



City of Ketchum
Planning & Building

January 18, 2022

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to approve Ordinance 1232, an Amendment to the City of Ketchum Official District Zoning Map to Change Lot 3 of the Mortgage Row Subdivision from Limited Residential – One Acre (LR-1) to Limited Residential (LR)

Recommendation and Summary

Staff recommends the City Council conduct a public hearing and conduct first reading by title only of Ordinance 1232, an amendment to the Official District Zoning Map for the City of Ketchum.

Proposed Motion: “I move to approve first reading by title only of Ordinance 1232 to amend the Official District Zoning Map, changing Lot 3 of the Mortgage Row Subdivision from (LR-1) Limited Residential – One Acre to Limited Residential, to (LR) Limited Residential.”

Reason for Recommendation:

- The Planning and Zoning Commission (the “Commission”) held a public hearing on December 14, 2021, considered information provided by staff and considered public comment on the application.
- The Commission unanimously recommended approval of the amendment request to the City Council, finding that the map amendment is in conformance with the 2014 Ketchum Comprehensive Plan.

Introduction and Background

Based on analysis of the surrounding area and evaluation of the request against the 2014 Ketchum Comprehensive Plan goals, policies, objectives, and Future Land Use Map (FLUM), staff believes the request meets the comprehensive plan and is supportive of the requested rezone. In the staff report below, staff provides an overview of the history of the Mortgage Row Subdivision, existing conditions of the area, and discussion of conformance with the comprehensive plan. As mentioned above, the Commission heard the request at their regular meeting on December 14, 2021, and recommended approval of the amendment following limited discussion. The staff report and analysis of the request is included in Attachment B.

This is the first reading of Ordinance 1232, included as Attachment A. Unless subsequent readings are waived at the discretion of the City Council, the second and third readings will be scheduled for the next two meetings of the City Council.

The Applicant is requesting to rezone Lot 3 of the Mortgage Row Subdivision, located at 104 Neils Way (the “subject property”) to Limited Residential (LR). The subject property is currently zoned Limited Residential – One Acre (LR-1) and includes an existing single family dwelling unit built in 1950 and a detached garage. The property owner currently owns and resides at the adjacent property, 106 Neils Way. As described in the cover letter included in Attachment C, the applicant intends to demolish the existing dwelling unit on the subject property and build a new single family dwelling unit designed to meet accessibility needs with a detached garage including a shop, accessory dwelling unit, and personal art studio.

The Mortgage Row Subdivision was annexed into the City of Ketchum from unincorporated Blaine County in 1993. At that time, the lots were assigned the zoning designation of Limited Residential One Acre (LR-1). The Mortgage Row Subdivision is primarily comprised of single-family dwellings, however there are some multi-family and commercial uses including a retail store and gas station, auto-related uses, and commercial storage. Lots in the subdivision range in size from +/- 12,000 to 35,000 sq ft.

At the time of annexation, all lots were non-conforming due to lot size and some lots contained non-conforming structures due to setback requirements from Highway 75. Over time, the area

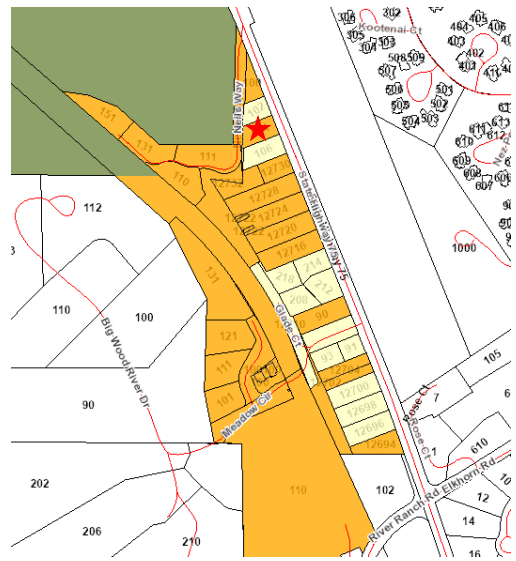


Figure 1: Mortgage Row Area Zone District Map

has seen some subdivision of property and amendments to the zone district map. Figure 1 to the right shows the current zone district map of the Mortgage Row area. Orange indicates properties zoned LR-1, and yellow indicates properties zoned LR. The subject property is on the northern end of the area and notated by a red star. As shown in the figure, the properties on either side of the subject property are zoned LR as are other lots fronting Highway 75.

Analysis

The analysis of the request is included in the December 14, 2021 Planning and Zoning Commission staff report (Attachment B).

Planning Commission Action

At their regular meeting on December 14, 2021, the commission held a public hearing to review information provided by staff, hear remarks from the applicant, and hear public comment. Although no public comment was provided during the hearing, there were to letters of support

for the application from neighbors included in the packet materials. The Commission acknowledged that although the request was an up zone of the property, the requested zone district of LR is still compatible with the comprehensive plan and contextually appropriate with the area. The Commission also acknowledged that the requested zone district would provide additional design flexibility and may facilitate the construction of a new accessory dwelling unit. Following deliberations, the Commission voted unanimously to recommend approval of the request to City Council.

Sustainability

The approval of Ordinance 1231 does not inhibit the City's ability to achieve the goals of the 2020 Ketchum Sustainability Action Plan.

Financial Impact

No financial resources from the City of Ketchum are required for this request.

Attachments

- A. Ordinance 1232
- B. December 14, 2021 Planning and Zoning Commission Staff Report
- C. Application Materials

**Attachment A:
Ordinance 1232**

ORDINANCE NO. 1232

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING THE CITY OF KETCHUM DISTRICT ZONING MAP TO CHANGE THE ZONING OF LOT 3 OF THE MORTGAGE ROW SUBDIVISION FROM LIMITED RESIDENTIAL – ONE ACRE ZONING (LR-1) TO LIMITED RESIDENTIAL (LR) ZONING; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum is authorized to amend the District Zoning Map pursuant to Idaho Code § 67-6511; and

WHEREAS, pursuant to Ketchum City Code §17.152.030, the applicant initiated a request to amend the District Zoning Map to rezone Lot 3 of the Mortgage Row Subdivision from the Limited Residential One Acre (LR-1) Zoning District to the General Residential Low Density (GR-L) Zoning District; and

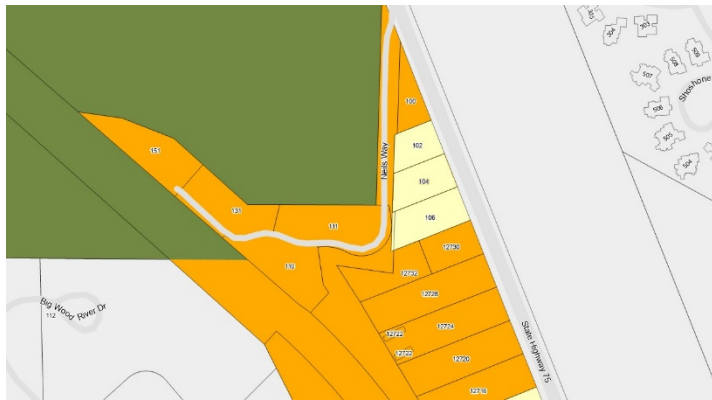
WHEREAS, on December 14, 2021, the Planning and Zoning Commission held a public hearing, considered information presented by staff and the applicant, and unanimously made a recommendation of approval to the City Council of the request to amend the District Zoning Map; and

WHEREAS, the City Council, having considered the recommendation of the Planning and Zoning Commission and any comments from the public at a public hearing on January 18, 2022, determined that the requested rezone from LR-1 to LR is in conformance with the 2014 Ketchum Comprehensive Plan and approved the amendment to the District Zoning Map:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM:

Section 1: AMENDMENT TO DISTRICT ZONING MAP:

Lot 3 of the Mortgage Row Subdivision shall be changed from Limited Residential – One Acre (LR-1) Zoning District to Limited Residential (LR) and the following map amendment shall be made to the District Zoning Map:



- Zoning**
- Zoning Districts**
- AF Agricultural & Forestry
 - CC Community Core (See Inset)
 - GR-H General Residential High Density
 - GR-L General Residential Low Density
 - LI-1 Light Industrial 1
 - LI-2 Light Industrial 2
 - LI-3 Light Industrial 3
 - LR Limited Residential
 - LR-1 Limited Residential 1 Ac.
 - LR-2 Limited Residential 2 Ac.
 - RU Recreation Use
 - STO-1 Short Term Occupancy 1 Ac
 - STO-4 Short Term Occupancy .4 Ac
 - STO-H Short Term Occupancy High Density
 - T Tourist
 - T-3000 Tourist 3000
 - T-4000 Tourist 4000

Section 2. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

Section 3. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form attached hereto as Exhibit A, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED by the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho on this _____ day of _____ 2022.

APPROVED:

Neil Bradshaw, Mayor

ATTEST:

Tara Fenwick, City Clerk

EXHIBIT A: PUBLICATION SUMMARY

ORDINANCE NO. 1232

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING THE CITY OF KETCHUM DISTRICT ZONING MAP TO CHANGE THE ZONING OF LOT 3 OF THE MORTGAGE ROW SUBDIVISION FROM LIMITED RESIDENTIAL – ONE ACRE ZONING (LR-1) TO LIMITED RESIDENTIAL (LR) ZONING; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1232 of the City of Ketchum, Blaine County, Idaho, adopted on _____ 2022, is as follows:

- SECTION 1.** Amends the Ketchum District Zoning Map to change Lot 3 of the Mortgage Row Subdivision from Limited Residential – One Acre (LR-1) Zoning District to Limited Residential (LR).
- SECTION 2.** Provides a repealer clause.
- SECTION 3.** Provides a savings and severability clause.
- SECTION 4.** Provides for publication of this Ordinance by Summary.
- SECTION 5.** Establishes an effective date.

The full text of this Ordinance is available at the City Clerk’s Office, Ketchum City Hall, 191 5th Street West, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

ATTEST:

APPROVED:

Tara Fenwick, City Clerk

Neil Bradshaw, Mayor

Attachment B:
December 14, 2021
P&Z Commission
Staff Report



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF DECEMBER 14, 2021

PROJECT: 104 Neils Way Rezone

FILE NUMBER: P21-057

APPLICATION TYPE: Amendment to the Official Zone District Map (Rezone)

REPRESENTATIVE: Mark Reitingger (Owner)

PROPERTY OWNER: Mark Reitingger

REQUEST: Request for a zoning map amendment to change the applicable zone district of 104 Neils Way from Limited Residential – One Acre (LR-1) to Limited Residential (LR).

LOCATION: 104 Neils Way – Lot 3, Mortgage Row Subdivision

ZONING: Limited Residential – One Acre (LR-1)

REVIEWER: Morgan R. Landers, AICP – Senior Planner

NOTICE: A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on November 24, 2021. The public hearing notice was published in the Idaho Mountain Express and the city’s website on November 24, 2021. A notice was posted on the project site on November 24, 2021.

SUMMARY

The Applicant is requesting to rezone Lot 3 of the Mortgage Row Subdivision, located at 104 Neils Way (the “subject property”) to Limited Residential (LR). The subject property is currently zoned Limited Residential – One Acre (LR-1) and includes an existing single family dwelling unit built in 1950 and a detached garage. The property owner currently owns and resides part time at the adjacent property, 106 Neils Way. As described in the cover letter included in Attachment A, the applicant intends to demolish the existing dwelling unit on the subject property and build a new single family dwelling unit designed to meet accessibility needs with a detached garage including a shop, accessory dwelling unit, and personal art studio.

Based on analysis of the surrounding area and evaluation of the request against the 2014 Ketchum Comprehensive Plan goals, policies, objectives, and Future Land Use Map (FLUM), staff believes the request meets the comprehensive plan and is supportive of the requested rezone. In the staff report below, staff provides an overview of the history of the Mortgage Row Subdivision, existing conditions of the area, and discussion of conformance with the comprehensive plan.

BACKGROUND

The City of Ketchum received the application for amendment to the zone district map on June 22, 2021. The application was deemed complete on October 14, 2021, after one review for completeness. As outlined above,

the application has been properly noticed per the requirements of the Ketchum Municipal Code Chapter 17.152 – *Amendment and Reclassification*.

The Mortgage Row Subdivision was annexed into the City of Ketchum from unincorporated Blaine County in 1993. At that time, the lots were assigned the zoning designation of Limited Residential One Acre (LR-1). The Mortgage Row Subdivision is primarily comprised of single-family dwellings, however there are some multi-family and commercial uses including a retail store and gas station, auto-related uses, and commercial storage. Lots in the subdivision range in size from +/- 12,000 to 35,000 sq ft.

At the time of annexation, all lots were non-conforming due to lot size and some lots contained non-conforming structures due to setback requirements from Highway 75. Over time, the area has seen some subdivision of property and amendments to the zone district map. Figure 1 to the right shows the current zone district map of the Mortgage Row area. Orange indicates properties zoned LR-1, and yellow indicates properties zoned LR. The subject property is on the northern end of the area and notated by a red star. As shown in the figure, the properties on either side of the subject property are zoned LR as are other lots fronting Highway 75.

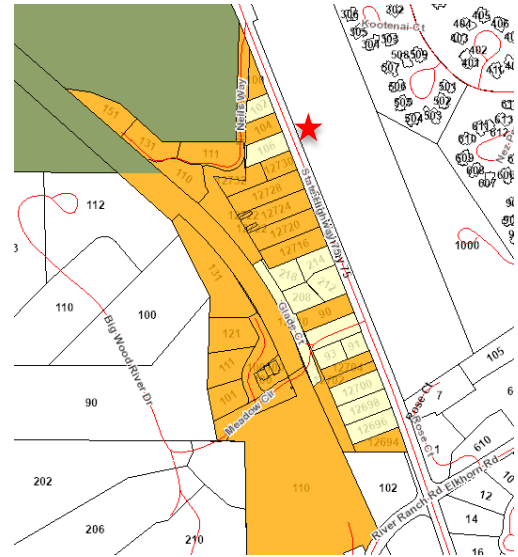


Figure 1: Mortgage Row Area Zone District Map

ANALYSIS

According to Idaho Statute, the city should consult the adopted comprehensive plan when considering amendments to the zoning ordinance and official zoning map. The City of Ketchum adopted the 2014 Comprehensive Plan (the “plan”) on February 18, 2014. Amendments to the zoning ordinance, including amendments to the zone district map, require a public hearing with both the Planning and Zoning Commission and City Council for approval. To evaluate the rezone request, staff compared the two zone districts to determine the potential changes facilitated by the rezone and compared those changes to the goals, policies, and Future Land Use Map (CLUM) of the plan. Below is staff’s analysis of each.

Zone District Comparison

The permitted uses in the LR and LR-1 zone districts are identical. The substantive changes between the two districts are in the dimensional limitations. On the following page is a table outlining the difference between the two zone districts. All dimensional limitations are the same except for lot area, lot width, setbacks from Highway 75, and maximum building coverage.

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Table 1: Zone District Comparison Chart

	Existing Zone District: Limited Residential One Acre (LR-1)	Requested Zone District: Limited Residential (LR)
Minimum Lot Size	1 acre	9,000 sq ft
Average Width of Lot	100 ft	80 ft
HWY 75 Setbacks	80 ft	Where the street width is 66 ft, all buildings shall be set back a minimum of 32 ft. Where the street width is 80 ft, all buildings shall be set back a minimum of 25 ft.
Front Setback	15'	15'
Side Setback	> of 1' for every 2' in building height, or 10'	> of 1' for every 2' in building height, or 10'
Rear Setback	20'	20'
Maximum Building Coverage	25%	35%
Building Height	35'	35'

Dimensional limitations serve to manage the location and size of buildings on a piece of property. In general, the LR zone district is less restrictive than LR-1. The change would allow for a greater buildable area with a larger amount of square footage permitted. Below is a discussion of potential outcomes of the rezone based on changes in dimensional limitations:

- Minimum lot area and minimum lot width – No change anticipated - although the minimum lot area would decrease from one acre to 9,000 square feet, further subdivision of the property would not be permitted. The minimum lot width in the LR zone is 80 feet and the width of the subject property is 100 feet. A minimum width of 160 feet would be needed to subdivide the property into two lots. As discussed earlier in the staff report, the applicant owns the subject property and the adjacent lot to the south. Lot consolidation is a potential, however, that potential exists with the current zoning and would not change with the requested rezone.
- Maximum Building Coverage – change anticipated – The total lot area is 17,380 square feet. Under the current zoning, a total of 4,345 square feet of lot coverage is permitted. If the rezone were approved, 6,083 square feet of lot coverage would be permitted, a 40% increase. Although this is a change, staff believes the change to be minimal as the rezone does not create changes to the permitted building height or side setbacks to adjacent properties. Changes to building height and setbacks would create a greater impact on surrounding properties than an increase in lot coverage.
- Highway 75 setback – change anticipated – Currently, the required setback from Highway 75 is 80 feet. All existing structures on the property are fully within the 80-foot setback, therefore, no additions to the existing structures are permitted as additions would increase the non-conformity of the structures. Reducing the setback to 32 feet could facilitate an addition to the existing structure, however, that is not the stated intent of the applicant. The applicant’s intent is to demolish the existing structures and redevelop the property. Under the current zone district, redevelopment of the property would require structures be placed 80 feet or more from Highway 75. Under the requested zoning, structures could be placed 32 feet from Highway 75, increasing the amount of buildable area on the site and decreasing the distance from Highway 75 to structures. Although this may seem a large concession, most properties along Highway 75 in this area are within the 80-foot setback. For example, the structures existing on the subject property are set back approximately 35 feet. To the north and south, there are only three properties along Highway 75 that meet the 80-foot setback requirement. Therefore,

redevelopment of the property under the LR zone district would not result in a development pattern out of character or scale for this neighborhood.

In summary, although redevelopment of the property will look much different from what exists on the property today, the difference between what is currently permitted and what would be permitted under the requested zone district is minimal.

Conformance with the Comprehensive Plan

The City of Ketchum adopted the 2014 Comprehensive Plan (the “plan”) on February 18, 2014. The plan outlines the community vision and core values for the city. Using those, the plan outlines goals and policy objectives to reach key goals for the community related to the economy, housing, neighborhoods, parks and recreation, open space, public safety, and others. The plan also includes a FLUM that identifies possible future land uses for properties to achieve desirable land use patterns for the city. To support an application for rezone, staff must determine that the rezone forwards the goals and objectives of the Comprehensive Plan and aligns with the future vision for the property as designated in the FLUM.

The plan has limited references to the Mortgage Row neighborhood other than callouts in the buildout analysis, however, the plan includes goals and policies in Chapter 3: *Housing* and Chapter 4: *Community Design and Neighborhoods* that relate to the proposed application.

- *Chapter 3: Housing* - Policy H-1.5 Accessory Dwelling Units - The community will continue to support and encourage construction of accessory dwelling units within residential areas as a means to provide affordable housing.
 - Accessory dwelling units are a permitted accessory use in both the current and requested zone districts. However, the current setback requirement of 80 feet from Highway 75 limits the area that new structures can be located. A reduced setback from Highway 75 would provide for more design flexibility to accommodate an accessory dwelling unit on the property.
- *Chapter 3: Housing* - Policy H-3.3 Housing Designs and Floor Plans for an Aging and Special Needs Populations - The City should encourage new housing units and the retrofit of existing units, with basic accessibility features, such as zero-step entrances, doorways with wider clear passage, and first-floor bedrooms and bathrooms with maneuvering room for people with mobility limitations.
 - The applicant has indicated that a change in the zoning would allow for more design flexibility to accommodate a new home that meets their accessibility needs. Residences desirable for an aging population often utilize a ranch style type of design, one story that occupies a larger footprint on the property. Due to the large size of the lot, staff believes that redevelopment of the property with the desired outcomes is possible under the current zone district, but the requested zone district allows for more design flexibility for a variety of potential floor plans and layout of the property with primary and accessory uses.
- *Chapter 4: Community Design and Neighborhoods* - Policy CD-1.3 Compatible Infill and Redevelopment Projects Infill and redevelopment projects should be contextually appropriate to the neighborhood and development in which they will occur. Context refers to the natural and manmade features adjoining a development site; it does not imply a certain style.
 - As discussed in the comparison of the zone districts, the zone change would not result in a development pattern out of context with the surrounding neighborhood as many of the properties have reduced setbacks to Highway 75 with the same or similar limitations on building height, side setbacks and lot coverage.
- *Chapter 4: Community Design and Neighborhoods* - Policy CD-3.2 Transitional Residential Development Compatible with the Rural Landscape - Transitional residential areas at the fringe of the city or within the Area of City Impact should include rural design elements or be clustered to maintain the rural landscape.
 - The change of zone district does not increase the density of the property or change the intensity of the use above what is permitted today. The Mortgage Row area is a transitional residential area

indicative of large lots with single family dwelling units and detached garages. The area as a whole is a cluster of residential development surrounded by Weyyakin Ranch to the east, Reinheimer Ranch to the north, and large lot residential to the west. A change in the zone district for this property maintains the rural landscape of the area and does not impact the role the neighborhood plays as a transitional residential development area south of town.

The FLUM of the Plan designates the entirety of Mortgage Row Subdivision as “Medium Density Residential”. Primary uses in the Medium Density Residential area include a broad variety of residential types, including “single-family residences, duplexes, and other attached-unit types”. Secondary uses include supporting and complementary uses to residential development, such as accessory dwelling units, community gardens, open space and recreation, schools, places of worship, and other public uses. Senior housing facilities are also listed as an appropriate secondary use within this area. The plan identifies West Ketchum and the Warm Springs neighborhoods as good examples of medium density residential. Those neighborhoods are a mix of single-family and multi-family uses with a higher overall density than what exists in the Mortgage Row neighborhood today. Although the requested zone district does not permit multi-family dwelling units, it allows for a larger buildable area of the site and an increase in lot coverage that may facilitate the redevelopment of the property with a primary dwelling unit and accessory dwelling unit that may be challenging to realize under the current zone district.

CONCLUSION

Based on the analysis above, staff believes that the rezone of the property does not constitute a substantial change from what is permitted today, is compatible with the surrounding neighborhood, and aligns with the goals, policies and FLUM of the comprehensive plan.

STAFF RECOMMENDATION

Staff recommends **approval** of the amendment of the zone district map, changing the applicable zone district of the subject property from LR-1 to LR.

RECOMMENDED MOTION

“I move to recommend approval of the application for an amendment to the zone district map, amending the applicable zone district for the property at 104 Neils Way from Limited Residential – One Acre to Limited Residential.”

ATTACHMENTS:

- A. Application Materials
- B. Public Comment

Attachment C:
Application
Materials

Application for Rezone:

Subject Parcel: Mortgage Row- Lot 3 Ketchum, Idaho
104 Neil's Way

Owners: Mark & Rebecca Reitingner

I. Description of Project:

Mark & Rebecca Reitingner purchased Lot 3 in the Mortgage Row Subdivision five years ago with the intent to build a new residence that is more suitable for aging in place. The existing zoning will not allow a big enough building envelope for a new home to be constructed.

Lot 3 is currently zoned LR-1, although the existing log home is 36' from the Hwy 75 property line making it a non-conforming LR-1 lot with this current zone setback is 80'. With Hwy 75 being a 66' right of way the LR zone would make the setback 32'.

A brief history of the development of these lots would be insightful. When the Reitingner's originally purchased lot 4 in the early 2003 the property had city water and a failing septic system. All four of the North Mortgage Row lots access was off of the Hwy. 75. The City of Ketchum was in the process of extending the sewer line on Neil's Way to provide city sewer services for the North end of Mortgage Row Subdivision located in the city limits of Ketchum, which we pushed for hard to tie our new house to.

After several meetings with P&Z staff personnel and the Senior Planner at the time, regarding options and choices, the city made it apparent that any future development applications would need to have evidence of a serious attempt to gain primary access off of Neil's Way (at the back of the property) including abandonment of the existing driveway entrance off of Highway 75. While the city considered condemnation of this access they preferred that the Mortgage Row Homeowner's pursue a private access agreement. In the end the neighbors and the city were able to collaborate on an access easement agreement that was finalized for Neil's Way for Lots 1, 2, 3, and 4. This resulted in making the front of existing homes their back.

Once the process of creating the easement began; the Grantee's were required by the Fire Department to provide a turnaround that would meet Fire Department standards since we were adding four more residences to Neil's Way. This turnaround was placed on Lots 3 and 4. With the finalizing of the agreement a final berm plan was submitted to extend the existing Reitingner berm and continue the design along the frontage of Barry Baker's Lot 3 to the North. This permanently closed off these properties access to Highway 75 with a varying height landscape berm. With this ingress and egress for Lots 1-4 changed it is now via Neil's Way.

II. Compliance with Ketchum Comprehensive Plan

The Mortgage Row area has developed with a smattering of uses and appears to have been zoned after many of the existing structures were in place. It appears to have been originally zoned LR-1 with most of the existing structure being out of compliance with the zoning setbacks or uses. We have a smattering of homes, retail, industrial, and commercial businesses to the South. Over the

years several parcels during their development have then gone and switched to a zone that better fits the area and their project with most of these parcels being less than an acre.

Neighboring parcels to the South, starting with Base-Camp Gas & Grocery are zoned and have the following structure setback:

Parcel	Zoning	Comply w/ Zone	Current Hwy 75 Setback	Notes
Lot 11	LR	Yes		Changed from LR-1
Lot 10	LR	Yes		Changed from LR-1
Basecamp Gas & Grocery	LR-1	No	Canopy- ~5'	Non-compliant w/ LR-1 zone setbacks Owner: David Wiendeland
Dick York Towing	LR-1	No		Behind lot 5- adjacent to back ½ of Lot 4 Owner: David Wiendeland
Lot 5	LR-1	No	67' from Hwy 75	Duplex on lot Owner: Mary Jane Brown (?)
Lot 4	LR	Yes	104' from Hwy 75	Mark & Rebecca Reitingger
Lot 3	LR-1	No	33'-6" from Hwy 75	Mark & Rebecca Reitingger
Lot 2	LR	Yes	32' from Hwy	Rezoned to LR from LR-1 due to Hwy 75 setback
Lot 1	LR-1	No	3' from Hwy 75	Non-complying on multiple sides due to odd and small size of parcel

The current zoning for Lot 3 is LR-1. The log structure may be demolished in future because of its structural integrity has been diminished over the years. The existing 36' from the property line at Hwy 75. Set back required for a new structure in the LR-1 zone is 80' from Highway 75 and would place the proposed secondary structure towards the front of the existing property along Neil's Way.

The new 'front' of the property on Neil's Way creates some setback and driveway limits based on the need for a Fire Truck turn-around that ended up being placed on our property (lots 3 & 4) on Neil's Way to consummate the easement agreement between the entire Mortgage Row HOA, East of Baldy HOA, and City of Ketchum. Being required to meet the 80' setback from Hwy 75 required by LR-1 zone limits the foot print of our future house placement on site and creates further access difficulties for garage, yard, and driveway because of the limits on the new 'front' of Lot 3.

With a rezone of Lot 3 to LR it would allow a minimum 25' setback and provide a favorable approach to a proposed garage structure. The actual proposed would probably be closer the existing log structure.

There are other positive attributes to rezoning with new set backs. The proposed structure would be more in line with the existing structures in the Mortgage Row subdivision on Hwy 75. We intend for this building to have a timeless feel as if it has always been there. By staying in keeping with the neighboring setbacks this will be better achieved.

The new rezoned setback would also provide better sound buffering from the Highway for the new residence and neighboring properties.

Rezoning from LR-1 to LR seems to allow for the best use of this property and be most in keeping with the development of the area.

III. Phasing Plan

The infrastructure for the Mortgage Row Subdivision, and Lot 3, more specifically is now in place. The septic system was removed/abandoned and hooked to city sewer a year before the Reitinger's purchased this property (Lot 3). The new future structure will facilitate an accessible residence, garage, shop, an Art Studio and ADU. Design and construction will probably occur in 3 to 5 years.

IV. Accessory Dwelling Unit

Our intention is to provide an ADU as per the Comprehensive Plan Chapter 3: Housing:, Goals and Policies H-1.5 to provide affordable housing. We feel very strongly that this is the best way to integrate workers in our Mountain Community.

Both my wife and I lived in various ADU's in Ashland, Oregon as single adults when we were in collage and beginning our careers. These ADUs gave us each a sense of independence and neighborhood connection. As newlyweds' we continued to live in ADU's while we saved and dreamed of owning our own home and future. The planning in Ashland strongly encouraged this kind of affordable housing option creation, and still does. Being immersed in a community through living in ADUs has created lifelong relationships. As part of that community we were mentored and were able to become contributors and give back to our community.

The use of our ADU may vary over time from general rental to Mother In-law suite, to affordable housing for our own employee, or healthcare assistance as we grow older.

Proposed Lot
rezone Lot 3 104
Neil's Way

Reitinger Lot's 3 & 4

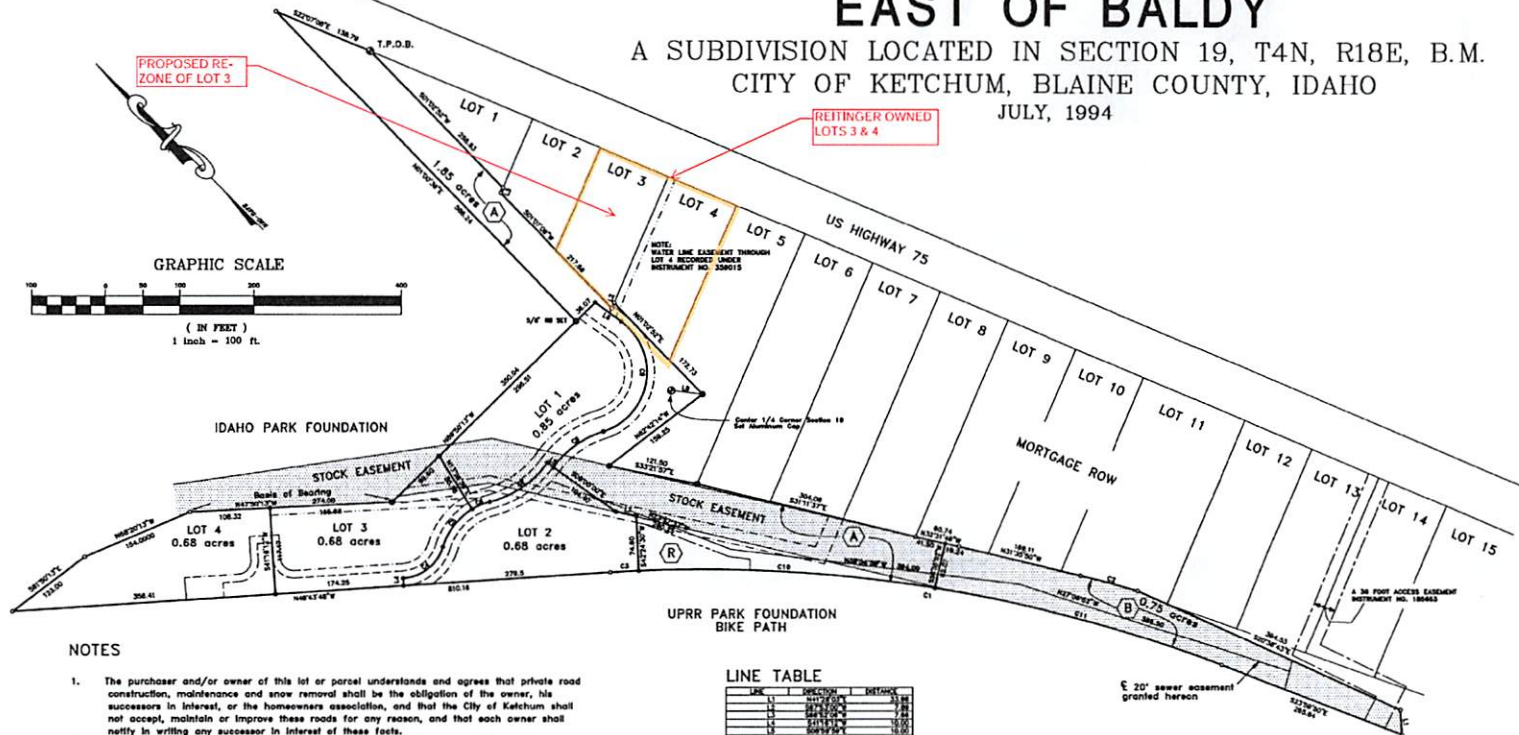


ZONING & VICINITY MAP

EAST OF BALDY

A SUBDIVISION LOCATED IN SECTION 19, T4N, R18E, B.M.
CITY OF KETCHUM, BLAINE COUNTY, IDAHO

JULY, 1994



NOTES

- The purchaser and/or owner of this lot or parcel understands and agrees that private road construction, maintenance and snow removal shall be the obligation of the owner, his successors in interest, or the homeowners association, and that the City of Ketchum shall not accept, maintain or improve these roads for any reason, and that each owner shall notify in writing any successor in interest of these facts.
- An easement is hereby granted on all of Parcel A for mutual access and snow storage.
- A 20 foot wide private road and utility easement shown hereon is hereby granted within Lots 1,2,3 and 4 for the benefit of Lots 1,2,3 and 4, and the City of Ketchum.
- A 10 foot wide snow storage, drainage and utility easement shown hereon is hereby granted within Lots 1,2,3 and 4 for the benefit of Lots 1,2,3 and 4, and the City of Ketchum.
- An easement is hereby granted to the City of Ketchum within all of Parcels A and B, for installation and maintenance of underground utilities, excluding the Recreation Area within Parcel A.
- A 10 foot wide private water line easement is hereby granted within lot 1 for the benefit of Lots 3 and 4 and Parcel A.
- A 20 foot wide utility easement is hereby granted centering on all interior lot lines.
- A 20 foot wide electrical easement is hereby granted within Lots 1,2 and 3 and Parcel B.
- The stock troll shown hereon shall have no structures built thereon and no landscaping or use shall be installed which may interfere with or be damage by livestock. It shall be each property owner's sole responsibility to construct and maintain fencing along the boundary of the livestock troll adequate to prevent any trespass, damage or injury to persons or property from livestock. Each property owner and anyone occupying or visiting their property shall have no claim for damages with regard thereto.
- Uncontrolled fill exists within Lots 1,2,3 and 4. A soils bearing analysis prepared by a licensed engineer is required prior to issuance of a building permit.
- Covenants, conditions and restrictions are filed under instrument Number 369122.
- Maximum building height for each lot is measured from natural grade according Exhibit A, the 1974 Idaho Transportation Department topography map recorded under instrument number 369122.
- A 20 foot wide easement is granted hereon to Intermountain Gas Company for an underground gas line running through this subdivision within the stock easement.

LINE TABLE

LINE	BEARING	DISTANCE
1	S 81° 12' 00" W	31.88
2	S 71° 12' 00" W	12.00
3	S 71° 12' 00" W	12.00
4	S 71° 12' 00" W	12.00
5	S 71° 12' 00" W	12.00
6	S 71° 12' 00" W	12.00
7	S 71° 12' 00" W	12.00
8	S 71° 12' 00" W	12.00
9	S 71° 12' 00" W	12.00
10	S 71° 12' 00" W	12.00
11	S 71° 12' 00" W	12.00
12	S 71° 12' 00" W	12.00
13	S 71° 12' 00" W	12.00
14	S 71° 12' 00" W	12.00
15	S 71° 12' 00" W	12.00

CURVE TABLE

CURVE	CHORD	LENGTH	VERTICAL	CHORD	BEARING	DELTA
C1	184.86	84.79	23.87	87.26	N 23° 21' 00" W	21° 52' 00"
C2	115.00	26.00	6.12	26.41	N 61° 51' 00" W	21° 52' 00"
C3	80.00	13.88	3.10	14.17	N 61° 51' 00" W	21° 52' 00"
C4	115.00	26.00	6.12	26.41	N 61° 51' 00" W	21° 52' 00"
C5	115.00	26.00	6.12	26.41	N 61° 51' 00" W	21° 52' 00"
C6	80.00	13.88	3.10	14.17	N 61° 51' 00" W	21° 52' 00"
C7	115.00	26.00	6.12	26.41	N 61° 51' 00" W	21° 52' 00"
C8	80.00	13.88	3.10	14.17	N 61° 51' 00" W	21° 52' 00"
C9	115.00	26.00	6.12	26.41	N 61° 51' 00" W	21° 52' 00"
C10	184.86	84.79	23.87	87.26	N 23° 21' 00" W	21° 52' 00"

LEGEND

- BRASS CAP FOUND
- 5/8" REBAR FOUND
- 1/2" REBAR SET
- 1/2" REBAR FOUND
- EDGE OF 20' ELECTRICAL EASEMENT
- EDGE OF 10' WATER EASEMENT (2' PRIVATE LINE)
- EDGE OF RECREATION AREA
- EDGE OF 20' ACCESS AND UTILITY EASEMENT
- EDGE OF 10' SNOW STORAGE, UTILITY, AND DRAINAGE EASEMENT
- STOCK EASEMENT
- (A) PARCEL "A"
- (B) PARCEL "B"
- (R) RECREATION AREA

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.
Date: 8-5-94
DeW. Eichen
South Central District Health Dept., EHS

PREPARED BY: BENCHMARK ASSOCIATES, KETCHUM, IDAHO

EAST OF BALDY

T4N, R18E, SEC. 19, B.M.

BLAINE CO., IDAHO SHEET 1 OF 2

Koptena

WEYYAKIN
SUN VALLEY

Google

E of Baldy Ct

E of Baldy Ct

E of Baldy Ct

E of Baldy Ct

E of Baldy Ct

REINHEIMER
RANCH
KETCHUM

LOT 3
PROPOSED
ZONING
CHANGE FROM
LR-1 TO LR

104

106

