

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On August 16, 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 on Lot 13 and 14, Block 16, Hailey Townsite (408 Main Street South) 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 Jeffery Roth for an alteration of the exterior of an existing building, located on Lot 13 and 14, Block 16, Hailey Townsite (408 Main Street South) within the Business (B) zoning district and Townsite Overlay (TO). The proposal consists of installation of a guard rail over an existing door located at the rear of the north elevation and a landing and handrails located on the east elevation at the rear of the building in order to meet Building Code requirements.

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 it is located at the rear of the building for the purpose of meeting the Building Code access requirements.

The Administrator recommends exemption of the alteration of the exterior of an existing building, located on Lot 13 and 14, Block 16, Hailey Townsite (408 Main Street South) 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 existing building located on Lot 13 and 14, Block 16, Hailey Townsite (408 Main Street South) 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 are approved and are documented in the project file.
3. This approval exempts this project from the design review requirements and standards of Article VIA.

Signed this 16<sup>th</sup> day of AUGUST, 2010.



Owen Scanlon, Chair  
Hailey Planning and Zoning Commission

Attest:

  
Becky Mead, Deputy Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 17<sup>th</sup> day of August, 2010, I served a true and correct filed copy of the within and foregoing document upon the parties named below, in the manner noted:

<input type="checkbox"/>	U.S. Mail	<u>Applicant:</u>
<input checked="" type="checkbox"/>	Via Electronic Mail	Jeffrey Roth
<input type="checkbox"/>	Via Facsimile	PO Box 727
<input type="checkbox"/>	Hand Delivered	Hailey, ID 83333
		Mjroth90@cox.net

<input type="checkbox"/>	U.S. Mail	<u>Applicant's Contractor:</u>
<input checked="" type="checkbox"/>	Via Electronic Mail	Brian Bothwell Construction
<input type="checkbox"/>	Via Facsimile	PO Box 2540
<input type="checkbox"/>	Hand Delivered	Hailey, ID 83333
		bothwellhomes@msn.com

CITY OF HAILEY

By Becky Mead  
Becky Mead, Deputy Clerk