

**MEETING MINUTES OF THE
HAILEY HEARING EXAMINER
FRIDAY, NOVEMBER 7, 2008**

The meeting of the Hailey Hearing Examiner was opened by Hearing Examiner Jay Webb at 1:00 p.m. Staff present included Planning Director Beth Robrahn, Planner Mariel Platt, City Engineer Tom Hellen, Building Official Dave Ferguson, and Planning/Building Assistant Becky Mead.

Public Hearing

Preliminary Plat - Rimrock Cottages (Townhouse Subdivision)

Old Cutters, Inc. represented by Bruce Smith of Alpine Enterprises, Inc. submitted an application for preliminary plat approval for the subdivision of Rimrock Cottages into seven (7) townhouse sub-lots.

Bruce Smith of Alpine Enterprises represented Old Cutters, Inc. presenting the application. They will not be proceeding at this time with their second application for replat of Lot 4, Block 10, creating two (2) lots, Lot 4A and 4B. Smith stated the remainder of Lot 4, will be considered Rimrock Cottages Phase 2. The application being heard today shall be known as Rimrock Cottages Phase I. Director Robrahn asked Smith to point out on the map the two different phases. Smith explained the seven (7) townhouses will be for workforce housing, which have been spoken for. Phase two (2) will have a duplex, creating a total of nine (9) units for this subdivision. Smith stated there will be a phasing plan agreement in place before this application goes before City Council.

Smith addressed the Life/safety issue of the staff report:

- If the carport structure is less than 30 feet a 20 foot wide fire access lane is required on the east side, adjacent to the cottage development in Phase 1. If the proposed carport exceeds 30 feet, the fire lane shall be 26 feet wide. It was also mentioned that a platnote be required stating sub-lots 3, 4, and 5 shall not install fences closer than five (5) feet from the south property line of Lot 4. Smith asked John Campbell if he had a sketch which showed the approximate dimensions of what the duplexes are going to look like and said if they needed to make the fire lane 26 feet they would make it work. **John Campbell**, applicant stated he did not bring the sketch because the Fire Chief told him 20 feet was plenty and he was not anticipating moving it. Smith told Campbell before they go before City Council to have a sketch showing where the houses are going to sit.

Smith addressed Section 4.3.8.3 of the staff report which speaks of snow storage:

- Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. It was noted there are many areas of snow storage shown on the plat that are less than 10 feet in dimension. Smith explained some of their snow storage areas are only four feet wide, but they have been set up adjacent to the sidewalks for more room. He said sufficient area is provided for the snow storage, which is 25% of the hard surfaces. He said it did not seem necessary to make these 10 feet wide. Smith said he could make a plat note stating that snow storage areas can be moved around as long as sufficient area is provided.

Smith addressed Section 8.1 Plat Procedure of the staff report:

- It was noted that a draft CC&R be submitted with addresses. The City has not and will not in the future determine the enforceability or validity of townhouse declarations, party wall agreements, or other private agreements. Smith stated there will be some updated CC&Rs on how this project will be phased.

Smith addressed Section 9.4.1 Article IX of the Zoning Ordinance noted in the staff report addressing parking spaces:

- There are 10 parking spaces required and 11 have been proposed. However, the spaces under the carport measure 10 feet wide and 18 feet long. In order for these 8 spaces to be credited as parking they must be 21 feet in length. Three spaces outside of the carport meet this requirement. It is recommended as a condition of approval that the carport is extended to the east three feet or the storage space is reduced by 3 feet in length to accommodate a 3 foot extension in the length of the carport parking spaces. If the carport is shifted or extended to the east, the 20 foot access easement and fire lane shall be shifted eastward as well in proportion to the carport. Smith stated the spaces are 10 feet wide and 21 feet long and said there will be additional room on for storage at the front of each parking space for a bicycle or kayak. He stated they would pull the stripes out a little, which will not get into the 20 foot easement and fire lane. He stated how long some vehicles are and said they did not see a problem if the back bumper was not covered by the roof as long as there is room for the parking spaces before it reaches the access easement and fire line.

Planner Platt addressed Smith's comments:

- The 20 foot wide fire access lane that was approved by Chief Chapman would be sufficient unless the building adjacent to the fire lane is higher than 30 feet. If the future duplexes are to be higher than 30 feet, the fire lane would have to be extended to 26 feet in width.
- The parking carport is not higher than 30 feet so there will be no issue for the extension of the parking stripes to the fire access lane.
- There are two standards for snow storage; snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas and all snow storage areas shall not be less than 10 feet in dimension.

City Engineer Tom Hellen addressed the following issues:

- He stated there is currently a manhole along the main sewer line, going into Lot 4. . He stated this is part of the City and there will be an easement needed there for access.
- The center sewer service to sub-lot 5 crosses sub-lot 4. He said there should be a plat note, which gives Sub-lot 5 access in case something happens. He stated he did not think that this was a good idea - crossing into someone's property. He said the same thing in general can be applied to the water services that run through there too. He suggested a plat note stating an easement to the water service lines is provided to all the owners in that lot.
 - John Campbell, PO Box 986, Hailey stated all the easements would cross everyone's lots. The City Engineer explained what he had stated before.
 - Smith stated he was 99% sure the CC&Rs contained mutual reciprocal utility easements over and across all of the sub-lots and suggested they would make that statement a plat note if that would be appropriate. The City Engineer concurred, that it would be appropriate.

Building Official Dave Ferguson addressed the following issue:

- Both the Building and Residential Code require those structures that are within 5 feet of a property line to be of one-hour fire rated construction. He stated at first glance with Alpine Enterprises' survey it appears that they do comply but Alpine Enterprises has left off the covered porch, which appears on the grading plan that one or more of the structures encroach into the 5 foot setbacks. He said they would have to be fire rated of one-hour construction.
 - The Building Official pointed out on the map exactly what he was speaking about and what areas needed to be addressed.
 - Planner Platt marked on the map the two problem areas that needed to be addressed.

Planner Platt suggested continuing the application to a date certain to avoid re-noticing and the applicant can show the lot lines adjustments and the 5 foot setback from the porches. Smith preferred for this to be considered as a condition and be shown when they went before City Council. Director Robrahn stated she wanted to see this all cleaned up on the preliminary plat before it goes before City Council.

Campbell stated what changes needed to be made for clarification:

- The two sub-lot lines.
- The snow storage easements were left undecided. Director Robrahn stated the Ordinance states that snow storage areas shall have a minimum 10 foot dimension.

Planner Platt stated there are also plat note amendments requested, which address the wastewater issue and recommended condition d.), from the staff report suggests additional plat note amendments to be added to the revised plat;

- The parking stripes to be extended to the east three feet.
- The 5 foot easement clearance for the porches.

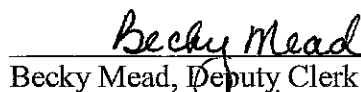
Examiner Webb moved to continue this application to a date certain of Friday, November 14, 2008 at 1:00 p.m.

Examiner Webb closed the hearing at 1:30 p.m.

Approved this 14 day of Nov, 2008.


Jay Webb, Hearing Examiner

Attest:


Becky Mead, Deputy Clerk