

BASIS FOR APPEAL

Scott and Julie Lynch, Yahn Bernier and Beth McCaw, and Distrustful Ernest Revocable Trust (“Applicants”) hereby appeal the denial of their Design Review Application for the Sawtooth Serenade Development (the “Project”) located at 260 N First Avenue, in Ketchum, Idaho. This letter will serve as to supplement the Notice of Appeal filed on behalf of the Applicants with respect to the Planning and Zoning Decision made February 5, 2026 (the “Decision”) denying the Project.

The Applicants appeal the P&Z Commissioners’ Decision on the grounds, including but not limited to, that it:

(1) violates the law as conformance with the Comprehensive Plan is not an articulated design criteria and not a legally controlling zoning law; (2) applies different standards and procedures to the subject application than any other applications reviewed by the Commission; (3) disregarded standards applied to similar applications which the Commission approved ; (4) is not based on the express standards and criteria set forth in Idaho law and Ketchum Municipal Code; (5) wrongfully judged the application based on the proposed use rather than conformance with design review standards; (5) wrongfully pre-judged the application prior to making findings and issuing the Decision; (6) is contrary to the express provisions of the Ketchum Municipal Code; (5) is made based on unlawful procedure; (7) is arbitrary and capricious and an abuse of discretion; and (8) is in excess of the authority of the P&Z Commission.

Following the receipt of the record, Applicants with supplement this notice of appeal with further briefing and analysis.

Dated: Feb 19, 2024

By: 

James R. Laski
Representative for Applicant