CITY OF SUN VALLEY
PLANNING AND ZONING COMMISSION
AGENDA REPORT

To: Planning and Zoning Commission

From: MH Mark Hofman, Community Development Director

Meeting Date: November 14, 2013

Agenda Item: Sun Valley Saddle Subdivision Lot Line Shift
Plat Amendment Application No. SUBPA 2013-07

SUBJECT: Public hearing for a plat amendment application proposing to relocate a common side property line between two existing tax lots to reflect the current conditions and improvements (fencing and landscaping) on the properties. No new lots will be formed. Applicant: Bruce Smith, PLS Alpine Enterprises Inc. for Portage Bay Partners, LLC and Robyn Rogers Trust. Application Filing Date: October 11, 2013. Location: 106 and 108 Saddle Road; Tax Lots 3523 and 3524.

BACKGROUND: The project area consists of one developed single family residential lot (Tax Lot 3523) and one undeveloped lot (Tax Lot 3524) lying on the north side of Saddle Road. Both lots are zoned Single-Family Residential (RS-1). A Vicinity Map showing Tax Lots 3523 and 3524 and surrounding development is attached as **Exhibit "PZ-D"**. The adjoining lots front and gain access directly from Saddle Road. Adjacent residential lots to the north, south, east and west are developed with existing single family structures and related site improvements. Existing Tax Lot 3523 is developed with an existing two-story, single family dwelling and associated site improvements. The amendment application proposes to add a westerly portion of Tax Lot 3524 to adjacent Tax Lot 3523 to reflect the existing fence line. The fence currently sits on Tax Lot 3524. No recorded building envelopes exist for either of the two subject lots. The lot line shift is fully depicted on the attached Plat Amendment Exhibit (**Exhibit "PZ-E"**).

ANALYSIS: The Plat Amendment application consists of an easterly relocation of the side property line common between the two subject lots. The lot line shift will result in a larger Lot 1 and a smaller Lot 2 of a new Sun Valley Saddle Subdivision. Existing Tax Lot 3523 is 32,733 square feet (0.75 acres) and existing Tax Lot 3524 is 23,913 square feet (0.55 acres) in lot size. The amendment adds 1,191 square feet to Tax Lot 3523. New Lot 1 of the Sun Valley Saddle Subdivision will have a lot area of 33,919 square feet (0.78 acres) and new Lot 2 will have a lot area of 22,719 square feet (0.52 acres), where a 20,000 square foot minimum is required in the RS-1 Zoning District. Both lots will remain in conformance with minimum lot size requirements. The lot line adjustment will reconfigure the shared property line to reflect existing fencing and landscaping improvements on the properties (see **attached Exhibit "PZ-C"**). Each resulting Lot will remain consistent with existing developed residential lots across the Saddle Road right-of-way and also along nearby Saddle Lane.

The completed review of the application and supporting materials by the Community Development Department and the City's contract Engineer, CH2MHill (**Exhibit "PZ-B"**) finds no unresolved issues, code conflicts or fatal flaws in the plat amendment nor any needed Fire Department comments or conditions. The public hearing was properly noticed in accordance to Development Code regulations and no comments or questions from the public have been received by the City as of the release of this Report.

Alternative Actions- Alternative actions available to the Commission include: (1) make the required findings and adopt the attached draft Findings of Fact and Conclusions of Law recommending approval of the plat amendment to the City Council; (2) Continue the hearing for further information and review; or (3) Close the public hearing, discuss the findings, vote to recommend denial of the plat amendment application and direct staff to return on a date certain with a resolution of denial reflecting the comments and findings of the Commission.

RECOMMENDATION: Before public comment is received, the Commission should disclose all information and contacts received outside the hearing on this item upon which the decision will be based, receive public testimony, and consider the facts and findings necessary to make a recommendation on the plat amendment to the City Council. The Community Development Director recommends approval of the plat amendment application subject to the Conditions of Approval contained in the attached draft Findings of Fact (**Exhibit "PZ-A"**).

LIST OF ATTACHED EXHIBITS:

Exhibit "PZ-A"	Draft Findings of Fact, Conclusions of Law and Decision for Plat Amendment Application No. SUBPA 2013-07.
Exhibit "PZ-B"	CH2MHill review and comment letter dated November 1, 2013 from Betsy Roberts and Jennifer Bass.
Exhibit "PZ-C"	Cover letter from the applicant for the plat amendment application, stamped received by the City of Sun Valley on October 11, 2013 and consisting of one (1) 8.5" by 11" sheet.
Exhibit "PZ-D"	Vicinity Map showing Tax Lots 3523 and 3524, Sun Valley, Idaho, stamped received by the City of Sun Valley on October 11, 2013 and consisting of one (1) color 8.5" by 11" sheet.
Exhibit "PZ-E"	Reduced 11" by 17" Plat Amendment Exhibit forming Lots 1 and 2 of the Sun Valley Saddle Subdivision, dated received by the City of Sun Valley on October 25, 2013.

** The entire administrative record for this Plat Amendment application is available for review in the Community Development Department at City Hall.

EXHIBIT "PZ-A"

(DRAFT) SUN VALLEY
PLANNING AND ZONING COMMISSION

PLAT AMENDMENT	)	**FINDINGS OF FACT/CONCLUSIONS**
TAX LOTS 3523 AND 3524	)	**OF LAW, DECISION**
106 AND 108 SADDLE ROAD	)	**AND CONDITIONS**
SUN VALLEY SADDLE SUBDIVISION	)	
APPLICATION NO. SUBPA 2013-07	)	

This matter came before the Sun Valley Planning and Zoning Commission for consideration on November 14, 2013 as a duly noticed public hearing to relocate a common side property line between two existing tax lots to reflect the current conditions and improvements (fencing and landscaping) on the properties. No new lots will be formed. The Commission conducted a properly noticed public hearing, reviewed the Agenda Report and heard the comments of City staff, the applicant's representatives and the public. Additionally, the Commission reviewed the approval recommendation document with suggested Findings of Fact, Conclusions of Law, and Conditions of Approval recommended by the Community Development Director. Based on the evidence presented, the Commission hereby recommends approval of the proposed plat amendment to the City Council with the following Findings of Fact and Conclusions of Law and subject to specific conditions of approval.

FINDINGS OF FACT/CONCLUSIONS OF LAW

1. The applicant is Bruce Smith, PLS Alpine Enterprises Inc. for Portage Bay Partners, LLC and Robyn Rogers Trust. The project area consists of one developed single family residential lot (Tax Lot 3523) and one undeveloped lot (Tax Lot 3524) lying on the north side of Saddle Road. Both lots are zoned Single-Family Residential (RS-1). The adjoining lots front and gain access directly from Saddle Road. Adjacent residential lots to the north, south, east and west are developed with existing single family structures and related site improvements. Existing Tax Lot 3523 is developed with an existing two-story, single family dwelling and associated site improvements. The amendment application proposes to add a westerly portion of Tax Lot 3524 to adjacent Tax Lot 3523 to reflect the existing fence line. The fence currently sits on Tax Lot 3524. No recorded building envelopes exist for either of the two subject lots.

2. The Plat Amendment application consists of an easterly relocation of the side property line common between the two subject lots. The lot line shift will result in a larger Lot 1 and a smaller Lot 2 of a new Sun Valley Saddle Subdivision. Existing Tax Lot 3523 is 32,733 square feet (0.75 acres) and existing Tax Lot 3524 is 23,913 square feet (0.55 acres) in lot size. The amendment adds 1,191 square feet to Tax Lot 3523. New Lot 1 of the Sun Valley Saddle Subdivision will have a lot area of 33,919 square feet (0.78 acres) and new Lot 2 will have a lot area of 22,719 square feet (0.52 acres), where a 20,000 square foot minimum is required in the RS-1 Zoning District. Both lots will remain in conformance with minimum lot size requirements. The lot line adjustment will reconfigure the shared property line to reflect existing fencing and landscaping improvements on the properties. Each resulting Lot will remain consistent with existing developed residential lots across the Saddle Road right-of-

way and also along nearby Saddle Lane.

3. The applicant has provided the information required for application, review, and action on a plat amendment as set forth in City of Sun Valley Municipal Code Section 9-5A-4, Required Application Information. On October 30, 2013 proper notice for the public hearing was completed by: 1.) publishing of a public notice of a public hearing in the local newspaper of record; 2.) mailed to adjacent properties within a minimum 300-foot radius; 3.) posted at Sun Valley City Hall, the Sun Valley Post Office, Elkhorn Springs Store Post Office, St. Thomas Episcopal Church and the Elkhorn Fire Station; 4.) posted on the site; 5.) electronically transmitted to all those requesting receipt of such notices; and, 6.) posted on the City's website under public notices.

4. The required findings for review of a proposed plat amendment are contained in Municipal Code Section 9-4B-1F.

5. The property line relocation application will not lower the dimensions of existing Tax Lots 3523 and 3524 below a minimum dimensional standard prescribed by Title 9, Development Code. The plat amendment will not increase or decrease the number of properties/lots and the property line shift will not change or move any public streets or publicly dedicated areas in any manner. The overall density of the project remains unchanged at one single family dwelling allowed on revised Lot 1 and one on revised Lot 2. No new building envelopes will be created on each resulting Lot and each aspect of the proposed adjustment to the property line complies with all applicable provisions of the Development Code.

6. The plat adjustment is appropriate for the design and physical location of future development. The amendment is appropriate for the single-family development because the new property line location will reflect existing site conditions and allow for development of a suitable single family dwelling on resulting Lot 2. Each Lot is determined to be buildable with a suitable single-family dwelling similar in character with the surrounding development.

7. The property line shift plat amendment is consistent with the Sun Valley Comprehensive Plan designation for Low and Medium Density Residential and does not significantly change the existing allowed land uses nor cause any conflict with the goals and policies of the Comprehensive Plan. There are no designated scenic, agricultural, recreational, or traditional sites identified for the lot by the Comprehensive Plan.

8. The plat amendment will not affect the character of the neighborhood in a materially adverse manner because the new property line location is consistent with the existing layout of the development and improvements on the site. The property line shift is minor and, once recorded, the plat modification will appear as though designed as part of the original development.

9. The side property line shift does not involve or alter any area used for access to the overall neighborhood nor any associated or adjacent public or private access or parking areas. The new Lot 1 and Lot 2 Sun Valley Saddle Subdivision configuration is consistent with all applicable easements and rights of way and with the original design of the access, traffic, circulation, and parking areas of the development.

DECISION

Therefore, based upon the foregoing Findings of Fact/Conclusions of Law, the Sun Valley Planning and Zoning Commission hereby recommends approval of the plat amendment to the City Council to relocate the common side property line between existing Tax Lots 3523 and 3524, according to the plat amendment map, supporting plans, and documents submitted as part of the development application, subject to the following specific conditions of approval.

CONDITIONS OF APPROVAL

1. The action by the Planning and Zoning Commission on the plat amendment is a recommendation only and requires final action by the City Council at a noticed public hearing. The plat amendment and all aspects of the project design shall conform to the project drawings stamped received by the City of Sun Valley on October 25, 2013 and reviewed by the Planning and Zoning Commission on November 14, 2013.

2. Upon approval of the plat amendment by the City Council to relocate the common side property line between existing Tax Lots 3523 and 3524, the applicant shall record the plat with the Office of the County Recorder and provide a copy of the recorded document to the Community Development Director. This plat amendment approval shall expire three hundred sixty five (365) days from the date of approval unless extended pursuant to Code Section 9-5A-9.

Dated this 14th day of November, 2013.

_____
Ken Herich, Chairman
Planning and Zoning Commission
City of Sun Valley

_____
Date Findings of Fact Signed

EXHIBIT "PZ-B"

MEMORANDUM

CH2MHILL

Preliminary Plat: Sun Valley Saddle Subdivision

TO: Mark Hofman

COPIES: Bill Whitesell

Bruce Smith, Alpine Enterprises Inc.

FROM: Betsy Roberts

Jennifer Bass

DATE: November 1, 2013

This memo updates the previous Preliminary Plat Memo dated October 21, 2013. We have reviewed the Preliminary Plat sheet, closure reports, and application information for Sun Valley Saddle Subdivision. This document meets the intent of a preliminary plat submittal and we find no fatal flaws.

We appreciate the effort that has been made by Alpine Enterprises Inc to update the items listed on the previous preliminary plat memo. We understand that these tax lots have not been previously filed as a subdivision and this application is a unique submittal. We have the following general observations for this project at this time however these are not all inclusive:

1. Final Plat shall indicate initial point, sanitary restrictions, and a certification sheet (with a spot for both land owners' signatures).
2. Before the final plat is recommended for approval, we would like to go over some questions about the closure report. This has no bearing on the preliminary plat submittal recommendation for approval.

Attachment: Sun Valley Saddle Subdivision Preliminary Plat Table, Dated November 1, 2013

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CITY OF SUN VALLEY
PRELIMINARY PLAT CHECK LIST TABLE

For: Alpine Enterprises Inc.

1	**Subdivision Name:**	Sun Valley Saddle Subdivision
2	**Reviewer:**	Jennifer Bass
3	**Date:**	November 1, 2013
4	**Sheet Title and Preamble:**	A Preliminary Plat Showing: Sun Valley Saddle Subdivision, within S7, T4N, R18E, B.M., City of Sun Valley, Blaine County, Idaho. Prepared for Portage Bay Partners LLC & Robyn Rogers Revocable Trust
5	**Basis of Bearing:**	Referenced in Note 1.
6	**North Arrow:**	OK
7	**Scale and Legend:**	OK
8	**Plat Closure:**	Received
9	**Total Area:**	Individual lot area shown.
10	**Monuments:**	OK
11	**Land Corners:**	OK
12	**Initial Point:**	Shall be shown on Final Plat
13	**Street Names & Width:**	N/A
14	**Easements:**	15′ Public Utility Easement along southern boundary of subdivision. Existing public utilities appear to be located within the pathway and road right-of-way south of the subdivision.
15	**Lot & Block Numbers:**	OK, no block numbers shown.
16	**Lot Dimensions:**	OK
17	**Curve & Line Tables:**	N/A
18	**Certifications:**	Shall be included with Final Plat
19	**Certificate of Owner:**	Shall be included on Final Plat
20	**Certificate of Surveyor:**	Shall be included on Final Plat
21	**Sanitary Restriction/Health Certificate:**	Shall be included on Final Plat
22	**Agency Approvals:**	Shall be included on Final Plat
23	**Public Dedication:**	N/A
24	**Common Areas:**	N/A

Notes: Final Plat shall indicate initial point, sanitary restrictions, and a certification sheet (with a spot for both land owners' signatures). See Memo for additional comments.

EXHIBIT "P2-C"

ALPINE ENTERPRISES INC.

Surveying, Mapping, GPS, GIS and Natural Hazards Consulting

RECEIVED
OCT 11 2013
CITY OF SUN VALLEY
COMMUNITY DEVELOPMENT DEPT

DATE: September 26, 2013

TO: City of Sun Valley
Planning and Zoning Dept.
Sun Valley, ID 83353

RE: Cover Letter for Sun Valley Saddle Subdivision

Dear City;

Please consider this to be a cover letter to go with the Application Package.

The Owners are:

Current Tax Lot 3524, Portage Bay Partners LLC, PO Box 523, Medina, WA 98039

Current Tax Lot 3523, Robyn Rogers Trust, 310 W. 6th St., Tyler, TX 75701

I will act as the Authorized Representative, and have attached Authorization Letters from the Owners.

The owners of Tax Lot 3523 built a new fence around some existing spruce trees. A survey showed that the fence was not on the property line. The Rogers Trust asked Portage Bay if they could buy the strip of land to include the trees they planted and follow the new fence line. Portage Bay has agreed and we are re-platting the original Tax Lots as Lots 1 and 2 of Sun Valley Saddle Subdivision per City Code.

Please feel free to contact me if you have any questions, comments or we can be of further assistance.

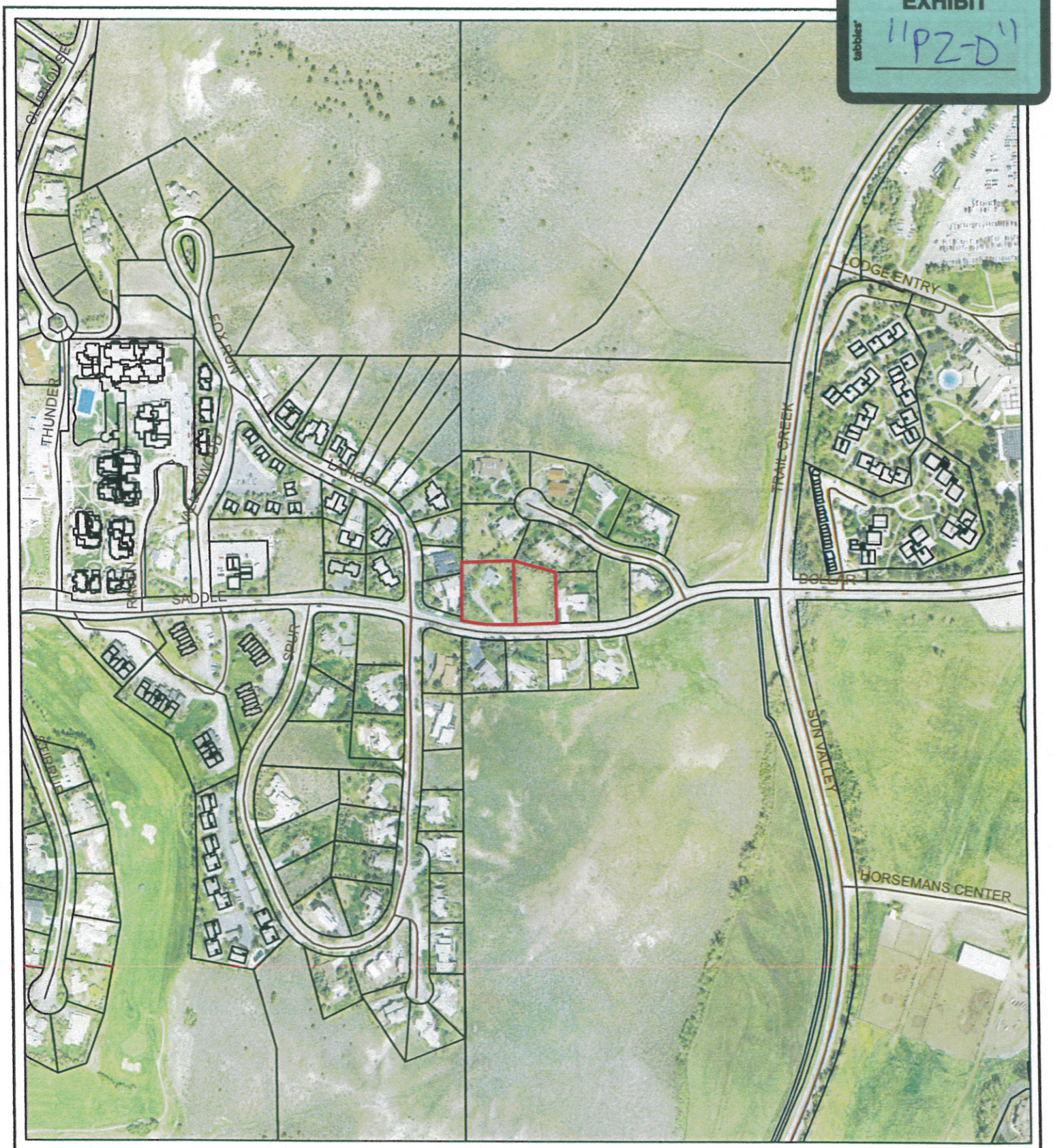
Respectfully submitted,

Bruce Smith, PLS

1243_CoverLetter.docx

P.O. Box 2037, 280 Rivers St. East, Lower Level, Ketchum, ID 83340 208-727-1988 fax: 208-727-1987 e-mail: bsmith@alpineenterprisesinc.com

EXHIBIT "PZ-D"



Subject

Other Parcels

0 400 800 Feet

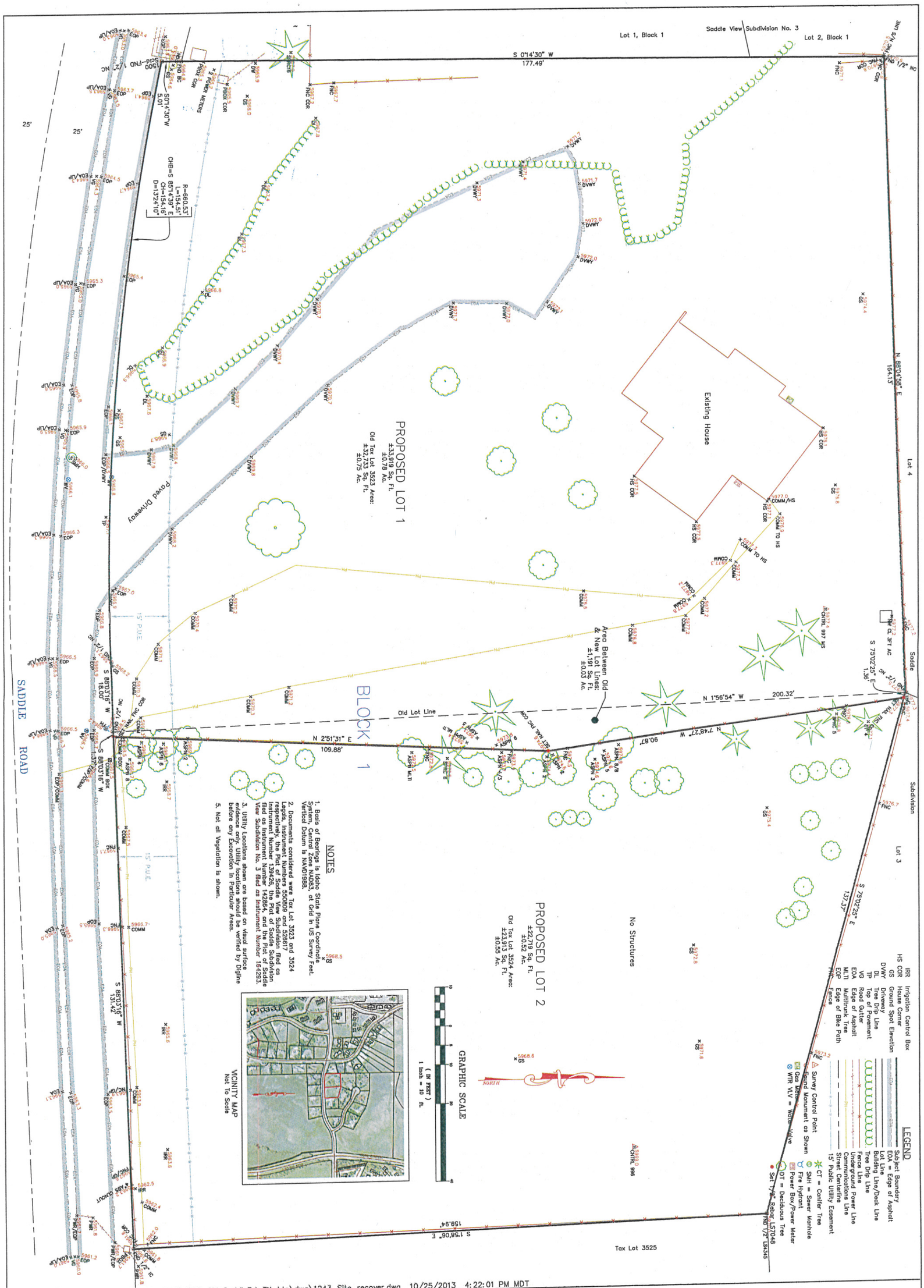
A Vicinity Map Showing
Tax Lots 3523 & 3524, Sun Valley, ID

Alpine Enterprises Inc.
PO Box 2037
280 Rivers St. East
Ketchum, ID 83340
208-727-1988

September 2013

RECEIVED
OCT 11 2013
CITY OF SUN VALLEY
COMMUNITY DEVELOPMENT DEPT

SUB PA 2013-07



PROJECT PATH AND PRINT DATE U:\LandProjects2004\1243_SV_SaddleRd_TX-Lts\dwg\1243_Site_recover.dwg 10/25/2013 4:22:01 PM MDT

REVISIONS	NO	DATE	BY

Sheet 1 of 1

Alpine Enterprises Inc.
Surveying, Mapping, and Natural Hazards Consulting
280 Rivers Street East, Lower Level
P.O. Box 2037, Ketchum, ID 83340 USA
(208) 727-1988 727-1987 fax
email: bsmith@alpineenterprisesinc.com

A PRELIMINARY PLAT SHOWING:

SUN VALLEY SADDLE SUBDIVISION

WITHIN S7, T4N, R18E, B.M., CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO

PREPARED FOR PORTAGE BAY PARTNERS LLC & ROBYN ROGERS REVOCABLE TRUST

RECEIVED
OCT 25 2013
CITY OF SUN VALLEY
COMMUNITY DEVELOPMENT DEPT

SUB PA 2013-07

EXHIBIT "PZ-E"