



City of Ketchum

October 7, 2019

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to approve the Final Plat for the Lot Line Shift to combine 520 N. Walnut Avenue (Lots NW 17' x 75' of 1, SW 21' x 75' of 2, Block 90) and 540 N. Walnut Avenue (Lot NW 34' x 75' of 2, Block 90) into one lot to be named Lot 2A, Block 90.

Recommendation and Summary

Staff recommends the City Council approve the Final Plat application by Robert and Stacey Chess, represented by Garth McClure of Benchmark Associates, to combine two existing non-conforming (substandard in size) lots of record into one lot.

Recommended motion: "I move to approve the Chess Lot Line Shift final plat application, subject to conditions 1-8."

The reasons for the recommendation are as follows:

- The request to subdivide meets all applicable standards for Townhouse Final Plats contained in Ketchum Municipal Code's Subdivision (Title 16) and Zoning (Title 17) regulations.
- The two existing lots were subdivided prior to Ketchum's first subdivision and zoning codes and are substandard in size. Combining the two lots into one results in a single lot that will be more conforming with current regulations.
- The Planning & Zoning Commission recommended approval of the lot Line Shift application on September 9, 2019.

Analysis

Combining the two lots into one results in a single lot that will be more conforming with current regulations. Each lot contains a small (less than 1,200 square foot) residential structure. The property owners intend to redevelop the property at a future time and combining the two lots into one provides a larger development site and facilitates development of a new residence that will meet all zoning standards.

Upon combining of the two lots into one the larger residence will be classified as the primary dwelling and the smaller residence will be classified as an Accessory Dwelling Unit (ADU). ADUs are permitted in the zoning district (LR) where the lots are located.

Financial Impact

No financial impact.

Attachments: Plat and Findings of Fact, Conclusions of Law, and Decision

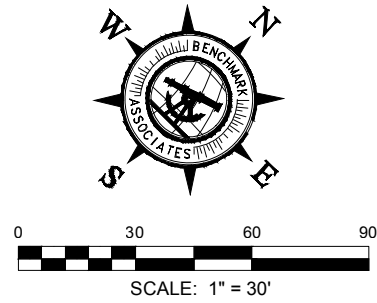
A. Plat

KETCHUM TOWNSITE: BLOCK 90, LOT 2A

LOCATED WITHIN: SEC. 18, TOWNSHIP 4 NORTH, RANGE 18 EAST, B.M.,
CITY OF KETCHUM, BLAINE COUNTY, IDAHO

WHEREIN THE INTERIOR LOT LINES BETWEEN THE NORTHERLY 34 FEET OF THE WESTERLY
1/2 OF LOT 2, THE SOUTHERLY 21 FEET OF THE WESTERLY 1/2 OF LOT 2 AND THE
NORTHERLY 17 FEET OF THE WESTERLY 1/2 OF LOT 1 ARE ELIMINATED, CREATING LOT 2A.

JULY 2019

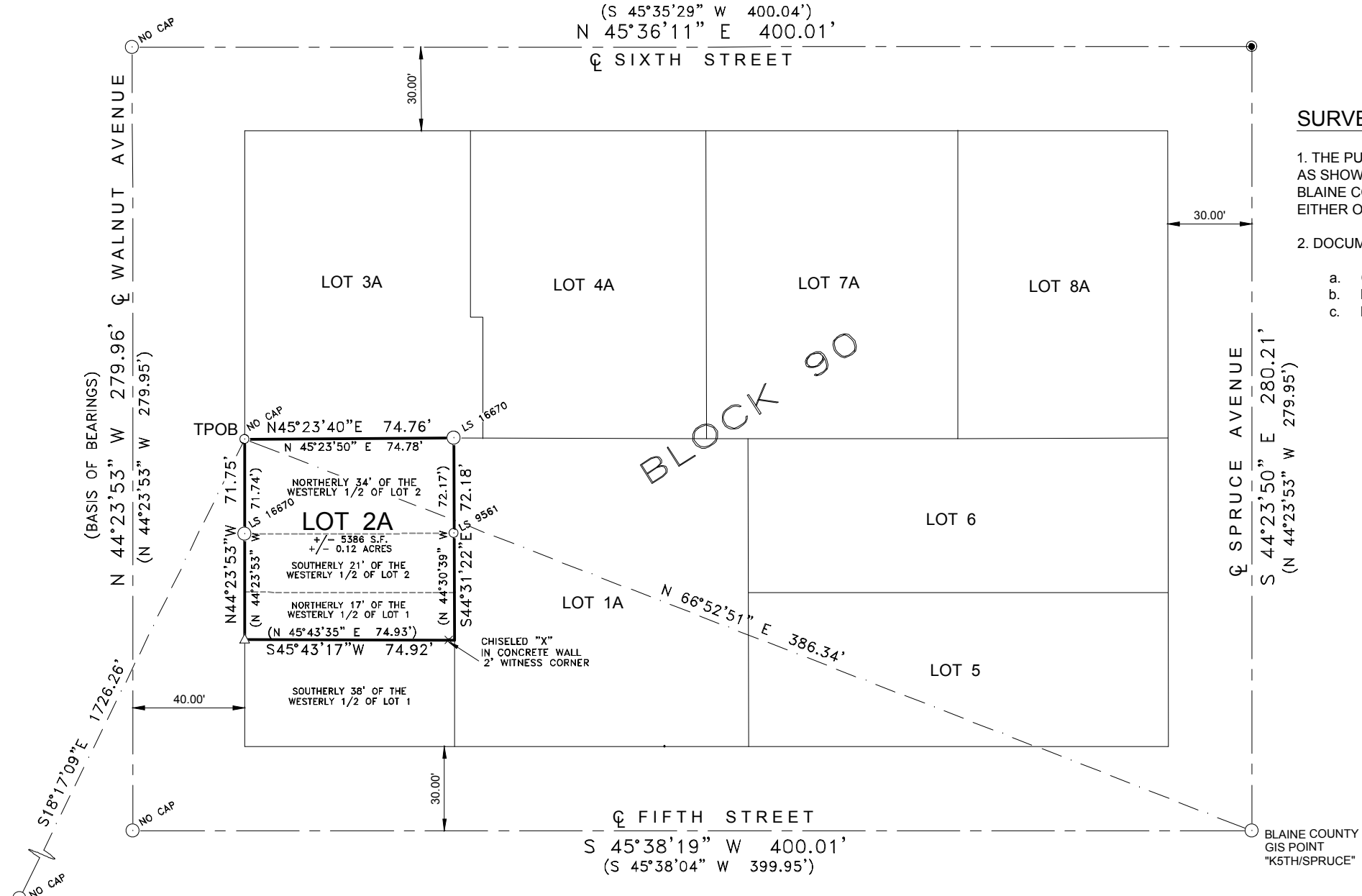


LEGEND

	BOUNDARY LINE
	GIS TIES
	CENTERLINE
	LOT LINE ELIMINATED
	RECORD BEARINGS AND DISTANCES RECORD OF SURVEY INST. # 658344
	MEASURED BEARINGS AND DISTANCES
	FOUND 1/2" REBAR
	FOUND 5/8" REBAR
	FOUND COTTON SPINDLE
	MAGNETIC NAIL IN FENCE

SURVEY NARRATIVE:

1. THE PURPOSE OF THIS PLAT IS TO ELIMINATE THE INTERIOR LOT LINES AS SHOWN ON THE RECORD OF SURVEY AS INST. NO. 658344, RECORDS OF BLAINE COUNTY, IDAHO. ALL FOUND MONUMENTS WERE ACCEPTED AS EITHER ORIGINAL, OR REPLACEMENTS OF ORIGINAL CORNERS.
2. DOCUMENTS USED IN THE COURSE OF THIS SURVEY:
 - a. ORIGINAL PLAT OF KETCHUM TOWNSITE INST. # 302967
 - b. RECORD OF SURVEY INST. # 606706
 - c. RECORD OF SURVEY INST. # 658344



HEALTH CERTIFICATE

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: _____
South Central Public Health District, REHS

	KETCHUM TOWNSITE: BLOCK 90, LOT 2A	
	LOCATED WITHIN SECTION 18, TOWNSHIP 4 NORTH, RANGE 18 EAST, B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO	
PREPARED FOR: ROBERT CHESS		
PROJECT NO. 19085 FINAL PLAT	DWG BY: DWS/CPL DATE: JULY 15, 2019	19085PRE.DWG SHEET: 1 OF 1

B. Draft Findings of Fact and Conclusions of Law



**City of Ketchum
Planning & Building**

IN RE:)	
)	
Chess Lot Line Shift)	KETCHUM CITY COUNCIL
Lot Line Shift Final Plat)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: October 7, 2019)	DECISION
)	
File Number: 19-078)	

PROJECT: Chess Lot Line Shift

FILE NUMBER: P19-078

REPRESENTATIVE: Garth McClure, Benchmark Associates

OWNER: Robert and Stacey Chess

REQUEST: Lot Line Shift to combine two lots of record

LOCATION: 520 N. Walnut Avenue (Lots NW 17' x 75' of 1, SW 21' x 75' of 2, Block 90) and 540 N. Walnut Avenue (Lot NW 34' x 75' of 2, Block 90)

ZONING: Limited Residential (LR)

OVERLAY: None

NOTICE: Notice was mailed to adjacent properties on September 18, 2019. Notice was published in the September 18, 2019 edition of the Idaho Mountain Express.

FINDINGS OF FACT

1. Robert and Stacey Chess own two adjacent non-conforming lots of record (540 N. Walnut Avenue, 2,550 square feet in size and 520 N. Walnut, 2,850 square feet in size) that are fractions of lots platted in the original Ketchum townsite. A single-family home was built at 540 N. Walnut in 1954 and a single-family home was built at 520 N. Walnut in 1944. The residences pre-date the city's adoption of zoning and subdivision ordinances and the title reports do not indicate when the lots were divided; based on the dates the residences were built, division of the lots occurred prior to the city's first subdivision ordinance (1967).
2. The property owners have applied for a Lot Line Shift to combine the two lots into one. The result will be one lot 5,400 square feet in size. While today's zoning code requires a minimum of 9,000 square feet per lot LR zone, these existing non-conforming lots are permitted to be combined because they do not increase the degree of non-conformity. Additionally, due to the size of the existing residences (1,173 and 775 square feet, respectively), combining the lots will result in the larger structure being

classified as the primary dwelling and the smaller structure being classified as an Accessory Dwelling Unit.

3. The property owners have indicated that their long-term plan is to remove the existing structures and build a new single-family home. The new development will be subject to all zoning ordinances in effect at the time as well as all other applicable city standards and codes (streets, building, fire, etc). At this time there is not a proposal to alter the existing structures.
4. Typically, Lot Line Shifts have been reviewed and approved administratively in the past. However, due to recent recognized conflicts within the subdivision ordinance, this Lot Line Shift was scheduled for a public hearing with the Planning and Zoning Commission on September 9, 2019. The Planning and Zoning Commission recommended approval of the application. The application was then scheduled for a public hearing with City Council on October 7, 2019. City Council approved the application.
5. The proposal does not conflict with Fire, Engineering, Streets, Utility, or Planning and Building department standards.

Table 1: City Department Comments

City Department Comments					
Compliant					
Yes	No	N/A	City Code	City Standards and <i>City Department Comments</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C	Complete Application	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire Department: <i>No comments/concerns at this time.</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Engineer: <i>No comments at this time.</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities: <i>No comments/concerns at this time.</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: <i>No comment at this time.</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: <i>Comments are denoted throughout the Staff Report.</i>		

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67, of the Idaho Code the City has passed a subdivision ordinance, Title 16.
3. The City of Ketchum Planning Department provided adequate notice of the time, place, and summary of the applicant’s proposal to be heard by the Council for review of this application during a public hearing.
4. The Council has authority to hear the applicant’s Lot Line Shift Final Plat Application pursuant to Chapter 16.04 of Ketchum Code Title 16.
5. The project **does** meet the standards of approval under Chapter 16.04 of Subdivision Code Title 16.

DECISION

THEREFORE, the Ketchum City Council **approves** this Lot Line Shift Final Plat application this Monday, October 7, 2019 subject to the following conditions:

1. Benchmark Associates shall submit an exhibit indicating topography contours prior to recording the final plat.
2. Benchmark Associates shall submit an exhibit indicating the location of the existing buildings prior to recording the final plat.
3. Benchmark Associates shall submit an exhibit indicating the existing zoning designation, LR, prior to recording the final plat.
4. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map;
5. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder’s office concurrent with the recording of the Plat containing the following minimum data:
 - a. Line work delineating all parcels and roadways on a CAD layer/level designated as “parcel”;
 - b. Line work delineating all roadway centerlines on a CAD layer/level designated as “road”; and,
 - c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as “control”; and,
6. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a “.dwg”, “.dgn” or “.shp” format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units.
7. The applicant shall provide a copy of the recorded final plat to the Department of Planning and Building for the official file on the application.
8. All requirements of the Fire, Utility, Building, Planning and Engineering and Streets departments of the City of Ketchum shall be met.

Findings of Fact **adopted** this 7th day of October, 2019

Neil Bradshaw
Mayor