


City of Hailey Planning Department

MEMORANDUM

TO: Hailey Planning and Zoning Commission

FROM: Beth Robrahn, Planning Director 

RE: Appeal of Administrative Decision

HEARING: October 19, 2009

The property located at Lots 4-10, Block 55 (403 N River Street) contains seven (7) existing trailer hook-ups. One of the trailers was removed from the property about 6 months ago. Kevin Wallace, one of the property owners, inquired about his options in early July and a representative of the applicant inquired in early April. On both occasions the owner was informed that Article 13.7.2 of the Hailey Zoning Code prohibits replacing a non conforming manufactured home once it is removed from a property.

The owner would like to seek an alternative to the administrative ruling on the issue. The City Attorney advised the owner's request falls within the appeal procedure set forth in Section 3.6 of the Zoning Code. The appeal process includes the following:

- An appeal of a final decision by the Administrator or the Hearing Examiner shall be heard by the Commission. Any appeal shall not be a de novo hearing and shall be based solely on the record before the Administrator, Hearing Examiner or Commission, as the case may be.
- The record shall consist of all the documents presented to Administrator, Hearing Examiner or Commission (such as the application, supporting documents, letters and studies), the minutes of any meeting and the findings of fact and conclusions of law.
- The Appellant and Appellant's representative and a City representative shall only be entitled to present argument before the Commission or Council.

In this case, the information exchanged between the owner and administrator occurred in a series of phone conversations. An email from the owner requesting a meeting with the Commission and explaining what he would like to do with the property is attached.

Beth Robrahn

From: kwallace@powereng.com
Sent: Thursday, August 13, 2009 1:19 PM
To: Beth Robrahn
Cc: pagewk@cox.net
Subject: Meeting with Planning Committee

Beth,

Thank you for taking my call last week. Per our conversation, I would like to have an audience with the Planning Committee to reinstate a previously existing trailer at the 403 N. River Street address. I had a tenant move off the property and would like to replace with another tenant. We are not planning on expanding the operation only restoring to its original occupancy. I have reviewed Article XIII and can understand the intent of the article; however, I am hopeful we come to a favorable agreement. If not, we can perhaps discuss the process and probability of invoking Article XII and seeking a variance.

I believe you said that the next meeting available is the week of September 13th. If so, please confirm the time and place and if there are any other protocol which I should address.

Regards,

Kevin Wallace, PE

Sr. Project Manager

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