

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On November 2, 2009, 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 Meriwether Building Condominiums (111 First Avenue North) within the Business (B) and Townsite Overlay (TO) zoning districts. 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 Zion's Bank for an alteration of the exterior of an existing building, located at Meriwether Building Condominiums (111 First Avenue North) within the Business (B) and Townsite Overlay (TO) zoning districts. The proposal consists of installing a walk up ATM and walk up after hours deposit box within the space occupied by two existing windows on the east elevation of the building.

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 original form and configuration of the windows will not change and the loss of windows is minimal. In addition the windows can be easily reinstalled by a future tenant of the unit.

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 a walk up ATM and walk up after hours deposit box within the space occupied by two existing windows on the east elevation of the building 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 constitute 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 \_\_\_\_ day of \_\_\_\_\_, 2009.

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Owen Scanlon, Chair  
Hailey Planning and Zoning Commission

Attest:

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Becky Mead, Deputy Clerk