

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On July 19, 2010, the Hailey Planning and Zoning Commission considered the recommendation by the Administrator to exempt from design review an alteration of the exterior of an existing building, located at 9A, Block 40, Hailey Townsite (15 Bullion St East) within the Business (B) zoning district and Townsite Overlay (TO). 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

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.f. the Administrator has the authority to recommend exemption of certain projects from the design review requirements, upon finding; the project is minor, will not conflict with the design review standards of this Chapter and will not adversely impact any adjacent properties. Examples include, but are not limited to minor deck additions, changes to siding materials, changes to an existing window or door, an addition of a window or door, and minor landscape changes. Such recommendation for exemption shall be drafted in the form of Findings of Fact and Conclusions of Law, subject to final decision by the Commission on its consent agenda prior to issuance of a building permit. Should the Commission deny the Administrator's recommendation or should the Administrator determine that the proposal does not meet all of the above evaluation criteria, the project shall be subject to the provisions of this chapter prior to issuance of a building permit.

The Administrator reviewed a request submitted by Aqua Pro Pool and Spa for an alteration of the exterior of an existing building, located at 9A, Block 40, Hailey Townsite (15 Bullion St East) within the Business (B) zoning district and Townsite Overlay (TO). The proposal consists of the addition of an over-head door on the west (alley) elevation and a pergola and landscaping to the south (Bullion St) elevation.

The Administrator finds the proposed alteration constitutes a minor project, will not conflict with the design review standards of this Chapter and will not adversely impact any adjacent properties because the mass and height of the structure will not change, the pergola and landscaping will enhance the streetscape and the over-head door will improve the function of the site for deliveries.

The Administrator reviewed the Commission's Findings of Fact and Conditions of Approval regarding the original design review approval. The proposed alteration does not conflict with any prior approvals or requirements.

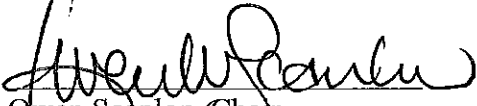
The Administrator recommends exemption of the Aqua Pro exterior remodel from the design review requirements.

CONCLUSIONS OF LAW AND DECISION

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

1. The proposed alteration to the exterior of an existing building, located at 9A, Block 40, Hailey Townsite (15 Bullion St East) constitutes a minor project, will not conflict with the design review standards of this Chapter and will not adversely impact any adjacent properties.
2. The proposed alteration to the building is approved and documented in the project file.
3. This approval exempts this project from the design review requirements and standards of Article VIA.

Signed this 19th day of JULY, 2010.


Owen Scanlon, Chair
Hailey Planning and Zoning Commission

Attest:


Becky Mead, Deputy Clerk

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on the 20th day of July, 2010, I served a true and correct filed copy of the within and foregoing document upon the parties named below, in the manner noted.

- US Mail
- Via Electronic Mail
- Via Facsimile
- Hand Delivered

Applicant:

Jeff & Chrissy Smith
15 Bullion St East
Hailey, ID 83333
jeff@aquaprospas.com

- US Mail
- Via Electronic Mail
- Via Facsimile
- Hand Delivered

Representative:

Thomas Dabney, Architect
9 Elm St East
Hailey, ID 83333
tom@tndarch.com

- US Mail
- Via Electronic Mail
- Via Facsimile
- Hand Delivered

Contractor:

Bob Zuck
PO Box 2090
Hailey, ID 83333

CITY OF HAILEY

By Becky Mead
Becky Mead, Deputy Clerk

Beth Robrahn

From: Dave Ferguson
Sent: Friday, July 09, 2010 10:47 AM
To: Tom Hellen; Beth Robrahn
Subject: FW: Aqua Pro

FYI - Key points from Tom Dabney's email below.

Tom H. - the new dock will be shaved back even further to provide the 6 ft. required clearance.

Beth - the pergola located in front of the gallery (east unit) will be eliminated.

*Dave Ferguson
Building Official
City of Hailey*

(208) 788-9815

Please be aware all correspondence received is a matter of public record. If you do not receive a reply, please contact our office to ensure your email was received.

From: Thomas Dabney [mailto:tom@tndarch.com]
Sent: Friday, July 09, 2010 8:34 AM
To: Dave Ferguson
Subject: Re: Aqua Pro

Hi Dave -

Thanks for the summary. Here's a quick response to each item:

1. The loading dock will not have a traditional footing and thus we have squared off and shortened the southern side so that the entire dock will have 6 feet min. of clearance from the hydrant.
2. The pergola on the East side of the building will be removed from the plan altogether.
3. I spoke with the owner yesterday about temporary access to the Eastern unit during the construction of the new landing, ramp and steps in front of that unit. He said that the space is designated a "working studio" space and is not supposed to be open to the general public. He estimated that those improvements should take no more than 1 week to complete to a point where the front doors could be used again safely. During that time, he proposed that the tenants could access their unit through his - via the basement to which both units have access.
4. I verified with the Owner that the handrail on the alley side existing steps is removable so that they are able to fully open the double doors. It will be put back in place.
5. I will add a note to the plans per the engineer, specifying the attachment methods of the overhead door track to the existing roof trusses.

I will add these updates to the plans and submit updated copies to you by Mon. 7/12.

Thanks,

Tom

TND Architects PLLC
Thomas N. Dabney
9 E. Elm St.
Hailey, Idaho 83333
208.725.2255

On Jul 8, 2010, at 2:24 PM, Dave Ferguson wrote:

Tom D.

Just to recap our last two conversations regarding the Aqua Pro project, please see my comments below.

- 1) Tom Hellen would like to see a minimum of 6 feet of clearance measured from the fire hydrant to the "closest" portion of the new loading dock. He said that he could except something less than that if the dock had a traditional style footing under it that would take the load below the hydrants water line.
- 2) The posts supporting the pergola on the east portion of the building (in front of the art gallery) are located within 10 ft of the property line to the east and therefore must either be 1) moved so that they're not within 10 ft., 2) posts be enlarged from 6x6 to 8x8 and therefore be considered heavy timber with a 1 hr. rating, or 3) use fire rated lumber for the posts.
- 3) Provide a pedestrian protection plan which allows both businesses to remain open during the construction process.
- 4) Verify that the handrail on the existing steps located on the alley is secured in place.
- 5) Include on the drawings comments from the structural engineer regarding the weight of the overhead door and how the load will be distributed on the roof joists.

Thank you,

*Dave Ferguson
Building Official
City of Hailey
(208) 788-9815*

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