### McCall Area

### PLANNING AND ZONING COMMISSION

Agenda
August 4, 2020 – 4:30 p.m.
McCall Senior Center
701 1st St., McCall, ID 83638

#### **COVID-19 Announcement**

Due to McCall's commitment to stay healthy in response to the COVID-19 Emergency and ensuring that the City's Business continues, this will be both an in person and teleconference meeting. The in-person component will be held at the McCall Senior Center, the Meeting Room Occupancy Capacity is 22, and is subject to the 6-foot social distancing recommendation of Centers for Disease Control and Prevention. The Commission Members and staff who are anticipated to be in attendance is 6.

Social Distancing will be enforced.

The first 16 persons who appear will be allowed to be present in the meeting location.

All other persons may be in attendance virtually via Teleconference. Any member of the public can join the meeting by calling in as follows:

Dial 208-634-8900 when asked for the Conference ID enter: 396 931 982#

COMMISSION MEETING – Begins at 4:30 p.m.

CALL TO ORDER AND ROLL CALL

#### 1. REVIEW & APPROVAL OF MINUTES

July 7, 2020

#### 2. CONSENT AGENDA

All matters which are listed within the consent section of the agenda have been distributed to each member of the McCall Area Planning and Zoning Commission for reading and study. Items listed are considered routine by the Commission and will be enacted with one motion unless a Commissioner specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following ACTION ITEMS:

#### PUD-19-02, SUB-19-02, DR-19-15, SR-19-07

#### **Black Bear Condos Design Review Extension Request**

Amy Pemberton for Steve Wood of Titanium Partners LLC: A six-month extension request for the design review approval associated with the Black Bear Condos Planned Unit Development General Plan and Subdivision Preliminary Plat approved by City Council on June 27, 2019. The property is zoned CC - Community Commercial and is more particularly described as:

Tax parcel number 45A and 45B of McCall Acreage situate in the SE ¼ of the NW ¼ of Section 16, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **DR-19-44 Extension Request**

#### 2272 Payette Drive

Heather Susemihl for Margaret and Jeff Johnson: A six-month extension request for their Design Review Approval from November 2, 2019 per MCC 3.16.05. The property is zoned R4 – Low Density Residential and is more particularly described as:

A portion of Lot 61 and 62 of the Payette Lake Cottage Sites situate in the NW ¼ of Section 33, T19N, R3E, BM, Valley County, Idaho.

#### **ROS-20-14**

#### **401 Timbercrest Loop**

Dan Scott: A Record of Survey application to adjust the lot line between two existing lots of record resulting in two lots of record of 1.32 acres and 0.50 acres respectively. The property is zoned R4 – Low Density Residential and is more particularly described as:

Lots 1 and 2 of Block 2 of the Broken Timber Subdivision situate in the SE ¼ of the SE ¼ of Section 7, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **ROS-20-15**

#### 904 & 906 Hayes Street

Josh Beach of Sawtooth Land Surveying for David and Luane Dean: A Record of Survey application to combine two existing lots of record of 0.172 and 0.170 acres respectively resulting in one lot of 0.342 acres. The property is zoned R8 – Medium Density Residential and is more particularly described as:

Tax Lots 135 & 136 of McCall Acreage situate in the SE ¼ of the NE ¼ of Section 7, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **ROS-20-16**

#### 1311 Roosevelt Avenue

Joel Droulard for Justin Sykes: A Record of Survey application to combine two existing lots of record resulting in one lot of record of 0.168 acres in size. The property is zoned R8 – Medium Density Residential and is more particularly described as:

Lots 9 & 10, Block 16 of McCall's 1<sup>st</sup> Addition situate in Section 9, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **ROS-20-17**

#### **1207 Roosevelt Avenue**

Steven Millemann of Millemann, Pemberton and Holm LLP for Dirk and Patricia Kempthorne: A Record of Survey application to combine 5 lots and a portion of the vacated Pine Street alley resulting in one lot of 0.52 acres. The parcels are zoned R16 – High Density Residential and is more particularly described as:

Lots 18-23, Block 15 of McCall's First Addition situate in Section 9, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **ROS-20-18**

#### 1575 Bear Basin Road

Scott Maclean: A Record of Survey application to adjust the lot line between two existing lots of record of 15.683 and 5.124 acres into two parcels of 13.879 and 6.928 acres respectively. The property is zoned RR – Residential Rural and is more particularly described as:

The S ½ of Government Lot 5 and the N ½ of Government Lot 6 situate in Section 6, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **ROS-20-19**

#### 441 Allen Avenue

Joel Droulard for Frank Dykas Real Property Trust: A Record of Survey application to combine two existing lots of 0.2135 and 0.2170 respectively resulting in one 0.4305 acres lot of record. The property is zoned R4 – Low Density Residential and is more particularly described as:

Lots 66 & 67 of Evergreen Terrace 2 situate in the NE ¼ of the NE ¼ of Section 16, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### 3. NEW BUSINESS

#### CUP-20-02, DR-20-22, SH-20-02 (ACTION ITEM)

#### **Legacy Beach Station**

Nathan Stewart for the City of McCall Water Department: A Conditional Use Permit, Design Review, and Shoreline and River Environs Zone applications for the reconstruction of and addition to the City of McCall's water intake station in Legacy Park. The property is zoned CV – Civic and is more particularly described as:

Tax lot 296 of Government Lot 3 situate in Section 9, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **PUBLIC HEARING**

#### **CUP-19-13 (ACTION ITEM)**

#### 335 South Samson Trail

Elise Bitton for Pinetop Construction: An application for a Conditional Use Permit to entitle an unpermitted 3000 square foot accessory structure addition for residential storage use, bringing the total accessory structure sq. footage to approximately 6,500 sq. ft. The property is zoned R1 – Residential and is more particularly described as:

Lot 8 and Tax Number 44 in Lot 9 situate in the SW ¼ of Section 15, R3E, T18N, B.M., Valley County, Idaho.

#### **PUBLIC HEARING**

#### 4. OTHER

- Signs approved administratively
- Open Commission Seat (ACTION ITEM)

#### 5. ADJOURNMENT

American with Disabilities Act Notice: The Planning and Zoning Commission meeting room is accessible to persons with disabilities. If you need assistance, contact City Hall at 634-7142. Please allow 48 hours.

#### McCall Area

### PLANNING AND ZONING COMMISSION

Minutes
July 7, 2020 – 4:30 p.m.
McCall City Hall – Lower Level
216 East Park Street, McCall, ID 83638

Due to McCall's commitment to "flatten the curve" in response to the COVID-19 Emergency and ensuring that the City's Business continues, this meeting will be a virtual meeting. Use a phone to call 208-634-8900, when prompted enter Conference ID 159 706 586#. If there are any questions, contact Morgan Bessaw, City Planner at mbessaw@mccall.id.us or 208-634-4256.

COMMISSION MEETING – Begins at 4:30 p.m.

#### **CALL TO ORDER AND ROLL CALL**

Commissioner Krahn, Commissioner Fereday, Commissioner Cle s, Commissio Tunnell, and Commissioner Lyons were present. Commissioner Thompson w a nt. Community d E omic Development Director Michelle Groenevelt, City Planner Morgan Bess nd Permit Tec ian Rachel Santiago-Govier were also present.

#### 1. REVIEW & APPROVAL OF MINUTES

June 2, 2020

Commissioner Clements made a motio approve the  $e 2^{nd}$  min s. Commissioner Tunnell seconded the motion. All Commissi e voted aye and motion arried.

#### 2. PRELIMINARY DEVEL MENT PLAN VIEW MEETINGS

#### Pre-application 190 Krahn Lane

Jeremy Sands f Black Bear RV R rt: A Pre-application to Annex into the City Limits and to expand upon an existin se. The property ned CC – Community Commercial and is more particularly described as:

Tax parcel nu rs 57A-4 and A-6 situate in the SW ¼ of the SE ¼ of Section 16, T18N, R3E, B.M., Valley Cou daho

Mr. Sands presented the pre-application. After talks with the sewer district it seems unlikely, they will be allowed to tie into the Sewer System to expand the number of RV – full hook up spots. They are retracting the proposal to Annex. They would like to build a shop and a carport still through a CUP to expand an existing non-conforming use.

#### **Pre-application**

#### 221 Morgan Dr.

Epikos for Dwain Sanders: A pre-application for a variance application to situate a residence and a detached accessory structure within the 50 ft. setback from the Special Flood Hazard Area of the North Fork of the Payette River, as required by the Shoreline and River Environs Zone overlay. The property is zoned R8 – Medium Density Residential and is more particularly described as:

Lot 19, Block 2, Rivers Crossing Subdivision, Situate in the S1/2 of Section 17,T18N, R3E, BM, City of McCall, Valley County, Idaho.

Steve Millemann presented the application along with Lisa Beck of Epikos. The applicant owns a large estate lot in River's Crossing. They have worked with the architects for several years to design a residence and attached garage with apartment. Almost the entirety of the property is designated as a special flood hazard area. McCall Code requires a 50 ft. setback from the area of special flood hazard and the applicant would like a variance to that requirement to building within the area of special flood hazard. The residence is 218 feet from Payette River at its closest point. The Design Review committee at River's Crossing has approved the plan.

#### 3. **NEW BUSINESS**

#### DR-20-17, SR-20-06

#### 3855 Warren Wagon Road

Chad Slichter for Dave Krings: A Design Review and Scenic eview app ion to construct a 3,260 square foot residence with attached garage adjacent t rren Wagon R a designated scenic route. The property is zoned RR – Rural Residential nd is re particularly ed as:

Lot 2 of Rocky Hallow Cabin Sites situate in the N ½ of Section 2 19N, R3E, B.M., Valley County, Idaho.

#### **PUBLIC HEARING**

Brett Gulash presented the project to constr a reside on West side of Warren Wagon Road. It is not on the lake but the lot is on th cenic R te. It is RR. The max height will be 29.4 feet. Lot coverage is 78%.

Planner Bessaw p ented the f eport.

Chairman Fereday ope and close public hearing without comment from the public.

Commissioner Tu I made otion to ap ve DR-20-17 and SR-20-06. Commissioner Lyons seconded the m on. . A roll ca te was held Commissioner Tunnell – Yes. Commissioner Fer – Yes. Commissioner Krahn – Yes. Commissioner Tunnell – Yes.

#### DR-20-19, SR-20-07

#### 2212 Warren Wagon Road

Heather Susemihl of McCall Design and Planning for Bonnie Wright and Clint Rosenthal: A Design Review and Scenic Route Review applications to construct a 3,526 square foot residence with attached garage adjacent to Warren Wagon Road, a designated scenic route. The property is zoned R4- Low Density Residential and is more particularly described as:

Lot 2 of Block 12 of the Southwest Payette Cottage Sites, State Subdivision situate in Section 32, T19N, R3E, B.M., Valley County, Idaho.

#### **PUBLIC HEARING**

Heather Susemihl presented the project. They propose to demo an existing house and construct a new residence. It will be accessed by the existing driveway off Warren Wagon Road. They will not

utilize Payette Drive for access. The parcel is across from a first tier lot common space. They plan to build an extensive outdoor area for use by the owners.

Planner Bessaw presented the Staff Report.

Chairman Fereday opened and closed the public hearing without comment from the public.

Commissioner Lyons made a motion to approve DR-20-19 and SR-20-07. Commissioner Clements seconded the motion. A roll call vote was held. Commissioner Tunnell – Yes. Commissioner Clements – Yes. Commissioner Fereday – Yes. Commissioner Krahn – Yes. Commissioner Tunnell – Yes.

#### DR-20-16

#### 355 Veronica Lane

Brett Aeschbacher of Big Springs Construction for Tyler Niki Dean sign Review application to construct at 4,068 square foot 2 story residence with ched arage. property is zoned R8 – Medium Density Residential and is more particularly des Lot 10 of Block 2 of Broken Ridge Subdivision situate in t % of the NE % Sectio 18, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

#### **PUBLIC HEARING**

Brett Aeschbacher of Big Springs Construction pented application. residence will be on half an acre with a max height of 24 feet. The ans includ approximately 19 trees however the lot is steavily trother and there will be a metal wainscoting

Planner Bessaw presented the Staf eport.

Chairman Fereday o ed and clo he public hearing thout comment from the public.

Commissioner Tunnell motion to rove DR-20-16. Commissioner Lyons seconded the motion. A roll cal te was h Commissio Tunnell – Yes. Commissioner Clements – Yes. Commissioner F eday – Yes. Co issioner Kr hn – Yes. Commissioner Tunnell – Yes.

### PUD-19-04 Fina an Phase 3, SUB Final Plat Phase 3 River Ranch Phas

Amy Pemberton for Call River nch Company: A Planned Unit Development Final Plan and a Subdivision Final Plat fo viously approved Phase 3 of McCall River Ranch Subdivision. The property is zoned RE- Rural Estate and is more particularly described as:

A portion of Section 20, R3E, T18N, B.M., City of McCall, Valley County, Idaho.

Amy Pemberton on behalf of McCall River Ranch with Scott Acker presented the application for the Phase three final plat and final plan. This phase consists of 7 residential parcels and two large open spaces. The plan and plat are in significant conformance with the approved preliminary plat and plan.

Planner Bessaw presented the Staff Report.

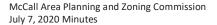
Commissioner Clements made a motion to recommend approval of PUD-19-04 Final Plan Phase 3 to the McCall City Council. Commissioner Tunnell seconded the motion. A roll call vote was held. Commissioner Tunnell – Yes. Commissioner Clements – Yes. Commissioner Fereday – Yes. Commissioner Krahn – Yes. Commissioner Tunnell – Yes.

#### 4. OTHER

- Signs approved administratively
  - -Bruneel
  - -Café 6Three4
  - -State Farm

#### 5. ADJOURNMENT

Commissioner Clements made a motion to adjourn. **Com ioner Tunnell nded t**he motion. All Commissioners voted aye and the meeting was **adjourned** a



PUD-19-02, SUB-19-02, DR-19-15, SR-19-07 116 Thula St.

Black Bear Condos

August 4, 2020

Applicant: Titanium Partners LLC

Agent: Amy Pemberton

Application: Design Review and Scenic Route Approval Extension Request

Zoning: CC – Community Commercial and Scenic Route Overlay

#### Description

A Planned Unit Development General Plan, Subdivision Preliminary Plat, Design Review, Scenic Route Review applications and associated development agreement to construct a 26-unit condominium development was approved by the McCall City Council on June 27, 2019.

On June 11, 2020 the applicant submitted a six (6) month extension request to their one-year Design Review and Shoreline and River Environs Zone approval expiration. The new expiration date would be December 27, 2020.

#### **Code Narrative**

Pursuant to McCall City Code (MCC 3.16.08), Design Review approval shall lapse and become void whenever the building permit either lapses or is revoked, or whenever the applicant has not applied for a building permit within one year from the date of initial design review approval. In order for a building permit to be issued, final construction drawings must be reviewed and approved by the building department. Application for a building permit must occur within one year of design review approval. The expiration date may be extended once, for an additional six (6) months, upon written request to the administrator. The commission shall review and approve or deny the request for extension.

#### **Conditions of Approval**

- 1. All applications are contingent upon one another and approval by City Council of the PUD and SUB applications.
- 2. Prior to scheduling of the application in front of City Council, the applicant shall:
  - a. Provide cost estimates for the proposed deferred infrastructure improvements.
  - b. Meet with the City Arborist and submit a Preliminary Tree Protection Plan which addresses the impacts of the project on the crucial root zones of trees which will be saved and the practices which will be employed to reasonably assure that the trees left on site will survive construction (see agency comments above).
  - c. Submit a detailed park plan with a recommendation from the McCall Parks and Recreation Advisory Committee and include details in the proposed development agreement.

- d. Provide additional details on the proposed BBQ shelter and bike amenities. Per MCC
   3.8.063, a minimum of six (6) covered or enclosed bike spaces and two (2) spaces near the building entry shall be provided.
- e. Submit a copy of the proposed bylaws and condominium declarations of the proposed development that describe responsibilities for all common utilities, common areas, and amenities.
- f. Submit snow storage plans and area calculations.
- 3. Prior to any site work or disturbance, the applicant shall:
  - a. Prepare final design plans and a stamped stormwater drainage report for review and receive engineering approval from the McCall City Engineer for project final civil designs (see agency comments above).
  - b. Submit and receive approval from the City Arborist for a Final Tree Protection and Management Plan which shows the limits of cut and fill of the parking lot and the elevations of swales and the practices which will be employed to prevent damage to trees to be left on site during construction.
- 4. Any existing overhead utilities along the property frontage shall be installed underground and any future propane tanks shall be placed underground.
- 5. Prior to issuance of a building permit, the applicant shall:
  - a. Submit and receive approval from the City Arborist for a Final Tree Protection and Management Plan which shows the limits of cut and fill of the parking lot and the elevations of swales and the practices which will be employed to prevent damage to trees to be left on site during construction.
  - b. Prepare final design plans and a stamped stormwater drainage report for review and approval by the City Engineer.
  - c. Financially assure completion of all deferred public improvements in compliance with the applicable provisions of the McCall City Code (MCC 9.6.067).
  - d. Receive final engineering approval from the McCall City Engineer.
  - e. Project designs shall meet all code requirements per the 2015 International Building Code, International Fire Code, and the Fair Housing Act (see agency comments above).
  - f. Project design shall include sound insulation (see agency comments above).
  - g. Verify that the roofs are designed to hold snow.
  - h. Receive approval from Central District Health Department (see agency comments).
  - i. Establish deed and/or lease restrictions in accordance with McCall's Local Housing Incentive Program for the four (4) units to be used as local housing.
  - j. Receive approval from the Payette Lakes Recreations Water and Sewer District for the sewer line extension and purchase of sewer connection permits. The applicant shall adhere to all PLRWSD requirements.
  - k. Provide a lighting plan and photometric analysis that demonstrates that the site and exterior building lighting will comply with the McCall Outdoor Lighting Ordinance 3.14.
- 6. Prior to issuance of a final Certificate of Occupancy, the applicant shall:

- a. Complete the onsite improvements including landscaping, walkways, site grading, storage buildings, trash enclosures, lighting, and amenities, as shown in the Applications for PUD-19-02 and SUB-19-02.
- b. Complete all off-site street, sidewalk, utility and stormwater improvements as represented in the final civil plans approved by the McCall City Engineer.
- c. Building numbers shall be installed in accordance with McCall Addressing Guidelines.
- 7. A full set of as built (record) drawings of all improvements intended for public use and maintenance, including, but not limited to, water and sewer lines, and including also private and public streets, shall be furnished to the City within sixty (60) days of completion of the construction.
- 8. Prior to execution and recordation of the Subdivision Final Plat:
  - a. The applicant shall include a note specifying that this location is subject to direct aircraft overflight at low levels and has increased risk of an aircraft related mishap (see agency comments above).
  - b. The applicant shall provide digital files of the plat in accordance with the McCall Digital Data Submission Standards.
- 9. Pursuant to McCall City Code (MCC 9.2.06.H), preliminary subdivision plat approval shall lapse and become void whenever the applicant has not applied for final plat approval within eighteen (18) months from the date of preliminary plat approval by McCall City Council. Alternatively, the applicant shall revise their Development Agreement with the City to include a phasing plan and completion timeline.
- 10. The PUD General Plan approval shall lapse and become void in the applicant has not submitted for PUD Final Plan approval within eighteen (18) months of approval of the PUD General Plan.
- 11. Pursuant to McCall City Code (MCC 3.16.08), design review approval shall lapse and become void whenever the applicant has not applied for a building permit within one year from the date of initial approval.

#### DR-19-44, SH-19-10 Extension Request

2272 Payette Dr. Johnson Residence

August 4, 2020

Applicant: Jeff and Margaret Johnson

Agent: McCall Design and Planning

Application: Design Review and Shoreline and River Environs Zone Review Extension Request

Zoning: R4 – Low Density Residential and Shoreline and River Environs Zone

#### Description

A Design Review and Shoreline Review application to remove an existing residence and construct a 5043 square foot residence with attached garage adjacent to Payette Lake was approved by the McCall Area Planning and Zoning Commission on November 5, 2019.

The applicant has requested a six (6) month extension request to the one-year Design Review and Shoreline and River Environs Zone approval expiration to allow more time to find a contractor available to do the work. The new expiration date would be May 5, 2021.

#### **Code Narrative**

Pursuant to McCall City Code (MCC 3.16.08), Design Review approval shall lapse and become void whenever the building permit either lapses or is revoked, or whenever the applicant has not applied for a building permit within one year from the date of initial design review approval. In order for a building permit to be issued, final construction drawings must be reviewed and approved by the building department. Application for a building permit must occur within one year of design review approval. The expiration date may be extended once, for an additional six (6) months, upon written request to the administrator. The commission shall review and approve or deny the request for extension.

#### Conditions of Approval from DR-19-44

- 1. Prior to issuance of a building permit, the applicant shall receive final engineering approval (see agency comments above).
- 2. Prior to issuance of a building permit, the applicant shall have a surveyor locate both the 50 ft. setback from the high-water mark as well as the staking for the foundation/building footprint.
- 3. The applicant shall adhere to all requirements of Payette Lakes Recreational Water and Sewer District (see agency comments above).
- 4. Pursuant to McCall City Code (MCC 3.16.08), design review approval shall lapse and become void whenever the applicant has not applied for a building permit within one year from the date of initial approval.

#### **ROS-20-14**

401 Timbercrest Loop Shorelodge Whitetail LLC Lot Line Adjustment

August 4, 2020

Applicant: Shore Lodge Whitetail LLC

Agent: Dan Scott

Application: Lot Line Adjustment

Zoning: R4 – Low Density Residential

#### Description

A Record of Survey application to adjust the lot line between two existing lots of record resulting in two lots of record of 1.32 acres and 0.50 acres respectively.

#### **Code Narrative**

This application was placed on the McCall Area Planning and Zoning Commission's consent agenda, thereby waiving public noticing requirements, pursuant to McCall City Code section 9.1.05.B.2.

Pursuant to McCall City Code (MCC 9.1.05), lot combinations are permitted through the Record of Survey process.

#### Comments

Agency -

#### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. ROS boundary shall include two separate control ties to city of McCall control points.
- 2. Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance document can be found here: https://evogov.s3.amazonaws.com/141/media/115532.pdf

#### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

#### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

#### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

#### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Note: Deeds of conveyance with new encompassing descriptions must be recorded in order to process through the county.

Public – No public comment received.

#### **Conditions of Approval**

- 1. Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. At the time of recordation, the applicant shall provide deeds of conveyance with new encompassing descriptions to the county for recordation.
- 3. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 4. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

IN RE:	)	
	)	McCall area planning and zoning commission
SHORELODGE LOT LINE A	DJUSTMENT)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Record of Survey	)	DECISION
	)	
	)	
<b>Application Number:</b>	)	
ROS-20-14	)	

#### FINDINGS OF FACTS

**Applicant**: Shore Lodge Whitetail LLC

**Representative(s)**: Dan Scott

**Application**: A Record of Survey application to adjust the lot line between two existing lots of

record resulting in two lots of record of 1.32 acres and 0.50 acres respectively.

Lots 1 and 2 of Block 2 of the Broken Timber Subdivision situate in the SE ¼ of

the SE ¼ of Section 7, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

**Property Address**: 401 Timbercrest Loop, McCall ID 83638

**Public Notices**: This application was placed on the McCall Area Planning and Zoning

Commission's consent agenda, thereby waiving public noticing requirements.

This was done pursuant to McCall City Code section 9.1.05.B.2, which states that

the administrator may waive the application of some provisions.

**Zoning**: R4 – Low Density Residential

**Property Size**: A Record of Survey application to adjust the lot line between two existing lots of

record resulting in two lots of record of 1.32 acres and 0.50 acres respectively.

**Setbacks**: Per MCC 3.3.03, the minimum required setbacks for these parcels would be 20

ft. from the front property line, 10 ft. from the rear property line, and 15 ft.

from either side property line. The setbacks for the existing structure on 401

Timbercrest Loop will not be affected by the lot line adjustment.

#### **APPROVAL STANDARDS**

#### Title 9, Chapter 1

**Record of Survey** 

To be eligible for processing under the Record of Survey Procedure, an application for approval of a plat or survey must be signed by all owners and determined by the administrator to meet one or more of the standards set out below:

- 1. A lot line adjustment between two (2) or more existing adjacent parcels, provided:
  - (1) No additional parcels or building sites have been created, and
  - (2) The adjustment does not create the potential to further divide either of the two (2) parcels into more parcels than would have been otherwise possible, and
  - (3) There are no resulting violations of this title or title III of this code. No additional building sites have been created, the adjustment does not create the potential to further divide either of the two parcels into more parcels than would otherwise have been possible, and there are no resulting violations of this title. The adjusted lots both meet all dimensional requirements on the R4 zone.

#### **DEPARTMENT/AGENCY COMMENTS**

#### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. ROS boundary shall include two separate control ties to city of McCall control points.
- Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the
   City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance
   document can be found here: <a href="https://evogov.s3.amazonaws.com/141/media/115532.pdf">https://evogov.s3.amazonaws.com/141/media/115532.pdf</a>

#### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

#### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

#### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

#### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Note: Deeds of conveyance with new encompassing descriptions must be recorded in order to process through the county.

#### **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of Record of Survey applications, pursuant to Title
   Chapter 1 of McCall City Code.
- 2. The proposed project is eligible for the Record of Survey process as a lot line adjustment.
- The proposed project meets the dimensional standards for lots in the R4, per Title 3, Chapter 3,
   McCall City Code.
- 4. Upon compliance with the conditions noted below, the application meets the Record of Survey

  Procedure requirements set forth in Title 9, Chapter 1 of McCall City Code.

#### **DECISION**

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **approves** this Record of Survey application, provided that the following conditions are met:

- Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- At the time of recordation, the applicant shall provide deeds of conveyance with new encompassing descriptions to the county for recordation.

SHORELODGE WHITETAIL LLC LOT LINE ADJUSTMENT – Findings of Fact McCall Area Planning and Zoning Commission – August 4, 2020

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3. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal

description immediately upon recordation.

4. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final

plat or survey is not filed with the county recorder within eighteen (18) months of the date of such

approval.

Findings of Fact **adopted** this 4<sup>th</sup> day of August 2020.

Fallon Fereday, Chair

McCall Area Planning and Zoning Commission

Attest:

\_\_\_\_\_

Morgan Bessaw, City Planner City of McCall

### City of McCall

216 East Park Street McCall, Idaho 83638 P.208.634.7142

# LAND USE APPLICATION



Date Received:	NOTICE OF ADDITIONAL FEES  Land use applications may be subject to engineering and legal review for purpose of addressing compliance and conformance issues. The City of McCall reserves the right to contract these services to private firms. The		
Fees Paid:	costs of these reviews are passed on to the applicant. These fees are separate, an application and permit fees. Completion of this application signifies consent to these	d in addition to, the Citv's	
Please check all tha	at apply:	Lealone of the same	
X # \$420	Record of Survey (ROS) - \$420		
_ #	Design Review (DR) - \$300 + \$25/1,000 sq. ft. of new construction (rounde	d to the nearest 1.000)	
□ #	Scenic Route (SR) - \$300		
	Shoreline or River Environs (SH) - \$300	Incomplete applications	
□ #		cannot be accepted by	
	Administrative Approval (AA) - \$50	the City. Unless	
	Planned Unit Development (PUD) General Plan - \$2,000 + \$75/lot or unit	otherwise exempted by	
□ # <u></u>		the Administrator, all	
□ # <u></u>		Application	
□ #	Subdivision (SUB) Final Plat - \$1000 + \$75/lot or unit	Requirements must be	
□ #	Minor Plat Amendment - \$1,000	provided at the time of	
□ #	Variance (VAR) - \$1,000	submission. Please refer to specific	
	Rezone (ZON) - \$1,500	application info sheets	
□ # <u> </u>		for more details.	
<b>#</b>	_Annexation - \$3,000		
□ # <u> </u>	Vacation (VAC) - \$750		
	PROPERTY OWNER INFORMATION		
Property Owner 1	: Shore Lodge Whiterail LIC Email: dscott e a	elscott.com	
Mailing Address:	501 W Lake St. Phone: 208-1		
Property Owner 2	2(If Applicable): Shore lodge Whitetail LC Email:		
Mailing Address:	Phone:		
	AGENT/AUTHORIZED REPRESENTATIVE INFORMAT	ION	
Applicant/Repres	entative: Dan Scott Email:		
Mailing Address: _	Phone:		
	PROPERTY INFORMATION		
Address(es) of Prop	perty: 401 Timberest Loop		
Legal Description of	Property: Lots I and Z Block Z Broken Timber	er Subdivision	
Zoning District of Pr	Property: Lots I and Z Block Z Broken Timber operty: R4 Project Sq. Footage (If Applicable): N/A		

Residential 💟

Commercial

City Limits 🔯

Impact Area

# **LAND USE APPLICATION CONTINUED**

Payette Lakes Water and Sewer District or Septic System or not applicable
PROJECT DESCRIPTION
Explain the general nature of what is proposed: (please attach supplemental information if needed) Record of Survey to adjust lot line between lots land 2 to follow natural topography and to include back yard of home on lot I within lot I Drignal platted lot line is in wrong location.
SIGNATURES
The Applicant hereby agrees to pay reasonable attorney fees, including attorney fees on appeal and expenses of the City of McCall, in the event of a dispute concerning the interpretation or enforcement of the Land Use Application in which the City of McCall is the prevailing party.  I certify that I have reviewed and understand the procedures and requirements of the McCall City Code. I give permission for City staff and/or Planning & Zoning Commission members to view and enter the subject property in order to fully review this application. I understand that failure to provide complete and accurate information.  ShoreLage Understand Complete and accurate information of the McCall City Code. I give permission for City staff and/or Planning & Zoning Commission members to view and enter the subject property in order to fully review this application.  I understand that failure to provide complete and accurate information.  ShoreLage Understand Complete and accurate information of the McCall City Code. I give permission for City staff and/or Planning & Zoning Commission members to view and enter the subject property in order to fully review this application.  I understand that failure to provide complete and accurate information.  ShoreLage Understand Complete and accurate information of the McCall City Code. I give permission for City staff and/or Planning & Zoning Commission for City staff and/or Planning & Zoning Commission for City staff and/or Planning & Zoning Commission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City staff and City Code. I give permission for City Staff and Cit
Agent/Authorized Representative Signature
FOR RECORD OF SURVEY APPLICATIONS ONLY: STATEMENT OF EASEMENT DISCLOSURE  Park My (lev, Secal Eng)  Surveyor  I hereby certify that I have performed a thorough search for all relevant easements that relate to the subject property and have indicated or referenced these by their instrument number on the provided survey.

#### RECORD OF SURVEY BOOK NO.\_\_\_\_ PAGE NO. OF RECORDS OF SURVEY. SHORE LODGE WHITETAIL LLC RECORDERS STAMP LOTS 1 AND 2 BLOCK 2 BROKEN TIMBER SUBDIVISION SE 1/4 SE 1/4 SECTION 7, T.18N., R.3E., B.M., CITY OF McCALL, VALLEY COUNTY, IDAHO JUNE, 2020 FOUND 5/8" REBAR W/RED PLASTIC CAP MKD "CONTROL" IDENTIFIED AS "Club HIII" IN THE CITY OF McCALL CONTROL POINT NETWORK TIMBERCREST SUBDIVISION — PHASE 1 BOOK 10 PAGE 31 OF PLATS INSTRUMENT NUMBER 302871 2 S89'46'51"E 275.63 2 57.57 SCALE: 1" = 40" Bearings Based on the City of McCall Modified Grid Coordinate System ments were made at ground. LEGEND FOUND 5/8" IRON PIN FOUND 1/2" IRON PIN FOUND BRASS CAP MONUMENT SET 1/2" REBAR MKD LS 8577 This record of survey has been reviewed and approved by the City of McCall with respect to its compliance with the Subdivision and Development Ordinance and exemption from formal platting; an individual lot shown on this record of survey shall be considered a single lot for purposes of City ordinances. If this record of survey combines lots shown on a plat or survey of record, the separate sale of such former separate lots will constitute an illegal subdivision under the McCall City Code. 21,979 S.F. This survey is being filed to adjust the boundary between Lots 1 and 2, Block 2 Broken Timber Subdivision, Book 13 page 61 of Plats. A Accepted and approved this \_\_\_\_\_\_ City of McCall. \_\_\_\_day of \_\_\_\_ \_ 12 00' McCall City Clerk SNOW REMOVAL AND UTILITY EASEMENT 155.04 51.74 206.78 SURVEY MARRATIVE: a) The purpose of this survey is to adjust the boundary between Lots 1 and 2 as shown. The boundary of the property is defined by Plats of Record and monuments found on the ground. b) Record Comments: Timber rest Subdivision - Phase 1, Book 10 Page 31 of Plats, Inst. \$302871 Broken Timber Subdivision, Book 13 Page 61 of Plats, Inst. \$425349 60.00 TIMBERCREST LOOP (PUBLIC)

FOUND BRASS CAP CP&F INST. #134720

FOUND BRASS CAP IDENTIFIED AS "McCall 4, 1/16 Cor." IN THE CITY OF McCALL CONTROL POINT NETWORK

E 1/16 COR. FOUND 5/8" REBAR CP&F INST. #344642 I, Ralph Miller, a Professional Land Surveyor
Registered in the State of Idaho, do hereby certify that
this plat was prepared from notes taken during an
actual survey made by me and that it correctly
represents the points, courses and distances as
recorded in said field notes.

SECESH ENGINEERING INC. P.O. Box 70 McCall, ID 63636 (208) 634-6336

SHEET NO. 1 OF 1

#### **ROS-20-15**

904 and 906 Hayes St. Dean Lot Combination

August 4, 2020

Applicant: David and Luane Dean

Agent: Sawtooth Land Surveying

Application: Lot Combination

Zoning: R8 – Medium Density Residential

#### Description

A Record of Survey application to combine two existing lots of record of 0.172 and 0.170 acres respectively resulting in one lot of 0.342 acres.

#### **Code Narrative**

This application was placed on the McCall Area Planning and Zoning Commission's consent agenda, thereby waiving public noticing requirements, pursuant to McCall City Code section 9.1.05.B.2.

Pursuant to McCall City Code (MCC 9.1.05), lot combinations are permitted through the Record of Survey process.

#### Comments

Agency -

#### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. Any driveway required will be subject to the conditions of a Public Works Driveway Permit.
- 2. ROS boundary shall include two separate control ties to city of McCall control points.
- Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance document can be found here: https://evogov.s3.amazonaws.com/141/media/115532.pdf

#### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

#### <u>Payette Lakes Recreational Water and Sewer District (PLRWSD)</u>

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

#### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

#### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Note: Deed of conveyance with new legal description must be recorded in order to process through the county.

Public - No public comment received.

#### **Conditions of Approval**

- 1. Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall add a survey narrative to the survey.
- 3. At the time of recordation, the applicant shall provide deeds of conveyance with new legal descriptions for recordation at the County.
- 4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

IN RE:	)	
	)	McCALL AREA PLANNING AND ZONING COMMISSION
DEAN LOT COMBINATION	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Record of Survey	)	DECISION
	)	
	)	
Application Number:	)	
ROS-20-15	)	

#### **FINDINGS OF FACTS**

**Applicant**: David and Luane Dean

**Representative(s)**: Sawtooth Land Surveying

**Application**: A Record of Survey application to combine two existing lots of record of 0.172

and 0.170 acres respectively resulting in one lot of 0.342 acres.

**Location**: Tax Lots 135 & 136 of McCall Acreage situate in the SE ¼ of the NE ¼ of Section

7, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

**Property Address**: 904 and 906 Hayes St., McCall ID 83638

**Public Notices**: This application was placed on the McCall Area Planning and Zoning

Commission's consent agenda, thereby waiving public noticing requirements.

This was done pursuant to McCall City Code section 9.1.05.B.2, which states that

the administrator may waive the application of some provisions.

**Zoning**: R8 – Medium Density Residential

**Property Size**: A Record of Survey application to combine two existing lots of record of 0.172

and 0.170 acres respectively resulting in one lot of 0.342 acres.

**Setbacks**: Per MCC 3.3.03, the minimum required setbacks for the new parcel are 20 ft.

from the front property line and 10 ft. from all other property lines. There are

no existing structures on the parcel.

**APPROVAL STANDARDS** 

#### Title 9, Chapter 1

#### **Record of Survey**

To be eligible for processing under the Record of Survey Procedure, an application for approval of a plat or survey must be signed by all owners and determined by the administrator to meet one or more of the standards set out below:

Two (2) or more lots of record are being combined. A Record of Survey application to combine
two existing lots of record of 0.172 and 0.170 acres respectively resulting in one lot of 0.342
acres.

#### **DEPARTMENT/AGENCY COMMENTS**

#### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. Any driveway required will be subject to the conditions of a Public Works Driveway Permit.
- 2. ROS boundary shall include two separate control ties to city of McCall control points.
- Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the
   City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance document can be found here: <a href="https://evogov.s3.amazonaws.com/141/media/115532.pdf">https://evogov.s3.amazonaws.com/141/media/115532.pdf</a>

#### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

#### <u>Payette Lakes Recreational Water and Sewer District (PLRWSD)</u>

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

#### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

#### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Note: Deed of conveyance with new legal description must be recorded in order to process through the county.

#### **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of Record of Survey applications, pursuant to Title
   Chapter 1 of McCall City Code.
- 2. The proposed project is eligible for the Record of Survey process as a lot combination.
- The proposed project meets the dimensional standards for lots in the R8, per Title 3, Chapter 3,
   McCall City Code.
- 4. Upon compliance with the conditions noted below, the application meets the Record of Survey

  Procedure requirements set forth in Title 9, Chapter 1 of McCall City Code.

#### **DECISION**

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **approves** this Record of Survey application, provided that the following conditions are met:

- Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall add a survey narrative to the survey.
- At the time of recordation, the applicant shall provide deeds of conveyance with new legal descriptions for recordation at the County.
- 4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

Findings of Fact <b>adopted</b> this 4 <sup>th</sup> day of August 2020.		
Fallon Fereday, Chair		
McCall Area Planning and Zoning Commission		
Attest:		
Accest.		
Morgan Bessaw, City Planner		
City of McCall		

City of McCall 216 East Park Street McCall, Idaho 83638 P.208.634.7142

# **LAND USE APPLICATION**



Date Received:	NOTICE OF ADDITIONAL FEES	
Fees Paid:	Land use applications may be subject to engineering and legal review for purpose and conformance issues. The City of McCall reserves the right to contract these secosts of these reviews are passed on to the applicant. These feets	
	costs of these reviews are passed on to the applicant. These fees are separate, ar application and permit fees. Completion of this application signifies consent to the	nd in addition to, the City's
Please check all th	nat apply:	se fees.
☑ #		
□ #	Design Review (DR) - \$300 + \$25/1 000 cg & -6	THE STATE OF THE S
□ #	Design Review (DR) - \$300 + \$25/1,000 sq. ft. of new construction (rounde Scenic Route (SR) - \$300	ed to the nearest 1,000)
□ #	Shoreline or River Environs (SH) - \$300	
□ #	Conditional Use Permit (CUP) - \$600	Incomplete applications
□ #	Administrative Approval (AA) - \$50	cannot be accepted by
□ #	Planned Unit Development (PUD) General Plan, \$2,000 . \$75 // .	the City. Unless
□ #	Planned Unit Development (PUD) Final Plan - \$500 + \$75/lot or unit	otherwise exempted by
□ #	Subdivision (SUB) Preliminary Plat - \$2,500 + \$75/lot or unit	the Administrator, all
□ #	Subdivision (SUB) Final Plat - \$1000 + \$75/lot or unit	Application Requirements must be
□ #	Minor Plat Amendment - \$1,000	provided at the time of
□ # <u> </u>	Variance (VAR) - \$1,000	submission. Please
□ #	Rezone (ZON) - \$1,500	refer to specific
O #	Zoning Code Amendment (CA) - \$750/title	application info sheets
□ #	Annexation - \$3,000	for more details.
O #	Vacation (VAC) - \$750	
- 123623	PROPERTY OWNER INFORMATION	
Property Owner 1		
Mailing Add		
Mailing Address:	P	
Property Owner 2	(If Applicable): Luane Dean Email:	
Mailing Address:		
	Pi	
	AGENT/AUTHORIZED REPRESENTATIVE INFORMATION	ON
	entative: Josh Beach - Sawtooth Land Surveying Email: josh@sawtools.co	
	2030 S. Washington Avenue Emmett, ID 83617 Phone: 208-369-36	
	. Helic. <u>200 303 30</u>	7-72
	PROPERTY INFORMATION	
ddress(es) of Prop	erty: 906 Hayes Street McCall, ID 83638 and parcel # RPM00000071803	
egal Description of	Property: MCCALL ACERAGE TAX NO 135 IN SE4 NE4 S7 T18N R3E AND MCCA	ALL ACERAGE TAX NO 136
	IN SE4 NE4 S7 T18N R3E	130
oning District of Pro	pperty: R8 Project Sq. Footage (If Applicable):	
npact Area 🔲	City Limits X Residential X Commercial	

# LAND USE APPLICATION CONTINUED

Payette Lakes Water and Sewer D	istrict 🗌 or Septic System 🔲 or not applicable 🗌
	JECT DESCRIPTION
Explain the general nature of what is proposed: (µ The applicant is requesting to consolidate their tw	please attach supplemental information if needed) to parcels into one, and plan to build a single-family home on the
consolidated parcel.	
	SIGNATURES
The Applicant hereby agrees to pay reasonable attorner in the event of a dispute concerning the interpretation of prevailing party.	y fees, including attorney fees on appeal and expenses of the City of McCall, or enforcement of the Land Use Application in which the City of McCall is the
I certify that I have reviewed and understand the procedustaff and/or Planning & Zoning Commission members to I understand that failure to provide complete and accurate David Dean	ures and requirements of the McCall City Code. I give permission for City view and enter the subject property in order to fully review this application. te information on this application.
Property Owner 1	Signaquie
Luane Dean	
Property Owner 2 (If Applicable)	
Josh Beach	
Agent/Authorized Representative	Signature
OR RECORD OF SURVEY APPLICATIONS ONLY: STA	TEMENT OF EASEMENT DISCLOSURE
Surveyor	Signature
hereby certify that I have performed a thorough search ndicated or referenced these by their instrument numbe	for all relevant easements that relate to the subject property and have

### RECORD OF SURVEY FOR DAVID & LUANE DEAN LOCATED IN THE SE1/4 NE1/4 OF SECTION 7, T. 18 N., R. 3 E., B.M., CITY OF McCALL, VALLEY COUNTY, IDAHO 2020 15 20" (FEET) 1 INCH = 60 FT. NE1/4 NE1/4 NUTZGYOE MISSER SURDIVISION BOOK 3, PAGE 29 N1/16 CORNER MONUMENT DESTROYED IN ROAD CONSTRUCTION HAYES STREET N 89°51'22" E 99.90' S 89°51'22" W 50.00" PLS 5357 49.85 0.342 ACRES WARRANTY DEED INST. NO. 427762 UNPLATTED 2 UNPLATTED 22 50.02" 48.87 N 89°55'12" W 98.89' PLS 5357 UNPLATTED SE1/4 NE1/4 CITY CLERK SIGNATURE LINE: Accepted and approved this \_ \_day of \_\_\_ \_\_, 20\_\_\_, by the City of McCall. McCall City Clerk This record of survey has been reviewed and approved by the City of McCall with respect to its compliance with the Subdivision and Development Ordinance and exemption from formal platting; an individual lot shown on this record of survey shall be considered a single lot for purposes of City ordinances. If this record of survey combines lots shown on a plat or survey of record, the separate sale of such former separate lots will constitute an illegal subdivision under the McCall City Code. 1/4 CORNER 08

#### LEGEND

PROPERTY BOUNDARY LINE

OTHER DEED LINE

SECTIONAL LINE

FOUND BRASS CAP MONUMENT

FOUND SR® REBAR/CAP PLS 986 OR AS NOTED

OFOUND 1/2" REBAR AS NOTED

A. CALCULATED POINT

#### REFERENCES:

R1) RECORD OF SURVEY INST. NO. 311380 R2) RECORD OF SURVEY INST. NO. 411849 R3) WARRANTY DEED INST. NO. 427762 R4)

#### CERTIFICATE OF SURVEYOR

I, KEVIN M. BORAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP WAS DRAWN FROM AN ACTULAL SURVEY ON THE GROUND UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE POINTS MAPPED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS, SURVEYS, AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE.

KEVIN M. BORAH, P.L.S. 10561

1 OF 1

6/2020



SURVEY INDEX NO. 1831-7-1-2-0-00-00



KB

-and	-uiveying,	WWW.SAWTOOTHLS.COM	
ET:	DATE:	DRAWN BY: CHECKED BY: JOB#:	

JB

120172

#### **ROS-20-16**

1311 Roosevelt Ave. Skyes Lot Combination

August 4, 2020

Applicant: Justin Skyes

Agent: Russell Surveying
Application: Lot Combination

Zoning: R8 – Medium Density Residential

#### Description

A Record of Survey application to combine two existing lots of record resulting in one lot of record of 0.168 acres in size.

#### **Code Narrative**

This application was placed on the McCall Area Planning and Zoning Commission's consent agenda, thereby waiving public noticing requirements, pursuant to McCall City Code section 9.1.05.B.2.

Pursuant to McCall City Code (MCC 9.1.05), lot combinations are permitted through the Record of Survey process.

#### Comments

Agency -

#### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. Please note that the City's GIS database indicates that these two lots have already been combined. The City's GIS Analyst, Garrett Mapp has been included on this email in order to determine and make any corrections necessary to the City's GIS database.
- 2. ROS boundary shall include two separate control ties to city of McCall control points.
- 3. Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance document can be found here: https://evogov.s3.amazonaws.com/141/media/115532.pdf

#### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

#### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

#### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Although these are subdivision lots, this survey reflects slight differences from the original plat. If a deed of conveyance with a new description is recorded, we will not need a combination form. If no deed is recorded, we will need a combination form from the property owner. The owner should be aware that the acreage will not change for assessment purposes if we are combining by original lot & block description. Feel free to contact me with any questions.

#### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

*Public* – No public comment received.

#### **Conditions of Approval**

- 1. Prior to recordation, the applicant shall receive final engineering approval.
- 2. At the time of recordation, the applicant shall provide the County with either deeds of conveyance with new legal descriptions or a Valley County Combination Request Form to finalize the combination.
- 3. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 4. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

IN RE:	)	
	)	McCALL AREA PLANNING AND ZONING COMMISSION
SKYES LOT COMBINATION	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Record of Survey	)	DECISION
	)	
	)	
Application Number:	)	
ROS-20-16	)	

#### **FINDINGS OF FACTS**

**Applicant**: Justin Skyes

**Representative(s)**: Russell Surveying

**Application**: A Record of Survey application to combine two existing lots of record resulting

in one lot of record of 0.168 acres in size.

**Location**: Lots 9 & 10, Block 16 of McCall's 1st Addition situate in Section 9, T18N, R3E,

B.M., City of McCall, Valley County, Idaho.

**Property Address**: 1311 Roosevelt Ave., McCall ID 83638

**Public Notices**: This application was placed on the McCall Area Planning and Zoning

Commission's consent agenda, thereby waiving public noticing requirements.

This was done pursuant to McCall City Code section 9.1.05.B.2, which states that

the administrator may waive the application of some provisions.

**Zoning**: R8 – Medium Density Residential

**Property Size**: A Record of Survey application to combine two existing lots of record resulting

in one lot of record of 0.168 acres in size.

**Setbacks**: Per MCC 3.3.03, the minimum required setbacks for corner lots in the R8 zone

are 20 ft. from all street fronting property lines, or 15 ft. when an alley provides

access to the garage or the garage is sideloaded. There is no existing garage so

the front setback could change depending on the location of a future garage addition. The southerly setback is 5.5 ft and the easterly side setback is 14 ft.

#### **APPROVAL STANDARDS**

#### Title 9, Chapter 1

**Record of Survey** 

To be eligible for processing under the Record of Survey Procedure, an application for approval of a plat or survey must be signed by all owners and determined by the administrator to meet one or more of the standards set out below:

 Two (2) or more lots of record are being combined. A Record of Survey application to combine two existing lots of record resulting in one lot of record of 0.168 acres in size.

#### **DEPARTMENT/AGENCY COMMENTS**

#### City Engineer

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- Please note that the City's GIS database indicates that these two lots have already been combined. The City's GIS Analyst, Garrett Mapp has been included on this email in order to determine and make any corrections necessary to the City's GIS database.
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Payette Lakes Recreational Water and Sewer District (PLRWSD)

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#### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

#### **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of Record of Survey applications, pursuant to Title
   Chapter 1 of McCall City Code.
- 2. The proposed project is eligible for the Record of Survey process as a lot combination.
- The proposed project meets the dimensional standards for lots in the R8, per Title 3, Chapter 3,
   McCall City Code.
- 4. Upon compliance with the conditions noted below, the application meets the Record of Survey

  Procedure requirements set forth in Title 9, Chapter 1 of McCall City Code.

#### **DECISION**

Skyes Lot Combination – Findings of Fact McCall Area Planning and Zoning Commission – August 4, 2020

Page 4 of 4

THEREFORE, the McCall Area Planning and Zoning Commission hereby approves this Record of Survey

application, provided that the following conditions are met:

1. Prior to recordation, the applicant shall receive final engineering approval.

2. At the time of recordation, the applicant shall provide the County with either deeds of conveyance

with new legal descriptions or a Valley County Combination Request Form to finalize the

combination.

3. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal

description immediately upon recordation.

4. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final

plat or survey is not filed with the county recorder within eighteen (18) months of the date of such

approval.

Findings of Fact **adopted** this 4<sup>th</sup> day of August 2020.

Fallon Fereday, Chair McCall Area Planning and Zoning Commission

Attest:

Morgan Bessaw, City Planner City of McCall

### City of McCall

216 East Park Street McCall, Idaho 83638 P.208.634.7142

Impact Area

City Limits 🔀

# LAND USE APPLICATION



Date Received:	NOTICE OF ADDITIONAL FEES  Land use applications may be subject to engineering and legal review for purpose	of addressing compliance
Fees Paid:	and conformance issues. The City of McCall reserves the right to contract these se costs of these reviews are passed on to the applicant. These fees are separate, an application and permit fees. Completion of this application signifies consent to the	ervices to private firms. The add in addition to, the City's
Please check all tha		
	Record of Survey (ROS) - \$420	
G #		ed to the nearest 1,000)
_ #	Scenic Route (SR) - \$300	
O #	Shoreline or River Environs (SH) - \$300	Incomplete applications
O #	Conditional Use Permit (CUP) - \$600	cannot be accepted by
	Administrative Approval (AA) - \$50	the City. Unless
	Planned Unit Development (PUD) General Plan - \$2,000 + \$75/lot or unit	otherwise exempted by
□ #		the Administrator, all
<b>#</b>	Subdivision (SUB) Preliminary Plat - \$2,500 + \$75/lot or unit	Application
<pre>#</pre>	Subdivision (SUB) Final Plat - \$1000 + \$75/lot or unit	Requirements must be
□ #	Minor Plat Amendment - \$1,000	provided at the time of submission. Please
<b>#</b>	Variance (VAR) - \$1,000	refer to specific
□ #	Rezone (ZON) - \$1,500	application info sheets
□ #	_Zoning Code Amendment (CA) - \$750/title	for more details.
<pre>#</pre>	Annexation - \$3,000	
<pre>#</pre>	Vacation (VAC) - \$750	
	PROPERTY OWNER INFORMATION	
Property Owner	1: Justin Sykes Email:	
Mailing Address:	one:	
D		
Property Owner 2	Littan.	
Mailing Address:	Phone:	
	AGENT/AUTHORIZED REPRESENTATIVE INFORMAT	ION
Applicant/Repres	sentative: Voc 1 Droulard Email: jdrou	and a out look, a
	Box 69 McColl 1d 83638 Phone: 208-	
	PROPERTY INFORMATION	
Address(es) of Pro	perty: 1311 Roosevett Auc.	
Legal Description o	f Property: McCall's 15T Addition, Lots 9-10	O, Block 16
Zoning District of P	roperty:R-8 Project Sq. Footage (If Applicable):7306	

Residential 🔀

Commercial

### LAND USE APPLICATION CONTINUED

Payette Lakes Water and Sewer District 🛛 or Septic System 🗌 or not applicable 🔲 PROJECT DESCRIPTION Explain the general nature of what is proposed: (please attach supplemental information if needed) **SIGNATURES** The Applicant hereby agrees to pay reasonable attorney fees, including attorney fees on appeal and expenses of the City of McCall, in the event of a dispute concerning the interpretation or enforcement of the Land Use Application in which the City of McCall is the prevailing party. I certify that I have reviewed and understand the procedures and requirements of the McCall City Code. I give permission for City staff and/or Planning & Zoning Commission members to view and enter the subject property in order to fully review this application. I understand that failure to provide complete and accurate information on this application may lead to denial of this application. Property Owner 2 (If Applicable) Signature Signature FOR RECORD OF SURVEY APPLICATIONS ONLY: STATEMENT OF EASEMENT DISCLOSURE Wel Drouland Signature I hereby certify that I have performed a thorough search for all relevant easements that relate to the subject property and have indicated or referenced these by their instrument number on the provided survey.

This Record of Survey has been reviewed and approved by the City of McCall with respect to it's compliance with the Zoning Ordinance and exemption from formal platting; an individual lat shown on this Record of Survey shall be considered a single lat for purposes of City	Accepted and approved thisday of by the City of McCall.		Book Page of Records of Survey
and exemption from formal platting; an individual lot shown on this Record of Survey shall be considered a single lot for purposes of City Ordinances. If this record of Survey combines lots shown on a plat or survey of record, separate sale of such separate lots will constitute an illegal subdivision under the McCall City Code.	McCall City Clerk		
Ordinances. If this record of Survey combines lots shown on a plat or survey of record, separate sale of such separate lots will constitute an illegal subdivision under the McCall City Code.  Found 5/8" rebar w/red plastic cap marked "CONTROL" identified as "Mill" in the City of McCall Control Point Network  A 40.00"  1	S 81'23'42" E 122.13'  S P R U C E  S 81'28'22" E 121.87'  LOT 10  lot line to vocate	S T R E E T  16.00'  S 81'28'22" E 121.86'	I, Joel W. Droulord, a Registered Land Surveyor, do hereby certify that his plat was prepared from notes taken during an actual survey made by me in June of 2020, and that it correctly represents the points, courses and distances as recorded in said field notes.  The provided History of the provided History of the points of the points of the points of the points of the provided History o
800	N 81'28'21" W 121.90'	LOT 12	DROULS TO DAY OF THE SPORT OF T
S OB:36 '34" W 239.78"	06'34'32* W 239.77*	LEGEND  Set 5/8 inch dia. rebar w/plastic cap  Set 1/2 inch dia. rebar  Found 5/8 inch dia. rebar	Scale in Feet Distances shown are US Survey feet, ground
Four marked the Control of the Contr	8) 81	o Found 1/2 inch dia. rebar O Found iron pipe	RECORD OF SURVEY 20— situate in Government Lot 2
Q   C898	, , , , , , , , , , , , , , , , , , ,	Bearings based on State Plane Grid	Section 9, T. 18 N., R. 3 E., B.M., Lots 9 and 10, Block 16, McCall's 1st Addition Book 1, Page 28 of Plats at Valley County
URVEY NARRATIVE:	LS998 6 6 L	35357	City of McCall, Idaho for
his survey was done to create a single parcel of land by combining two ts of record throught the City of McCall Record of Survey process. secord monuments were found and accepted.			JUSTIN AND ROCHELLE SYKES
			JDROULARD@OUTLOOK.COM 208-630-3423

# McCall Area Planning and Zoning Commission Staff Report

### **ROS-20-17**

1210 Louisa
Kempthorne Lot Combination

August 4, 2020

Applicant: Dirk and Patricia Kempthorne

Agent: Millemann, Pemberton, and Holm

Application: Lot Combination

Zoning: R16 – High Density Residential

### Description

A Record of Survey application to combine 5 lots and a portion of the vacated unnamed alley resulting in one lot of 0.52 acres.

### **Code Narrative**

This application was placed on the McCall Area Planning and Zoning Commission's consent agenda, thereby waiving public noticing requirements, pursuant to McCall City Code section 9.1.05.B.2.

Pursuant to McCall City Code (MCC 9.1.05), lot combinations are permitted through the Record of Survey process.

### Comments

Agency -

### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. Access shall be forbidden from Pine Street. Access to the parcels adjacent to the section of alley to be abandoned may only be accessed form either Louisa Ave. or Roosevelt Ave.
  - a. A Public Works Driveway Permit Application is required for any proposed new access to the properties.
- 2. ROS boundary shall include two separate control ties to city of McCall control points.
- Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance document can be found here: https://evogov.s3.amazonaws.com/141/media/115532.pdf

### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Please be aware that a recorded deed of conveyance with the new encompassing description will be required.

### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

*Public* – No public comment received.

### **Conditions of Approval**

- 1. Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall receive final engineering approval.
- 3. At the time of recordation, the applicant shall provide the County with a recorded deed of conveyance with the new encompassing description.
- 4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

IN RE:	)	
	)	McCall area planning and zoning commission
KEMPTHORNE COMBINATION	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Record of Survey	)	DECISION
	)	
	)	
Application Number:	)	
ROS-20-17	)	

### **FINDINGS OF FACTS**

**Applicant**: Dirk and Patricia Kempthorne

**Representative(s)**: Millemann, Pemberton and Holm LLP

**Application**: A Record of Survey application to combine 5 lots and a portion of the vacated

unnamed alley resulting in one lot of 0.52 acres.

**Location**: Lots 18-23, Block 15 of McCall's First Addition situate in Section 9, T18N, R3E,

B.M., City of McCall, Valley County, Idaho.

**Property Address**: 1210 Louisa Ave., McCall ID 83638

**Public Notices**: This application was placed on the McCall Area Planning and Zoning

Commission's consent agenda, thereby waiving public noticing requirements.

This was done pursuant to McCall City Code section 9.1.05.B.2, which states that

the administrator may waive the application of some provisions.

**Zoning**: R16 – High Density Residential

**Property Size**: A Record of Survey application to combine 5 lots and a portion of the vacated

unnamed alley resulting in one lot of 0.52 acres.

**Setbacks**: All parcels are undeveloped. Per MCC 3.3.03, the minimum required setbacks

for the new lot are 15 ft from the property line fronting Louisa St., 20 ft. where

the property line fronts the Pine St. right-of-way, and 15 ft. from either interior

side property line.

### **APPROVAL STANDARDS**

### Title 9, Chapter 1

### **Record of Survey**

To be eligible for processing under the Record of Survey Procedure, an application for approval of a plat or survey must be signed by all owners and determined by the administrator to meet one or more of the standards set out below:

Two (2) or more lots of record are being combined. A Record of Survey application to combine
 5 lots and a portion of the vacated unnamed alley resulting in one lot of 0.52 acres.

### **DEPARTMENT/AGENCY COMMENTS**

### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- Access shall be forbidden from Pine Street. Access to the parcels adjacent to the section of alley to be abandoned may only be accessed form either Louisa Ave. or Roosevelt Ave.
  - a. A Public Works Driveway Permit Application is required for any proposed new access to the properties.
- 2. ROS boundary shall include two separate control ties to city of McCall control points.
- Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the
   City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance
   document can be found here: <a href="https://evogov.s3.amazonaws.com/141/media/115532.pdf">https://evogov.s3.amazonaws.com/141/media/115532.pdf</a>

### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Please be aware that a recorded deed of conveyance with the new encompassing description will be required.

### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

### **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of Record of Survey applications, pursuant to Title
   Chapter 1 of McCall City Code.
- 2. The proposed project is eligible for the Record of Survey process as a lot combination.
- The proposed project meets the dimensional standards for lots in the R16, per Title 3, Chapter 3,
   McCall City Code.
- 4. Upon compliance with the conditions noted below, the application meets the Record of Survey

  Procedure requirements set forth in Title 9, Chapter 1 of McCall City Code.

### **DECISION**

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **approves** this Record of Survey application, provided that the following conditions are met:

- Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall receive final engineering approval.

Kempthorne Combination – Findings of Fact McCall Area Planning and Zoning Commission – August 4, 2020

Page 4 of 4

3. At the time of recordation, the applicant shall provide the County with a recorded deed of

conveyance with the new encompassing description.

4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal

description immediately upon recordation.

5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final

plat or survey is not filed with the county recorder within eighteen (18) months of the date of such

approval.

Findings of Fact **adopted** this 4<sup>th</sup> day of August 2020.

Fallon Fereday, Chair McCall Area Planning and Zoning Commission

Attest:

Morgan Bessaw, City Planner City of McCall

### City of McCall

216 East Park Street McCall, Idaho 83638 P.208.634.7142

# LAND USE APPLICATION



Date Received:	NOTICE OF ADDITIONAL FEES  Land use applications may be subject to engineering and legal review for purpose of	of addressing compliance
Fees Paid:	and conformance issues. The City of McCall reserves the right to contract these serves of these reviews are passed on to the applicant. These fees are separate, an application and permit fees. Completion of this application signifies consent to these	rvices to private firms. The d in addition to, the City's
Please check all tha		ic iccs.
	Record of Survey (ROS) - \$420	
☐#	Design Review (DR) - \$300 + \$25/1,000 sq. ft. of new construction (rounded	d to the nearest 1,000)
	Scenic Route (SR) - \$300	
The Application of the Control of th	Shoreline or River Environs (SH) - \$300	Incomplete applications
	Conditional Use Permit (CUP) - \$600	cannot be accepted by
□ # <u></u>	_Administrative Approval (AA) - \$50	the City. Unless
	_Planned Unit Development (PUD) General Plan - \$2,000 + \$75/lot or unit	otherwise exempted by
□ #	_Planned Unit Development (PUD) Final Plan - \$500 + \$75/lot or unit	the Administrator, all
□ #	_Subdivision (SUB) Preliminary Plat - \$2,500 + \$75/lot or unit	Application
□ #	_Subdivision (SUB) Final Plat - \$1000 + \$75/lot or unit	Requirements must be provided at the time of
	_Minor Plat Amendment - \$1,000	submission. Please
	_Variance (VAR) - \$1,000	refer to specific
	_Rezone (ZON) - \$1,500	application info sheets
	_Zoning Code Amendment (CA) - \$750/title	for more details.
	_Annexation - \$3,000	
□ #	_Vacation (VAC) - \$750	
	PROPERTY OWNER INFORMATION	
Property Owner 1	: Dirk & Patricia, Kempthorne	
Mailing Address		
Property Owner 2	(If Applicable): Email:	
Mailing Address: _	Phone:	
	AGENT/AUTHORIZED REPRESENTATIVE INFORMATI	ON
	entative: Steven Millemannemail: Simo	) (na aba al a C. (na
Applicant/ Kepres	balaba	mpmpiam sorr
Mailing Address:	PD Box 1066 McCall, ID Phone: 208-	1034-71041
	PROPERTY INFORMATION	
Address(es) of Prop	erty: Louisa and Pine	
	Property: Lots 18-23 Block 15 McCall's First	Addition
Zoning District of Pr	operty: <u>716</u> Project Sq. Footage (If Applicable): 22, 44	5
Impact Area	City Limits  Residential  Commercial	

### LAND USE APPLICATION CONTINUED

Payette Lakes Water and Sewer District 

or Septic System □ or not applicable □

PROJECT DESCRIPTION Explain the general nature of what is proposed: (please attach supplemental information if needed) combine Lots 18-23 and a portion per VAC-19-01. **SIGNATURES** The Applicant hereby agrees to pay reasonable attorney fees, including attorney fees on appeal and expenses of the City of McCall, in the event of a dispute concerning the interpretation or enforcement of the Land Use Application in which the City of McCall is the prevailing party. I certify that I have reviewed and understand the procedures and requirements of the McCall City Code. I give permission for City staff and/or Planning & Zoning Commission members to view and enter the subject property in order to fully review this application. I understand that failure to provide complete and accurate information on this application may lead to denial of this application. Property Owner 1 Signature Property Owner 2 (If Applicable) Signature Signature Agent/Authorized Representative FOR RECORD OF SURVEY APPLICATIONS ONLY: STATEMENT OF EASEMENT DISCLOSURE Raph Willer, Secosh Inc. I hereby certify that I have performed a thorough search for all relevant easements that relate to the subject property and have

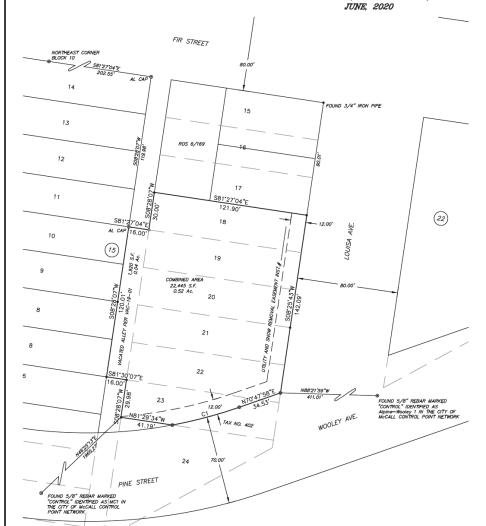
indicated or referenced these by their instrument number on the provided survey.

### RECORD OF SURVEY

### KEMPTHORNE

LOCATED IN

BLOCK 15 McCALL'S FIRST ADDITION TO McCALL TOWNSITE GOV'T LOT 2 SECTION 9, T.18N., R.3E., B.M., CITY OF McCALL, VALLEY COUNTY, IDAHO



BOOK NO.\_\_\_\_\_ PAGE NO.\_ OF RECORDS OF SURVEY.

RECORDERS STAMP



SCALE: 1" = 30"

Bearings Based on City of McCall Modified Grid Coordinate System

Measurements Made on the Ground

#### LEGEND

- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- SET 5/8" REBAR MKD LS 8577
- o SET 1/2" REBAR MKD LS 8577

This record of survey has been reviewed and approved by the City of McCall with respect to its compliance with the Subdivision and Development Ordinance and exemption from formal platting; an individual lat shown an this record of survey shall be considered a single lat for purposes of City ordinances. If this record of survey combines lots shown on a plat or survey of record, the separate sale of such former separate lats will constitute an illegal subdivision under the McCall City Code.

This survey is being filed to combine Lots 18 through 23, excepting Tax No. 402, and a portion of vacated alley, McCall's First Addition to McCall Townsite, Book 1 page 28 of Plats.

Accepted and approved this \_\_\_\_\_\_day of \_\_\_\_\_\_, 20\_\_\_\_\_, by the City of McCall.

McCall City Clerk

#### SUPVEY NAPPATIV

o) The purpose of this plat is to combine Lots 18 through 23, excepting Tax No. 402, and a portion of vocated alley as shown. The external boundary of the property is defined by plat, deed information and monuments found on the ground.

o) record Documents:

McCall's First Addition to McCall Townsite, Book 1 Page 28 of Plats, Inst. #1−213
Record of Survey Book 6 Page 169, Inst. #320906
Wornorty Deed Inst. #348474

Reg.i, Ralph Miller, a Professional Land Surveyor Reg.istered in the State of Idaha, do hereby certify that this plat was prepared from notes taken during an actual survey made by me and that it correctly represents the points, courses and distances as recorded in sold field notes.



SECESH ENGINEERING INC.

P.O. Box 70 McCall, ID 83638 (208) 634-6336

SHEET NO. 1 OF 1

# McCall Area Planning and Zoning Commission Staff Report

### **ROS-20-18**

1575 Bear Basin Rd Maclean Lot Line Adjustment

August 4, 2020

Applicant: Scott Maclean

Agent: Skiftun Land Surveying
Application: Lot Line Adjustment
Zoning: RR – Rural Residential

### Description

A Record of Survey application to adjust the lot line between two existing lots of record of 15.683 and 5.124 acres into two parcels of 13.879 and 6.928 acres respectively. The adjustment removes the existing nonconformity of the road bisecting two pieces of the same parcel.

### **Code Narrative**

This application was placed on the McCall Area Planning and Zoning Commission's consent agenda, thereby waiving public noticing requirements, pursuant to McCall City Code section 9.1.05.B.2.

Pursuant to McCall City Code (MCC 9.1.05), lot line adjustments are permitted through the Record of Survey process.

### **Comments**

Agency -

### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. Public Works is curious to know why the lot lines are being adjusted to the center of Meadows Road instead of to the Right-of-Way lines?
- 2. ROS boundary shall include two separate control ties to city of McCall control points.
- 3. Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance document can be found here: https://evogov.s3.amazonaws.com/141/media/115532.pdf

### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Deeds of conveyance with new legal descriptions must be recorded in order to process through our office.

### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

Public – No public comment received.

### **Conditions of Approval**

- 1. Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall receive final engineering approval.
- 3. At the time of recordation, deeds of conveyance with new legal descriptions must be recorded in order to process through the County.
- 4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

IN RE:	)	
	)	McCall area planning and zoning commission
Maclean Lot Line Adjustment	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Record of Survey	)	DECISION
	)	
	)	
Application Number:	)	
ROS-20-18	)	

### **FINDINGS OF FACTS**

**Applicant**: Scott Maclean

**Representative(s)**: Skiftun Land Surveying

**Application**: A Record of Survey application to adjust the lot line between two existing lots of

record of 15.683 and 5.124 acres into two parcels of 13.879 and 6.928 acres

respectively. The adjustment removes the existing nonconformity of the road

bisecting two pieces of the same parcel.

**Location**: The S ½ of Government Lot 5 and the N ½ of Government Lot 6 situate in

Section 6, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

**Property Address**: 1575 Bear Basin Rd., McCall ID 83638

**Public Notices**: This application was placed on the McCall Area Planning and Zoning

Commission's consent agenda, thereby waiving public noticing requirements.

This was done pursuant to McCall City Code section 9.1.05.B.2, which states that

the administrator may waive the application of some provisions.

**Zoning**: RR – Rural Residential

**Property Size**: A Record of Survey application to adjust the lot line between two existing lots of

record of 15.683 and 5.124 acres into two parcels of 13.879 and 6.928 acres

respectively.

Setbacks:

Per MCC 3.3.03, the minimum required setbacks in the RR zone are 25 ft. from the front property line and 50 ft. from all other property lines. The smaller lot will be nonconforming in size and would be subject to the setbacks of the zone with which it would be most conforming, RE – Residential Estate. Therefore, the required minimum setbacks for the smaller parcel are 25 ft. from the property lines fronting Meadows Rd. and Bear Basin Rd. and 30 ft. from all other property lines.

There are no parcels on the larger lot. There is an existing residence on the smaller lot, however, it appears to meet all minimum setback requirements.

### **APPROVAL STANDARDS**

### Title 9, Chapter 1

**Record of Survey** 

To be eligible for processing under the Record of Survey Procedure, an application for approval of a plat or survey must be signed by all owners and determined by the administrator to meet one or more of the standards set out below:

- 1. A lot line adjustment between two (2) or more existing adjacent parcels, provided:
  - (1) No additional parcels or building sites have been created, and
  - (2) The adjustment does not create the potential to further divide either of the two (2) parcels into more parcels than would have been otherwise possible, and
  - (3) There are no resulting violations of this title or title III of this code. A Record of Survey application to adjust the lot line between two existing lots of record of 15.683 and 5.124 acres into to parcels of 13.879 and 6.928 acres respectively. The adjustment removes the existing nonconformity of the road bisecting two pieces of the same parcel. No additional parcels or

building sites are being created, the adjustment does not create the potential to further divide either of the lots, and there are no resulting violations of McCall City Code Title 3 or Title 9.

### **DEPARTMENT/AGENCY COMMENTS**

### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- Public Works is curious to know why the lot lines are being adjusted to the center of Meadows Road instead of to the Right-of-Way lines?
- 2. ROS boundary shall include two separate control ties to city of McCall control points.
- Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the
   City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance
   document can be found here: <a href="https://evogov.s3.amazonaws.com/141/media/115532.pdf">https://evogov.s3.amazonaws.com/141/media/115532.pdf</a>

### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application. Deeds of conveyance with new legal descriptions must be recorded in order to process through our office.

### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

### **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of Record of Survey applications, pursuant to Title
   Chapter 1 of McCall City Code.
- 2. The proposed project is eligible for the Record of Survey process as a lot line adjustment.
- The proposed project meets the dimensional standards for lots in the RR, per Title 3, Chapter 3,
   McCall City Code.
- 4. Upon compliance with the conditions noted below, the application meets the Record of Survey

  Procedure requirements set forth in Title 9, Chapter 1 of McCall City Code.

### **DECISION**

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **approves** this Record of Survey application, provided that the following conditions are met:

- Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall receive final engineering approval.
- At the time of recordation, deeds of conveyance with new legal descriptions must be recorded in order to process through the County.
- 4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

Findings of Fact <b>adopted</b> this 4 <sup>th</sup> day of August 2020.		
Fallon Fereday, Chair McCall Area Planning and Zoning Commission		
<b>.</b>		
Attest:		
Morgan Bessaw, City Planner City of McCall		

City of McCall 216 East Park Street McCall, Idaho 83638 P.208.634.7142

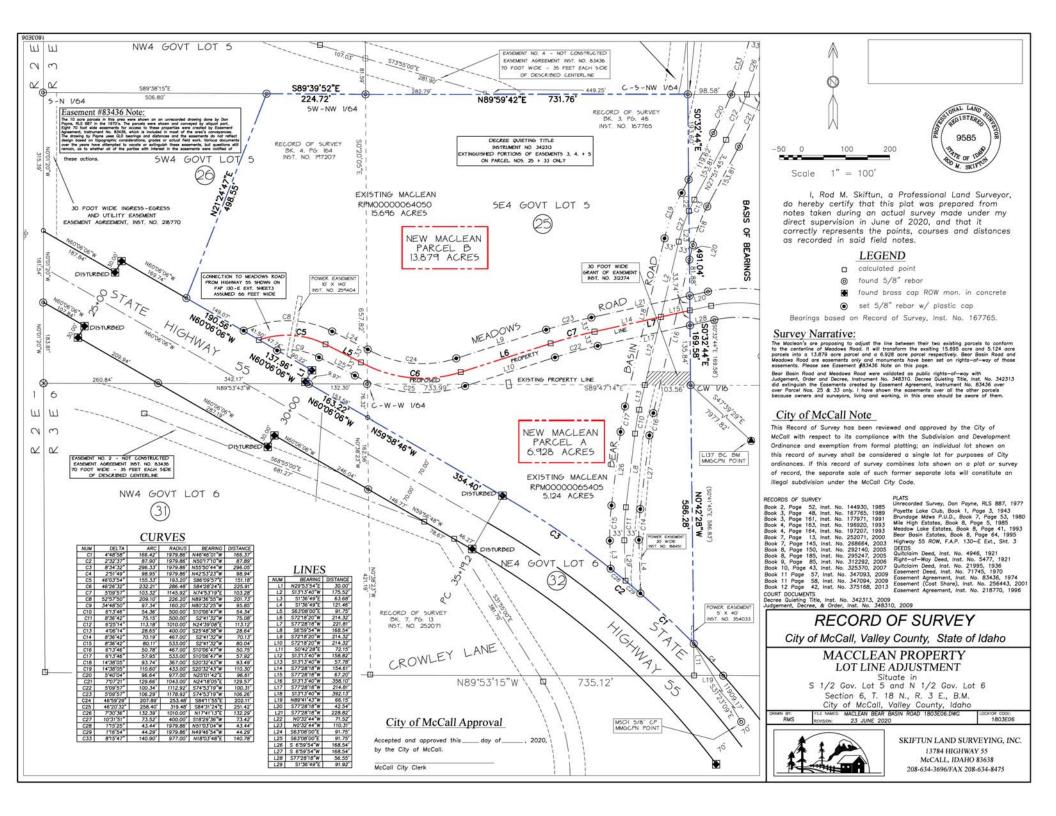
# **LAND USE APPLICATION**



Date Received:	NOTICE OF ADDITIONAL FEES  Land use applications may be subject to engineering and legal review for purpose of	of addressing compliance	
Fees Paid:	and conformance issues. The City of McCall recognizes the right to contract these convices to private firms. The		
Please check all tha	t apply:		
	Record of Survey (ROS) - \$420		
□ #	Design Review (DR) - \$300 + \$25/1,000 sq. ft. of new construction (rounded	d to the nearest 1,000)	
	_Scenic Route (SR) - \$300		
□ #	_Shoreline or River Environs (SH) - \$300	Incomplete applications	
	Conditional Use Permit (CUP) - \$600	cannot be accepted by	
	Administrative Approval (AA) - \$50	the City. Unless	
□ #	Planned Unit Development (PUD) General Plan - \$2,000 + \$75/lot or unit	otherwise exempted by	
□ #	Planned Unit Development (PUD) Final Plan - \$500 + \$75/lot or unit	the Administrator, all	
□ # <u></u>	_Subdivision (SUB) Preliminary Plat - \$2,500 + \$75/lot or unit	Application	
	Subdivision (SUB) Final Plat - \$1000 + \$75/lot or unit	Requirements must be	
	Minor Plat Amendment - \$1,000	provided at the time of	
	Variance (VAR) - \$1,000	submission. Please	
		refer to specific application info sheets	
	Zoning Code Amendment (CA) - \$750/title	for more details.	
	Annexation - \$3,000	.o. more actuals.	
□ # <u></u>	Vacation (VAC) - \$750		
	· · · · · · · · · · · · · · · · · ·		
	PROPERTY OWNER INFORMATION		
Property Owner 1	.: Email:		
Property Owner 2	(If Applicable): Email:		
Mailing Address: Phone:			
	AGENT/AUTHORIZED REPRESENTATIVE INFORMATI	ON	
Applicant/Represe	entative: Email:		
	Phone:		
	PROPERTY INFORMATION		
Address(es) of Prop	perty:		
Legal Description of	Property:		
Zoning District of Pro	operty: Project Sq. Footage (If Applicable):		
Impact Area 🔲	City Limits Residential Commercial		

## **LAND USE APPLICATION CONTINUED**

Payette Lakes Water and Sewer I	District ☐ or Septic System ☐ or not applicable ☐
PRO	DJECT DESCRIPTION
Explain the general nature of what is proposed:	(please attach supplemental information if needed)
	<del></del>
	SIGNATURES
	ney fees, including attorney fees on appeal and expenses of the City of McCall, n or enforcement of the Land Use Application in which the City of McCall is the
staff and/or Planning & Zoning Commission members	edures and requirements of the McCall City Code. I give permission for City to view and enter the subject property in order to fully review this application. urate information on this application may lead to denial of this application.
Property Owner 1	Signature
Property Owner 2 (If Applicable)	Signature
Agent/Authorized Representative	Signature
FOR RECORD OF SURVEY APPLICATIONS ONLY: S	STATEMENT OF EASEMENT DISCLOSURE
Surveyor	 Signature
I hereby certify that I have performed a thorough sea indicated or referenced these by their instrument nu	arch for all relevant easements that relate to the subject property and have imber on the provided survey.



### McCall Area Planning and Zoning Commission **Staff Report**

### **ROS-20-19**

441 Allen Ave **Dykas Combination** 

August 4, 2020

Applicant: Frank Dykas Joel Droulard

Application: Lot Combination

Zoning: R4 – Low Density Residential

### Description

Agent:

A Record of Survey application to combine two existing lots of 0.2135 and 0.2170 respectively resulting in one 0.4305 acre lot of record. There is an existing house over the lot line, the combination will remove the nonconformity.

### **Code Narrative**

This application was placed on the McCall Area Planning and Zoning Commission's consent agenda, thereby waiving public noticing requirements, pursuant to McCall City Code section 9.1.05.B.2.

Pursuant to McCall City Code (MCC 9.1.05), lot combinations are permitted through the Record of Survey process.

### **Comments**

Agency -

### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. ROS boundary shall include two separate control ties to city of McCall control points.
- 2. Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance document can be found here: https://evogov.s3.amazonaws.com/141/media/115532.pdf

### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application but that a County Combination Request form would be required at the time the survey was recorded.

### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

Public - No public comment received.

### **Conditions of Approval**

- 1. Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall receive final engineering approval.
- 3. At the time of recordation, a Valley County Combination Request form will be required to complete the process.
- 4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal description immediately upon recordation.
- 5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final plat or survey is not filed with the county recorder within eighteen (18) months of the date of such approval.

IN RE:	)	
	)	McCALL AREA PLANNING AND ZONING COMMISSION
DYKAS COMBINATION	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Record of Survey	)	DECISION
	)	
	)	
Application Number:	)	
ROS-20-19	)	

### **FINDINGS OF FACTS**

**Applicant**: Frank Dykas

Representative(s): Joel Droulard

**Application**: A Record of Survey application to combine two existing lots of 0.2135 and

0.2170 respectively resulting in one 0.4305 acre lot of record. There is an

existing house over the lot line, the combination will remove the

nonconformity.

**Lots** 66 & 67 of Evergreen Terrace 2 situate in the NE ¼ of the NE ¼ of Section

16, T18N, R3E, B.M., City of McCall, Valley County, Idaho.

**Property Address**: 441 Allen Ave., McCall ID 83638

Public Notices: This application was placed on the McCall Area Planning and Zoning

Commission's consent agenda, thereby waiving public noticing requirements.

This was done pursuant to McCall City Code section 9.1.05.B.2, which states that

the administrator may waive the application of some provisions.

**Zoning**: R4 – Low Density Residential

**Property Size**: A Record of Survey application to combine two existing lots of 0.2135 and

0.2170 respectively resulting in one 0.4305 acre lot of record.

**Setbacks**: Per MCC 3.3.03, the minimum required setbacks for the new lot are 20 ft. from

all property lines fronting the roadways, 15 ft. from the westerly side property

line, and 10 ft. from the northerly side property line. There is an existing residence and garage built over the shared lot line. The lot combination will remove the existing encroachment and nonconformity.

### **APPROVAL STANDARDS**

### Title 9, Chapter 1

### **Record of Survey**

To be eligible for processing under the Record of Survey Procedure, an application for approval of a plat or survey must be signed by all owners and determined by the administrator to meet one or more of the standards set out below:

**Two (2) or more lots of record are being combined.** A Record of Survey application to combine two existing lots of 0.2135 and 0.2170 respectively resulting in one 0.4305 acre lot of record.

### **DEPARTMENT/AGENCY COMMENTS**

### City Engineer

In an email dated July 13, 2020, the McCall City Engineer stated the following:

- 1. ROS boundary shall include two separate control ties to city of McCall control points.
- Once the final ROS draft is complete, two digital CAD files, prepared in accordance with the
   City's digital data submission standards (DDSS) shall be provided. The complete DDSS guidance
   document can be found here: https://evogov.s3.amazonaws.com/141/media/115532.pdf

### Central District Health (CDH)

In a review sheet dated July 2, 2020, CDH stated they had no comments.

### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 meeting. In an email dated July 14, 2020, the district stated they had no comments.

### McCall Fire

In an email dated July 1, McCall Fire stated they had no comments.

### Valley County Cadastral

In an email dated July 10, 2020, the Valley County Cadastral Department stated they had no objection to the approval of this application but that a County Combination Request form would be required at the time the survey was recorded.

### Valley County Surveyor

In a review letter received July 22, 2020, the County Surveyor stated that the survey complies and recommended approval.

### **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of Record of Survey applications, pursuant to Title
   Chapter 1 of McCall City Code.
- 2. The proposed project is eligible for the Record of Survey process as a lot combination.
- The proposed project meets the dimensional standards for lots in the R4, per Title 3, Chapter 3,
   McCall City Code.
- 4. Upon compliance with the conditions noted below, the application meets the Record of Survey

  Procedure requirements set forth in Title 9, Chapter 1 of McCall City Code.

### **DECISION**

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **approves** this Record of Survey application, provided that the following conditions are met:

- Prior to recordation, the applicant shall submit digital files of the Record of Survey in accordance with the McCall Digital Data Submission Standards.
- 2. Prior to recordation, the applicant shall receive final engineering approval.
- At the time of recordation, a Valley County Combination Request form will be required to complete the process.

Dykas Combination – Findings of Fact McCall Area Planning and Zoning Commission – August 4, 2020

Page 4 of 4

4. The applicant shall provide the City with a .PDF copy of the recorded survey and recorded legal

description immediately upon recordation.

5. Pursuant to McCall City Code (MCC 9.1.05.B.2.g), this approval shall become null and void if the final

plat or survey is not filed with the county recorder within eighteen (18) months of the date of such

approval.

Findings of Fact **adopted** this 4<sup>th</sup> day of August 2020.

Fallon Fereday, Chair

McCall Area Planning and Zoning Commission

Attest:

\_\_\_\_\_

Morgan Bessaw, City Planner City of McCall

### City of McCall

216 East Park Street McCall, Idaho 83638 P.208.634.7142

City Limits 🔀

Impact Area

# LAND USE APPLICATION



Date Received:	NOTICE OF ADDITIONAL FEES	
	Land use applications may be subject to engineering and legal review for purpose	of addressing compliance
Fees Paid:	and conformance issues. The City of McCall reserves the right to contract these se costs of these reviews are passed on to the applicant. These fees are separate, and	
	application and permit fees. Completion of this application signifies consent to the	se fees.
Please check all tha	t apply:	
D# \$420.00	_Record of Survey (ROS) - \$420	
□ #	_Design Review (DR) - \$300 + \$25/1,000 sq. ft. of new construction (rounde	d to the nearest 1,000)
	_Scenic Route (SR) - \$300	
□ #	_Shoreline or River Environs (SH) - \$300	Incomplete applications
<b>=</b> #		cannot be accepted by
	_Administrative Approval (AA) - \$50	the City. Unless
□ #		otherwise exempted by
	_Planned Unit Development (PUD) Final Plan - \$500 + \$75/lot or unit	the Administrator, all
_ #		Application Requirements must be
	_Subdivision (SUB) Final Plat - \$1000 + \$75/lot or unit	provided at the time of
#		submission. Please
	Variance (VAR) - \$1,000	refer to specific
	_Rezone (ZON) - \$1,500	application info sheets
	_Zoning Code Amendment (CA) - \$750/title	for more details.
	_Annexation - \$3,000	
□ #	_Vacation (VAC) - \$750	
	PROPERTY OWNER INFORMATION	
<b>Property Owner 1</b>	: Frank J. Dylous Roal Property Trust Email:	7
Property Owner 2	(If Applicable):Email:	
Mailing Address: _	Phone:	
	AGENT/AUTHORIZED REPRESENTATIVE INFORMATI	ON
Applicant/Repres	entative: Joel Drouland Email: jdroul	and @ outlook, con
Mailing Address: \( \)	Box 69 MCG11 1d 83638 Phone: 208	-630-3423
	PROPERTY INFORMATION	
Address(es) of Prop	verty: 441 Allen Ave. McCall ID 83638	
Legal Description of	Property: Evegreen Terrace No 2, Lots 66	\$ 67
Zoning District of Pr	operty: <u>R-4</u> Project Sq. Footage (If Applicable): <u>18</u> 750	2

Residential 🔀

Commercial

# **LAND USE APPLICATION CONTINUED**

Payette Lakes Water and Sewer District 🔀	or Septic System  or not applicable
PROJECT DE	SCRIPTION
Explain the general nature of what is proposed: (please attack The consideration of Lots 66 \$ 67	into a single Combined Lot
SIGNA	TURES
The Applicant hereby agrees to pay reasonable attorney fees, incluin the event of a dispute concerning the interpretation or enforced prevailing party.  I certify that I have reviewed and understand the procedures and restaff and/or Planning & Zoning Commission members to view and elunderstand that failure to provide complete and accurate information of RAWK 3. Decay Rew Poysonty Trust  Frank 5 Decay Trustee  Property Owner 1  Property Owner 2 (If Applicable)  Agent/Authorized Representative	replacement of the Land Use Application in which the City of McCall is the equirements of the McCall City Code. I give permission for City enter the subject property in order to fully review this application. Ition on this application may lead to denial of this application.  Signature  Signature
FOR RECORD OF SURVEY APPLICATIONS ONLY: STATEMENT	OF EASEMENT DISCLOSURE
Joel Drouland Surveyor	Signature
I hereby certify that I have performed a thorough search for all re indicated or referenced these by their instrument number on the	

This Recard of Survey has been reviewed and approved by the City of McCall with respect to it's compliance with the Zoning Ordinance and exemption from formal plating; an individual lat shown on this Record of Survey shall be considered a single lat for purposes of City Ordinances. If this record of Survey combines lats shown on a plat or survey of record, separate sale of such separate lats will constitute an illegal subdivision under the McCatl City Code.

Accepted and approved by the City of McCall.	thisdoy	of	20
McCall City Clerk			

Page Rook of Records of Survey



LEGEND

- a Found 1/2 inch dia. rebar
- a Found 5/8 inch dia, rebar
- Set 5/8" x 24" rebar w/plastic cop
- ( ) Record data in parentheses

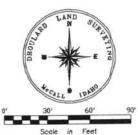


Utility Easement being vacated

Building lines shown are roof eaves

Bearings based on the plat of Evergreen Terrace No. 2 Rotate bearings +0" 44" 39" to State Plane Grid

Combined Lot Area = 0.430 ac., 18,750 sq ft Lot 66 Area = 0.217 ac., 9452 sq ft Lot 67 Area = 0.213 ac., 9298 sq ft



Distances shown are US Survey feet

### SURVEY NARATIVE

This survey is done to combine two lots of record into a single porcel of land through the City of McCall Record of Survey process. This survey is based on the original plat and found manumentation.



### RECORD OF SURVEY 20-\_

situate in the NW4 of the NE4 of Section 16, T. 18 N., R. 3 E, B.M., Lots 66 and 67, Evergreen Terroce No. 2, Book 7, Page 26 of Plats, City of McCall, Valley County, Idaha

FRANK J. DYKAS SEPARATE PROPERTY TRUST

1803E016

## McCall Area Planning and Zoning Commission Staff Report

### CUP-20-01, DR-20-22, SH-20-02

1136 E. Lake St. Legacy Beach Pump Station

August 4, 2020

Applicant: City of McCall

Agent: Nathan Stewart, Public Works Director

Application: Conditional Use Permit, Design Review, and Shoreline Environs Zone

Zoning: CV – Civic and Shoreline and River Environs Zone

### Description

A Conditional Use Permit, Design Review, and Shoreline and River Environs Zone applications for the reconstruction of and addition to the City of McCall's water intake station in Legacy Park.

Zoning: CV -Civic Property Size: 47,132 sq. ft. (1.08 acres) Building Height: 12.5 ft.

Lot Coverage: The CV zone allows 80% lot coverage by structures, or 37,705 sq. ft. of coverage. The proposed structure is approximately 1,000 sq. ft., or 3% of allowable. There are no other structures on site.

Proposed/Existing Setbacks: Civic Zoned properties have no minimum setback requirements, however, the shoreline and river environs zone has a 50 ft. setback from the ordinary high water mark of Payette Lake. The structure is set on the 50 ft. setback line and a portion of the western wall and northwest corner of the building encroaches slightly into the setback.

Per MCC 3.11.05A1, no nonconforming structure may be enlarged or altered in a way which increases the nonconformity including volume, but any structure or portion may be altered to decrease its nonconformity. The existing pump station encroaches approximately 10 ft. into the shoreline setback on the west side of the building and more on the northwest corner. The western 10 ft. of the building will be removed, significantly reducing the nonconformity of the structure. There is an existing property line the cuts through the middle of the building, the City of McCall owns both pieces of property. Prior to issuance of a building permit, the City shall record a ROS removing the lot line.

### Parking Spaces:

Provided/Existing: No parking spaces are provided, however, there is a paver area/driveway that could be used as a parking space while employees check on the facility. No employees are intended to work on site.

Required: Per MCC 3.8.06(G) Uses Not Listed: Parking spaces for other permitted or conditional uses not listed in this section shall be determined by the commission.

Landscaping: The new landscaping plan calls for 10 spiraea, 5 thimble berry, a flowering crabapple tree, and 4 new maple trees for screening.

### **Code Narrative**

Per MCC 3.6.02, public service facilities are conditionally permitted within the Civic Zone.

Per MCC 3.16.02, design review is required for development within the shoreline and river environs zone.

Per MCC 3.7.02, development within 150 ft. of the ordinary high water mark of Payette Lake requires Shoreline and River Environs Zone approval.

### **Design Guideline Narrative**

Please see the attached Findings and Conclusions document for Design Guideline analysis.

### **Comments**

Agency -

### McCall City Engineer

In an email dated July 2, 2020, the City Engineer stated he had no concerns with the application.

### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 McCall Area Planning and Zoning Commission meeting. In an email date July 14, 2020, PLRWSD stated they had no comments on the application.

### McCall Fire

In an email dated July 1, 2020 McCall Fire stated they had no comments on the application.

### Central District Health Department (CDHD)

In a review letter dated July 2, 2020, CDHD stated they had no comments.

*Public* – No public comments have been received.

### **Commission Findings**

The Commission hereby makes the following findings:

- 1. The project is in general conformance with the Comprehensive Plan.
- 2. The project does not jeopardize the health, safety or welfare of the public.
- 3. The project conforms to the applicable specifications outlined in the City of McCall Design Guidelines as well as all other applicable requirements of the Zoning.

### **Conditions of Approval**

- 1. Prior to issuance of a building permit, the City shall record a ROS removing the lot line.
- 2. Prior to issuance of a building permit, the applicant shall receive final engineering approval.

3.	Pursuant to McCall City Code (MCC 3.16.08), design review approval shall lapse and become void whenever the applicant has not applied for a building permit within one year from the date of initial approval.

IN RE:	)	
	)	McCALL AREA PLANNING AND ZONING COMMISSION
LEGACY BEACH	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Conditional Use Permit	)	DECISION
	)	
	)	
Application Number:	)	
CUP-20-01	)	
• •	) ) )	

### **FINDINGS OF FACTS**

**Applicant**: City of McCall

**Representative(s)**: Nathan Stewart

**Application**: A Conditional Use Permit, Design Review, and Shoreline and River Environs Zone

applications for the reconstruction of and addition to the City of McCall's water

intake station in Legacy Park.

Location: Tax lot 296 of Government Lot 3 situate in Section 9, T18N, R3E, B.M., City of

McCall, Valley County, Idaho.

**Property Address**: 1136 E. Lake St., McCall, ID 83638

**Public Notices**: Newspaper: The Notice of Hearing was published in the *Star News* on July 16,

2020.

Mailing: The applicant mailed the Notice of Hearing to property owners within

300 feet on July 16, 2020.

Posting: The applicant posted the Notice of Hearing on the subject property on

July 16, 2020.

**Procedural History**: (for Council)

**Zoning**: CV -Civic

**Property Size**: 47,132 sq. ft. (1.08 acres)

Lot Coverage:

The CV zone allows 80% lot coverage by structures, or 37,705 sq. ft. of coverage. The proposed structure is approximately 1,000 sq. ft., or 3% of allowable. There are no other structures on site.

Civic Zoned properties have no minimum setback requirements,

**Building Height:** 

12.5 ft.

**Proposed/Existing Setbacks**:

however, the shoreline and river environs zone has a 50 ft. setback from the ordinary high water mark of Payette Lake. The structure is set on the 50 ft. setback line and a portion of the western wall and northwest corner of the building encroaches slightly into the setback.

Per MCC 3.11.05A1, no nonconforming structure may be enlarged or altered in a way which increases the nonconformity including volume, but any structure or portion may be altered to decrease its nonconformity. The existing pump station encroaches approximately 10 ft. into the shoreline setback on the west side of the building and more on the northwest corner. The western 10 ft. of the building will be removed, significantly reducing the nonconformity of the structure. There is an existing property line the cuts through the middle of the building, the City of McCall owns both pieces of property. Prior to issuance of a building permit, the City shall record a ROS removing the lot line.

### **Parking Spaces:**

Provided/Existing: No parking spaces are provided, however, there is a paver area/driveway that could be used as a parking space while employees check on the facility. No employees are intended to work on site.

Required: Per MCC 3.8.06(G) Uses Not Listed: Parking spaces for other permitted or conditional uses not listed in this section shall be determined by the commission.

### **APPROVAL STANDARDS**

### Title 3, Chapter 13

### **Conditional Use Permit**

A Conditional Use permit shall be granted only if the Commission finds that the use, as applied for, will:

- 1. **Constitute** a **conditional use** authorized in the zone involved. Per MCC 3.6.02, public service facilities are conditionally permitted within the Civic Zone.
- 2. Be harmonious with and in accord with the general objectives and with any specific objectives of the comprehensive plan and/or this title. The future land use map identifies this area as continuing to be Civic. Legacy Park is identified in the 2006 Parks Master Plan that was used to help create the 2018 Comprehensive Plan. The design also minimizes its impact on the lakefront and the park, which is considered a key place of significance in the McCall Comprehensive Plan.
- 3. Be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or likely character of the neighborhood, and that such use will not change the essential character of the surrounding area. The remodeled building is very low profile at 12.5 ft. and is proposed to be well landscaped to minimize its visual impact on the existing park. No employees will work on site full time, the site will be serviced only occasionally. The use, which is existing, does not change the essential character of the surrounding area.
- 4. Not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of such proposed use. The improvements to the site will improve the safety, operation efficiency, and functionality of the pump house, which in turn will be beneficial to the

- health, safety, and general welfare of persons enjoying Legacy Park and residing and working in the neighborhood.
- 5. Not cause any substantially harmful environmental consequences to any land or waters within the planning jurisdiction. The project moves the pump house slightly further from the water of Payette Lake, and has been reviewed by the City Engineer. In an email dated July 2, 2020, the City Engineer stated he had no concerns regarding the project.
- 6. Not create excessive additional public cost for public facilities and services, and will not be detrimental to the economic welfare of the community. The project will not create excessive additional public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.
- 7. Be served adequately by essential public facilities and services including highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools.
  The applicant may be required, as a condition of approval, to mitigate any deficient public service. The structure and use are existing and are already served by any necessary public facilities and services.
- 8. Not involve uses, activities, processes, materials, equipment or conditions of operation that will cause unreasonable production of traffic, noise, smoke, fumes, glare, odors or other forms of pollution. The facility will not have a full-time staff, and therefore produces no traffic. Noise, fumes or odor will be minimal, and no other forms of pollution have been identified.
- 9. Have vehicular approaches to the property so designed as not to create a detrimental interference with traffic on surrounding public or private thoroughfares, or adversely affect the pedestrian environment. There is no true vehicular approach because the structure is located off the right-of-way in Legacy Park. However, there is a paver pathway/driveway that

can be used on the occasion that staff needs to access the building, which provides enough space for staff working at the facility to move off the pedestrian walkway utilized by the public.

- 10. Not result in the destruction, loss or damage of an important natural, scenic or historic feature. The addition is situated in a way that reduces the nonconformity, by removing the western 10 ft. of the building that encroach into the Shoreline and River Environs 50 ft. setback from the highwater mark of Payette Lake. The structure is low profile and well landscaped, minimizing its visual impact either from or viewing the lake. No important natural, scenic or historic features will be loss or damaged by the project.
- 11. Be on a site of sufficient size to accommodate the proposed use, including the yards, open spaces, snow storage, walls, fences, parking areas, loading zones and design standards applicable. The site is of more than sufficient size to accommodate the structure/use while providing snow storage, loading zones, meeting lot coverage and setbacks, and relevant design standards.
- 12. Have a minimal negative economic impact on the neighborhood or surrounding community.

  The project has not been determined to have any negative economic impact on the neighborhood or surrounding community.

## **DEPARTMENT/AGENCY COMMENTS**

# McCall City Engineer

In an email dated July 2, 2020, the City Engineer stated he had no concerns with the application.

Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 McCall Area Planning and Zoning Commission meeting. In an email date July 14, 2020, PLRWSD stated they had no comments on the application.

## McCall Fire

In an email dated July 1, 2020 McCall Fire stated they had no comments on the application.

Central District Health Department (CDHD)

In a review letter dated July 2, 2020, CDHD stated they had no comments.

**CONCLUSIONS OF LAW** 

1. The City of McCall has provided for the processing of Conditional Use Permits, authorized by Section

67-6512, Idaho Code, pursuant to Title 3, Chapter 13 of McCall City Code.

2. Adequate notice of the August 4, 2020 public hearing was provided, pursuant to Section 67-6512,

Idaho Code and Title 3, Chapter 15 of McCall City Code.

3. Upon compliance with the conditions noted below, the application meets the Conditional Use

Permit Standards set forth in Title 3, Chapter 13 of McCall City Code.

**DECISION** 

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **recommends** this Conditional Use

Permit application for **approval**, provided that the following conditions are met:

1. Prior to issuance of a building permit, the City shall record a ROS removing the lot line.

2. Prior to issuance of a building permit, the applicant shall receive final engineering approval.

3. This Conditional Use Permit shall be exercised within twelve (12) calendar months of the date of City

Council approval.

Findings of Fact adopted this 4<sup>th</sup> day of AUGUST 2020.

Fallon Fereday, Chair McCall Area Planning and Zoning Commission

Attest:

\_\_\_\_\_

Morgan Bessaw, City Planner

City of McCall

IN RE:	)	
	)	McCall area planning and zoning commission
LEGACY BEACH PUMP STATION	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Design Review	)	DECISION
	)	
	)	
Application Number:	)	
DR-20-22, SH-20-02	)	

#### **FINDINGS OF FACTS**

**Applicant**: City of McCall

**Representative(s)**: Nathan Stewart

**Application**: A Conditional Use Permit, Design Review, and Shoreline and River Environs Zone

applications for the reconstruction of and addition to the City of McCall's water

intake station in Legacy Park.

**Location**: Tax lot 296 of Government Lot 3 situate in Section 9, T18N, R3E, B.M., City of

McCall, Valley County, Idaho.

**Property Address**: 1136 E. Lake St., McCall, ID 83638

**Public Notices**: Newspaper: The Notice of Hearing was published in the *Star News* on July 16,

2020.

Mailing: The applicant mailed the Notice of Hearing to property owners within

300 feet on July 16, 2020.

Posting: The applicant posted the Notice of Hearing on the subject property on

July 16, 2020.

**Zoning**: CV -Civic

**Property Size**: 47,132 sq. ft. (1.08 acres)

Lot Coverage:

The CV zone allows 80% lot coverage by structures, or 37,705 sq. ft. of coverage. The proposed structure is approximately 1,000 sq. ft., or 3% of allowable. There are no other structures on site.

**Building Height:** 

12.5 ft.

**Proposed/Existing Setbacks:** Civic Zoned properties have no minimum setback requirements,

however, the shoreline and river environs zone has a 50 ft. setback from the ordinary high water mark of Payette Lake. The structure is set on the 50 ft. setback line and a portion of the western wall and northwest corner of the building encroaches slightly into the setback.

Per MCC 3.11.05A1, no nonconforming structure may be enlarged or altered in a way which increases the nonconformity including volume, but any structure or portion may be altered to decrease its nonconformity. The existing pump station encroaches approximately 10 ft. into the shoreline setback on the west side of the building and more on the northwest corner. The western 10 ft. of the building will be removed, significantly reducing the nonconformity of the structure. There is an existing property line the cuts through the middle of the building, the City of McCall owns both pieces of property. Prior to issuance of a building permit, the City shall record a ROS removing the lot line.

**Parking Spaces:** 

Provided/Existing: No parking spaces are provided, however, there is a paver area/driveway that could be used as a parking space while employees check on the facility. No employees are intended to work on site.

Required: Per MCC 3.8.06(G) Uses Not Listed: Parking spaces for other permitted or conditional uses not listed in this section shall be determined by the commission.

#### **APPROVAL STANDARDS**

# Title 3, Chapter 7

**Shoreline and River Environs Zone** 

No conditional use or building permit shall be issued, nor is any development, grading, or alteration of any land within this zone permitted, unless the applicant establishes to the satisfaction of the commission and council in the case of a conditional use, or of the administrator in the case of a building permit, that:

- 1. The proposed development meets all applicable requirements of this title and title IX of this code. The proposed development meets the allowable building height and lot coverage of Title III and Title IX. There will be a small encroachment into the 50 ft. shoreline and river environs setback from the ordinary high water mark of Payette Lake, however, approximately 246 sq. ft. of building will be removed from the setback, reducing the existing encroachment. Per MCC 3.11.05A1, no nonconforming structure may be enlarged or altered in a way which increases the nonconformity including volume, but any structure or portion may be altered to decrease its nonconformity.
- 2. The plans accurately identify the water pool shore contours and high water marks, which, in the case of river environs, shall mean the limits of the area of special flood hazard. The site plan identifies the 50 ft. setback from the ordinary high water mark of Payette Lake.
- 3. A letter is on file from a specialist certified by the United States army corps of engineers wetlands expert that certifies that no wetlands related issues or issues related to fill of navigable waters issues were presented by the proposed development; or that a section 404

permit has been issued or is forthcoming by the corps of engineers, whichever is appropriate, city approval(s) under this title and title IX of this code are contingent upon all applicable section 404 permit requirements being met. It appears that a 404 permit will not be necessary although the City reserves the right to require this at a later date if it becomes necessary.

- 4. The requirements of the underlying zone are met. The proposed development meets the height and lot coverage requirements of the Civic zone. There will be a small encroachment into the 50 ft. shoreline and river environs setback from the ordinary high water mark of Payette Lake, however, approximately 246 sq. ft. of building will be removed from the setback, reducing the existing encroachment. Per MCC 3.11.05A1, no nonconforming structure may be enlarged or altered in a way which increases the nonconformity including volume, but any structure or portion may be altered to decrease its nonconformity.
- 5. The fifty foot (50') building setback line is met per subsection (C)3(c) of this section. The fifty foot (50') building setback for properties within the Shoreline and River Environs Zone is indicated on the submitted site plan and the proposed structure is located primarily behind the setback. There will be a small encroachment into the 50 ft. shoreline and river environs setback from the ordinary high water mark of Payette Lake, however, approximately 246 sq. ft. of building will be removed from the setback, reducing the existing encroachment. Per MCC 3.11.05A1, no nonconforming structure may be enlarged or altered in a way which increases the nonconformity including volume, but any structure or portion may be altered to decrease its nonconformity.
- Proof of stormwater certification training has been provided by the individual applying for the building permit. This will be required as part of the building permitting process.

#### Title 3, Chapter 16

**Design Review** 

The commission or administrator shall determine the following before approval is given:

1. The project is in general conformance with the comprehensive plan.

2. The project does not jeopardize the health, safety or welfare of the public.

3. The project conforms to the applicable specifications outlined in the "City Of McCall Design

Guidelines", incorporated by reference herein, as well as all other applicable requirements of

the zoning ordinance and subdivision ordinance, adopted by the city of McCall. Please see

the review of the Design Guidelines below.

**DESIGN GUIDELINES** 

**General Guidelines** 

1. Building Scale: The proposed structure is small, at only 12.5 ft in height and approximately

1,000 sq. ft. and of an appropriate scale for the area.

2. **Pedestrian Character**: The site does not negatively impact the pedestrian character of the park.

The paver driveway/access area will be designed to match the existing pedestrian infrastructure.

3. Blank Walls: The proposed structure includes a faux stone wainscot, which helps break of the

mass of each wall. Additionally, there are enamel vents and doors on all facades, mimicking

window placement.

4. Storefront: N/A

5. Parking: No parking spaces are provided, however, there is a paver area/driveway that could be

used as a parking space while employees check on the facility. No employees are intended to

work on site. Per MCC 3.8.06(G) Uses Not Listed: Parking spaces for other permitted or

conditional uses not listed in this section shall be determined by the commission.

**Guidelines for All Projects** 

**Site Planning** 

- Building Siting: The structure is proposed to be sited in a manner that preserves existing land forms and reduces the existing encroachment into the 50 ft. setback from the high water mark of Payette Lake.
- Adjacent Buildings and Uses: The proposed new construction is compatible with existing adjacent buildings and uses.
- Preserve Vegetation and Wildlife: No significant water courses, wetlands, or wildlife corridors
  exist on the subject site.
- 4. **Preserve Views**: The proposed building site does not significantly impede view sheds. The size of the structure is minimal and does not impact the view of the lake more than the existing structure.
- 5. **Preserve Skylines**: The project is not located on a ridge line.
- 6. **Preserve Natural Drainage**: The Applicant will be required to preserve natural drainage.
- 7. Cluster Buildings: N/A
- 8. **Street Alignment**: There is no proposed change to the street alignment or access points.
- 9. **Retaining Walls**: No retaining walls are proposed.
- 10. **Snow Storage**: Snow storage areas are provided on-site.
- 11. Roof Design and Snow: The proposed roof design will hold snow.
- 12. Use the Sun: N/A
- 13. Screen Service Areas: N/A
- 14. **Circulation Needs Pedestrian and Vehicles**: There are existing pedestrian improvements in the park. The remodel does not change or affect the existing pedestrian and vehicular circulation needs.

#### **Architecture**

- Enhance McCall Classic Styles: The proposed building design is compatible with the classic styles found in McCall.
- 2. **Minimize Scale**: The proposed project is of a minimal height and the scale is in keeping with the proposed site and location.
- 3. **Building Additions**: The addition is compatible with the original structure.
- 4. Roof Lines: The does not include varied roof lines.
- 5. Mechanical Equipment: All mechanical equipment will be hidden inside the building.
- 6. Multi-Unit Structures: N/A
- 7. Balconies and Porches: N/A
- 8. **Exterior Doorways**: Exterior doorways are located in a manor that is appropriate for the use.
- 9. **Wall Materials**: The wall materials will consist of vertical cedar mill siding in grey with a faux stone wainscot and grey enamel accents.
- 10. Shop Front Design: N/A
- 11. Wall Colors: The wall hues will be of natural colors and hues.

# **Landscaping and Site Design**

- Light Fixtures: The outdoor lighting fixtures proposed appear to meet McCall's Outdoor Lighting
  Ordinance MCC 3.14.
- 2. Fences and Walls: No fences or walls are proposed.
- 3. **Retaining Walls**: No retaining walls are proposed.
- 4. Paving and Streetscapes: N/A
- Landscaping Plan: A landscaping plan has been provided, which shows additional plantings along all sides of the building.
- 6. **Site Conditions for Landscaping**: Site conditions have been considered.
- 7. **Lawn Area**: The park has an existing lawn area which will remain.

- 8. **Plants as Screening**: The new landscaping plan calls for 10 spirea, 5 thimble berry, a flowering crabapple tree, and 4 new maple trees for screening.
- 9. Utility Installations: N/A
- 10. Irrigation System Required: New landscaping is required to be irrigated until it has established.
- 11. Retain Existing Vegetation: The existing vegetation will be maintained to the greatest extent possible.
- 12. **Preserve Existing Trees**: No trees are proposed to be removed.
- 13. **Grading and Drainage**: The applicant will be required to preserve natural drainage and final engineering approval will be required prior to issuance of a building permit.
- 14. **Maintenance**: Maintenance of the landscaping will be the responsibility of the property owner (the City of McCall).
- 15. Sidewalks: There are existing sidewalks in the park, which will not be impacted by this development.
- 16. Bike Paths: There are existing sidewalks in the park, which will not be impacted by this development.

# **Commercial and Public Use Districts**

- 1. Preserve historic structures and areas: No historic structures will be impacted.
- Preserve the small town character and encourage development with pedestrian character:
   The aesthetic improvements of the remodel will improve the pedestrian experience in the park.
- Ensure compatibility with surrounding structures: The minimal scale of the building is compatible with the surrounding environment.
- Ensure logical and functional circulation patterns for the three levels of traffic: pedestrian,
   automobile, service/delivery: NA

5. Ensure the streetscape is consistent with the goals of the City as expressed in the

Comprehensive Plan: NA

DEPARTMENT/AGENCY COMMENTS

# McCall City Engineer

In an email dated July 2, 2020, the City Engineer stated he had no concerns with the application.

Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 McCall Area Planning and Zoning Commission meeting. In an email date July 14, 2020, PLRWSD stated they had no comments on the application.

# McCall Fire

In an email dated July 1, 2020 McCall Fire stated they had no comments on the application.

# Central District Health Department (CDHD)

In a review letter dated July 2, 2020, CDHD stated they had no comments.

# **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of Design Review applications, pursuant to Title 3,
   Chapter 16 of McCall City Code.
- Adequate notice of the August 4, 2020 public hearing was provided, pursuant to Section 67-6512,
   Idaho Code and Title 3, Chapter 15 of McCall City Code.
- Upon compliance with the conditions noted below, the application meets the Design Review
   Standards set forth in Title 3, Chapter 16 of McCall City Code.

# **DECISION**

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **approves** this Design Review application, provided that the following conditions are met:

1. Prior to issuance of a building permit, the City shall record a ROS removing the lot line.

Legacy Beach Pump Station – Findings of Fact McCall Area Planning and Zoning Commission – August 4, 2020 Page 10 of 10

2. Prior to issuance of a building permit, the applicant shall receive final engineering approval.

3. Pursuant to McCall City Code (MCC 3.16.08), design review approval shall lapse and become void whenever the applicant has not applied for a building permit within one year from the date of initial approval.

Findings of Fact <b>adopted</b> this 4 <sup>th</sup> day of AUGUST 20				
Fallon Fereday, Chair McCall Area Planning and Zoning Commission				
Attest:				

Morgan Bessaw, City Planner

City of McCall

# City of McCall

216 East Park Street McCall, Idaho 83638 P.208.634.7142

# LAND USE APPLICATION



Date Received: Fees Paid:	NOTICE OF ADDITIONAL FEES  Land use applications may be subject to engineering and legal review for purpose of addressing compliance and conformance issues. The City of McCall reserves the right to contract these services to private firms. The costs of these reviews are passed on to the applicant. These fees are separate, and in addition to, the City's application and permit fees. Completion of this application signifies consent to these fees.				
Please check all tha	t apply:				
	_Record of Survey (ROS) - \$420				
× #	_Design Review (DR) - \$300 + \$25/1,000 sq. ft. of new construction (rounde	d to the nearest 1,000)			
	_Scenic Route (SR) - \$300				
<b>2</b> #	_Shoreline or River Environs (SH) - \$300	Incomplete applications			
<b>1</b> #	_Conditional Use Permit (CUP) - \$600	cannot be accepted by			
□ #	_Development Agreement - \$500	the City. Unless			
□ # <sub></sub>	_Planned Unit Development (PUD) General Plan - \$2,000 + \$75/lot or unit	otherwise exempted by			
	_Planned Unit Development (PUD) Final Plan - \$500 + \$75/lot or unit	the Administrator, all			
	_Subdivision (SUB) Preliminary Plat - \$2,500 + \$75/lot or unit	Application			
	_Subdivision (SUB) Final Plat - \$1000 + \$75/lot or unit	Requirements must be provided at the time of			
□ # <sub></sub>	_Minor Plat Amendment - \$1,000	submission. Please			
	Variance (VAR) - \$1,000	refer to specific			
	_Rezone (ZON) - \$1,500	application info sheets			
	_Zoning Code Amendment (CA) - \$750/title	for more details.			
	_Annexation - \$3,000				
□ #	_Vacation (VAC) - \$750				
PROPERTY OWNER INFORMATION					
Property Owner 1	: City of McCall Email:_				
Mailing Address: _	_ Pho				
Property Owner 2	ail:				
Mailing Address: _	Phone:				
AGENT/AUTHORIZED REPRESENTATIVE INFORMATION					
Applicant/Representative: Nathan Stewart Email: nstewartenecall.id.us					
Mailing Address: 216 E. Park Street, McCall, ID 83638 Phone: 208-634-8943					
PROPERTY INFORMATION					
Address(es) of Property: 113L E. Lake Street, McCall, ID 83638					
Legal Description of Property: Amended Tax # 280 in Gov't Lots 2 and 3, 59T18N R3E					
Zoning District of Property: Project Sq. Footage (If Applicable):					
Impact Area  City Limits Residential Commercial					

# **LAND USE APPLICATION CONTINUED**

Payette Lakes Water and Sewer District 🔲 or Septic System 🔲 or not applicable 📈

PROJECT DESCRIPTION			
Explain the general nature of what is propo	sed: (please atto	ach supplemental information if needed)	
Reconstruction of existing City	Water Depar	then Intake Station to restore structural	
and compliance of shoreline en	w/ local and	state requirements, and improve overall aesthetics	
	SIGNA	ATURES	
		luding attorney fees on appeal and expenses of the City of McCall, ment of the Land Use Application in which the City of McCall is the	
staff and/or Planning & Zoning Commission mem	bers to view and	requirements of the McCall City Code. I give permission for City enter the subject property in order to fully review this application. ation on this application may lead to denial of this application.	
Anette Spickard, City Manager		Anette Spickard	
Property Owner 1		Signature	
Property Owner 2 (If Applicable)		Signature	
Thut & Nathan Ster	vart ,	Mus to	
Agent/Authorized Representative المدرد ال	Director	Signature	
OR RECORD OF SURVEY APPLICATIONS ON	LY: STATEMEN	T OF EASEMENT DISCLOSURE	



# Criteria of Approval Responses for Conditional Use Permit: Legacy Intake Station Reconstruction Project

**Date:** June 23, 2020

Project Name: Legacy Beach Intake Station Reconstruction Project

Project Location: 1136 E. Lake Street, McCall, ID 83638

Legal Description: AMENDED TAX NO. 280 IN GOV'T. LOTS 2 & 3 S9 T18N R3E

**Project Description:** The City of McCall Water Department's Legacy Intake Station has been in existence at Legacy Beach for over 50 years. Over time, an addition to the building was constructed on the west side of the station to house a generator and disinfection equipment. That portion of the structure has deteriorated to the extent that it needs to be replaced. Because it is located within the 50-foot setback from Payette Lake, this project proposed to remove this western portion and construct an addition on the east side that will move the structure further away from the Lake and the adjacent shoreline pathway. The Legacy Intake Station is the City's principal water intake station that is used for the majority of the year. The City only has one additional intake station (at Davis Beach) but, due to a lack of backup power and depth of intake within the lake, that facility is not capable of serving as the City's primary intake station.

Reconstruction of the existing intake station will comply with all City building requirements, including lighting. This restoration project not only improve structural integrity, but will also remove a portion of the structure within the 50-ft. shoreline setback. Improvements to overall aesthetics of the building combined with park compatible landscaping will improve the compatibility of this facility with the rest of Legacy Park. Lastly, this project will improve the overall safety, operational efficiency and functionality of the intake station.

The project is in the Civic Zone (CV). A conditional use permit is required for this facility to be in a Civic zone.

# Criteria of Approval Responses (referenced to CUP Information):

- 1. The project is a public service facility and/or storage building and is a Conditionally Permitted Use as per MCC Table 3.6.02.
- 2. The project is reconstructing an existing critical pumping facility for the City's potable water system. This utility is an essential and integral part of the City's Comprehensive Plan.
- 3. The project is compliant to all uses and regulations addressed in MCC Title 3 to the best of our knowledge and therefore should not specifically or generally be on contrary to MCC Title 3.
- 4. The proposed project intends to restore and reconstruct the existing water intake station building that has existed at Legacy Park for over 50 years, and therefore will not diminish the character of the existing neighborhood.
- 5. The proposed project is designed with low height, shed roof pitches to minimize the scale of the building within the Park. It's exterior cladding will be of wood and stone sidings that mirror surrounding structures (i.e. seat walls in the park) and other public facilities (i.e. City Hall). The proposed project will improve the integrity of the City's existing intake station, which is critical in supporting the General Welfare, Health, and Safety to the owners and/or the Neighborhood.
- 6. The proposed project will bring the existing station into current compliance with local and state water quality and environmental regulations, including addressing potential impacts during construction. In doing so, the project will NOT harm adjacent waters or lands.
- 7. The proposed project is located within the City's civic zone and entitled to public services and facilities. At this time water, power, and communication are provided to intake station and these utilities will be maintained as they are essential to the station's operation.
- 8. The proposed project will restore and reconstruct the intake station. In doing so, it should create reductions in traffic (due to decreased O&M), noise and pollution.
- 9. The proposed project will further separate the building from the adjacent legacy Park shoreline pathway. Therefore, it will not adversely affect the pedestrian environment.

- 10. The proposed project, once constructed, will not generate any increased traffic on surrounding streets.
- 11. The proposed project will reconstruct the existing intake station. By incorporating low height flat/shed roof design, it will not create any significant additional obstructions to any scenic features afforded to the general public.
- 12. The proposed project is located within Legacy Beach and will reconstruct an existing structure. Therefore, the project does not bloc, prevent or obstruct any historic features afforded to the general public.
- 13. The proposed project is located within Legacy Park which has enough snow storage area for the pathways that are plowed during the winter. These pathways serve as access to the intake station. Therefore, the project is located on a property that is sufficiently sized to accommodate the proposed use
- 14. The proposed project will replace the existing station while improving the overall aesthetics, safety and compatibility of the intake station with the surrounding Legacy Park and the shorelines zone setback requirements. Therefore, it will NOT have a negative economic impact on the surrounding neighborhood or community.



# Narrative Statement for Design Review: Legacy Intake Station Reconstruction Project

**Date:** June 23, 2020

Project Name: Legacy Beach Intake Station Reconstruction Project

Project Location: 1136 E. Lake Street, McCall, ID 83638

Legal Description: AMENDED TAX NO. 280 IN GOV'T. LOTS 2 & 3 S9 T18N R3E

**Project Description:** The City of McCall Water Department's Legacy Intake Station has been in existence at Legacy Beach for over 50 years. Over time, an addition to the building was constructed on the west side of the station to house a generator and disinfection equipment. That portion of the structure has deteriorated to the extent that it needs to be replaced. Because it is located within the 50-foot setback from Payette Lake, this project proposed to remove this western portion and construct an addition on the east side that will move the structure further away from the Lake and the adjacent shoreline pathway. The Legacy Intake Station is the City's principal water intake station that is used for the majority of the year. The City only has one additional intake station (at Davis Beach) but, due to a lack of backup power and depth of intake within the lake, that facility is not capable of serving as the City's primary intake station.

Reconstruction of the existing intake station will comply with all City building requirements, including lighting as well as the requirements for Design Review (DR) and the Shoreline Environs Zone (SH). This restoration project not only improve structural integrity but will also remove a portion of the structure within the 50-ft. shoreline setback. Improvements to overall aesthetics of the building combined with park compatible landscaping will improve the compatibility of this facility with the rest of Legacy Park. Lastly, this project will improve the overall safety, operational efficiency and functionality of the intake station.

The project is in the Civic Zone (CV). A conditional use permit is required for this facility to be in a Civic zone. This project is also located within the shoreline environs zone (SH) and therefore is required to comply with the City's Design Review process.

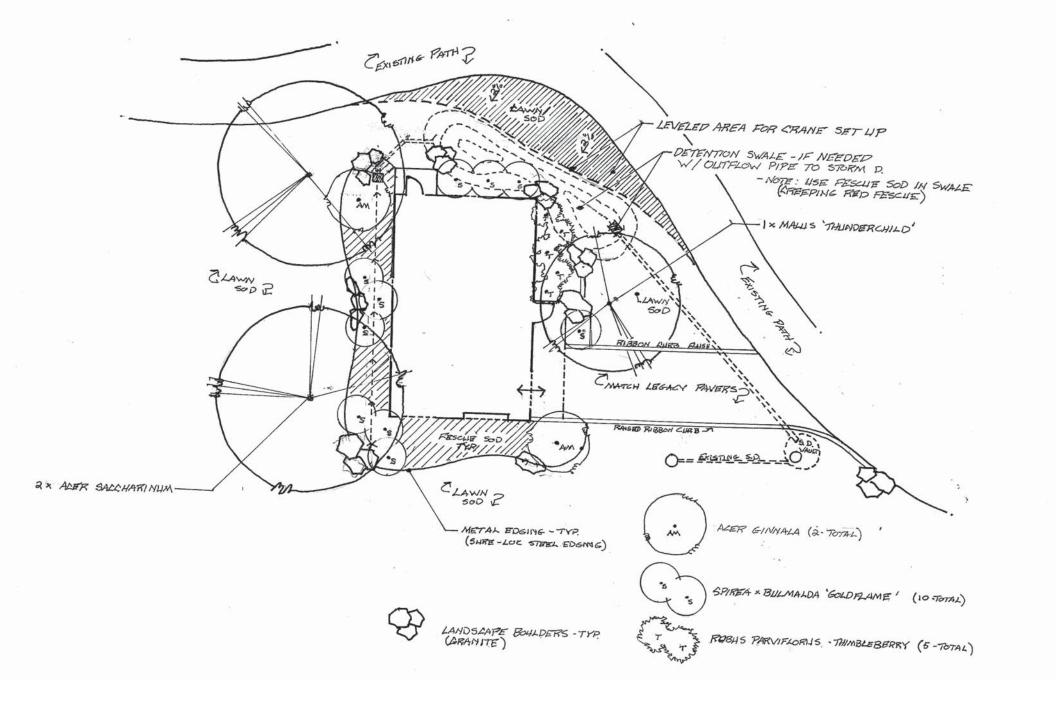
Included with this application are the following:

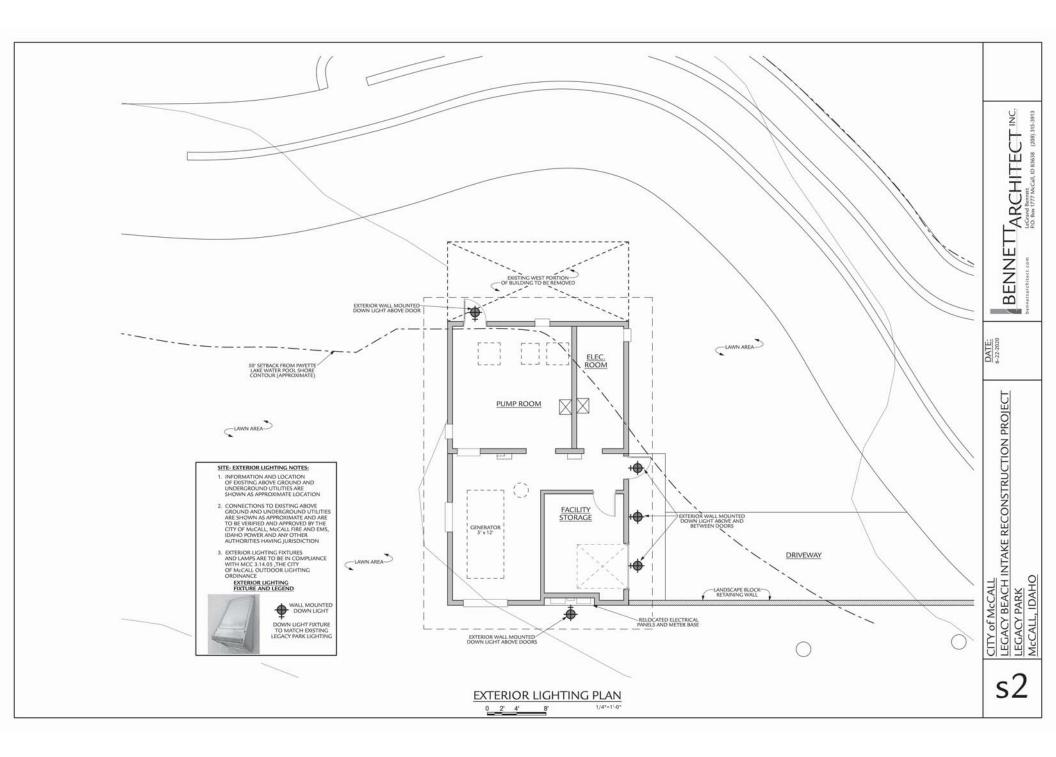
# **Architectural Plans:**

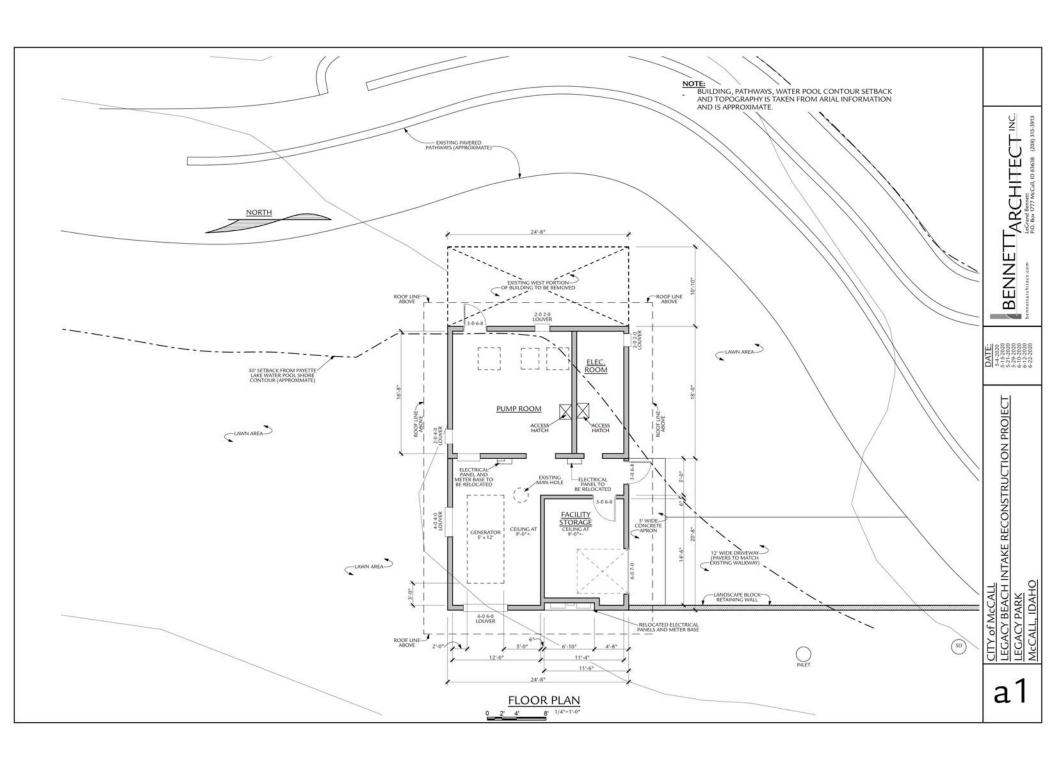
- 1. s1 Site Photos
- 2. s2 Exterior Lighting Plan
- 3. a1 Floor Plan
- 4. a2 East, West, North, and South Elevations
- 5. a3 Southeast and Northeast View 3D color renderings
- 6. a4 Northwest and Southwest View 3D color renderings
- 7. a5 Existing Northeast, Northwest, and Southwest View 3D color renderings (this plan shows the portion of the existing structure that will be removed)

# **Civil Plans:**

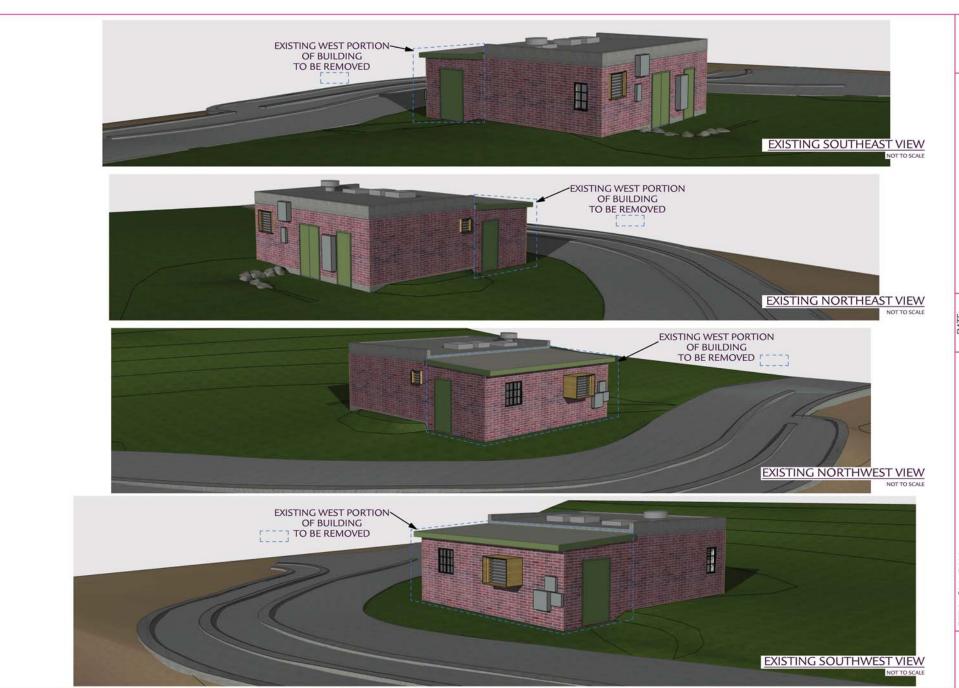
- 1. Stormwater Application and Stormwater Calculations
- 2. Legacy Park Vicinity Map showing project location within McCall
- 3. C-1 Existing Physical Conditions site plan
- 4. C-2 Preliminary Grading, Drainage and Stormwater Management Plan
- 5. L-1 Landscaping Plan













NOTE: SEE PACES: a3 SOUTHEAST: NORTHEAST EXTERIOR VIEWS, a4 NORTH-WEST: SOUTH-WEST EXTERIOR VIEWS, VIEW FOR EXTERIOR FINISHES AND COLORS

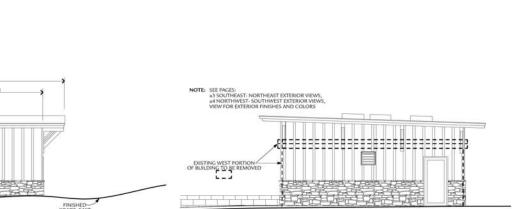
TOP OF EXISTING EAST PORTION OF BUILDING ROOF/ WALL

EXISTING WEST PORTION OF BUILDING TO BE REMOVED

EXISTING GRADE AT NORTHW CORNER OF BUILDING TOP OF ROOF

DATE: 6-22-2020

CITY of McCALL
LEGACY BEACH INTAKE RECONSTRUCTION PROJECT
LEGACY PARK
McCALL, IDAHO



INTAKE BUILDING AND ROOF IMPROVEMENTS

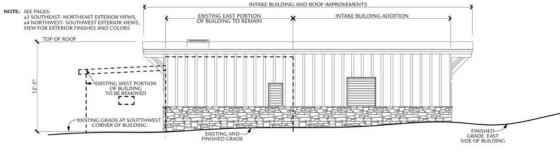
EXISTING EAST PORTION OF BUILDING TO REMAIN

BUILDING/ ADDITION CONCRETE FLOOR SLAB

NORTH ELEVATION

0 2' 4' 8'

INTAKE BUILDING ADDITION



NOTE: SEE PAGES: a3 SOUTHEAST-NORTHEAST EXTERIOR VIEWS, a4 NORTHWEST-SOUTHWEST EXTERIOR VIEWS, VIEW FOR EXTERIOR FINISHES AND COLORS

EAST ELEVATION

0 2' 4' 8' 1/4"-1'-0"

SOUTH ELEVATION
0 2' 4' 8' 1/4"-1'-0"





BENNETTARCHITECT INC. LeCand Benett. 10 83638 (208) 335-3913

DATE: 5-29-2020 6-10-2020 6-12-2020

CITY of McCALL
LEGACY BEACH INTAKE RECONSTRUCTION PROJECT
LEGACY PARK
McCALL, IDAHO

a4







SOUTHWEST VIEW NOTTO SCALE



SOUTHEAST VIEW



EAST VIEW



NORTHEAST VIEW



**NORTHWEST VIEW** 



WEST VIEW



SOUTHWEST VIEW



**SITE PHOTOS** 

SOUTH VIEW

s1

# McCall Area Planning and Zoning Commission Staff Report

#### CUP-19-13

335 S. Samson Trail Bitton Accessory Structure August 4, 2020

Applicant: Elise and Dusty Bitton

Agent: Owner

Application: Conditional Use Permit for an accessory structure in excess of 1500 sq. ft.

Zoning: R1 – Residential 1 Acre

#### **DESCRIPTION**

An application for a Conditional Use Permit to entitle an unpermitted 3000 square foot accessory structure addition for residential storage use, bringing the total accessory structure sq. footage to approximately 6,500 sq. ft.

Zoning: R1 – Residential One Acre Property Size: 129,752 sq. ft. (2.98 acres)

Lot Coverage: Allowable coverage: 16,866 sq. ft. (13% of 129,752 sq. ft.)

Building footprints: 10,349 sq. ft. (100% of 10,349 sq. ft.)

Parking: 26,558 sq. ft. (35% of 75,881 sq. ft.) Total: 36,907 (218% of allowable coverage)

The applicant has proposed to reduce their drive and parking areas to 20,151 sq. ft. in

order to meet their lot coverage requirements.

Building Height: The tallest point of any of the additions is 23 ft. from grade

Setbacks: Per MCC 3.3.03, the required minimum setbacks are 30 ft. from the front property line, 15 ft. from either side property line, and 20 ft. from the rear property line. The exact distances to the additions are not provided, however, they are all well outside the minimum required setbacks.

# **CODE NARRATIVE**

This application was submitted on December 31, 2019. At that time, McCall City Code and Impact Area code 3.3.02 allowed residential accessory structures in excess of 1500 sq. ft. with a Conditional Use Permit.

## **COMMENTS**

Agency –

#### McCall City Engineer

In an email dated July 17, 2020, the City Engineer stated:

 A preliminary Stormwater Report for the prior commercial CUP 19-06 application has been provided to Public Works for review. It appears that the project can comply with the City's Drainage Management Guidelines, but the report needs to be reviewed by the owner's project engineer to assure that it is still applicable for the current CUP application. A final stormwater report and grading plan shall be prepared for review and engineering approval by the City.

- a. The final Stormwater Report shall provide a runoff and erosion control plan that includes temporary construction Best Management Practices (BMPs). Such BMPs shall be placed prior to the start of any soil disturbance on the site, and be consistently maintained during the course of construction, and remain in place until all vegetation is well established and erosion concerns have been abated.
- b. The final Stormwater Report shall provide a design for construction of permanent erosion control BMPs.
- A detailed sitework and grading plan shall be provided for engineering review and approval, and incorporated with any architectural plans for any proposed construction. Temporary and permanent stormwater BMPs, as contemplated in the Stormwater Report shall be shown on such grading and drainage plan.

# Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 McCall Area Planning and Zoning Commission meeting. In an email date February 4, 2020, PLRWSD stated they had no comments on the application.

# McCall Fire

In an email dated February 15, 2020 McCall Fire stated they had no comments on the application.

#### Central District Health Department (CDHD)

In a review letter dated January 28, 2020, CDHD stated they had no comments.

#### McCall City Arborist

In an email dated February 5, 2020, the McCall Arborist recommended that the applicant utilize and or take advantage of the joint Valley County and City of McCall noxious weed and herbicide assistance program as it relates to this project.

Public – No public comments have been received.

#### **Commission Findings**

The Commission hereby makes the following findings:

- 1. The project is in general conformance with the Comprehensive Plan.
- 2. The project does not jeopardize the health, safety or welfare of the public.
- 3. The project conforms to the applicable specifications outlined in the applicable requirements of the Zoning.

#### **Conditions of Approval**

- 1. Prior to scheduling of the application with the Valley County Board of Commissioners, the applicant shall submit a revised landscaping plan detailing:
  - a. how they plan to bring the lot coverage into compliance by providing sq. footage calculations of the proposed area to be revegetated
  - b. how they plan to remove and prevent the spread of noxious weeds during site work
  - c. locations, species, and sizes of twelve new trees to replace the trees that were removed to create the unpermitted parking area
- 2. Prior to scheduling of the application with the Valley County Board of Commissioners, the applicant shall provide additional fixture details to verify whether all exterior fixtures are in compliance with McCall's Outdoor Lighting Ordinance MCC 3.14.
- 3. The applicant shall apply for a building permit for the unpermitted structures within 30 days of Board of Valley County Approval of the Conditional Use Permit application.
- 4. Prior to issuance of a building permit, the applicant shall receive final engineering approval.
- 5. Prior to issuance of a Certificate of Occupancy for the structures, the applicant shall revegetate the parking and drive area to bring the lot coverage into conformance with the McCall Impact Area Code and complete all plantings identified in their approved landscaping plan.
- 6. This Conditional Use Permit shall be exercised within twelve (12) calendar months of the date of Valley County Board of Commissioners' approval.

IN RE:	)	
	)	McCALL AREA PLANNING AND ZONING COMMISSION
BITTON ACCESSORY STRUCTU	RE)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
<b>Conditional Use Permit</b>	)	DECISION
	)	
	)	
Application Number:	)	
CUP-19-13	)	

#### **FINDINGS OF FACTS**

**Applicant**: Elise and Dusty Bitton

**Representative(s)**: Owners

**Application**: An application for a Conditional Use Permit to entitle an unpermitted 3,000

square foot accessory structure addition for residential storage use, bringing the

total accessory structure sq. footage to approximately 6,500 sq. ft.

**Location**: Lot 8 and Tax Number 44 in Lot 9 situate in the SW ¼ of Section 15, R3E, T18N,

B.M., Valley County, Idaho.

**Property Address**: 335 S. Samson Trail, McCall, ID 83638

**Public Notices**: Newspaper: The Notice of Hearing was published in the *Star News* on July 16,

2020.

Mailing: The applicant mailed the Notice of Hearing to property owners within

300 feet on July 16, 2020.

Posting: The applicant posted the Notice of Hearing on the subject property on

July 16, 2020.

**Procedural History**: (For BOCC)

**Zoning**: R1 – Residential One Acre

**Property Size**: 129,752 sq. ft. (2.98 acres)

**Lot Coverage**: Allowable coverage: 16,866 sq. ft. (13% of 129,752 sq. ft.)

Building footprints: 10,349 sq. ft. (100% of 10,349 sq. ft.)

Parking: 26,558 sq. ft. (35% of 75,881 sq. ft.)

Total: 36,907 (218% of allowable coverage)

The applicant has proposed to reduce their drive and parking areas to 20,151 sq.

ft. in order to meet their lot coverage requirements.

**Building Height:** The tallest point of any of the additions is 23 ft. from grade

**Setbacks**: Per MCC 3.3.03, the required minimum setbacks are 30 ft. from the front

property line, 15 ft. from either side property line, and 20 ft. from the rear

property line. The exact distances to the additions are not provided, however,

they are all well outside the minimum required setbacks.

**Parking Spaces:** 

Provided/Existing: 2+ spaces

Required: 2 spaces per MCC 3.8.062

#### **APPROVAL STANDARDS**

# Title 3, Chapter 13

# **Conditional Use Permit**

A Conditional Use permit shall be granted only if the Commission finds that the use, as applied for, will:

- 1. Constitute a conditional use authorized in the zone involved. This application was submitted on December 31, 2019. At that time, McCall City Code and Impact Area code 3.3.02 allowed residential accessory structures in excess of 1500 sq. ft. with a Conditional Use Permit.
- 2. Be harmonious with and in accord with the general objectives and with any specific objectives of the comprehensive plan and/or this title. The Future Land Use Map in the McCall Area

- Comprehensive plan identifies this property to remain as a low-density residential zone. The applicant is not proposing a change to that designation or use at this time.
- 3. Be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or likely character of the neighborhood, and that such use will not change the essential character of the surrounding area. Between Deinhard Ln. to the north and Krahn Ln. to the south, Samson Trail is the dividing line between the Community Commercial Zone to the west and Low-Density Residential Zones to the east. However, the parcels that this property backs up to along the rear property line are exclusively residential in character and the proposed residential use is therefore compatible with the surrounding uses.
- 4. Not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of such proposed use. An accessory structure for residential storage should not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood.
- 5. Not cause any substantially harmful environmental consequences to any land or waters within the planning jurisdiction. Since 2013 when the property was purchased, there has been significant conversion of undeveloped land and green space to parking and drive areas without proper permits or review. Approximately a dozen trees have been removed, the ground leveled and fill brought in to increase what was once a single driveway and garage access to what is now approximately 75,000 sq. ft. of drive, parking, and storage area. The applicant will be required to revegetate approximately 55,000 sq. ft. of drive and parking area to bring the lot coverage into conformance with code.

The submitted stormwater management plan has been reviewed by the City Engineer and he has stated that the site currently does not comply with the City's Drainage Management

- Guidelines (DMGs) but that it appears that the site will likely be able to meet the City's DMGs with proper design and improvements.
- 6. Not create excessive additional public cost for public facilities and services, and will not be detrimental to the economic welfare of the community. The property is already served by public facilities and services and the storage area does not appear to create any additional public cost for public facilities and services.
- 7. Be served adequately by essential public facilities and services including highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools. The applicant may be required, as a condition of approval, to mitigate any deficient public service. The property is currently being served by essential public facilities such as police, fire, and refuse disposal and the maintained single-family use of the property does not increase the demand on the local schools.
  - The property is currently served by a septic system and Central District Health Department has received and approved an accessory use permit.
- 8. Not involve uses, activities, processes, materials, equipment or conditions of operation that will cause unreasonable production of traffic, noise, smoke, fumes, glare, odors or other forms of pollution. The residential storage use of the structure does not involve uses, activities, processes, materials, equipment, or conditions of operation that will cause unreasonable production of traffic, noise, smoke, fumes, glare, odors, or other forms of pollution.
- 9. Have vehicular approaches to the property so designed as not to create a detrimental interference with traffic on surrounding public or private thoroughfares, or adversely affect the pedestrian environment. The driveway approach has not been modified and includes a single access point on Samson Trail, a designated collector street. Therefore, it does not appear

that the vehicular approach creates a detrimental interference with traffic on surrounding public thoroughfares.

- 10. Not result in the destruction, loss or damage of an important natural, scenic or historic feature. No historic features are identified on the parcel. However, since 2013 when the property was purchased, there has been significant conversion of undeveloped land and green space to parking and drive areas. It is unclear how many, but approximately a dozen trees have been removed, the ground leveled and fill brought in to increase what was once a single driveway and garage access to what is now approximately 75,000 sq. ft. of drive, parking, and storage area. The applicant is proposing to revegetate approximately 55,000 sq. ft. of drive and parking area to bring the lot coverage into conformance with code.
- 11. Be on a site of sufficient size to accommodate the proposed use, including the yards, open spaces, snow storage, walls, fences, parking areas, loading zones and design standards applicable. In order to accommodate the expansion if the construction company, the applicant has cleared a substantial portion of the property and converted to drive and parking areas. The parcel now has 75,881 sq. ft. of drive and parking areas and has exceed the allowable lot coverage of their parcel by more than two-fold. The existing lot coverage is at 218% of allowable. The applicant will be required to revegetate approximately 55,000 sq. ft. of drive and parking area to bring the lot coverage into conformance with code. Adequate snow storage has been identified on site.
- **12.** Have a minimal negative economic impact on the neighborhood or surrounding community. It is unclear what, if any, negative economic impact this use has on the surrounding community.

### **DEPARTMENT/AGENCY COMMENTS**

### McCall City Engineer

In an email dated July 17, 2020, the City Engineer stated:

- A preliminary Stormwater Report for the prior commercial CUP 19-06 application has been provided to Public Works for review. It appears that the project can comply with the City's Drainage Management Guidelines, but the report needs to be reviewed by the owner's project engineer to assure that it is still applicable for the current CUP application. A final stormwater report and grading plan shall be prepared for review and engineering approval by the City.
  - a. The final Stormwater Report shall provide a runoff and erosion control plan that includes temporary construction Best Management Practices (BMPs). Such BMPs shall be placed prior to the start of any soil disturbance on the site, and be consistently maintained during the course of construction, and remain in place until all vegetation is well established and erosion concerns have been abated.
  - The final Stormwater Report shall provide a design for construction of permanent erosion control BMPs.
- A detailed sitework and grading plan shall be provided for engineering review and approval, and
  incorporated with any architectural plans for any proposed construction. Temporary and
  permanent stormwater BMPs, as contemplated in the Stormwater Report shall be shown on
  such grading and drainage plan.

### Payette Lakes Recreational Water and Sewer District (PLRWSD)

This application was distributed to the sewer district more than thirty (30) days prior to the August 4, 2020 McCall Area Planning and Zoning Commission meeting. In an email date February 4, 2020, PLRWSD stated they had no comments on the application.

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### McCall City Arborist

In an email dated February 5, 2020, the McCall Arborist recommended that the applicant utilize and or take advantage of the joint Valley County and City of McCall noxious weed and herbicide assistance program as it relates to this project.

### **CONCLUSIONS OF LAW**

- The City of McCall has provided for the processing of this Conditional Use Permit application, pursuant to Title 3, Chapter 13 of McCall City Code.
- Adequate notice of the August 4, 2020 public hearing was provided, pursuant to Section 67-6512,
   Idaho Code and Title 3, Chapter 15 of McCall City Code.
- Upon compliance with the conditions noted below, the application meets the Conditional Use
   Permit Standards set forth in Title 3, Chapter 13 of McCall City Code.

#### **DECISION**

**THEREFORE**, the McCall Area Planning and Zoning Commission hereby **recommends** this Conditional Use Permit application for **approval**, provided the following conditions are met:

- Prior to scheduling of the application with the Valley County Board of Commissioners, the applicant shall submit a revised landscaping plan detailing:
  - a. how they plan to bring the lot coverage into compliance by providing sq. footage
     calculations of the proposed area to be revegetated
  - b. how they plan to remove and prevent the spread of noxious weeds during site work
  - c. locations, species, and sizes of twelve new trees to replace the trees that were removed to create the unpermitted parking area
- Prior to scheduling of the application with the Valley County Board of Commissioners, the
  applicant shall provide additional fixture details to verify whether all exterior fixtures are in
  compliance with McCall's Outdoor Lighting Ordinance MCC 3.14.

Bitton Accessory Structure – Findings of Fact McCall Area Planning and Zoning Commission – August 4, 2020

Page 8 of 8

3. The applicant shall apply for a building permit for the unpermitted structures within 30 days of

Board of Valley County Approval of the Conditional Use Permit application.

4. Prior to issuance of a building permit, the applicant shall receive final engineering approval.

5. Prior to issuance of a Certificate of Occupancy for the structures, the applicant shall revegetate

the parking and drive area to bring the lot coverage into conformance with the McCall Impact

Area Code and complete all plantings identified in their approved landscaping plan.

6. This Conditional Use Permit shall be exercised within twelve (12) calendar months of the date of

Valley County Board of Commissioners' approval.

Findings of Fact **adopted** this 4<sup>th</sup> day of August 2020.

Fallon Fereday, Chair

Fallon Fereday, Chair McCall Area Planning and Zoning Commission

Attest:

\_\_\_\_\_

Morgan Bessaw, City Planner City of McCall

### City of McCall 216 East Park Street McCall, Idaho 83638 P.208.634.7142

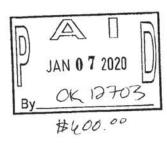
## LAND USE APPLICATION



Date Received:  17 31 19  Fees Paid: 00	NOTICE OF ADDITIONAL FEES  Land use applications may be subject to engineering and legal review for purpose of addressing compliance and conformance issues. The City of McCall reserves the right to contract these services to private firms. The costs of these reviews are passed on to the applicant. These fees are separate, and in addition to, the City's application and permit fees. Completion of this application signifies consent to these fees.		
Please check all tha			
	_Record of Survey (ROS) - \$420		
	_Design Review (DR) - \$300 + \$25/1,000 sq. ft. of new construction (rounde	d to the nearest 1 000)	
	_Scenic Route (SR) - \$300	d to the nearest 1,000,	
	_Shoreline or River Environs (SH) - \$300		
X #CUP-19-13	_Conditional Use Permit (CUP) - \$600	Incomplete applications cannot be accepted by	
O #	_Administrative Approval (AA) - \$50	the City. Unless	
□ #		otherwise exempted by	
	_Planned Unit Development (PUD) Final Plan - \$500 + \$75/lot or unit	the Administrator, all	
	_Subdivision (SUB) Preliminary Plat - \$2,500 + \$75/lot or unit	Application	
	_Subdivision (SUB) Final Plat - \$1000 ÷ \$75/lot or unit	Requirements must be	
	_Minor Plat Amendment - \$1,000	provided at the time of	
		submission. Please	
	_Rezone (ZON) - \$1,500	refer to specific	
	Zoning Code Amendment (CA) - \$750/title	application info sheets for more details.	
	Annexation - \$3,000	for more details.	
	- 10 (personal residence) (10 (10 (10 (10 (10 (10 (10 (10 (10 (10		
PROPERTY OWNER INFORMATION			
Property Owner 1: Elise Bitton Email:			
Mailing Address:			
Property Owner 2(If Applicable): Dusty Bitton Email			
Mailing Address:		_	
AGENT/AUTHORIZED REPRESENTATIVE INFORMATION			
Applicant/Repres	entative: Email:		
Mailing Address: _	Phone:		
	PROPERTY INFORMATION		
Address(es) of Property:335 S. Samson Trail, McCall, ID 83638			
Legal Description of Property: West Place Subdivision (Recorder's Plat) Lot 8 and Tax No. 44 in Lot 9			
Zoning District of Property: R1 Project Sq. Footage (If Applicable): 3,588			
Impact Area 🛛 City Limits 🗌 Residential 🗌 Commercial 🗍			

### **LAND USE APPLICATION CONTINUED**

Payette Lakes Water and Sewer District	or Septic System 🖾 or not applicable 🗌
PROJECT DI	ESCRIPTION
Explain the general nature of what is proposed: (please attacking the general nature of what is proposed: (please attacking are proposing to give up our "grandfathered use" rights storage yard, in order to get our non-permitted lean-to struct without getting a building permit.	that we have currently used on this property as a contractors
SIGNA	TURES
The Applicant hereby agrees to pay reasonable attorney fees, inclin the event of a dispute concerning the interpretation or enforcer prevailing party.  I certify that I have reviewed and understand the procedures and restaff and/or Planning & Zoning Commission members to view and I understand that failure to provide complete and accurate information of the property Owner 1  DUSTY BITTON  Property Owner 2 (If Applicable)	ment of the Land Use Application in which the City of McCall is the equirements of the McCall City Code. I give permission for City enter the subject property in order to fully review this application.
Agent/Authorized Representative	Signature
FOR RECORD OF SURVEY APPLICATIONS ONLY: STATEMENT	OF EASEMENT DISCLOSURE
Surveyor	Signature
I hereby certify that I have performed a thorough search for all re indicated or referenced these by their instrument number on the	elevant easements that relate to the subject property and have



\*\*\*\* \*\*\*\* \*\*\* 瘛 \* \* 65 SAMSON TRAIL 25' 305.39° 589° 52' 10°W

335 S SAMSON TR. 1 " = 20'-0"

PROJECT NO PT-14-002

CONTRACTOR TO VERIEY ALL DETALS, DMENSIONS, AND SPECIFICATIONS PRICR CONSTRUCTION, AND REDORT ANY OMISSIONS MADOR FERRORS TO SECURIFY THIS PLAN RELEASES SANC DESIGN FROM ANY CLAMB. LITISATIONS OF SUITS THAT MAY ARISE DHING CONSTRUCTION OR ANYTHIE THEREFETER.

335 S SAMSON TRAIL BITTON MCCALL,ID

SCALE

SEE PLAN

COVERAGE: LOT AREA = 129,752 SF BUILDING FOOTPRINT = 9,719 SF PATIOS, DECKS & WALKWAYS × 50% = SF DRIVEWAY × 95% = 1,053 SF TOTAL COVERAGE = 16,772 OR 13% MINIMUM REQUIRED SNOW STORAGE = 6650 SF

SHEET INDEX TITLE SITE PLAN PLOOR PLAN FOUNDATION PLAN ROOF LAYOUT ELEVATIONS

PAGE A1 A2 A3 A4 A5

SITE PLAN

INITIAL DATE: 04/1/2014
PRINT DATE: 10/10/2014







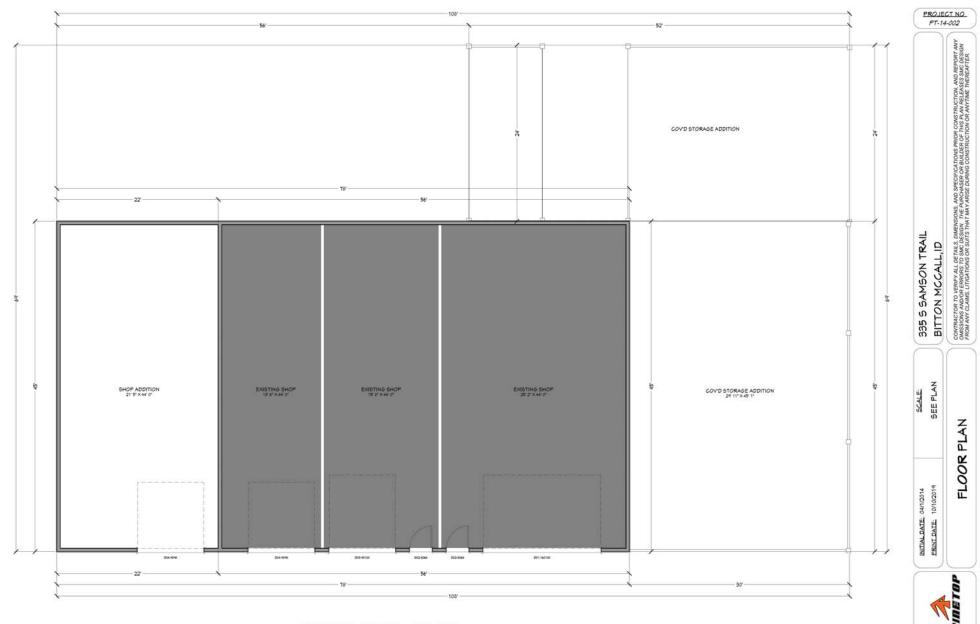






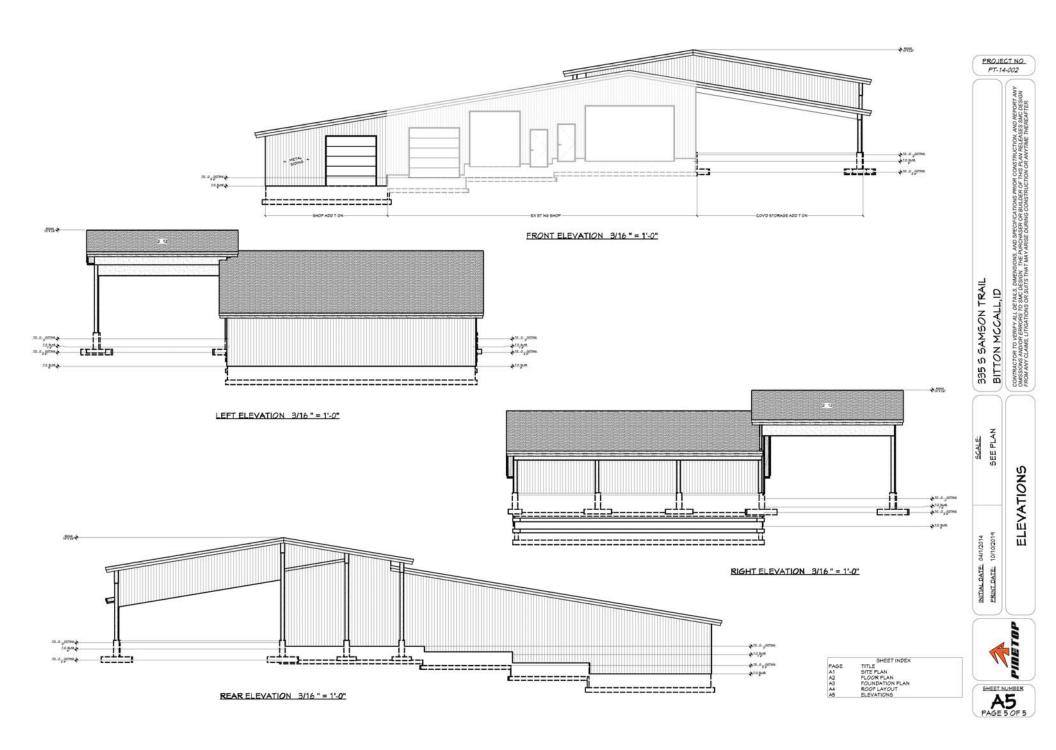






FLOOR PLAN - 1ST LEVEL 1/4 " = 1'-0"





### **EXHIBIT A**

### **NARRATIVE**

#### DUSTY AND ELISE BITTONS CONDITIONAL USE PERMIT APPLICATION

Elise and Dusty Bitton, are applying for a Conditional Use Permit since adding covered parking to existing shops on their property located at 335 South Samson Trail in McCall. The following are additional Exhibits to the Application:

Exhibit B: Vicinity Map

Exhibit C: Plot Plan

Exhibit D: Landscaping Plan

Exhibit E: Exterior Lighting Plan

Exhibit F: Snow Storage Plan

Exhibit G: Stormwater Plan

Exhibit H: Photographs

Exhibit I: Neighborhood Meeting Letter

Exhibit J: List of owners of property within 300 feet of subject property

Exhibit K: Proof of Ownership and Owner Authorization

<u>The Property</u>: The subject property is a 2.98-acre parcel located at 335 South Samson Trail, in the McCall Area of City Impact, and is legally described as Lot 8, Block 2, Recorder's West Place Subdivision. The property is labeled "Subject Property" on the attached Vicinity Map (Exhibit B) and is zoned R1. The owners of the property, Dusty and Elise Bitton, have been using the property for their construction company Pinetop Custom Homes. The Bittons' are applying to get their non-permitted structures permitted. In addition, if this application is accepted, the Bittons' will return the property to a full residential use, giving up all "grandfathered use" rights of this property as it has been used as a contractors storage yard.

Conditional Use Criteria (MCC 3.13.03(B)):

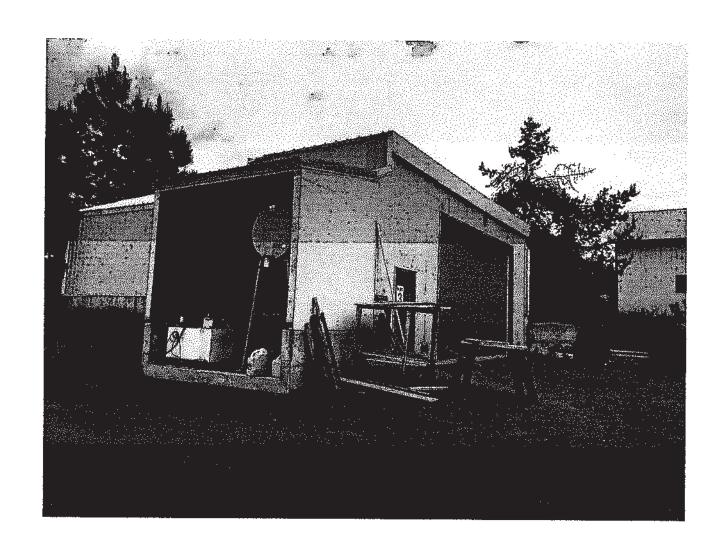
- 1. The added covered parking (proposed use) to the existing shops is a permitted use in the R1
- 2. The proposed use of the addition of the covered parking would not change the zoning and would comply with the Comprehensive Plan.
- 3. The Project meets the intents of Title 3, as follows: (i) it maintains the residential character of the neighborhood; (ii) it preserves the significant quantity and quality of existing vegetation on

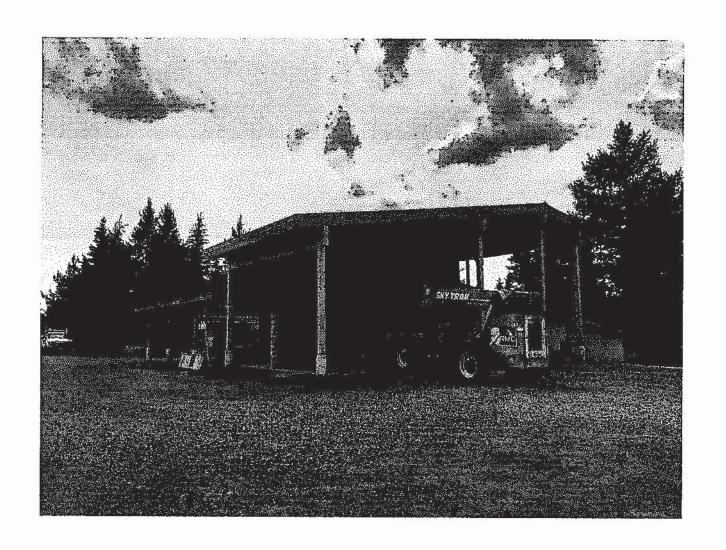
- the Property; (iii) the ratio of improvements to lot size leaves ample room for storm water management and snow storage; and (iv) the Project is otherwise Code compliant.
- 4. The Project will not substantially alter the current character of the existing neighborhood.
- 5. The Project will not substantially alter the current appearance of the shops which, together with the residence on the Property, is harmonious with the appearance and land uses in the neighborhood.
- 6. The Project will have no impact on the general welfare, health, and safety of the neighborhood. It merely adds covered.
- 7. The Project will have no impact on the land or water of the Property or adjoining properties.
- 8. The Project will utilize the following public services: police and fire.
  - a. The Project will not add any incremental costs to any of the city services or other facilities as the Project has already been completed.
  - b. The Project will use the police and fire department as a means necessary to any emergency situations that may arise. The Project does not use any city sewer or water services.
- 9. The Project, with reverting back to a residential use, will cause less traffic on Samson Trail.
- 10. The Project is currently in an area where there are no pedestrian sidewalks.
- 11. The Project will not be a detriment to the traffic on surrounding streets because there will no longer be employees coming and going from the property.
- 12. The Project will not affect scenic features as the land appearance will not be altered.
- 13. The Project is currently not near or on any historic area.
- 14. The north part of the property will revert to native grass as the lot use and coverage was over. Once the north part of the party is reseeded, the property will meet lot use and coverage allocations.
- 15. By giving up the "grandfathered use" use of this property, the Project will have a positive impact on the community by having less traffic and noise.

### EAST SIDE



# COVERED FUEL





## SOUTHWEST SIDE



### **Rachel Santiago-Govier**

**From:** BessieJo Wagner

Sent: Friday, June 26, 2020 12:33 PM
 To: Morgan Bessaw; Michelle Groenevelt
 Subject: Fwd: P&Z Appointment letter of interest

### Get Outlook for Android

From: Scott Broyles <sbroyles6070@me.com>
Sent: Friday, June 26, 2020 12:20:51 PM
To: BessieJo Wagner <br/>bwagner@mccall.id.us>
Cc: Anette Spickard <aspickard@mccall.id.us>
Subject: P&Z Appointment letter of interest

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---

Bessie Jo Wagner City clerk City of McCall Idaho

### Dear Ms. Wagner:

Please consider this my letter of interest for the vacant planning and zoning commission position. I have substantial municipal law experience spanning my 40+ years practicing law. I am intimately familiar with land-use law and the functions of planning and zoning commissions.

Sincerely, Scott C. Broyles WSBA 6070 ISB 6607

Sent from my iPad