

Instructions for
Change of Zoning District Boundary Application
Sublette County, Wyoming

PROCESSING PROCEDURE

A **Sufficient** Change of Zoning District Boundary Application includes:

1. Completed Application (attached)
2. A copy of the deed
3. Pay the \$75 processing fee (checks payable to Sublette County)
4. Letter of authorization (if applicable)
5. Map of area to be rezoned showing adjacent property and its present zoning designation.
6. Plans showing the nature and schedule of the proposed development
7. A master plan must be submitted for the development of the property if the use is for a commercial (i.e. business use) or proposed as a subdivision. The zone change may be made conditional upon the applicant developing the property as described in the master plan.
 - a. For **commercial development**, (i.e. business use) the master plan shall show the following clear representation of the site: name of the owner and applicant; property description and boundaries; building elevations and colors; landscaping plan detailing location, plant size, and type of landscaping; location of buildings and uses; roadways and general circulation pattern; and other information the County Planning and Zoning Office determines as being necessary.

(The documents submitted as the master plan are meant to show the location and general type of construction of the development. Final architectural and engineering plans may vary from these documents as to final layout of improvements, construction method, etc. but locations of development shall not change.)

- b. A **subdivision master plan** shall include the following: name of property owner and applicant; property description and boundaries; floodplain; wetlands as defined by the US Army Corps of engineers; location of open space; size and location of lots; roadways and circulation.
8. Any other additional information the Planning & Zoning Staff may require

A sufficiency review will be completed within 14 days by the County Planning & Zoning Department Staff. If your application is deemed insufficient it will be returned for completion. Once sufficiency is determined the application will be sent out to reviewing agencies. Upon review it will be scheduled for the next available public hearing dates.

Change of Zoning District Boundary Application

Sublette County, Wyoming

Filing Fee: \$75.00

Date Submitted _____ Date Accepted _____

Note: If the applicant is not the owner(s), please include a *Letter of Authorization*, authorizing the agent/representative to file an application on behalf the owner(s).

Owner/Applicant: Jackson Fork Ranch, LLC attn: Alfred Levitt

Mailing Address: 1395 S. Platte River Drive, Denver, CO 80223

Phone No.: (Home) _____ (Business) _____ (Cell) 301-452-9230

Agent/Representative: Morgan Fischer

Mailing Address: 5 Brewster Street, Suite 264, Glen Cove NY, 11542

Phone No.: (Home) _____ (Business) _____ (Cell) 515-817-9918

Note: Please attach the legal description (deed) to this application.

Property Location: Please see Attached Exhibit A and Rio Verde plan view.

Current Zone: A-1 Proposed Zone: RS-1 Acreage: 56.06

Do you have legal access to the property? XX Yes _____ No If yes, attach a copy of the document granting access or include in the letter of authorization. If no, what grants you the right to enter and exit the property you are planning to develop? Please explain:

Directly adjacent to Upper Hoback County Road (23-174)

Criteria for Rezoning

Sublette County, Wyoming

The Planning and Zoning Commission in making its recommendation, and the Board of County Commissioners in making its decision, shall consider the conformity of the proposed zoning district boundary change with the goals, policies and guidelines of the Sublette County Comprehensive Plan. Please address how your application meets the criteria below:

1. Explain the proposed zone change request;

Please see Exhibit A for legal description of proposed area to be rezoned and Exhibit B for scope of rezone purpose.

2. Demonstrate by clear and convincing evidence that the proposed rezoning is in compliance with the Sublette County Comprehensive Plan; (A copy of the Sublette County Comprehensive Plan will be provided to you)

Page 4 - As set out in the Sublette County Vision statement at numbered Section 3; There shall be an **abundance of economic freedom**, and diverse opportunities for residents old and new to pursue prosperity and happiness – complemented and **sustained by a business friendly atmosphere**, reasonable taxation, a low cost of living, limited regulation, wise development of its natural resources and a strong tradition of good work ethic. *Emphasis Added. The freedom to develop and make the best economic use of one's land is at the heart of economic freedom.*

Page 4 - As set out in the Sublette County Vision statement at numbered Section 4; "Sublette County shall remain free from excessive land use regulation and shall **continue to be vigilant in protection of private property rights.**" *Emphasis Added.*

The proposed project takes place solely on land owned by the applicant and thus clearly falls within the private property rights of the applicant.

Page 6 - "County Policy: Require all new or upgraded utilities be **placed underground** unless crossing a river or highway." *Emphasis Added.*

All utilities will be underground in the proposed project.

Page 13 - "County Policy: **Maintain viewsheds** in areas of high scenic value." *Emphasis Added.*

It is recognized, the scenic value in this location is world class and the project proponent plans to uphold the scenic integrity of the landscape. The proposed project accomplishes this by taking significant steps to minimize any viewshed impact from the main lodge and cabins.

Page 13 - "County Policy: Encourage the development of **privately-owned recreational facilities.**" *Emphasis Added.*

The proposed project will be privately-owned and creates recreational facilities in an area of

the County not presently available to guests in search of a destination resort facility.

Page 38 - “County Goal: **Support and encourage the development of recreational facilities, events and activities that are not in conflict with the quality of life espoused in the County Vision Statement.**” Emphasis Added.

The proposed project will open up recreational activities on the adjacent public lands and the adjacent Jackson Fork Ranch to the resort’s guests and will offer an additional location option for specialty events such as weddings, anniversaries, corporate retreats, or trade association meetings and conferences.

Page 38 - “County Policy: **Foster, support and carefully manage recreational uses while respecting the rights of property holders.**” Emphasis Added.

The proposed project supports recreational uses with development on private property while providing recreational uses of both private and public properties. With respect to neighboring property owners in mind, the selected project location is in the heart of the existing ranch. As such, there will be little to no effect on the rights of property owners above or below the ranch.

Page 39 - “County Policy: **Consider development/expansion of recreation activities and facilities as the need/desire arises.**” Emphasis Added.

The proposed project meets a presently unfulfilled need in the County as no destination resort exists in the County at this time.

3. The use and zoning of nearby properties;

The closest private land to the northeast that is not owned by applicant is approximately three miles away, zoned R-R and R-R 5 and used for residential purposes. The closest private land to the southwest that is not owned by applicant is approximately two miles, zoned A-1, R-R 10 and R-R-20 and used for a mix of residential and agricultural uses.

4. The effect of the zoning district boundary change on property values;

No impact is anticipated to property values of any third-parties due to the distance of the proposed development from lands owned by third-parties.

5. The extent to which the reduced value of affected property promotes the public welfare;

No reduced value of any third-party property is anticipated.

6. The public gain compared to the owner’s hardship;

Sublette County does not presently have a destination resort. This project will fill a void in the hospitality sector, help diversify the Sublette County economy, provide employment opportunities, expand recreation and outdoor activities, and create added business and individual event facilities for guests.

7. The suitability of the affected property for its zoned use;

The proposed site has immediate access to a County Road, utility service and access to the applicants large adjacent ranching operation for recreation. Although zoned A-1 the proposed

site consists of a sage brush bench with no water rights. It is not used for grazing or any general agricultural use other than as a storage area associated with ranch operations.

8. The time the property has been vacant as zoned;

This question is not applicable.

9. The community need for the proposed use;

There is currently no facility of this type in Sublette County. The project will bring construction and hospitality jobs to the community, will aid in expanding the tax base, and further diversifying the area as a tourism destination. These economic factors will result in an uptick in revenue with minimum impact on public services. Furthermore, the project will be planned, built, and managed to embrace and sustain the surrounding landscapes' natural beauty, wildlife, and water.

10. Whether the property is zoned in conformity with surrounding uses and if those uses are uniformed and established;

The surrounding uses are uniformly agricultural which would support a guest ranch operation of the same or greater size as the proposed development. A portion of the Applicant's adjacent ranch already has a Conditional Use for operation of a small guest ranch operation.

11. The availability of water for the proposed use;

Water will be provided by onsite wells. Upon completion of the rezone process, the sufficiency of the water aquifer will be explored. If insufficient water is not available and cannot be provided from outside sources, or if either the proposed water system or the proposed septic system do not receive approval from the Wyoming D.E.Q. the project will not go forward and the property will be re-zoned to A-1.

I hereby grant authorized County personnel the right of ingress and egress to and from said lands for any and all inspection purposes necessary to the evaluation of this application. I certify, to the best of my own knowledge, that the aforementioned information and material is true and correct.

I, Morgan Fischer, say that I am the Agent of the property involved in this application. The foregoing statements and answers, and those in the attached plans and other exhibits, are true and correct to the best of my knowledge and belief.

Signed



Date:

10-11-2021

Exhibit A.

**JACKSON FORK RANCH
RESORT ZONING DISTRICT BOUNDARY
LEGAL DESCRIPTION**

A parcel of land located in the SE/4SW/4 and SW/4SE/4 of Section 33, T.37N., R113W., and in Lot 2, SE/4NW/4, and SW/4NE/4 of Section 2, T.36N., R114W., 6th P.M., Sublette County, Wyoming being more particularly described as follows:

BEGINNING at the SW/16 corner of said Section 33 being monumented by a standard USDA survey monument; Thence S.89°52'48"E., a distance of 1307.59 feet along the northerly boundary line of said SE/4SW/4 to the C-S/16 corner of said Section 33 being monumented by a standard USDA survey monument; the northerly boundary line of said SE/4SW/4 also being the basis of bearing of this legal description;

Thence S.89°52'17"E., a distance of 369.10 feet along the northerly boundary line of said SW/4SE/4 to a point on a non-tangent curve to the right, concave northwesterly, having a radius of 1003.36 feet, a delta angle of 04°12'11", a chord bearing of S52°04'35"W. and a chord length of 73.59 feet;

Thence along said curve to the right a distance of 73.60 feet to a point;

Thence S.54°11'11"W., a distance of 1078.66 feet to a point;

Thence N35°48'49"W., a distance of 20.00 feet to a point on a non-tangent curve to the right, concave northwesterly, having a radius of 2238.76 feet, a delta angle of 8°10'06", a chord bearing S.58°15'44"W. and a chord length of 318.90 feet;

Thence along said curve to the right a distance of 319.17 feet to a point;

Thence S62°21'11"W., a distance of 47.45 feet to a point;

Thence S.27°38'49"E., a distance of 20.00 feet to a point on a non-tangent curve to the left, concave southeasterly, having a radius of 117.80 feet, a delta angle of 33°01'12", a chord bearing S45°50'00"W. and a chord length of 66.95 feet;

Thence along said curve to the left a distance of 67.89 feet to a point;

Thence S29°55'11"W, a distance of 29.51 feet to a point being the beginning of a tangent curve to the right, concave northwesterly, having a radius of 1118.77 feet; a delta angle of 13°29'42", a chord bearing S36°40'02"W. and a chord length of 262.90 feet;

Thence along said curve to the right a distance of 263.51 feet to a point;

Thence S43°25'11"W., a distance of 197.19 feet to a point;

Thence S10°25'01"W., a distance of 80.53 feet to a point;

Thence S43°25'11"W., a distance of 60.00 feet to a point;

Thence S74°56'22"W., a distance of 83.88 feet to a point;

Thence S43°22'20"W., a distance of 630.82 to a point on a tangent curve to the left, concave southeasterly, having a radius of 887.14 feet, a delta angle of 15°20'18", a chord bearing of S35°42'11"W. and a chord length of 236.78 feet;

Thence along said curve to the left a distance of 237.49 feet to a point;

Thence S28°01'50"W., a distance of 89.13 feet to a point on a tangent curve to the right, concave northwesterly, having a radius of 1163.80 feet, a delta angle of 8°14'13", a chord bearing of S32°08'56"W. and a chord length of 167.16 feet;

Thence along said curve to the right a distance of 167.31 feet to a point;

Thence S30°52'50"W., a distance of 61.97 feet to a point;

Thence S40°45'17"W., a distance of 60.00 feet to a point;

Thence S50°37'44"W., a distance of 61.97 feet to a point;

Thence S45°14'50"W., a distance of 1549.11 feet to a point;

Thence S47°55'20"W., a distance of 125.49 feet to a point;

Thence West, a distance of 69.97 feet to the C-W/16 corner of said Section 2 being monumented by a standard USDA survey monument;

Thence N.01°07'40"W., a distance of 1292.61 feet to the NW/16 corner of said Section 2 being monumented by a standard USDA survey monument;

Thence S.89°16'59"E., a distance of 1310.81 feet to the C-N/16 corner of said Section 2 being monumented by a standard USDA survey monument;

Thence N.00°59'10"W., a distance of 992.41 feet to the N/4 corner of said Section 2 being monumented by a standard BLM survey monument;

Thence N.89°58'24"E., a distance of 874.13 feet to the W/16 corner of said Section 33 being monumented by a standard BLM survey monument;

Thence N.00°14'47"E., a distance of 1357.27 feet to the **POINT OF BEGINNING** of this legal description;

Said parcel contains 56.06 acres, more or less.

RIO VERDE ENGINEERING
J.O. 4474
October 8, 2021

EXHIBIT B

Jackson Fork Ranch Resort & Cabin Project Description

Propose to rezone approximately 56 acres from A-1 to RS for the construction of a small destination resort with approximately 15-20 rooms and guest cabins. The project will be completed in two phases. The first phase will consist of the resort, two guest cabins and support buildings on the northern end of the proposed rezone area. The second phase will include six (6) fellow cabins and support buildings on the southern end of the rezone area. Both phases will be constructed with little to no viewscape impacts on the bench above the Upper Hoback County Road. It is recognized, the scenic value in this location is world class and the project design will uphold the scenic integrity of the landscape.

All vehicles will be stored underground on the property and returned to guests upon departure. Complimentary guest transportation will be provided to and from Jackson Hole and Pinedale Airports. As a small, high quality destination resort, the proposed project is designed to have minimal drop-in patron activity although the food and beverage portion of the facilities will be open to the public.

Anticipated workforce for the first phase including housekeeping, service staff, culinary, maintenance, landscaping etc., would be approximately eighteen (18) employees. Of the eighteen (18) employees, there will be at least one management position and up to three other positions utilizing housing owned by the Applicant. Transportation will be provided for employees living off site. This transportation will be provided by a van, shuttle bus or mini bus as needed. The small boutique nature of the resort provides the opportunity for employees to be cross-trained. Cross training also allows for a more intimate guest experience. Once the second phase is complete and the resort is fully built out and operational, another fifteen (15) employees would be phased in. Prior to implementing Phase II, the applicant will satisfactorily answer the additional employee housing need or provide off site employee housing as a condition to this application. The intent is to first hire qualified local residents to minimize impacts to the local school district as they will most likely already live in the Sublette County area. Adequate salaries will be paid as necessary to attract suitable employees.

Water and sewer services will be developed on site and will comply with all State of Wyoming and Federal rules and regulations. As water/sewer systems must be reviewed and approved by DEQ, no building permits will be issued until such review and approval is received. Following County regulations, all utilities will be underground in the proposed project

Traffic on site shall be handled by a separate access road for each phase of the project. Internal traffic shall be managed by a roundabout type traffic structure on each phase of the project. A cart path shall be installed to connect the two phases of the project. At no point will the carts be allowed out on the county road.

The proposed project is entirely on private property. The project will be planned, built, and

managed to embrace and sustain the surrounding landscapes' natural beauty, wildlife, and water while expanding recreation and hospitality jobs and revenue in the County.

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2. Architectural site plans of phase I (lodge site diagram) and phase II (conceptual fellow cabin layout)
3. Architectural renderings of the lodge building (phase I)
4. Architectural renderings of cabin buildings (phase I)
5. Architectural renderings of the Fellow Cabins (phase II)
6. Architectural rendering depicting max height
7. Engineering site plan with blow ups of phase I and phase II
8. Engineering site plan depicting bore and perc locations
9. Subsurface exploration and geotechnical report
10. Percolation test report
11. Water facility and sewer facility report
12. Memo discussing Upper Hoback River CR-23-174
13. Natural resource analysis update, affixed to natural resources analysis and wildlife habitat assessment
14. Jackson Fork Ranch resort & cabins traffic impact study
15. Landscaping and horticultural letter
16. Report summary, University of Wyoming Agricultural and Applied Economics
17. Potential Economic Impacts of the Jackson Fork guest ranch resort in Sublette County, Wyoming
18. Uinta Appraisal Company current market analysis – availability of affordable housing

LETTER OF AUTHORIZATION

Jackson Fork Ranch, LLC, "Owner" whose address is 1395 S. Platte River Drive, Denver, CO 80223, as owner of property more specifically described in Exhibit A hereto.

HEREBY AUTHORIZES Morgan Fischer as agent to represent and act for Owner in making application for and receiving and accepting on Owner's behalf, any permits or other action by the Sublette County Commissioners or the Sublette County Planning and Zoning Department relating to the modification, development, planning, platting, replatting, improvements or use of land in Sublette County. 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 of 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 or use of any structure or land involved in the application shall take place until approved by the appropriate official of Sublette County, 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:

Jackson Fork Ranch, LLC

Alfred Levitt
Alfred Levitt, Secretary and General Counsel

STATE OF Nebraska)
) ss.
COUNTY OF Douglas)

The foregoing Letter of Authorization was acknowledged before me by JACKSON FORK RANCH, LLC by Alfred Levitt its Secretary and General Counsel this 8th day of October, 20 21.

Witness my hand and official seal.

Julie A. Petersen
NOTARY PUBLIC

My Commission Expires: August 19, 2025

