

REVISED
MEETING AGENDA
THURSDAY, AUGUST 18, 2016 AT 9:00 A.M.
SUN VALLEY PLANNING AND ZONING COMMISSION
TO BE HELD IN THE COUNCIL CHAMBERS AT SUN VALLEY CITY HALL

Please note the applicant has rescinded Design Review Application #2016-38 and the site visit at 12 Back Pay Way has been canceled.

1. Call To Order

The Idaho Code requires that, "...A member or employee of a [Planning and Zoning] Commission shall not participate in any proceeding or action when the member or employee or his employer, business partner, business associate, or any person related to him by affinity or consanguinity within the second degree has an economic interest in the procedure or action." Any actual or potential interest in any proceeding shall be disclosed at or before any meeting at which the action is being heard or considered. A knowing violation of this section shall be a misdemeanor.

2. Public Comment

Opportunity for the public to talk with the Planning and Zoning Commissioners about general issues and ideas not otherwise agendized below (3 minutes max. each).

3. Consent Agenda

- a) Draft Minutes from the Planning & Zoning Commission Meeting of July 14, 2016.
- b) Draft Minutes from the Planning & Zoning Commission Meeting of July 28, 2016.

4. New Business

- a) **Adoption of Findings of Denial for Design Review #2016-02:** Application for the proposed construction of a new 2,900 square foot accessory maintenance use in the Recreational (REC) zoning district at 5 Golf Lane. Applicant: Marvin Anderson Architects, PLLC, for 5GL, LLC.
- b) **Appeal of Director's Determination:** 103 Skyline Dr (Amended Lot 27B, Dollar Mountain Sub). Appellant claims that the Director's determination of curative action on Stop Work Order 2013-01 was inappropriate and that any plantings should have received design review. Appellants: John and Marlis Carson, 101 Skyline Dr.

5. Continued Business

6. Discussion Items

None.

7. Adjourn

Meeting Schedule: Regular Meeting at 9:00 am on Thursday, September 8, 2016

**Minutes of the Planning and Zoning Commission
July 14, 2016**

The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on July 14, 2016 at 09:00 a.m.

1. [Call To Order](#)

Commissioner John O'Connor called the meeting to order at 9:01 a.m.

Present: Commissioner John O'Connor, Commissioner Bill Boeger, and Commissioner Sherri Newland.

Absent: Chairman Ken Herich, Commissioner Jake Provonsha

2. [Public Comment](#)

None.

3. [Consent Agenda](#)

a) [Draft Minutes from the Planning & Zoning Commission Meeting of June 23, 2016.](#)

The Commission briefly discussed the applications considered at the June 23, 2016 meeting.

MOTION

Commissioner Bill Boeger moved to approve the minutes of June 23, 2016, seconded by Commissioner John O'Connor. All in favor. The motion carried unanimously.

4. [New Business](#)

a) [Discussion and possible action on Ordinance No. XXX: An Ordinance of the City of Sun Valley, Idaho, Amending Title 9, Chapter 3, Article I of the Sun Valley Municipal Code Regarding Flood Hazard Protection.](#)

Community Development Director Jae Hill gave an overview of issues to be covered at future meetings.

Associate Planner Abby Rivin presented the proposed flood hazard protection ordinance. She noted adopting an ordinance is a requirement following the community assistance visit for the National Flood Insurance Program. She gave a brief overview of that visit and explained the City was provided a list of tasks to accomplish to bring its program up to date. She gave additional details of various provisions in the ordinance, noting there are a lot of details for the standards for residential and nonresidential construction. She discussed some changes to the current City standards and explained the changes will help the City with its community rating for the National Flood Insurance Program. She explained some of the edits in the ordinance and where staff would like Commission input.

Hill noted the proposed ordinance was a model provided to staff, so there are some things that may not seem relevant to the City, but stated it is not harmful to include those. He stated staff want input from the Commission about what should and should not be incorporated to take back to the NFIP Coordinator for further discussion.

Commissioner John O'Connor asked about the location of the flood plain. Rivin provided a general description of its location. Hill showed the flood plain on the City map. He discussed both the 500-year and 100-year flood plains. He described the difference between the flood plain and the flood way. Commissioner O'Connor asked about some of the structures the Commission recently reviewed. Hill responded that some properties will need to undergo mitigation efforts.

Commissioner Newland stated her opinion that while there is a lot of detail in the proposed ordinance, including that should provide more direction to citizens. She stated some of it may be necessary in the case of a future annexation.

Hill explained the difference between A zones and AE zones. Commissioner O'Connor asked about the Community School. Hill responded by showing the school's flood plain area on a map.

Commissioner Boeger asked whether the opinion of the Commission is to be more inclusive in what it provides in the ordinance. Commissioner Newland responded that was her opinion.

Commissioner O'Connor asked about whether the City gives guidance to the Sun Valley Company about how much water it lets down through the gate of the dam. Hill responded the City does not have control over water rights, so it would be up to the state to provide that guidance. The Commission held a discussion about water rights and how the Sun Valley Company determines the fullness of the lake.

Hill requested the Commission to review the definitions portion of the proposed ordinance to see which definitions should remain. Rivin explained staff coded the definitions by color to help demonstrate the changes from the current code.

Hill explained that the "Findings of Fact" section should either be removed or moved to the beginning of the ordinance. He also stated the City will need to create floodplain development permits and asked whether the Commission wanted those to be handled administratively or through the design-review process. The Commission agreed that staff could approve them based on design review approval.

Hill then discussed the penalties section, noting he wanted to reference the current City penalties and remove those from the model ordinance. Staff also discussed the roll of the floodplain manager.

Rivin discussed the permit requirements on page 14 of the ordinance. She and Hill encouraged the Commission to keep most of the optional language in the ordinance.

The Commission discussed the corrective action provision and agreed that 180 days is the appropriate timeframe. The Commission discussed variance procedures. Staff noted the proposed procedures are different than the current City procedures for variances. Staff agreed to check with the state to see if the City's current variance procedures meet the state requirements. Commissioner Newland stressed that the variance procedures should be consistent across the board, not subject specific.

The Commission agreed to keep parts of the ordinance that didn't seem applicable, such as provisions regarding sewage plants.

Hill discussed the fill provisions on page 24 of the ordinance. Staff recommended keeping the provision. Commissioner Newland asked whether this prohibited any work within the floodplain. Hill clarified that it applies to nonstructural fill and would require nonstructural mitigation. He noted this is a stricter standard than required at the federal level. The Commission agreed to keep this provision.

The Commission discussed the years requirement for new projects. Rivin offered to create a spreadsheet of information regarding the types of projects to which the provision would apply to help the Commission make a decision.

At Hill's recommendation, the Commission agreed to set the minimal investment for accessory structures at \$10,000.

Rivin discussed the provision regarding the reference level for special flood hazard levels. The Commission agreed to the four-foot provision as recommended.

BREAK

The Commission took a break at 10:49 a.m.

The Commission reconvened at 11:01 a.m.

b) [Discussion and possible action on Ordinance No. XXX: An Ordinance of the City of Sun Valley, Idaho, Amending Title 9, Chapter 4, Article A of the Sun Valley Municipal Code Requiring the Replatting of Conveyed Properties.](#)

Hill discussed the proposed ordinance, noting it governs small pop-out additions that are not currently being taxed. He estimated the City is losing about \$25,000 per year because these additions are untaxed. He discussed the proposed language to be added to Code provision 9-4A-3.

Commissioner O'Connor expressed support and asked whether it would be retroactive. Hill responded it would not.

The Commission agreed the proposed change to the code was beneficial. In response to a question from Commissioner Newland, Hill stated this would only apply to additions of habitable space.

MOTION

Commissioner Bill Boeger moved to recommend approval to the City Council to Amend Title 9, Chapter 4, Article A of the Sun Valley Municipal Code Requiring the Replatting of Conveyed Properties, seconded by Commissioner Sherri Newland. All in favor. The motion carried unanimously.

6. [Discussion Items](#)

a) [Discussion on revisions to Title 9, Chapter 5, Article A of the Sun Valley Municipal Code clarifying the duties of the Community Development Director and streamlining the Community Development Department's Administrative Design Review process by categorizing certain projects as Exempt or as Administrative Without Notice.](#)

Hill presented the issue, stating there are projects that are approvable administratively without notice, but there are few procedures for doing so. He stated there is no definition of how extensive a project needs to be before it triggers notice requirements. He stated staff wants to amend the categories to include more information.

Hill discussed the proposed changes to projects exempt from design review. Commissioner O'Connor stated the City should work with SVEA to try to make the process similar.

Commissioner Newland stated her concern about landscaping alterations. She noted there are scenarios where an alteration that would fall under the proposed "exempt from design review" category would be significant enough to warrant design review, such as the planting of a row of trees. The Commission discussed alternative language for that provision.

Hill also suggested changing the language for solar panels to 80% of the roof pitch.

The Commission briefly discussed the other proposals.

Commissioner Newland asked about the language regarding signs, and whether larger signs would come to the Commission. Hill stated larger signs would be considered monument-style signs and would be subject to Commission review.

Hill stated staff planned to draft and present a proposed ordinance based on the Commission's recommendations.

7. Adjourn

MOTION

Commissioner Bill Boeger moved to adjourn, seconded by Commissioner Sherri Newland. All in favor. The motion carried unanimously.

The meeting adjourned at 11:55 a.m.

John O'Connor, Acting Chairman

Alissa Weber, City Clerk

**Minutes of the Planning and Zoning Commission
July 28, 2016**

The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on July 28, 2016 at 10:45 a.m.

1. [Call To Order](#)

Following two site visits, the Commission reconvened in Council Chambers at 10:47 a.m.

Present: Chairman Ken Herich, Commissioner Jake Provonsha, Commissioner John O'Connor, Commissioner Bill Boeger, and Commissioner Sherri Newland.

Absent: None.

Also Community Development Director Jae Hill, Associate Planner Abby Rivin, City Clerk Alissa

Present: Weber, Fire Chief Ray Franco, Fire Code Official Reid Black, City Attorney Matthew Johnson, Janet Jarvis, Jim Bronson, Jack Demorest, Shane Coen, Scott Campbell, Marvin Anderson, William Beck.

3. [Consent Agenda](#)

a) [Draft Minutes from the Planning & Zoning Commission Meeting of June 9, 2016.](#)

Vice Chair Provonsha requested the fifth paragraph on page 2 be deleted, believing it was repetitive. He also requested "and" be added to the fourth paragraph of page 2 and that "Lane Ranch" be changed to "Lane Ranch North" on page 3 of the minutes.

The Commission discussed the response from Anderson regarding the pump's water pressure. City Clerk Alissa Weber stated that while the statement is unclear, it is an accurate reflection of the minutes. The Commission decided to include it.

Commissioner Boeger asked that wording be changed to "in the event" on page 4. Chairman Herich asked that Pat McMahon's full name be included in the attendance.

MOTION

Commissioner Jake Provonsha moved to approve the Draft Minutes from the Planning & Zoning Commission Meeting of June 9, 2016 as amended, seconded by Commissioner Bill Boeger. All in favor. The motion carried unanimously.

4. [New Business](#)

a) [Design Review #2016-36: Application proposing a new landscape plan for a lot with an existing single-family residence at 402 Fairway Road. Applicant: Coen + Partners for 402 Fairway Rd, LLC.](#)

Chairman Herich noted there was an email from resident Jim Bronson opposing the application that would be included in the record.

Shane Coen, landscape architect, presented images of the home and discussed the local vegetative inspiration for the landscaping design. He discussed the general landscaping plan, showing various landscaping zones throughout the property. He presented renderings of the plan, including the various rows of trees intended to veil, but not screen, the property and views. Coen presented examples of similar landscaping plans from other locations to demonstrate how it would look once completed.

Coen noted that during design review staff noted that there were a few additional code requirements that needed to be met, including an asphalt band and trees in the right of way. He noted they are outside of the eight-foot regulation but are fine shifting the landscaping closer to the house if needed.

Commissioner Provonsha asked for clarification regarding the trees in the right of way. Coen restated the applicant would be willing to shift them if the Commission so desired. Community Development Director Jae Hill stated that anything in the right of way would require an encroachment permit, so it is recommended they move the trees. Coen stated they could shift the trees so they are placed two feet inside the property line. Hill also noted the band of asphalt needed to match the road. Coen agreed.

Commissioner Provonsha stated he liked the plan but recognized it is a departure from the typical landscaping in the area.

Fire Code Official Reid Black asked whether fire-wise principles were taken into account in the design. Coen responded they were not specifically considered but read the City's regulations to make sure they were in compliance. He stated he consulted with local landscape companies regarding the plans.

Commissioner Newland asked about the geology garden. Coen responded it will just be a clean installation with stone.

Chairman Ken Herich opened the public hearing.

Jim Bronson, 408 Fairway Road, thanked the Commissioners for their service and said he submitted an email opposing the project as it is currently designed. He stated it is not consistent with the neighborhood and expressed concern about the density of the trees to be planted. He explained the aspens on his property are over 60 feet tall now. He also stated concern about fire safety.

Jack Demorest, 406 Fairway Road, expressed concern about the design. He stated many people bought in that area for the views, but those are impeded by landscaping. He also expressed concern about fire danger. He stated he has had to remove trees on his property that grew too close to the house because of a fire concern. He said that while the design is interesting, he doesn't think it fits with the neighborhood.

Chairman Ken Herich closed the public hearing.

Coen responded to the public comment. He gave a background on his firm, noting that he believed the landscaping would increase the value of the homes in the area. He opined there is no consistent landscaping on Fairway Road. He believed this project would be a model for the community on how to incorporate local geology into landscaping. He noted there is a firebreak between the trees and home via the stonework. He noted screening the neighbor to the rear of the property is a priority.

Commissioner Provonsha sympathized with the desire to screen the view of the neighbor's house but expressed discomfort with the trees creating a fire hazard.

Commissioner Newland said the design is green and uses little water, which should be taken into consideration. She noted aspens will not obstruct any view in the winter. She asked the Fire Department for guidance about tree separation. Black gave an overview of fire-wise principles, stating they discourage a continuous line of trees or trees that touch. He noted the Department's overall concern

about vegetation on Fairway Road. He asked whether the tree separation could be expanded from 36 inches to 5 feet. Cohen stated he did not think that would be a problem.

Commissioner Newland asked whether a fence was considered to screen the back neighbor. Coen responded it was considered but a fence high enough was not allowed by code. Commissioner Newland asked if the house was sprinkled. Janet Jarvis, the architect, stated it was not.

Commissioner O'Connor stated he liked the design and noted aspens are not as flammable as evergreens. Black and the Commission discussed the implications of this.

Commissioner Boeger opined that he liked the look but was concerned about the incongruity of the design. He stated he did not favor the aspens and rock so close to the road. He stated a preference of removing the rock and having lawn and trees in the front of the house.

Chairman Herich said he liked the design and disagreed about its incompatibility with the neighborhood.

The Commission reviewed the three-dimensional rendering of the design. Coen reiterated there is a soft foreground with the natural fescue at the front of the property.

Commissioner Provonsha stated his discomfort with the back row of trees. He reiterated that the applicant needed to comply with city code regarding the right of way. Hill gave another brief overview of those requirements.

Chairman Herich asked about the previously-existing trees on the back property line. Jarvis stated the neighbors worked together to remove them. The Commission held a discussion about the proposed aspens and their mature size.

Hill stated that staff was unable to make two of the findings of fact internally, so the Commission needed to make them.

Chairman Herich asked whether the Commission wanted the applicant to make modifications to the plans. Commissioner Provonsha requested a condition regarding the right-of-way issues. Hill responded there is already a condition of approval that requires an encroachment permit.

MOTION

Commissioner John O'Connor moved to approve Design Review #2016-36 an application proposing a new landscape plan for a lot with an existing single-family residence at 402 Fairway Road, seconded by Commissioner Jake Provonsha.

The Commission held a discussion on the motion regarding the two missing findings of fact. Commissioner Herich provided language regarding Finding 4, to state "The landscaping plan is geometric, creative and of high quality, which is complimentary to the quality of the Fairway neighborhood." For Finding 5, he suggested the language, "The vegetation types and mature heights of the proposed plantings and retaining walls are compatible with the scale and quality of the Fairway neighborhood."

The Commission discussed tree removal. City Attorney Matthew Johnson suggested the Commission remove the second clause of Condition of Approval #7 to address the right-of-way concern. Chairman

Herich suggested Condition of Approval #9 to read “Applicant should remove at least two subalpine firs, closest to the house, in the shorter rows of the first to the rear of the house.”

The Commission voted on the motion. All in favor. The motion carried unanimously.

BREAK

The Commission took a break at 12:14 p.m.

The Commission reconvened at 12:29 p.m.

b) [Design Review #2016-02: Application for the proposed construction of a new 2,900 square foot stable in the Recreational \(REC\) zone at 5 Golf Lane. Applicant: Marvin Anderson Architects, PLLC, for 5GL, LLC.](#)

Chairman Herich stated the Commission held a site visit at the property. He then asked the Commissioners for any disclosures they may have on the application. There were no reported conflicts.

Commissioner Boeger asked for an update on the application since the last meeting. Community Development Director Jae Hill stated staff met with the architect, representative for the applicant, the Fire Department and Building Officials. He stated they identified alternatives for the building, such as constructing with noncombustible materials. A few weeks after that meeting, the applicant stated they would not proceed with any of the alternatives. He noted staff drafted a revised staff report to reflect the Commission’s decision that the building was an accessory maintenance use for recreation use.

Chairman Herich stated his opinion that a maintenance facility may not be a permitted use, but recognized the Commission was to make a determination on the design review application. He acknowledged a letter from the architect that addresses the results of the discussion with staff. He also noted there was a letter from Scott Campbell, attorney for the applicant.

Scott Campbell, of Moffatt Thomas and representing the applicant, stated he documentation in order to create a record in the event the applicant needs to appeal the Commission’s decision.

Hill and Chairman Herich debated whether the building would be considered an accessory maintenance use to a recreation use.

Chairman Herich requested the applicant present.

Marvin Anderson, architect for the project, presented the proposed project. He gave an overview of the plans to house horses in the barn with a paddock on the outside. He gave an overview of the plans for the interior of the building. He noted the building is unheated except for the tack room. He stated the building will be wood frame with a metal roof.

Anderson gave an overview of the application to date. He stated that the applicant’s representatives met with the City to discuss alternatives to alleviate some of the fire-safety concerns. He stated they determined there was insufficient water supply for sprinklers. He stated they also explored alternative fire suppression systems, such as foam. However, the alternatives were either not safe for animals or prohibitively expensive. He also stated they looked at building with noncombustible materials, but there were not options that were compatible with housing horses.

Commissioner O'Connor asked about fire protection at the Sage Willow barn. Code Enforcement Officer Reid Black stated the barn has a sprinkler and pond to supply water. He stated it does meet the agriculture code requirements. Chairman Herich asked about the water pressure at the applicant's site. Anderson responded they have a pressure of 800 gallons per minute, but sprinklers require more.

Commissioner O'Connor asked heating for the barn. Anderson responded it would be heated electrically. Hill asked about the valuation of the project. Anderson stated it would be valued at around \$400,000 and the fire suppression elements would double the cost.

The Commission and Anderson held a conversation about the required water pressure for a sprinkler system. They also discussed the Sun Valley Water and Sewer District's current piping and the water pressure available from that system. They discussed whether alternative piping scenarios provided by the Water and Sewer District could provide enough pressure to the site to meet code requirements.

Commissioner O'Connor asked how the other structures on the property were approved. Black explained they were only remodels and only after the fact did the City realize that the pressure through the hydrant was insufficient. He noted the applicant did put in a fire turnaround.

Anderson stated the applicant began working with the City in 2011 on the water-pressure issue. He explained the various steps taken by the applicant to try to increase water pressure, but stated the Water and Sewer District declined to increase the water flow to the property. He stated that is when the applicant built the pond to provide additional water.

The Commission discussed a report from City Engineer CH2M Hill regarding options for providing more water to the property. Anderson noted the Water and Sewer District has plans to complete a piping loop between Fairway Road and Trail Creek Road, at which time there could be enough water pressure.

Commissioner Provonsha stated his concern about providing city services to a property with such significant infrastructure issues.

Chairman Herich asked why the cistern system on the property could not be used. Fire Chief Ray Franco noted there are also access issues due to the conditions of the road. He stated a rural district may have tenders that shuttle water, but the City is set up for a municipal setting and does not have that. Black stated it is also a training issue, as staff is not trained to work on that type of system.

Chairman Herich noted the dilemma that they have an applicant they want to support but there are infrastructure issues posed by the Water and Sewer District are out of the City's control. Commissioner O'Connor suggested an option of building with a sprinkler system in the bar on the promise of the Water and Sewer District to eventually complete an adequate water-source line to the property. Chairman Provonsha cautioned the City does not have any control over the District's decisions.

Bill Beck, representing the applicant, discussed the lack of water volume all along Fairway Road. Chairman Herich stated one solution would be to limit development until the water system catches up but acknowledged that was not preferable.

Commissioner Boeger asked for more information about fire suppression systems that could be used. Anderson discussed the hydrogen and water mist system and the foams, noting they are not practical.

Commissioner Newland asked for more information about the driveway easement. Anderson responded it is difficult to track without a surveyor. He stated it is an access easement across the golf course.

Commissioner O'Connor stated his preference for the applicant to place a water system in the barn and try to work with the Water and Sewer District to provide adequate water supply to the property.

Commissioner Boeger stated that even if the water issue is solved, the access concerns may still prevent approval. Hill explained the staff report didn't include the water issue because it is not a requirement for this type of building. However, access issues are referenced numerous times in the design review criteria. He noted that is a critical issue, especially given the lack of water.

Anderson stated the switchbacks down the road to the structure have been in existence for a long time and alternative access routes are unreasonable.

Commissioner Newland asked for more information on the existing alignment of the road. Anderson stated the top turn meets the minimum radius requirements. He went on to discuss other parts of the road with regards to access. He stated the applicant has not completed extensive engineering investigations about making the road fully accessible.

City Attorney Matthew Johnson recommended the Commission not make a contingency approval relying on another entity to take some action.

Scott Campbell, attorney for the applicant, stated there were certain issues he needed to raise in the event of an appeal. He requested the Commission take official note of the Sun Valley Municipal Code. Chairman Herich acknowledged it on behalf of the Commission. Campbell highlighted certain provisions that deal with issues of access. He read several definitions from the code and various other provisions. He argued the definition of "start of construction" does not include the building of accessory buildings. He noted his position that the access road is not an improvement, it is an existing condition, and that the design review process only looks at development or improvements.

Campbell discussed Idaho Code as it relates to agriculture buildings, noting they are not subject to the fire or building codes. He stated the applicant's position that the water and access issues are irrelevant to the application.

Campbell noted the City does not control the water system but does make decisions on development based on actions of the Water and Sewer District. He stated that the fact that the water flow is an impediment to approval is an inappropriate delegation of the Commission's responsibility.

Campbell stated the applicant would be willing to sprinkle the barn and work with the Sun Valley Company to the extent it is possible to widen some of the turns on the access road, but he does not know what the outcome of those discussions would be.

Hill responded by stating that they are not conducting a design review of the driveway. He noted Campbell seemed to state in his comments that the building was an accessory maintenance use for recreational use, which would mean the agricultural use exemptions would no longer apply. He stated that the driveway requirements are based on City Code, not the fire or building code. He reiterated that the staff report does not address the water issue but recommends denial based on the access issue.

Johnson advised the Commission they are within their authority if they wish to proceed with the staff recommendation.

Chairman Herich noted his concern with the premise that agriculture buildings could be exempt from review by the City. He stated the Commission's philosophy is to help applicants through the process and not act as an impediment to development. He said he appreciated the applicant's willingness to talk to the Sun Valley Company about improving access, but finds it hard to make findings on approval for things that do not meet code. He reiterated his concern about access and firefighting on the property.

Commissioner O'Connor restated his preference to put pressure on the Water and Sewer District to improve the water supply.

Commissioner Provonsha said it is hard to see this as agricultural use, that it seems to fall much more clearly into equestrian use. He stated his opinion that it is a nice design and could be approved on the design elements.

Johnson stated that, based on the Commission's reasoning so far, if they think it is an agricultural building exempt from design review, it would be inappropriate to go through that process. Hill countered that under state code it would only be exempt from fire and building code, not local design review standards.

Campbell stated the applicant has not taken the position it is exempt from design review. He stated the applicant's position that the City cannot impose fire and building standards on the structure.

Commissioner Newland stated the parcel is zoned recreation, not agricultural. She stated she is concerned about health and safety and does not want to see people risk their lives to fight a fire at this property. She stated she likes the structure but it has to be safe. She noted access is the biggest issue.

Commissioner Boeger agreed, stating that while he would like to, he doesn't feel comfortable approving the application with the issues identified.

Chairman Herich noted the Commission had several courses of action it could take, including continuing the application to another meeting. The applicant's representatives indicated they would like a decision made as soon as possible.

Commissioner Provonsha stated that because the parcel is zoned recreation it is difficult to consider it an agricultural building.

MOTION

Commissioner Bill Boeger moved to deny Design Review #2016-02: Application for the proposed construction of a new 2,900 square foot stable in the Recreational (REC) zone at 5 Golf Lane, seconded by Commissioner Sherri Newland.

The Commission held a discussion on the motion. Chairman Herich asked staff for the code's definition of a driveway. Hill provided the definition and stated the driveway in question met the definition. Herich asked staff which fire code applied. Black responded it is the 2012 International Fire Code. Chairman Herich noted the City Code has a standard in 9-5B-3 related to health, safety and general welfare.

The Commissioners discussed how they would like to formulate language for their findings of fact. Johnson suggested they ask staff to prepare findings of fact and conclusions of law based on their discussion to present at a future meeting. Campbell requested that they deny the application and not bring it back at a future meeting. The Commissioners discussed and agreed that having staff and counsel draft something for the Commission's approval at a later date would be preferable.

AMENDED MOTION

Commissioner Bill Boeger moved to deny Design Review #2016-02: Application for the proposed construction of a new 2,900 square foot stable in the Recreational (REC) zone at 5 Golf Lane subject to findings of fact and conclusions of law to be drafted by the legal counsel and staff, seconded by Commissioner Sherri Newland. Commissioners Herich, Provonsha, Newland and Boeger voted aye. Commissioner O'Connor voted nay. The motion carried four to one.

Campbell and the Commission discussed timing for when minutes and draft findings of fact and conclusions of law would be available for his review.

**7. [Adjourn](#)
MOTION**

Commissioner Jake Provonsha moved to adjourn, seconded by Commissioner John O'Connor. All in favor. The motion carried unanimously.

The meeting adjourned at 2:44 p.m.

Ken Herich, Chairman

Alissa Weber, City Clerk

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
CITY OF SUN VALLEY PLANNING & ZONING COMMISSION
DESIGN REVIEW**

Project Name: **5 Golf Lane Stable**

Applicant: **Marvin J. Anderson, AIA for 5GL, LLC**

Location: **5 Golf Lane, Sun Valley TL 8239 SEC 5 4N 18E**

Zoning District: **Recreation (REC) Zoning District**

Project Description: The applicant has submitted an application for the construction of a new 2,900 square foot accessory structure – an “accessory maintenance use for recreational use” – a permitted use in the Recreation (REC) Zoning District in which this property is located. The structure will be two stories high: the first floor will contain space for keeping horses and associated equestrian equipment, and the second floor will be used for storing hay. The structure will be constructed of wood, with a Type V-B, Group U occupancy.

Project Analysis: The proposed structure meets all setback and height requirements for the zoning district, but the property does not meet the minimum driveway standards as identified in SVMC § 7-6-13 and therefore required Findings #2 and #6, of SVMC § 9-5B-3.B, cannot be affirmed at this time. All other currently existing uses on the property constitute previously-existing, legally-nonconforming uses and may continue to exist in their current state, without addition or enlargement.

9-3A-3.A.3. *The siting of the proposed improvements complies with the adopted uniform fire code and any other applicable regulations regarding emergency vehicle access and circulation as set forth in **title 7** of this code.*

9-3A-3.A.4. *The proposed improvements are sited to meet the ingress, egress, and driveway standards and requirements set forth in **title 7** of this code, and the siting standard in subsection A1 of this section.*

9-3A-3.D.2. *The site plan provides for **safe and uninhibited traffic flow both within the project and onto adjacent streets.** Site distances and proper signage are in accordance with title 7 of this code.*

9-3A-3.A.D.5. *Unobstructed access for fire and emergency vehicles complies with title 8 of this code and **other applicable city regulations.** Unobstructed access for snowplows, garbage trucks and similar service vehicles is provided to all necessary locations within the project.*

7-6-13. Driveways

A. Design: Driveways should be designed to run with the existing natural contours of the land. **The steep driveway consists of two narrow switchbacks running down the bluff to Trail Creek.**

C. Slope: Driveways shall not exceed a ten percent (10%) slope over the length of the driveway, and a four percent (4%) slope within twenty two feet (22') of the intersection of the driveway with the street. **The driveway meets or exceeds 10% slope in at least two areas of the driveway, as**

determined by measurements using the City's Online GIS Mapping System and the associated 2-foot contour data. The applicant has provided no data to support a conforming status of the driveway.

D. Inside Turning Radius: The inside turning radius of any driveway shall not be less than fifteen feet (15'). The applicant didn't provide curve radius data, but the lower switchback has an inside radius of approximately 10 feet as determined by measurements using the City's Online GIS Mapping System and the associated 2-foot contour data.

E. Width: Unless otherwise determined by the city fire chief, driveways shall be a minimum of twenty feet (20') of unobstructed width. The driveway narrows to approximately 12-14 feet in several locations.

Required Findings: Based on the standards set forth in **Sun Valley Municipal Code, Title 9, Chapter 3A (DESIGN REVIEW REGULATIONS)**, the Planning Commission has made the following findings supporting denial, pursuant to **Development Code Section 9-5B-3 (DESIGN REVIEW)**.

2. The proposed design is NOT in conformance with the standards for design review as set forth in Chapter 3A (DESIGN REVIEW REGULATIONS) of this Title. **City of Sun Valley Municipal Code Sections 9-3A-3.A.3, 9-3A-3.A.4, 9-3A-3.D.2, and 9-3A-3.A.D.5 all require suitable access for emergency vehicles and for the driveways to meet adopted codes and specific standards. The proposed structure does not provide for improvements to conforming driveway standards or emergency vehicle access necessary in Sun Valley Municipal Code § 7-6-13 or in the International Fire Code, and thereby doesn't comply with the requirements of 9-3A-3.**

6. The proposed design DOES NOT adhere to standards for the protection of health, safety, and general welfare. **The proposed structure does not provide for the driveway standards or emergency vehicle access necessary in Sun Valley Municipal Code § 7-6-13 or in the International Fire Code. The proposed structure is also not served by adequate flow rates for fire suppression: 1750 gallons per minute (gpm) of flow is required at the hydrant for a structure in the Type V-B, Group U Occupancy; the existing dry hydrant can only provide between 600 and 1000 gpm.**

The Commission makes further findings in support of its denial of the application:

- **The proposed structure is proposed by applicant as an "accessory maintenance use for recreational use" ("accessory facility for recreation maintenance" per SVMC § 9-1C-1) in the Recreation zoning district (SVMC § 9-2C-2), and is not an agricultural building.**

- **The intensification and design of the proposed development on this property poses hazards to the occupants of the property, neighboring properties, and to the first responders who may need to respond to medical emergencies or fires in the new, expanded use. 1% of all equestrians in the country are injured in riding accidents yearly, and the new barn will be used for the storage of hay – a highly flammable and combustible material.**

- **For the proposed development there is insufficient water supply to the property for fire-suppression, a problem which is exacerbated and compounded by the access deficiencies.**

- **The Planning and Zoning Commission held two duly-noticed hearings on this project application – on June 9th and July 28th, 2016 – and has given the applicant ample opportunity to redesign, provide additional information, or explore alternative compliance with the relevant codes.**
- **The applicant, as of the time of this decision, has not requested a regulatory takings analysis pursuant to Idaho Code § 67-8003. The applicant may still request a regulatory takings analysis, in writing and filed with the City Clerk, within no more than twenty-eight days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll certain time limitations as set forth in Idaho Code § 67-8003 (4).**
- **Approval of these Findings of Facts and Conclusions of Law will constitute a final decision with respect to this application. Applicant or an affected party may appeal this decision pursuant to Sun Valley Municipal Code 9-5A-9. Applicant or an affected party adversely affected by this decision, within twenty-eight (28) days after the date of this decision and order and after exhausting all remedies under local ordinances, may seek judicial review as provided by Idaho Code Title 67, Chapter 52.**

CONCLUSIONS OF LAW

Therefore, this project does not meet the standards for approval under Title 9, Chapter 3A, City of Sun Valley Municipal Code.

DECISION

Therefore, the Sun Valley Planning and Zoning Commission denies this Design Review Application No. DR2016-02.

Dated this 18th day of August, 2016.

Ken Herich, Chair
Sun Valley Planning and Zoning Commission

Date Findings of Fact signed _____

**CITY OF SUN VALLEY
PLANNING AND ZONING COMMISSION
STAFF REPORT**

To: Sun Valley City
From: Jae Hill, AICP, CFM, Community Development Director
Date: 18 August 2016
Re: Appeal of Director's Determination – Tree Plantings, 103 Skyline Drive

SYNOPSIS

John and Marlis Carson (“the Appellants”), at 101 Skyline Dr, are appealing the action of the Community Development Director, Jae Hill, (“the Director”) to allow for four evergreen trees to be planted on the vacant lot at 103 Skyline Dr. without Design Review Approval by the City of Sun Valley Planning and Zoning Commission (“Commission”).

HISTORY

John and Diane Trimper (“the Owners”) purchased Lots 26 and 27 of the Dollar Mountain Subdivision and in 2012, later replatted to 26B and 27B. The Owners then received Design Review Approval DR2011-15 to construct a new single family home on the site.

On July 26, 2013, Werner Morawitz, a nearby resident of Dollar Mountain Sub, called the Community Development Department (“the Department”) and inquired about the “lot clearing” on Lot 27B, the empty lot adjacent to the construction of the new home. More than two-dozen evergreen and aspen trees were removed in violation of DR2011-15, so the previous Director (Mark Hofman) tagged the site with Stop Work Order 2013-01. No resolution to the tree removal was ever reached. The Owner claims that the majority of the removed trees were diseased.

In late August, 2015, an applicant for the Owners requested an administrative amendment to the approved Design Review 2011-15 to add the construction of a standard wooden three-rail fence around the new home. The Director approved the change administratively, as the lots on either side of the Trimpers are vacant, and the visual impact of a compliant wooden structure would be minimal.

In September, 2015, the Department received numerous telephone complaints from the Appellants about the construction of the new fence, which now had a “shiny” metal grating affixed to it, presumably to keep the Owners’ dogs in the yard.

The Director then required the Owners to submit the fence – with the grating – for design review approval by the Commission, as the height was nonconforming (exceeding the maximum 48” height) and the grating materials were not approved. The Commission approved the fence with DR2015-45, but with the conditions that the grating be removed and reaffixed to the interior of the fence, and that some vegetation be planted to screen the grating. The Owners have since removed the grating, but have not reaffixed it nor have they planted the associated screening vegetation.

The Owners have since complained about being able to see into the bedroom and hot tub of the Appellants, and complained of the Appellants limbing the Owners’ trees on the lower portion of the Owners’ property. The Owners are currently attempting to sell Lot 27B, and felt that the planting of vegetative screening to mitigate the view of the Appellants’ property would make the building site more

attractive to potential buyers. The Owners provided a plan to the Department on June 13, 2016, with a request to plant four evergreen trees on the southwest corner of the property. The plan was accompanied by a letter requesting to plant these trees as a curative action for the Stop Work Order.

Given the history of the Appellants' complaints of viewing the Owners' fence, *and* the relatively recent clearing of the trees on Lot 27B, *and* the Owner's complaints of the Appellants' trespassing on their property, and the unresolved violation on the property, the Director administratively approved the planting of the four evergreens to provide a screening that hadn't been in place since the removal of the original trees which necessitated the Stop Work Order. The Director believed that the planting of four trees didn't rise to the level of formal Design Review Approval, especially as the Owners claimed this was a partial curative action for SWO2013-01.

The Appellants disagreed, and invited the Director out to the property to see the effect of the plantings on their views of the Boulder Mountains, which are mildly impaired today, but will be more impaired in the future as the trees mature.

On July 11th, the Carsons filed an appeal letter with the City requesting Commission review of the Director's determination that the plantings didn't need Design Review Approval. They've provided historic photos to show that the previously existing trees (removed in violation) never extended to screen the hot tub or bedroom from Lot 27.

The dispute between the two neighbors has many tangential components unrelated to the Municipal Code. The Appellants complain that the Owners offered part of Lot 27B for sale, but then reneged. The Owners complain that the Appellants have chased off potential buyers. The Appellants claim that the Owners have been hostile and threatening towards them. The Owners complain that the Appellants have trespassed repeatedly and harmed their vegetation. The Appellants believe that the weeds on the Owners' lot are invading their landscaping. This has been an ongoing ordeal for more than a year now, and the Director reasoned that the planting of the four trees *did not* rise to the level of formal design review, and also hoped that some additional screening might end (or mitigate) the constant disagreements between the two parties.

RELEVANT CODE SECTIONS

Section 9-5A-2.C details the duties of the Director, including the authority to:

1. *Interpret provisions in the enforcement and administration of this title;*
4. *Review and act on administrative design review applications, including certain related improvements such as fences, minor exterior alterations to existing structures including changes in materials and/or colors, and minor changes to existing or approved landscaping and grading;*

Section 9-5A-9 [Appeals] states that "any applicant and any person owning an interest in real property which is within three hundred feet (300') of the exterior boundary lines of the property which is subject to an application who is dissatisfied, may appeal the action of the decision maker. An appeal shall be made, in writing, and filed with the city clerk within ten (10) days after the action of the decision maker." Given that no formal notice of the Director's decision was provided to the Appellants, and their first notice of the decision was after the planting of the trees, they are not timebarred from the appeal.

The Commission, in 9-5A-2.B.5, is empowered to "Serve as the review authority in appeals of decisions of the director."

The City's design review criteria for siting of improvements [SVMC § 9-3A-3.A] has no standards or express criteria to protect the views of one property at the expense of the property rights of another – “view access” and “privacy of adjacent properties” are both equally weighted in A.1.

Section 9-3A-3.E [Landscaping Quality] has no express standards regarding the placing of landscaping but does state in E.1 that “Landscaping provides relief from and screens building surface areas and street frontage.” The Owners’ intent is to screen the adjacent building’s surface area.

CONCLUSION

The Commission is being requested to review the Directors’ determination that the planting of four non-mature evergreen trees could be administratively approved without review by the Commission.

- Upholding the Director’s determination allows the four recently-planted trees to remain without Design Review.
- Overturning the Director’s determination will require the four planted trees to be approved by the Planning Commission, to be heard at a noticed public hearing at a later date with a complete submittal.

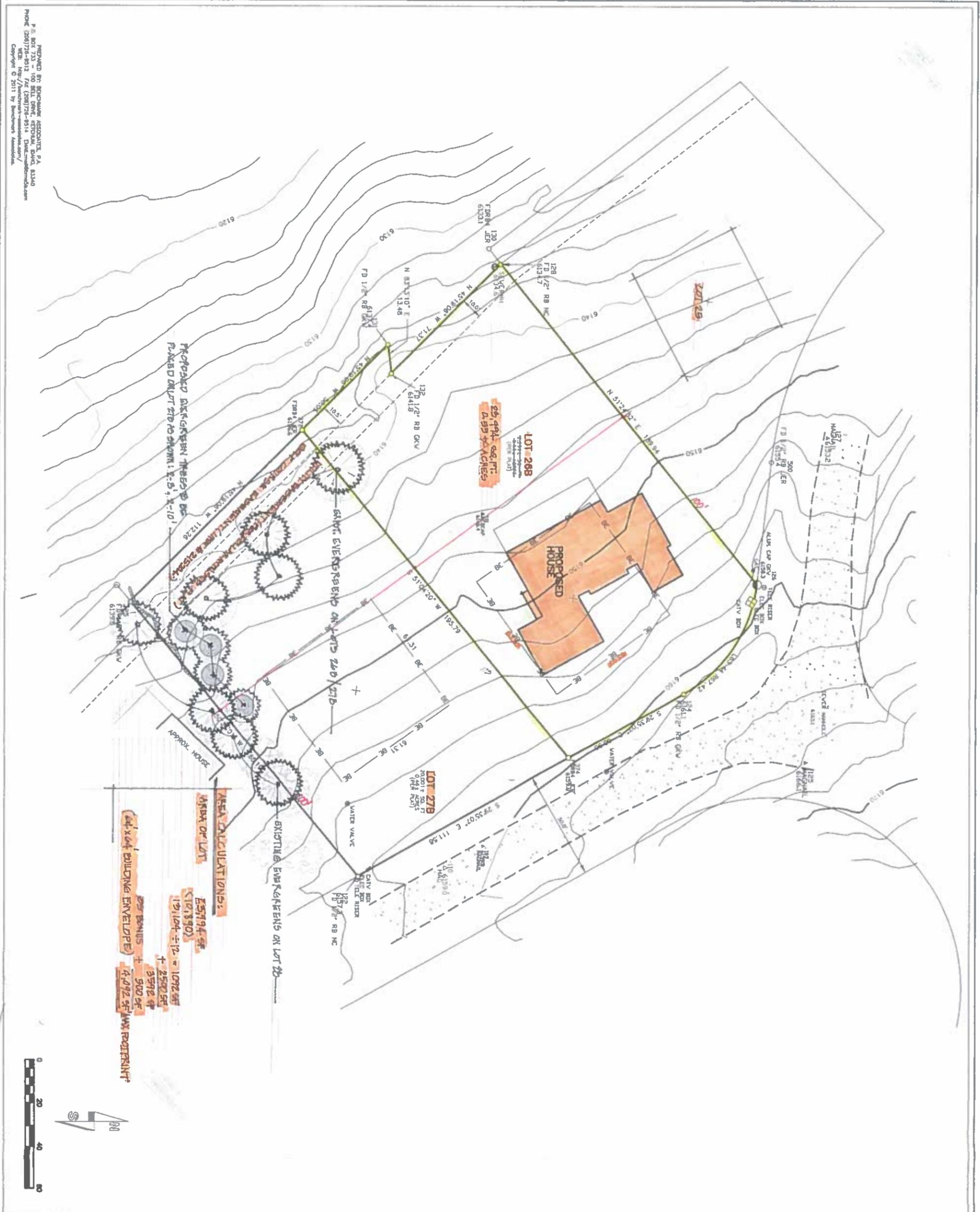
The Commission is NOT being requested to review the actual project today – and in fact no review can commence – as there are no submittal materials nor are there formal findings to be made.

ALTERNATIVE ACTIONS: Uphold the Director’s determination; overturn the Director’s determination.

APPEALS: Any party with standing may appeal the determination of the Commission within ten days of the action.

ATTACHMENTS:

1. DR2011-15 Site Plan
2. Owners’ Curative Planting Submittal
3. Appellants’ Letter and Images



AREA CALCULATIONS:

AREA OF LOT 266: 110,190 SF

AREA OF LOT 278: 121,104 SF

AREA OF LOT 266 + LOT 278: 231,294 SF

AREA OF LOT 266 + LOT 278 + 10% BONUS: 254,423 SF

AREA OF LOT 266 + LOT 278 + 10% BONUS + 300 SF: 254,723 SF

AREA OF LOT 266 + LOT 278 + 10% BONUS + 300 SF + 4,072 SF MAX PROTRUSION: 258,795 SF

PROPOSED DISCREPANCY BETWEEN THESE 2 PARCELS MUST BE RESOLVED BY THE PARTIES TO THIS SURVEY: 1'-0", 1'-10"

- LEGEND**
- BOUNDARY LINE
 - EASEMENT LINE
 - EDGE OF PAVEMENT
 - BUILDING ENVELOPE (PER PLAN)
 - BE - 1/2" REBAR
 - FOUND 1/2" REBAR
 - FOUND ALUMINUM CAP
 - EXPOSED TREE
 - RELOCATED TREE
 - BUSH
- NOTES**
1. THE PURPOSE OF THIS MAP IS TO SHOW LIMITED TOPOGRAPHICAL INFORMATION AS IT EXISTS ON THE DATE THE FIELD SURVEY WAS CONDUCTED. CHANGES THAT MAY OCCUR TO THE SURVEY SINCE THE DATE OF THE SURVEY ARE NOT SHOWN ON THIS MAP.
 2. THIS MAP WAS PREPARED FOR THE EXPRESS USE OF THE CLIENT AND IS NOT TRANSFERABLE TO OTHERS WITHOUT WRITTEN CONSENT.
 3. A TITLE POLICY HAS NOT BEEN SUBMITTED TO BENCHMARK ASSOCIATES, INC. FOR REVIEW. BENCHMARK ASSOCIATES, INC. MAY CONTACT THE CLIENT WITH ANY INFORMATION THAT MAY AFFECT THIS SURVEY. IT IS THE RESPONSIBILITY OF THE OWNER OR AGENT TO REQUEST OR FURNISH SAID INFORMATION.
 4. CERTAIN ENCUMBRANCES AND RESTRICTIONS, SUCH AS EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS, ARE NOT SHOWN ON THIS MAP. IT IS RECOMMENDED THAT SAID ENCUMBRANCES BE REVIEWED PRIOR TO DESIGN.
 5. GENERAL RESTRICTIONS: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS MAP, THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS DESIGNED AND FOR WHICH IT WAS INTENDED.
 6. ESTATE: EASEMENTS, OTHER THAN THOSE SHOWN OR LISTED HEREON, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING, WETLANDS OR ANY OTHER LAND-USE RESTRICTIONS ARE NOT SHOWN ON THIS MAP.
 7. STORMWATER PLAN: IF SOIL DISTURBANCE, CLEARING, GRADING AND/OR EXCAVATION OF ONE (1) ACRE OR MORE IS TO TAKE PLACE A POLLUTION PREVENTION PLAN (SWPPP) MUST BE PREPARED AND APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY PRIOR TO ANY CONSTRUCTION ACTIVITIES.
 8. BASIS OF BEARINGS IS PER THE REPAIR OF DOLLAR MOUNTAIN SUBDIVISION LOTS 26 & 27 PER INSTRUMENT NO. 380011 BOUNDARY LINES AND CERTAIN EASEMENTS SHOWN HEREON ARE PER SAID REPAIR RECORDING THIS PROPER COAST'S FOR CONVEYANCES AND/OR INSTRUCTIONS REGARDING THIS PROPER COAST'S FOR CONVEYANCES AND/OR INSTRUCTIONS.
 9. ELEVATIONS BASED ON NAVD 83 (GEOID) DATA.
 10. UTILITIES AND DRAIN PIPES SHOWN HEREON ARE PER SURFACE EVIDENCE ONLY. OTHER UNDERGROUND UTILITIES MAY EXIST. LOCATION OF UNDERGROUND UTILITIES AND SERVICES SHOULD BE CONFIRMED BY SPRINKLER HEADS AND IRRIGATION LINES ARE NOT SHOWN HEREON.
 11. CONTOUR INTERVAL: 2'

DOLLAR MOUNTAIN SUBD.

LOTS 266 & 278

LOCATED WITHIN SECTION 17 TOWNSHIP 4 NORTH, RANGE 18 EAST, B.M. CITY OF SUN VALLEY BLAINE COUNTY IDAHO

PREPARED FOR: JOHN TRUBIER

PROJECT NO. 13002 DWG. BY: DMS/CPK DATE: 10/23/2013

FILE: 13002TOP.DWG SHEET 1 OF 1

PREPARED BY BENCHMARK ASSOCIATES, P.A.
 200 S. 1000 E. SUITE 100, IDAHO FALLS, IDAHO 83401
 PHONE: (208) 746-1111 FAX: (208) 746-1112
 WEBSITE: <http://www.benchmark-associates.com/>
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105 Skyline Drive
Sun Valley, Idaho 83353

June 13, 2016

Mr. Jae Hill
Community Development Director
City of Sun Valley
P.O. Box 416
Sun Valley, Idaho 83353

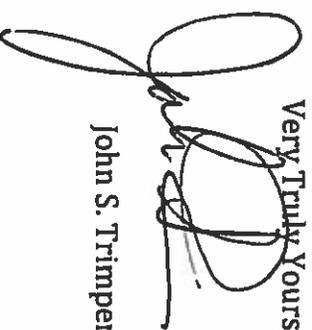
RE: Skyline Drive, Lot 26B & 27B

Dear Mr. Hill,

This is to inform you that we are taking action to rectify and cure the violation of Design Review Approval #DRR2011-15 referenced in Stop Work Order NO. 2013-01 dated July 26, 2013. We were cited for the unauthorized removal of trees. At that time, we removed a number of evergreen trees from our property that were diseased with a scale. We did not obtain approval before removing the evergreen trees.

We apologize and seek to cure this violation by restoring four of the evergreen trees that were diseased. We are restoring the trees now that construction related equipment and materials have been cleared from the property. Attached is a diagram for the restored trees. In addition, we attach a photograph of the trees prior to the removal.

Please advise if you have any questions. Again, we apologize for removing the tress.

Very Truly Yours,

John S. Trimper

STOP WORK ORDER

DO NOT REMOVE THIS NOTICE!

**THIS IS A FORMAL WRITTEN NOTICE OF VIOLATION BY
THE CITY OF SUN VALLEY.**

BY ORDER OF THE CITY OF SUN VALLEY BUILDING OFFICIAL, THE CITY CODE OF SUN VALLEY AND SECTION 114 OF THE 2009 INTERNATIONAL BUILDING CODE, ANY FURTHER WORK ON THIS JOB IS PROHIBITED BY LAW UNTIL THE VIOLATIONS NOTED ARE CORRECTED.

- | | |
|---|--|
| <input checked="" type="checkbox"/> WORK WITHOUT A PERMIT | <input type="checkbox"/> PLUMBING |
| <input type="checkbox"/> OCCUPANCY | <input type="checkbox"/> ELECTRICAL |
| <input checked="" type="checkbox"/> CITY CODE | <input type="checkbox"/> FUEL GAS CODE |
| <input type="checkbox"/> FIRE CODE | <input type="checkbox"/> MECHANICAL CODE |
| <input checked="" type="checkbox"/> OTHER <u>Violation of Design Review Approval #DR2011-15</u> | |

PENALTIES WILL APPLY PER SECTION 8-1-2 OF THE SUN VALLEY CITY CODE AS NOTED FROM THE DATE SHOWN BELOW.

DATE: July 26, 2013 ADDRESS: 105 Skyline Drive, Lot 26B & 27B

SIGNED: Mark Hoffman

CONTACT DEPARTMENT OF COMMUNITY DEVELOPMENT SUN VALLEY 622-4438 EXT. 11

NO. 2013-01

Clear

To 202 Fairway Rd

Share

- Drive
- Walk
- Apps



1 minute - 0.1 miles -- New Villagers Rd

Start



101 Skyline Drive
Sun Valley, Idaho-83353
(208) 622-3322

July 11, 2016

Mr. Jae Hill
Community Development Director
Sun Valley, ID 83353

Dear Mr. Hill,

We ask the appeal of the Director's determination that the evergreens planted on the SE corner (of Lot 26B) are not curative of the Stop work Order (NO. 2013-01 of July 26, 2013) and the planting placement of these trees should have been reviewed through Design Review.

Thank you for your consideration.

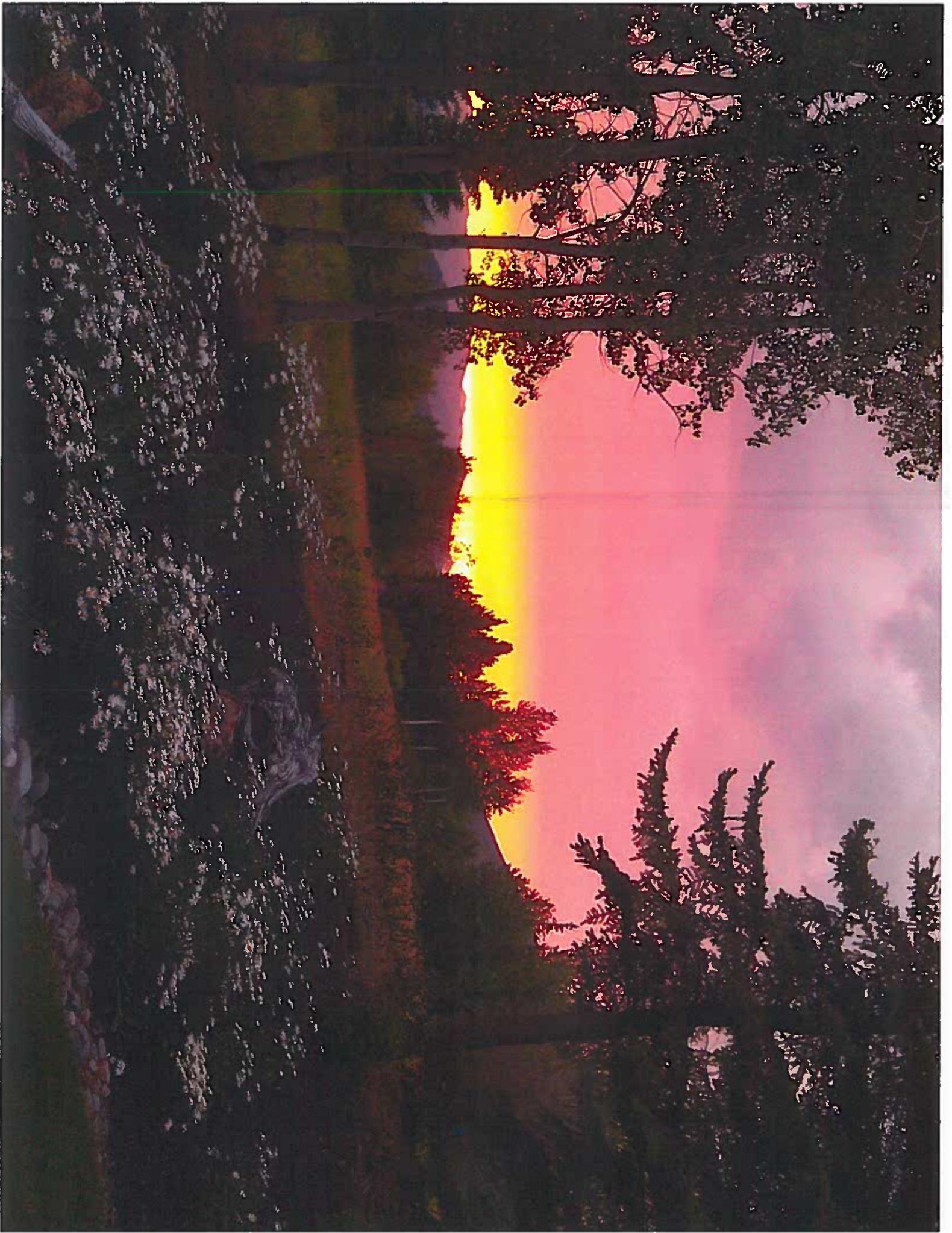
Respectfully submitted,



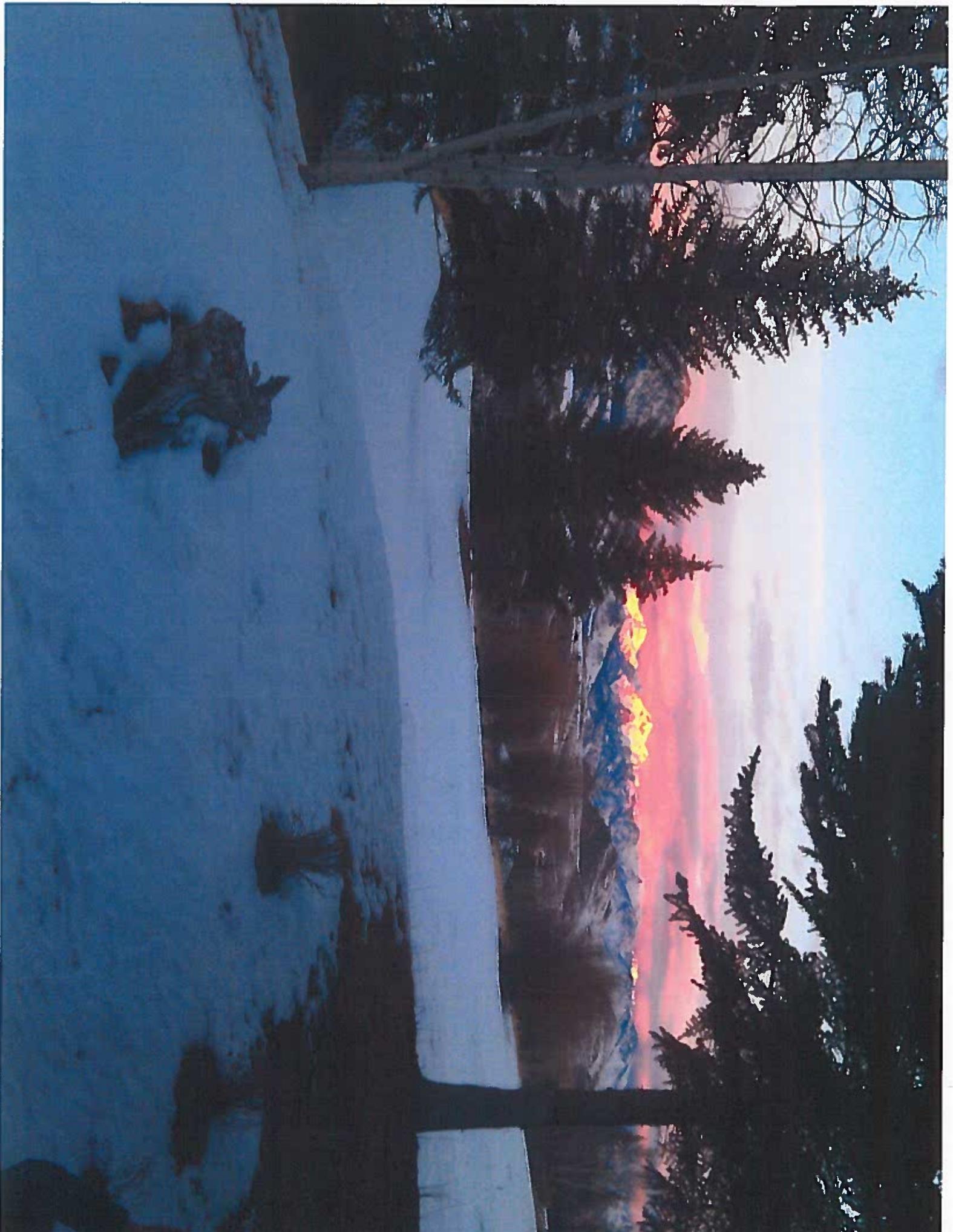
John A. Carson



Marlis C. Carson







Clemens Associates LLC
PO Box 755, 110 5th St., Ste 103
Ketchum, Idaho 83340

Mr. Jae Hill
Community Development Director
City of Sun Valley
PO Box 416
Sun Valley, Idaho 83353

Dear Mr. Hill,

My clients, Diane and John Trimper, requested that I describe my involvement regarding the removal and replacement of spruce trees on their property at 103 Skyline Drive (Lot 27B in Dollar Mountain Subdivision). The following is a short version of what took place.

In 2013, I observed that approximately twenty (20) evergreen trees on their Lot 27B were badly diseased with scale. I recommended that the Trimper's remove the diseased trees before the scale spread to other evergreen trees on Lot 27B as well as to other evergreens on their Lot 26B where their new home is located or Lot 28 where their neighbors, the Carsons, are located.

The Trimpers planned to begin replacing evergreen trees that were removed on Lot 27B when construction on their adjoining Lot 26B was complete.

I have attached a copy of my services where I billed the Trimper's for preliminary work that I did leading up to the replacement planting of four (4) evergreens that were removed on Lot 27B back when we took out the diseased trees mentioned above.

The Trimper's began by replacing four (4) of the evergreens which seemed to be aesthetically pleasing and that would provide both the Carson's and the Trimper's with a modest degree of privacy or screening between Trimper's Lots 26B and 27B and Carson's Lot 28 when viewing the Carson residence, bedroom window and hot tub complex.

It should be noted that before the diseased trees were all removed in July 2013, there was a reasonably dense wall of large and small trees on Lot 27B that helped screen the view of the Carson bedroom and hot tub complex on their Lot 28 from adjacent lots 26B and 27B.

Very Truly Yours,



Doug Clemens,
Clemens Associates, LLC

13 JULY 2016
TRIMPER PROJECT

THIS LETTER OUTLINES THE WORK DONE AND THE TIME SPENT BY CLEMENS WORKING ON TREE REPLACEMENT ON TRIMPER'S LOT 27B IN BETWEEN LOT 26B AND LOT 28 IN THE DOLLAR MOUNTAIN SUB. THE NEW TREES ARE ADJACENT TO THE 5TH FAIRWAY OF THE ELKHORN/SUN VALLEY GOLF COURSE.

THIS BILLING INCLUDES WORK DONE TO PREPARE A DRAWING THAT SHOWS WHERE EVERGREEN TREES WERE ORIGINALLY LOCATED ON LOT 27B BEFORE THEY WERE REMOVED BECAUSE THEY WERE COVERED WITH SCALE AND WERE EITHER STRUGGLING OR DYING.

AS YOU KNOW, A SINCERE EFFORT WAS MADE TO LOCATE THE NEW TREES IN THE SAME AREA AND LOCATIONS AS THE TREES THAT WERE REMOVED FOR THE REASONS OUTLINED ABOVE.

THE 4 TREES WE SELECTED CAME FROM THE DAWSON-WHITEHEAD TREE NURSERY LOCATED SOUTH OF BELLEVUE BY THE GUN CLUB AND WERE HEALTHY AND DISEASE-FREE SPECIMENS.

WE PLANTED THOSE 4 EVERGREENS ON LOT 27B AS CLOSE AS WE COULD DETERMINE TO WHERE THE ORIGINAL TREES WERE THAT WERE REMOVED. WE USED MAPPING FROM THE ENGINEERS AND ALSO INVOLVED SOME GOOGLE MAPPING TO GET THE NEW TREES AS CLOSE AS WE COULD TO THE LOCATION OF THE TREES THAT WERE TAKEN OUT.

****IN ADDITION TO PLANTING THE NEW EVERGREENS, WHITEHEAD'S CREW ALSO INSTALLED TEMPORARY DRIP LINES TO KEEP THE NEW TREES HEALTHY UNTIL SOMEONE BUILT ON THE LOT AND PERMANENT IRRIGATION COULD BE INSTALLED.

AND IN ADDITION, WE REJUVENATED THE ORIGINAL DRIP LINES UNDER THE EXISTING EVERGREENS ALONG WEST BOUNDARY OF LOT27B TO KEEP THOSE TREES HEALTHY.

WE'RE NOT SURE HOW IT CAME ABOUT, BUT SOMEONE APPARENTLY TOOK IT UPON THEMSELVES TO TRIP THOSE EXISTING TREES UP TO ABOUT 8 FEET FROM THE GROUND OR SO. NEW OWNERS MAY WANT TO PLANT SOME ADDITIONAL SCREENING MATERIAL BETWEEN THOSE TREES TO COMPENSATE FOR THE TREES THAT WERE TRIMMED UP SO FAR.

TIME SPENT:

- 1) **3.5 HOURS DECIPHERING PHOTOGRAPHS, RUNNING ADDITIONAL PRINTS OF ENGINEER'S DRAWINGS SHOWING TREES BEFORE THEY WERE CUT DOWN AND PULLING UP GOOGLE MAPS TO MAKE SURE WE WERE LOCATING THE REPLACEMENT TREES AS CLOSE AS POSSIBLE TO WHERE THE ORIGINAL TREES WERE LOCATED. MAKE FINAL PRINTS FOR USE IN THE FIELD AND AT THE CITY IF IT EVER BECOMES AN ISSUE WITH NEIGHBOR.**

- 2) **1.5 HOURS TO FINISH THE DRAWING THAT COULD BE SUBMITTED TO THE CITY OF SUN VALLEY PLANNING & ZONING IF REQUIRED.**

- 3) **1.5 HOURS and 50 MILE ROUND-TRIP DOWN AND BACK TO THE TREE FARM TO SELECT FOUR EVERGREEN TREES TO REPLACE THE TREES IN THE LOWER SW CORNER OF LOT 27B.**

- 4) **.5 HOUR WITH OWNERS TO STAKE AND OK THE LOCATION OF THE 4 NEW TREES BEFORE WHITEHEAD COMES IN TO PLANT**

- 5) **1.5 HOURS COORDINATION CALLS AND ON-SITE MEETINGS WITH JAYNA, THE WHITEHEAD NURSERY COORDINATOR, TO GET DELIVERY AND TREE PLANTING DONE AS QUICKLY AS POSSIBLE AND THE INSTALLATION AND CONNECTION OF ALL NEW DRIPLINES TO THE NEW TREES AS WELL AS REPAIR AND ACTIVATE ALL THE EXISTING (NON-WORKING) DRIPS AT THE EXISTING EVERGREENS THAT ARE MORE OR LESS ADJACENT TO THE GOLF COURSE. (that would be the trees that were trimmed up to 8'+).**

- 6) **1 HOUR ON-SITE AND IN THE HOUSE CHECKING VIEW LINES FROM THE OUTSIDE TERRACE AND THE KITCHEN AREA WITH THE OWNERS. OK CALL AND MEET WITH JAYNA REGARDING SOME FINAL CLEANUP AND IRRIGATION ISSUES. UPDATE HER WITH SOME SMALL CONCERNS.**

- 7) **REVIEW CONDITION OF EXISTING PLANTINGS AROUND THE HOUSE WITH JAYNA. DISCUSSED TREES, LAWNS AND GENERAL GRASS MAINTENANCE. ALSO DISCUSSED SOME SORT OF SOLUTION FOR PLANTING THE BARE AREAS ON EITHER SIDE OF THE FRONT ENTRY. SPENT SOME TIME AT OFFICE ON GOOGLE LOOKING FOR POTS, CONTAINERS AND/OR SOMETHING THAT WE COULD ADAPT TO USING ON EITHER SIDE OF THE ENTRY. NO CHARGE**

9 HRS TOTAL TIME

50 MILES TO WHITEHEAD NURSERY SOUTH OF BELLEVUE PICK TREES

NO CHARGE FOR JOB MILES IN KETCHUM

ARTICLE A. DESIGN REVIEW REGULATIONS

-3A-1: PURPOSE:

The purpose of the design review standards is to ensure that development is designed and built in a manner that is context sensitive, complementary to adjacent property, protects the natural landscape, is of high design quality, and is compatible with the character and scale of the neighborhood. These standards are intended to prohibit buildings and related improvements that significantly impact the natural, scenic character and aesthetic value of hillsides, ridges, ridgelines, ridge tops, knolls, saddles, and summits in the city. (Ord. 382, 10-25-2006)

-3A-2: APPLICABILITY:

These standards shall apply to:

1. Driveways, streets or trails;
2. Excavation or land alteration;
3. Any new building or structure;
4. Other improvements including, but not limited to, decks over thirty inches (30"), fences, walls, landscaping, and lighting;
5. Commercial, multi-tenant, or directional signs;
6. Substantial demolition of significant principal structures or facilities, as determined by the director; and
7. Any addition or alteration to the exterior of any existing building, structure, or other related improvement as described above.

No construction shall commence on any new building, structure, related improvement, or sign nor on any addition or alteration to the exterior of any existing building, structure, related improvement, or sign until the commission or its designee has approved the design review application for the proposed improvement. No application shall be considered for review until it is certified complete by the director or his/her authorized staff in accordance with chapter 5 of this title. (Ord. 382, 10-25-2006)

Landscaping Quality:

1. Landscaping provides relief from and screens building surface areas and street frontage. "Landscaping" is defined as trees, shrubs, planters, hanging plants, ground cover, and other living vegetation.
2. Landscape materials and vegetation types and sizes specified are appropriate and readily adaptable to the microclimate and soil conditions of the project location. Native drought resistant and winter hardy plant materials are encouraged.
3. Existing trees, shrub masses, and important landscape features are preserved where reasonable. The removal of trees, shrubs, and nonhazardous plant materials is generally limited to those essential for a sensitive development of the site.
4. Significant landscape buffer areas between adjacent properties, different land use zones, and between streets and off street parking lots are provided. Street trees, public courtyards and appropriate pedestrian and bicycle path linkages are encouraged. (Ord. 382, 10-25-2006)



Start



1 minute - 0.1 miles - New Villagers Rd



- Drive
- Walk
- Apps

Clear

To 202 Fairway Rd

Share

