



**City of Ketchum  
Planning & Building**

<b>IN RE:</b>	)	
	)	
<b>233 Parkway Variance</b>	)	<b>KETCHUM PLANNING AND ZONING</b>
<b>Variance</b>	)	<b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND</b>
<b>Date: May 20, 2026</b>	)	<b>DECISION</b>
	)	
<b>File Number: P25-059</b>	)	

**PROJECT:** 233 Parkway Variance

**APPLICATION TYPE:** Variance

**FILE NUMBER:** P25-059

**REPRESENTATIVE:** Darshan Amrit, A2 Studio (Architect)

**OWNER:** Jeff and Michelle Bruner

**LOCATION:** 233 Parkway Variance

**ZONING:** Limited Residential (LR)

**OVERLAY:** Floodplain

**RECORD OF PROCEEDINGS**

The City of Ketchum received an application for a Variance for the project on November 10, 2025. The application was scheduled for hearing after acceptance and department review. A public hearing notice for the variance was mailed to all owners of property within 300 feet of the project and all political subdivisions on February 11, 2026. The public hearing notice was published in the Idaho Mountain Express on February 11, 2026. A notice was posted on the City’s website on February 11, 2026, and the project site on February 26, 2026. The Ketchum Planning and Zoning Commission (the “Commission”) conducted their review of the Variance application during their meeting on March 5, 2026. At that meeting, the application was continued to a date certain of April 2, 2026, and then continued again to a date certain of May 7, 2026. After considering staff’s analysis and the application materials, the Commission approved the Variance application, as conditioned, unanimously.

**BACKGROUND**

The applicant is requesting a variance for approval to demolish an existing nonconforming one-car garage attached to the residence located at 233 Parkway Drive and increase the degree of nonconformity by constructing a two-vehicle garage in its place that increases the amount of nonconforming building area that encroaches into the minimum required front setback and marginally into the side setback. The subject property is within the Limited Residential (LR) Zone District and also contains Floodplain. The Variance application proposes to allow for an encroachment of approximately 8’-4” into the front setback and 1’-8” into the south side setback of the subject property. The proposed encroachment totals 144 square feet, which is a net increase of 30 square feet of nonconforming area from the existing garage.

### FINDINGS OF FACT

The Commission, having reviewed the entire project record, provided notice, conducted the required public hearing, and considered the recommendation from the Commission, does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

#### FINDINGS REGARDING VARIANCE CRITERIA

Variance Criteria				
Compliant				
Yes	No	N/A	City Code	City Standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.148.010.A	<p><b>The strict enforcement of the provisions of this title creates an undue hardship to the property owner; however, economic feasibility shall not be considered an undue hardship.</b></p>
			<i>Findings</i>	<p>The strict enforcement of this code would require substantial demolition and redesign of the existing residence to bring the non-conforming portion into compliance with the front setback requirement of the LR Zone. Due to the property's shallow depth and easements along the south side and rear, compliant redevelopment would shift construction activity further into constrained and environmentally sensitive areas of the site. This creates an undue hardship, as it requires significant site disturbance, reduces reasonable use of the property, and impact to easement areas. The variance allows the applicant to preserve 82% of the existing structure and minimize environmental impact on the riparian and public access easement areas of the property. The proposed approach concentrates the most disruptive activities of demolition, excavation, and grading toward the street and away from the river.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.148.010.B	<p><b>The variance is necessary because of the unique size, shape, topography or location of the subject property.</b></p>
			<i>Findings</i>	<p>The subject property is constrained by the public access river easement along the southern boundary and the 25' scenic easement along the rear. The developable area of the site is also severely restricted by the footprint of the existing residence. The residence stretches from the north to the south side setbacks which occupies 90% of the allowable building frontage and 93% of the building envelope along the northern side setback. With majority of the front and sides of the building envelope currently developed, focusing the new garage to the front southern corner is the least impactful and most appropriate area of the residence to accommodate the construction.</p> <p>The subject property has a relatively shallow depth compared to the other lots in the neighborhood. There are 7 river facing lots in the Park Wood Subdivision that are developed with multi-car garages. Those 7 lots have an average depth of 255', and the subject property has a depth of 122'. In addition, the centerline of Parkway Drive is severely offset from the center of the right-of-way. As a result, although the garage is nonconforming, it remains farther from the roadway edge of asphalt than neighboring properties that comply with the 15' front setback requirement. Only one off-street parking currently space exists for the residence within the existing one-car garage and all other parking for the residence occurs within the right-of-way.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.148.010.C	<b>The subject property is deprived, by provision of this title, of rights and privileges enjoyed legally by other properties in the vicinity and under an identical zone.</b>
			<i>Findings</i>	Single-family residences with garages are permitted in the LR Zone. The proposed two-vehicle garage in conjunction with the existing single-family residence will comply with the minimum of two off-street parking spaces required for single-family residences. The variance for a two-vehicle garage is in line with other properties in the vicinity which are also in the LR. However, as mentioned above, there are existing site conditions, due to the lot being previously developed and in its current condition, that other properties in the vicinity and under an identical zone are not impeded by. The variance restores parity by allowing the minimum off-street parking while maintaining a building placement that is functionally consistent with surrounding development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.148.010.D	<b>The need for the variance is not the result of actions of the applicant or property owner.</b>
			<i>Findings</i>	The existing footprint and configuration of the residence are the results of the original construction and additions that occurred prior to the current property owners purchase of the property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.148.010.E	<b>The variance does not create health and safety hazards.</b>
			<i>Findings</i>	The variance does not create health and safety hazards to adjacent properties or the general public. Conversely, the variance will create safer conditions for the property owners and for street maintenance operations by allowing the property owners to park two vehicles within the garage onsite and out of the right-of-way. Further, there is an existing water line access port/riser located in the driveway where the non-garaged vehicles park. By creating a condition where the vehicles are parked onsite and out of the driveway, City departments would have unobstructed access to the water line if/when needed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.148.010.F	<b>The variance does not relieve an applicant from any of the procedural provisions of this title.</b>
			<i>Findings</i>	Variations can be approved provided the request is reviewed and considered following the procedures outlined in Ketchum Municipal Code 17.148.020. This application has been reviewed pursuant to those requirements.  The subject property has a platted building envelope, which the existing garage encroaches over. Condition of approval #1 requires the applicant to submit a plat amendment application to adjust the building envelope to contain the residence within the building envelope. The plat amendment application must be reviewed and approved by City Council prior to submitting a building permit application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.148.010.G	<b>The variance does not relieve an applicant from any standard or provision that specifically states that no variance from such standard or provision is permitted.</b>
			<i>Findings</i>	The Ketchum Municipal Code allows for variance to setbacks and there is no restriction on the consideration of the variance request for setbacks referenced in other sections of the KMC.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.148.010.H</b>	<b>The variance does not relieve an applicant from conditions established during prior permit review.</b>
			<i>Findings</i>	The granting of this variance does not relieve the applicant of conditions as there were no special conditions of approval associate with the original building permit or subsequent permits for additions and remodels.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.148.010.I</b>	<b>The variance does not allow establishment of a use that is not otherwise permitted in the zone in which the subject property is located.</b>
			<i>Findings</i>	This lot is zoned Tourist and the proposed use of a single-family residence and ADU is permitted as outlined in the District Use Matrix in Ketchum Municipal Code 17.12.020.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.148.010.J</b>	<b>The variance is the minimum necessary to grant relief to the applicant.</b>
			<i>Findings</i>	The applicant explored several alternative studies for the two-car garage and determined that the proposed approach yields the least increase of nonconformity and be the least impactful to the existing structure. The applicant reduced the size of the nonconformity from the March 5, 2026, Planning & Zoning Commission meeting to better meet this standard. The variance request does not create a new nonconforming condition, as the existing garage is already nonconforming and will remain so regardless of the variance request. While the proposal introduces a new minor side setback encroachment and modestly increases the nonconforming building area within the front setback encroachment, it also decreases the degree of nonconformity by bringing the residence into conformance with off-street parking requirements. The proposed garage provides two off-street parking spaces, which is the minimum required for single-family residences.

### CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant’s Variance application for the development and use of the project site.
2. The Commission has authority to review and recommend approval of the applicant’s Variance application pursuant to Chapter 17.148 of Ketchum Code Title 17.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code 17.148.020.
4. The Variance application is governed under Chapter 17.148 of Ketchum Municipal Code.
5. The 233 Parkway Variance application meets all applicable standards specified in Title 17 of Ketchum Municipal Code.

## DECISION

**THEREFORE**, the Commission **approves** this Variance Application File No. P25-059 this Wednesday, May 20, 2026, subject to the following conditions of approval.

## CONDITIONS OF APPROVAL

1. Following Planning & Zoning Commission approval of the Variance Application, the applicant shall submit a plat amendment application to modify the platted building envelope to contain the residence within the envelope.

Findings of Fact **adopted** this 20th day of May 2026.

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Tim Carter, Chair  
City of Ketchum  
Planning and Zoning Commission