the proposed structure thus not adversely impacting the surrounding properties. The knoll to the west of the proposed structure will naturally screen the proposed structure from the

single family residence to the west. The height of the existing pump house building upon which the new roof will be attached is currently approximately 22 feet, thus the proposed new roof line will be an extension to an already existing building. The location of the subject site on the northern end of West Gros Ventre Drive is isolated and hidden to properties in the immediate vicinity.

The size of the subject property and adjacent lots are all over 1 acre and thus the bulk and scale of the proposed structure and location will have little if any impact on the surrounding properties.

**STAFF
FINDINGS:**

Variance Request

Pursuant to Section 5160/Variations of the Land Development Regulations, the following findings are applicable to the variance request:

- 1) **Special conditions and circumstances exist.** The topography changes on the site present special conditions and circumstances for the development and use of the subject property. The topography of the site provides natural screening of the proposed structure from surrounding properties.

The topography of the site required the construction of the previous retaining wall in order to construct a garage on site.
- 2) **Not result of applicant.** The applicant purchased the property with the previous retaining wall and structures already in place. The failure and location of the previous retaining wall were not a result of the applicant.
- 3) **Strict application deprives reasonable use.** Strict adherence to the Land Development Regulations would not deprive the applicant reasonable use of the property. However, Staff finds this is a reasonable request that will not adversely affect either the subject property or those in the vicinity. The variance is allowing a previously existing use and structure to be upgraded and replaced with no additional impact on the surrounding area.

- 4) **Variance is necessary to provide reasonable use.** Reference Finding No. 3 above.
- 5) **Minimum Variance.** Staff finds that the requested variance is the minimum needed to accommodate the needs of the applicant while at the same time minimizing impacts to the adjacent properties. The variance proposed is the location of the existing retaining wall thus is the minimum variance possible without the removal and reconstruction of the existing wall.
- 6) **Not injurious to the neighborhood.** The proposed variance will have no impact on the surrounding properties. The topography of the location naturally minimizes the visual impact of the proposed structure from the adjacent property to the west. The location of the subject property (northern end of West Gros Ventre Drive) and extensive front setback (± 135 feet) significantly reduce the impact of the proposed structure on the surrounding area.
- 7) **Harmony with LDR's.** The requested variance is in harmony with the intent of the Land Development Regulations. Adequate open space and separation between buildings and uses is maintained. The residential use of the property is permitted in the NC-SF Zoning District and will not change as a result of the variance or compromise the integrity of the neighborhood.

RECCOMEDNATION:

The Planning Director recommends **approval** of a variance to allow a 7'6" side yard setback for an addition and remodel to an existing two car garage where a 10 foot side yard setback is required.

Location Photos

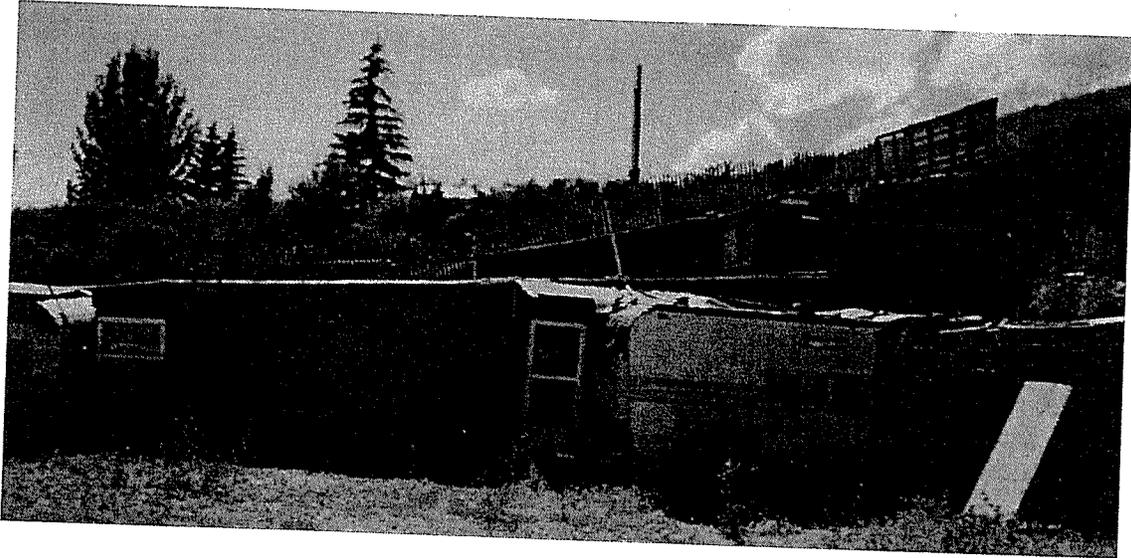


Photo #1

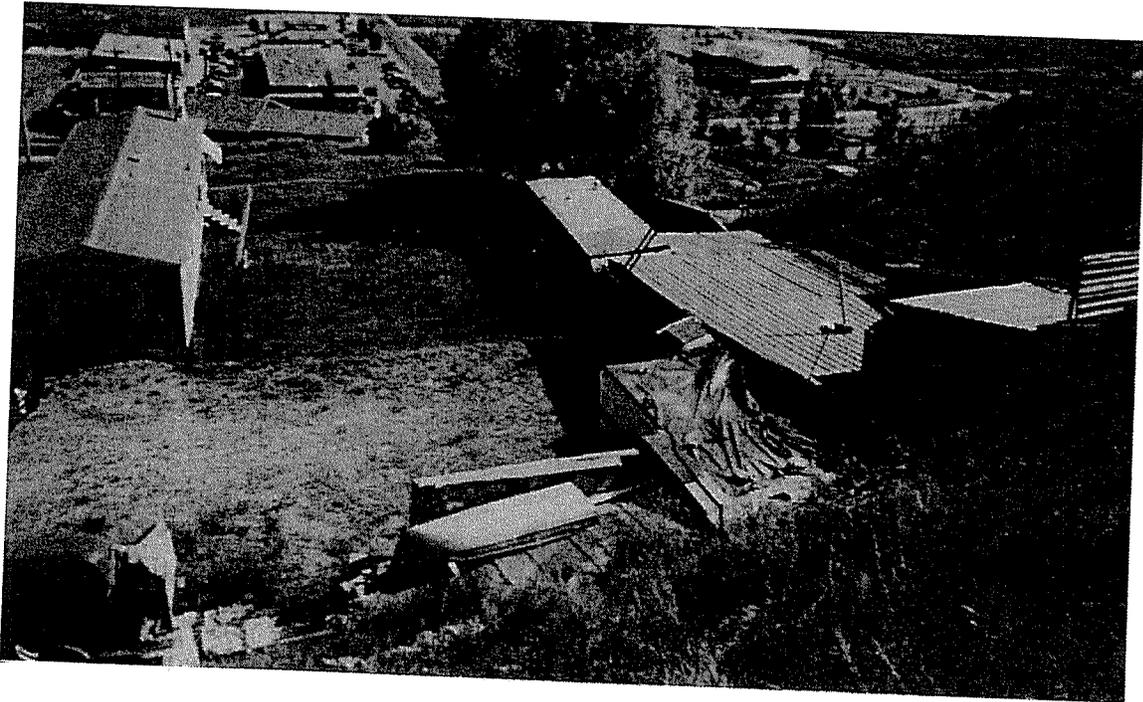
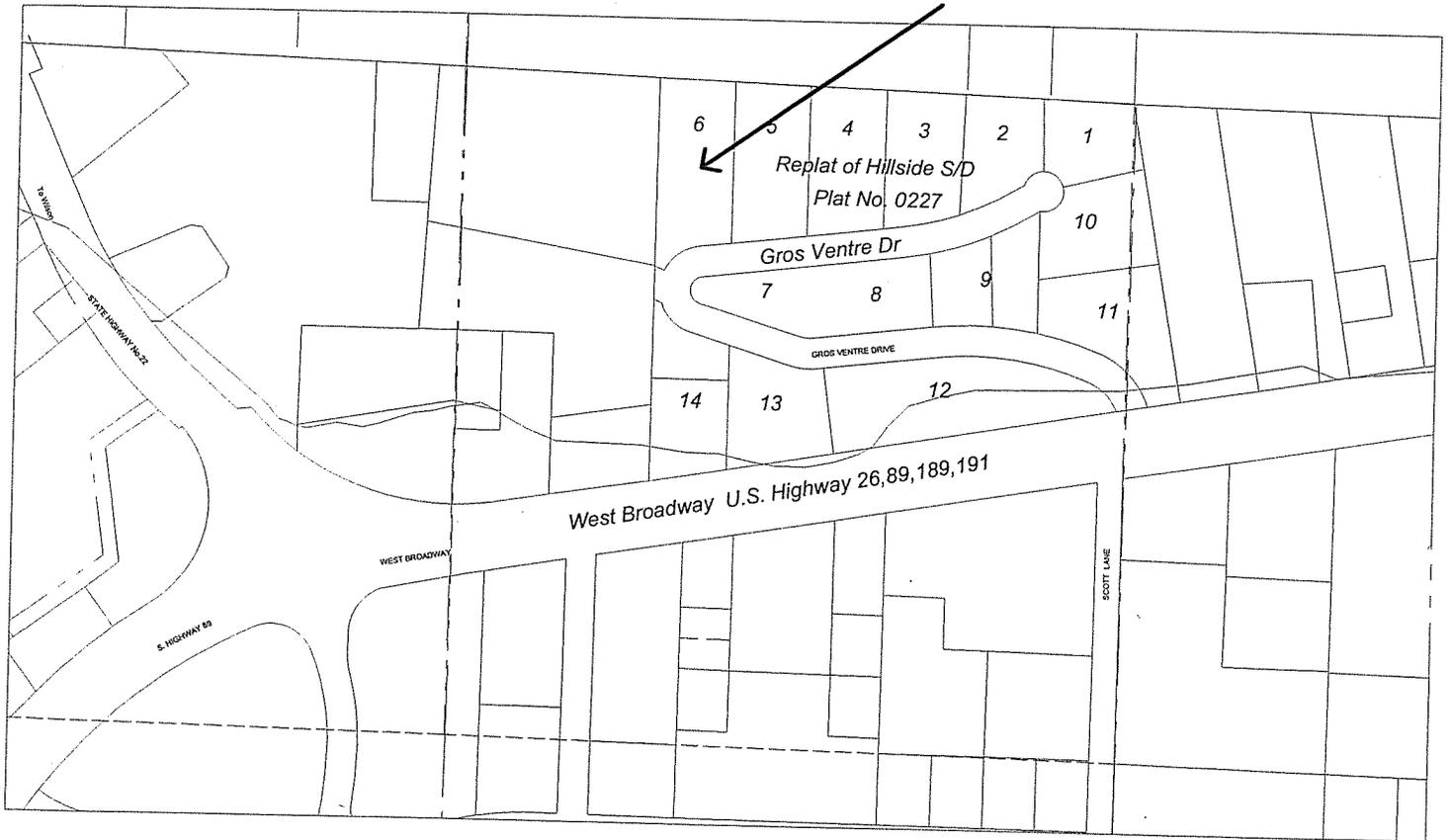


Photo #2

Vicinity Map

PC #99-30 (BOA)

Subject Property



36P215

N2°44'00"E 310.50' REC.
N2°43'23"E 309.29' MEAS.

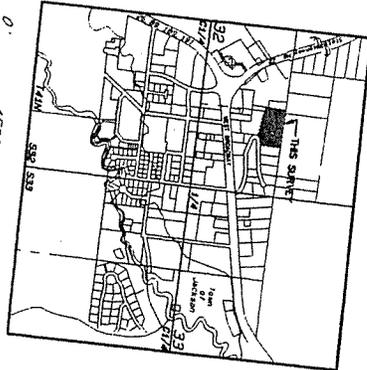
S88°35'00"E 386.00' REC.
S88°39'53"E 385.12' MEAS.

STATE OF WYOMING

S88°35'00"E 150.00' REC.
S88°41'46"E 149.88' MEAS.

LIZABETH I. KINGWILL
250P542-545
T. 35A
3.48 ACRES

LOCATION MAP T41N R16W



SCALE: 1" = 1500'

NOT TO SCALE

N89°46'50"W 457.10' MEAS.
N80°32'00"W 458.00' REC.

PROPOSED 0.04 ACRES
ACCESS AND UTILITY EASEMENT
100.00'
N85°00'12"W 108.91' MEAS.

94.37'
N00°00'00"E 11.00'
S0°00'00"E 91.20'
10.0'
12.9'
17.9'
PART OF
BACHMAN TRACT
ADDED TO LOT 6
1003 SQ FT
0.02 ACRES
GARAGE
33.8'
N80°00'00"W 11.00'
372.00' REC.

N0°00'00"E BASE BEARING 437.82' MEAS.
168.22'

KATHERINE AND
TIMOTHY S. BURMAN
SHEPARD
LOT 6 OF
REPLAT HILLSIDE
SUBDIVISION
T. 35A P. 16

S82°28'43"W 82.95' MEAS.
S82°55'00"W 82.83' REC.

S0°01'58"W 319.23' MEAS.



SCALE: 1" = 30'



LOT 7 OF
REPLAT HILLSIDE
SUBDIVISION
32SP716

CURVE 7.

LINE	RADIUS
C1	87.00'
C2	87.00'

CROSS VEIN

ADJACENT ACCESS EASEMENT
ADJACENT TO SECTION 12



PLANNING DEPARTMENT

FILE COPY

December 15, 1999

Mr. Tim Bohan
P.O. Box 10708
Jackson, Wyoming 83002

Re: Item 99-30 (BOA) - Lot 6, Hillside Subdivision; 990 W. Gros Ventre Drive

Dear Tim:

This letter is to confirm that on December 1, 1999, the Jackson Board of Adjustment voted to **approve** your request for a variance to allow a 7.5-foot side yard setback for an addition and remodel to an existing two-car garage where a 10-foot setback is required.

For your information, this variance **shall expire on December 1, 2000**, if no building permit has been issued to establish the variation authorized by this approval.

If you have any questions or require additional information, please don't hesitate to contact me. Good luck with your project.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler W. Sinclair".

Tyler W. Sinclair
Associate Planner

TWS:JA

Cc: Sandy Buckstaff, Town Engineer
Kelly Bowlin, Development Coordinator
File 99-30 (BOA)

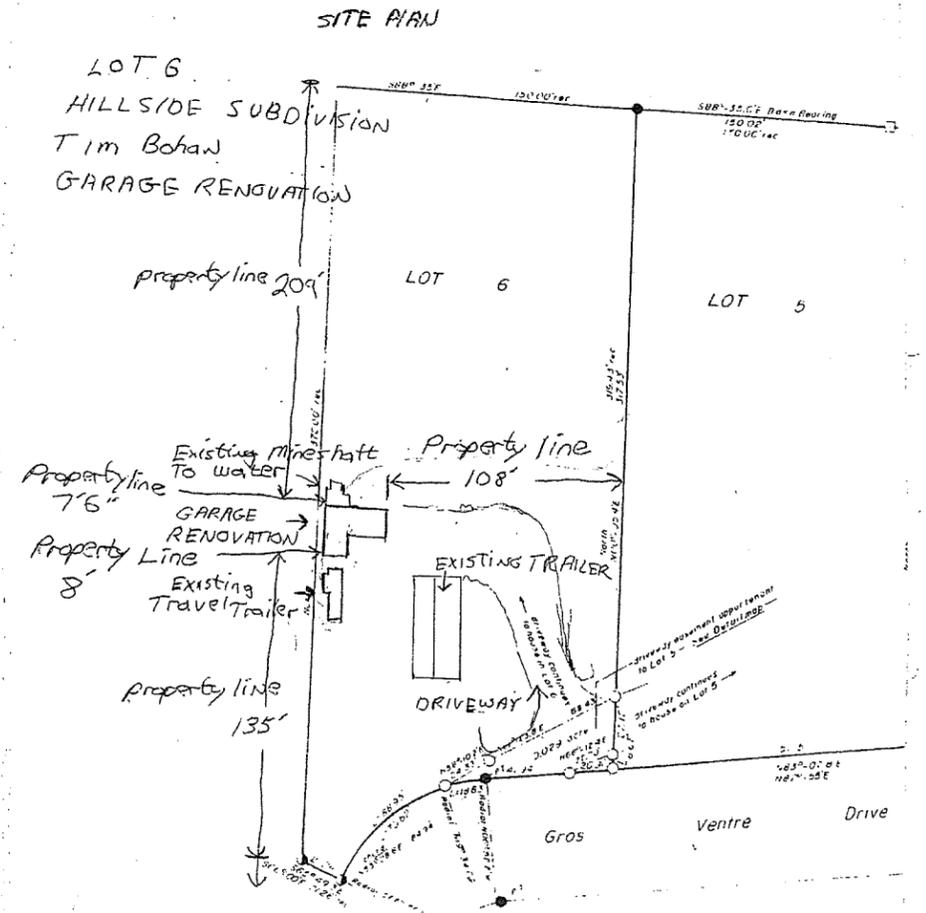
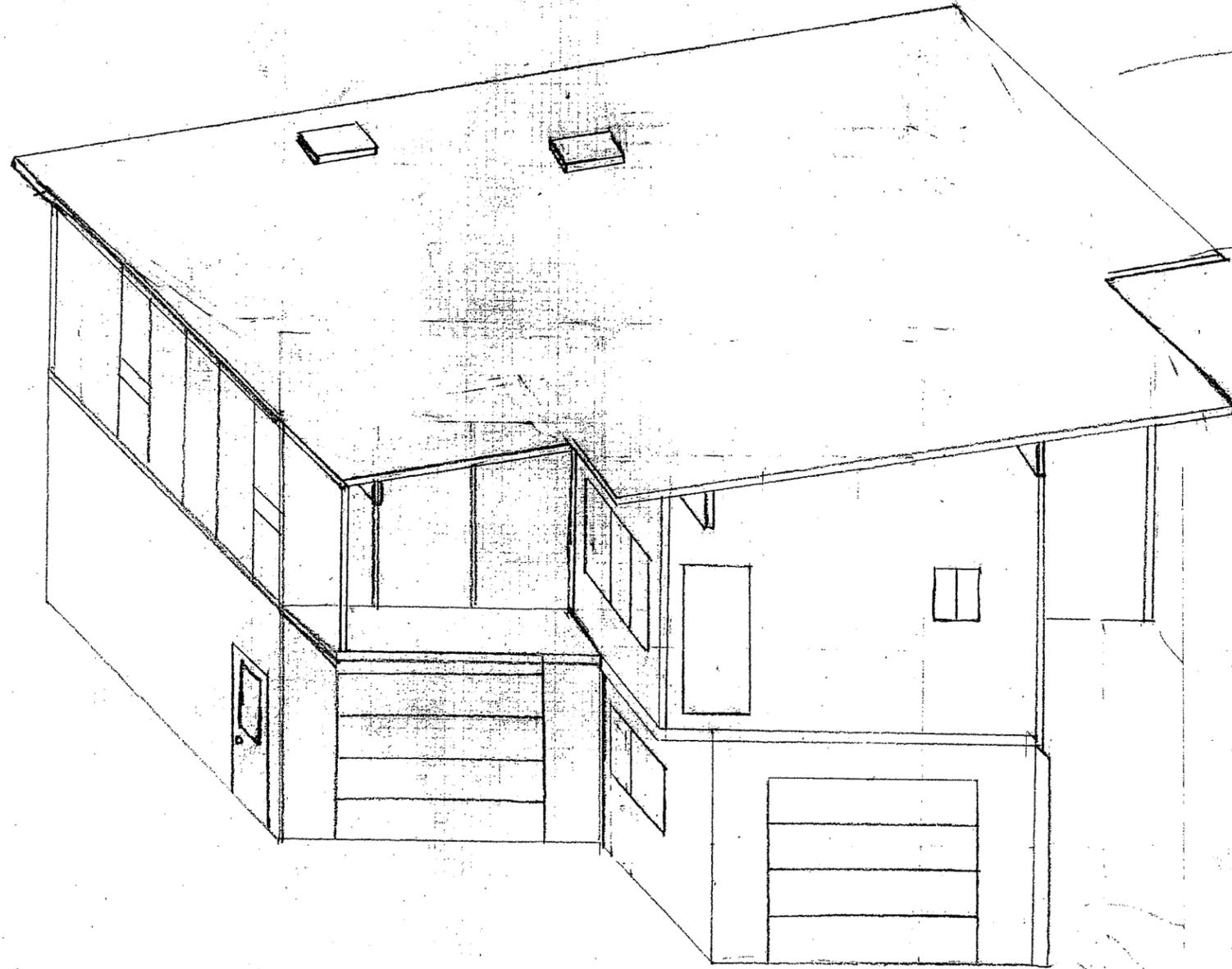


ARTISTICAL WALL
TIMOTHY BOHAN
BOX 10708
JACKSON WY. 83002

email
timboan@
gmail.com

TIMOTHY BOHAN
GARAGE RENOVATION
990 W GROS VENTRE DR.
LOT 6 HILLSIDE SUBDIVISION
BUILDING PERMIT NO. 990623
BUILDING TYPE VN
PERMIT DATE 11-17-99
OCCUPANCY CLASS U1

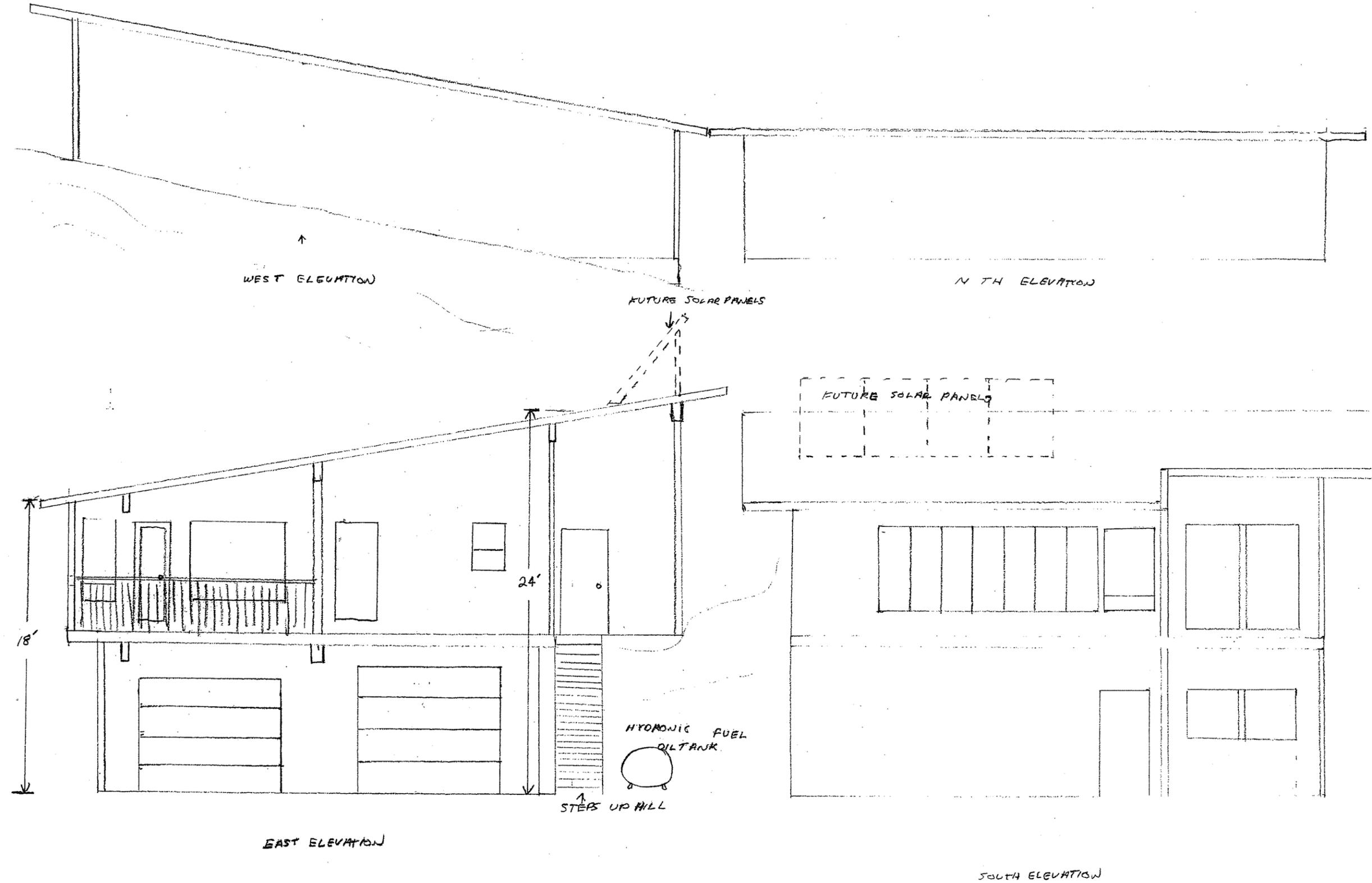
413-2167



ARTISTICAL WALL
TIMOTHY BOHAN
BOX 10708
JACKSON WY. 83002

TIMOTHY BOHAN
GARAGE RENOVATION
990 W GROSVENTRE DR
LOT 6 HILLSIDE SUBDIVISION

413-2167



ARTISTICAL WALL
 TIMOTHY BOHAN
 BOX 10708
 JACKSON WY. 83002



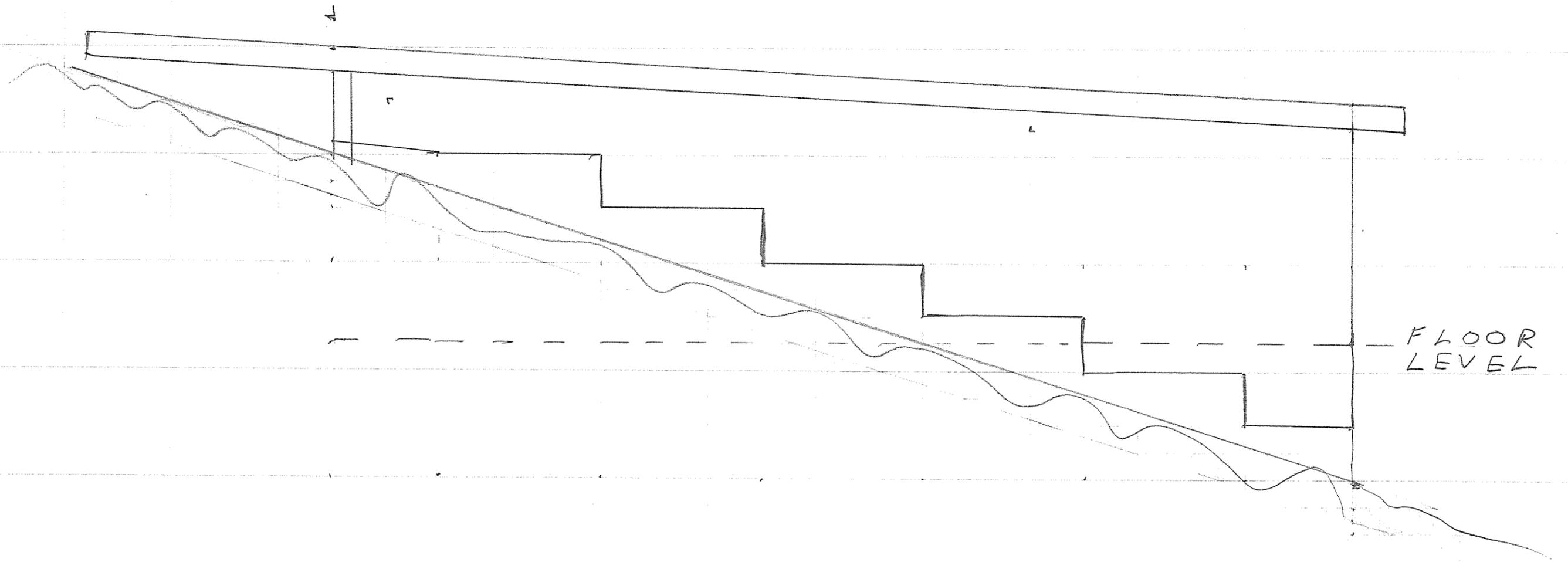
S:\Projects\15-171-1\990 Budge Drive-Nonresort DUT Data Rev01099 Budge Pr.dwg (2/23/14 at 11:47:20) - Sep 22 2015 09:32:01 pm PLOTTED BY: hschickler DWG: F080111.DWG

DRAWING NO 1	JOB TITLE 990 BUDGE DRIVE	DRAWING TITLE	<p style="text-align: center;">NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (807) 733-2087</p>				DATE	9/22/2015	REV.
			SURVEYED	ENGINEERED	DRAWN	CHECKED	APPROVED	JB	SK
JOB NO 15-171-1									

ARTISTICAL WALL
TIMOTHY BOHAN
BOX 10708
JACKSON WY. 83002

SCALE $\frac{1}{4}'' = 1'$

WEST VIEW

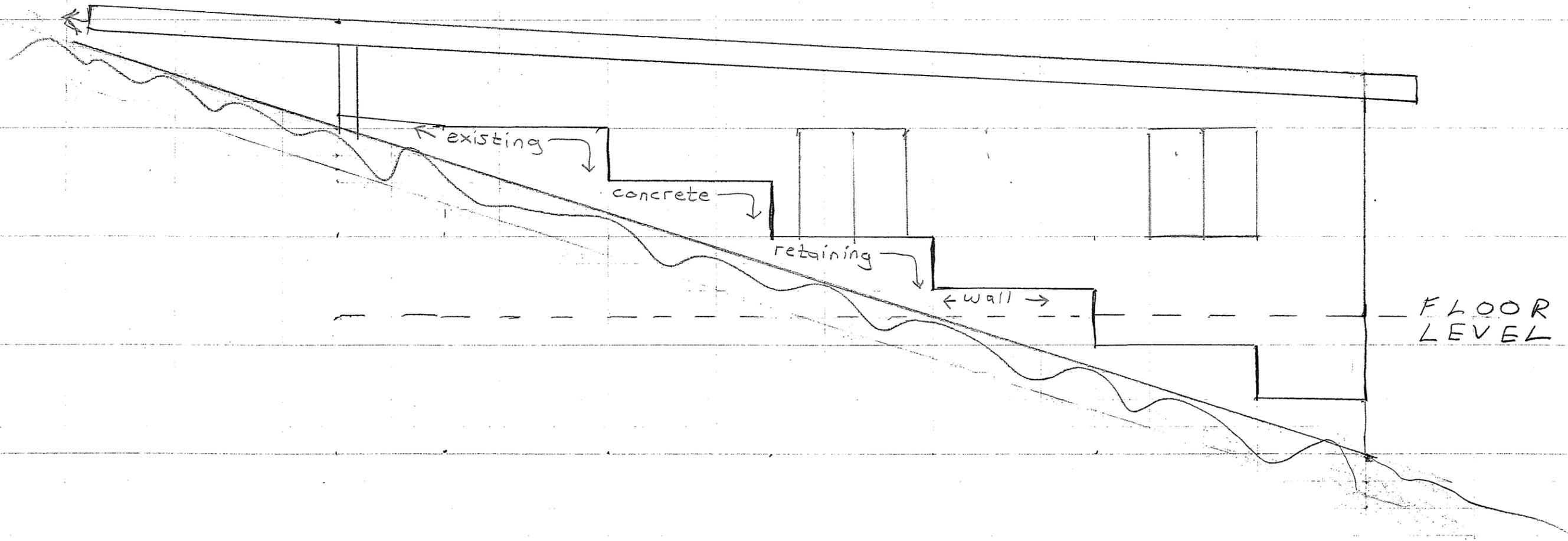


ARTISTICAL WALL
TIMOTHY BOHAN
BOX 10708
JACKSON WY. 83002

SCALE $\frac{1}{4}'' = 1'$

WEST VIEW

OPTION A

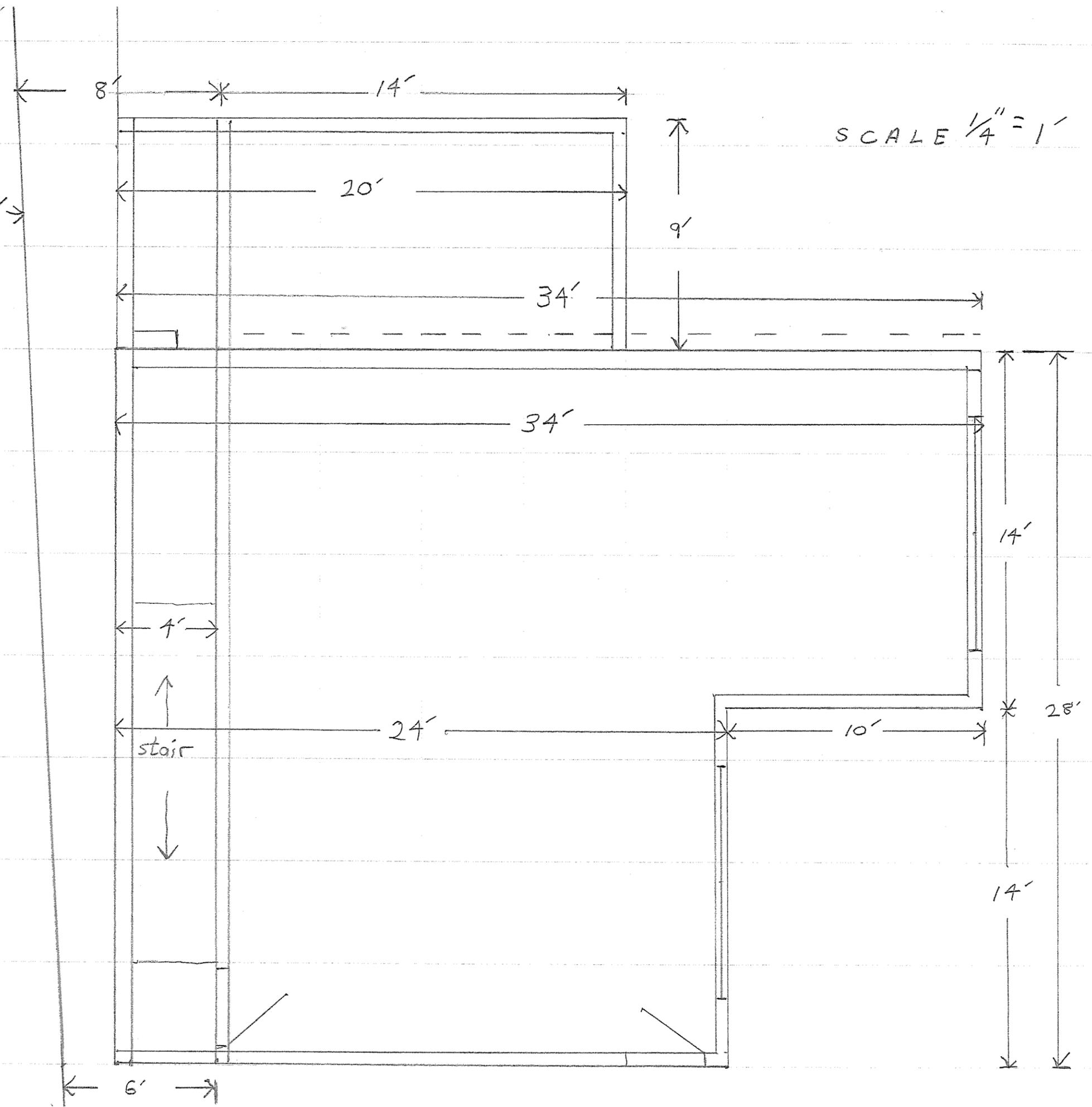


ARTISTICAL WALL
TIMOTHY BOHAN
BOX 10708
JACKSON WY. 83002

SCALE 1/4" = 1'

PROPERTY
LINE

OPTION B



ARTISTICAL WALL
TIMOTHY BOHAN
BOX 10708
JACKSON WY. 83002

SCALE $\frac{1}{4}'' = 1'$

WEST VIEW
option C

