

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On July 6, 2009, the Hailey Planning and Zoning Commission considered a recommendation by the Administrator to approve a remodel and addition to an existing historic structure, located at Lots 16, 17, 18, Block 38, Hailey Townsite (114 Second Avenue North) within the General Residential (GR) and Townsite Overlay zoning district. Applications determined by the Administrator to have no substantial impact on adjacent properties or on the community at large may be placed on the consent agenda for approval or denial by the Commission based on the Administrator's recommendations. The Administrator recommends approval of the remodel and addition. The Commission, having been presented with all information regarding the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

Notice

Section 6A.3 of the Zoning Ordinance allows for applications, which the Administrator determines to have no substantial impact on adjacent properties or on the community at large, to be placed on the consent agenda for approval or denial by the Commission based on the Administrator's recommendations. Items placed on the consent agenda do not require public notice or publication unless the Commission determines otherwise.

Application

A request submitted by Michael and Chauncy Pogue for a 137 square foot addition and 164 square foot remodel, located on Lots 16, 17, 18, Block 38, Hailey Townsite (114 Second Avenue North) within the General Residential (GR) and Townsite Overlay zoning district. The proposed alterations consist of remodeling the existing enclosed porch, which is a historic structure, and adding approximately 100 square feet onto the remodel, to create an enclosed sunroom and bedroom at the rear of the residence.

Standards of Evaluation

Articles IV and VIA of the Hailey Zoning Ordinance establish the criteria for applications for Zoning and Design Review. For each applicable standard (in bold print), the Commission makes the following Findings of Fact:

6A.3.a. The Administrator has the authority to recommend for approval or denial certain applications for Design Review that the Administrator determines to have no substantial impact on adjacent properties or on the community at large, subject to final approval or denial by the Commission on its consent agenda. Such recommendation for approval or denial shall specify the ordinance and standards used in evaluating the application; the reasons for the approval or denial; and recommended conditions, if any. Any Commissioner may cause any application on the consent agenda to be moved to the regular agenda in order to have a full public hearing of potential impacts of the application. Applications placed on the consent agenda may include, but are not limited to: additions under five-hundred (500) square feet or not prominently visible from a public street, façade changes and alterations to parking or other site elements. Such applications may instead be heard by the Hearing Examiner.

The Administrator determined the project to have no substantial impact on adjacent properties or on the community at large because the addition is less than 500 square feet and is located at the rear of the lot, adjacent to the alley. The Administrator recommends approval of the remodel and addition.

4.13.6 Bulk Requirements. For other supplementary location and bulk regulations, see Article VII. Only the bulk requirements affected by the proposal are listed below.

- d. **Minimum Setbacks in LR, GR, TN, and LB Districts:**
 - 2. **Setback from any alley right-of-way – six (6) feet. There shall be a six (6) feet horizontal separation between any building and a water meter vault. (Water meter vault and water service line locations may be moved at the property owner’s expense, subject to notification and approval by the City.)**

The proposed setback is approximately 42 square feet. No other setbacks have changed.

- g. **Maximum lot coverage:**
General Residential, Limited Residential-1 districts:

Building Height	Maximum Lot Coverage
2 or more stories above grade, no garage	25%
2 or more stories above grade, with garage	30%
Less than 2 stories above grade, no garage	35%
Less than 2 stories above grade, with garage	40%

The proposed building footprint is 2,081 square feet. The lot is 8,976.5 square feet. The new lot coverage percentage is 23.2%. A lot coverage of 40% is allowed.

6A.7.2.4. DESIGN REVIEW GUIDELINES FOR RESIDENTIAL AND NON-RESIDENTIAL BUILDINGS IN THE TOWNSITE OVERLAY DISTRICT (TO).

III. Design Guidelines

C. Specific Guidelines

1. Site Planning

No changes are proposed.

2. Bulk Requirements (Mass and Scale, Height, Setbacks)

Bulk requirements are addressed in the Hailey Zoning Ordinance, Section 4.13. These requirements govern building height, lot coverage, setbacks and other dimensional standards. The Design Guidelines will work in conjunction with the bulk and dimensional parameters established in the Hailey Zoning Ordinance.

Historically, larger buildings were located on larger lots, such that these buildings appeared proportional when compared to surrounding smaller buildings. While the bulk requirements of the Hailey Zoning Ordinance will govern the exact details of building bulk, larger buildings must be carefully designed so as to meet these Design Guidelines.

Guideline: The perceived mass of larger buildings shall be diminished by the design.

- *The height of taller buildings should be stepped down on the streetside elevation.*
- *Buildings with greater mass should be broken into smaller modules.*
- *Changes in wall planes and building materials should be used to reduce the visual impacts of taller buildings.*

The applicant does not propose to change the maximum height of the building. The addition is approximately 100 square feet.

3. Architectural Character

The addition and remodel are consistent with the architectural character of the existing building. The changes will create a cohesive whole with the existing building.

d. Roof Form

Roofs help define a neighborhood by creating a pattern on the horizon, framing views to distant areas, and defining light and air between buildings. While a variety of roof styles are present in Old Hailey, most of these roofs are pitched roofs with gable elements. Typically, gabled roof slopes were in the range of 8:12 to 12:12. Ridge lengths were typically a maximum of 40-50 feet in length. This ridge length is an important element in the scale and feel of Old Hailey neighborhoods.

Guideline: The use of roof forms, roof pitch, ridge length and roof materials that are similar to those traditionally found in the neighborhood are encouraged.

- *Sloping roof forms, including gable and hip roofs, are encouraged.*
- *Dormers and other roof details that do not detract from the primary roof form are encouraged, but should be used in moderation.*
- *Dormers should stay below the roof line and shall not extend above the roof line of the building.*
- *Shed roofs, flat roofs and roof pitches under 5:12 may be appropriate in certain locations.*
- *Ridge lengths should appear similar in scale to those seen in the neighborhood. A break in the roof line can be used to diminish the impact of longer ridge lengths.*

The applicant proposes the hip roof's slope at a 3:12 pitch. The new gabled end shows a pitch of 8.5:12, which is consistent with existing gabled roof.

e. Wall Planes

Wall planes are the walls of buildings as viewed two-dimensionally. Traditionally, front wall planes in Old Hailey were 25-30 feet in width. The gables ends most often ran parallel to the street. Side wall planes were typically the longer wall plane. Often these side wall planes were broken up with either a jog in the building wall, or a pop-out such as a bay window.

The proposal incorporates greater interest at the rear with a jog in the building wall.

f. Windows

Windows are a strong design element in the character of Old Hailey buildings. Diversity and ornamentation in window design add charm, interest and scale to buildings. Window components that influence design include window proportion, window placement on the building, the relationship of window space to wall space, elements that break up the glass such as multi-paned windows, trim detailing and the type of glass.

The applicant proposes new windows, which conforms to the rectangular window height of traditional Old Hailey.

g. Decks and Balconies

No decks or balconies are proposed.

h. Building Materials and Finishes

Building materials found in Old Hailey were traditionally log, stone, brick, shake and wood siding. All of these materials have a "human" scale, which means the materials are of a recognizable size. Newer materials can also reflect a sense of human scale and may be appropriate, if they can be designed to break up wall planes. In addition to the materials, the use of color adds to the charm and feel of Old Hailey buildings.

Guideline: Large wall planes shall incorporate more than one material or color to break up the mass of the wall plane.

- *Building materials that contribute to a human sense of scale are encouraged. Examples of materials*

- that convey a human sense of scale include wood siding, shake siding, brick and stone.*
- *Scoring joints, changes in surface, and the use of trim are other ways to break up the perceived scale of large walls.*
 - *A change of building materials may not be necessary if other design elements such as bay windows or pop-outs are used to break up wall planes.*

The building materials for the remodel and addition are proposed to match the existing materials. Building jogs are used to break up the rear wall plane.

i. Ornamentation and Architectural Detailing

Ornamentation refers to all of the architectural detailing on the buildings. Detailing elements include window treatment, trim pieces, sills, headers, knee braces, posts or columns, shutters, railings, corbels, and other details found on buildings in Old Hailey. Front porches were also very common, and are an important design element in old and new buildings alike. Generally speaking, ornamentation was simple, with one or two of these elements incorporated into the building design. The ornamentation on the buildings helps establish the character of the neighborhood.

No change or additional detailing is proposed. The remodel and addition is consistent with the existing detailing.

4. Circulation and Parking

Parking and vehicular circulation in Old Hailey has traditionally been designed to be subordinate to the main house and walk-up entrance. Many older houses have used the alleys for parking and vehicular access needs. Garages that were located off of the street were typically single car garages, set back from the main house, with a one-car access drive. The standards in this section address today's needs for vehicle circulation and storage, while respecting the historic pattern that placed these uses as secondary on the site. Additionally, pedestrian circulation is an important part of the neighborly feel of the community and should be encouraged in all design considerations.

No change in parking or circulation is proposed.

5. Alleys

No change to the alley is proposed.

Guideline: Generally, the driving surface of alleys within Limited Residential and General Residential may remain a dust-free gravel surface, but should be paved within Business, Limited Business, and Transitional. The remainder of the City alley should be managed for noxious weed control, particularly after construction activity.

- *State law requires that noxious weeds be controlled.*

Meeting this requirement is a condition of approval.

6. Accessory Structures

No change is proposed.

7. Snow Storage

Snow storage is an important issue in Hailey. Good planning at the initial site planning stage is needed to ensure pedestrian safety, clear vision triangles for drivers, adequate parking and walking areas, and that snow does not shed off of the roof onto neighboring properties.

Additional snow storage is not needed. The rear of the property is located far enough away from the alley and adjacent property owners that it is not anticipated that snow shedding from the roof will have an impact.

8. Existing Mature Trees and Landscaping

No changes are proposed.

9. Fences and Walls

No changes are proposed.

10. Non-residential and Multi-family Uses

Not applicable. The application is for a single family residence.

11. Historic Structures

Hailey citizens have stated that the older buildings in town greatly contribute to the cultural heritage and the overall character of the community. In addition to the guidelines below, the Hailey Historic Preservation Commission plays a key role in the demolition and remodeling of historic structures. Careful consideration should be given to the removal of Historic Structures in Old Hailey.

General Guidelines: Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following guidelines:

- The alteration should be congruous with the historical, architectural, archeological, educational or cultural aspects of other Historic Structures within the Townsite Overlay District, especially those originally constructed in the same Period of Significance.
- The alteration shall be contributing to the Townsite Overlay District. Adaptive re-use of Historic Structures is supported while maintaining the architectural integrity of the original structure.

The alteration is congruous with the existing structure. The facia and trim, siding, truss tails, and door and window trim will match the existing structure. The remodel and addition are less than 300 square feet and are located at the rear of the property. The Historic Preservation Commission has been notified of this application and no response or comments have been received.

Specific Guidelines. Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following specific guidelines:

- The design features of repairs and remodels including the general streetscape, materials, windows, doors, porches, and roofs shall not diminish the integrity of the original structure.
- New additions should be designed to be recognizable as a product of their own Period of Significance with the following guidelines related to the historical nature of the original structure:
 - ~ The addition should not destroy or obscure important architectural features of the original building and/or the primary façade;
 - ~ Exterior materials that are compatible with the original building materials should be selected;
 - ~ The size and scale of the addition should be compatible with the original building, with the addition appearing subordinate to the primary building;
 - ~ The visual impact of the addition should be minimized from the street;
 - ~ The mass and scale of the rooftop on the addition should appear subordinate to the rooftop on the original building, and should avoid breaking the roof line of the original building;
 - ~ The roof form and slope of the roof on the addition should be in character with the original building;
 - ~ The relationship of wall planes to the street and to interior lots should be preserved with new additions.

The alteration is congruous with the existing structure. The facia and trim, siding, truss tails, and door and window trim will match the existing structure. The remodel and addition are less than 300 square feet and are

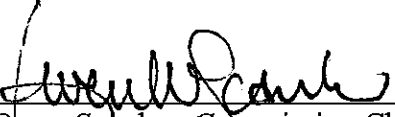
located at the rear of the property. The Historic Preservation Commission has been notified of this application and no response or comments have been received.

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law and Decision:

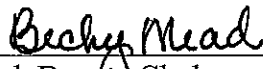
1. The alteration to the enclosed porch conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Ordinance and City Standards.
2. The proposed alterations have no substantial impact on adjacent properties or on the community at large.
3. The proposed alterations shall receive Design Review approval subject to the following conditions:
 - a) All Fire Department and Building Department requirements shall be met.
 - b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Zoning Ordinance at the time of the new use.
 - c) Noxious weeds shall be controlled in accordance with State Law.
 - d) All City applicable infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required.
 - e) No auxiliary apparatus (e.g. utility meters, fire suppression equipment) may extend into any public right-of-way.
 - f) The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.
 - g) All exterior lighting shall comply with the Outdoor Lighting Ordinance. Any existing lighting on the subject property shall also be brought into compliance.
 - h) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.
 - i) This Design Review approval is for plans dated June 4, 2009. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.

Signed this 8th day of JULY, 2009.



Owen Scanlon, Commission Chair
Hailey Planning & Zoning Commission

Attest:



Becky Mead, Deputy Clerk

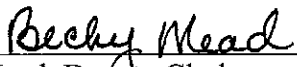
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of July, 2009, I served a true and correct filed copy of the within and foregoing document upon the parties named below, in the manner noted:

- U.S. Mail
- Via Electronic Mail
- Via Facsimile
- Hand Delivered

MICHAEL & CHAUNCY POGUE
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CITY OF HAILEY

By 

Becky Mead, Deputy Clerk