ORDINANCE NUMBER 874

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING ZONING CODE TITLE 17, CHAPTER 17.136, SECTION 17.136.060, ENLARGEMENT OF A NON-CONFORMING BUILDING OR A NON-CONFORMING USE BY ADDING A PROVISION THAT ADDRESSES CALCULATION OF SETBACKS AND PROVIDING AN ILLUSTRATION; PROVIDING FOR A REPEALER CLAUSE AND A SEVERANCE CLAUSE; AND, PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO:

SECTION 1. ENACTMENT. That Zoning Code Title 17, Chapter 17.136, Non-Conforming Uses and Non-Conforming Buildings, Subsection 17.136.060 be amended as follows:

17.136.060 Enlargement of a Non-Conforming Building or a Non-Conforming Use. A non-conforming use shall not be enlarged or extended and a non-conforming building shall not be enlarged or extended so as to increase the degree of non-conformity. For purposes of measuring side yard setbacks, additions and/or enlargements to existing buildings are not considered to be non-conforming or to increase the degree of non-conformity, so long as the additions and/or enlargements comply with the following:

A. The subject property is zoned Limited Residential (LR).

B. Any building wall along the side yard cannot be increased in height unless it meets the current side yard setbacks for the Limited Residential (LR) Zone. Roof additions or roof remodels for energy efficiency purposes are permitted subject to a maximum height increase of twenty-four (24) inches above the existing roof elevation. Notwithstanding, all roofs must meet the height limits of the zone.

C. Any addition or enlargement to the existing building shall be inside an invisible plane drawn ten (10) feet from the side property line, twenty (20) feet vertically from that point and at a one (1) foot rise to one (1) foot run up to a maximum height of thirty-five (35) feet (see illustration, Exhibit A).

SECTION 2. SEVERANCE. The sections, subsections, sentences, clauses, phrases and provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase or provision of this Ordinance, or the application thereof to any particular circumstance, shall be held invalid or unenforceable by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof,

which remaining portions shall continue in full force and effect and be applicable to all circumstances to which this Ordinance may validly apply.

SECTION 3. REPEALER CLAUSE. All Ordinances and parts of Ordinances of the City in conflict with this Ordinance or with any part hereof shall be and the same are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AND APPROVED BY THE ACTING MAYOR this 16 day of July, 2001.

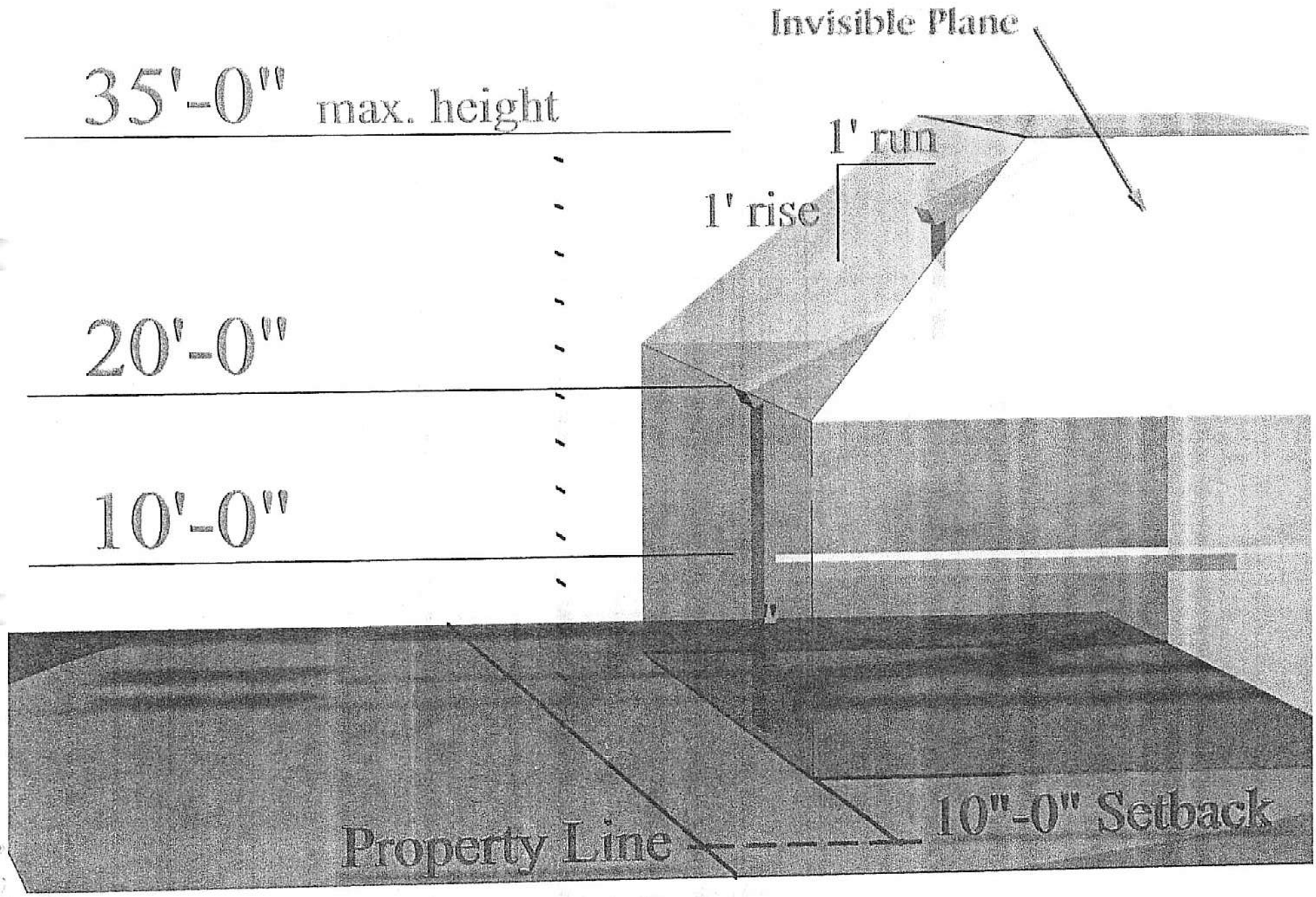
DAVID HUTCHINSON
Acting Mayor

ATTEST:

Sandra E. Cady
City Clerk

Publish: Idaho Mountain Express
August 1, 2001

CITY OF KETCHUM
BLAINE COUNTY, IDAHO
CLERK


Invisible Plane
35'-0" max. height
1' run
1' rise
20'-0"
10'-0"
10"-0" Setback
Property Line