

NOTICE OF PUBLIC HEARING
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, July 15, 2009
5:30 pm

The Latah County Zoning Commission will hold a public hearing on Wednesday, July 15, 2009 in Room 2-B of the Latah County Courthouse, Moscow, Idaho, to receive comments on:

5:35 p.m. – CUP #795 – A request by Laretta Sesock for a conditional use permit for a second dwelling on 80-acres in the Agriculture/Forest Zone. The property is located at 1020 Lisher Cut-Off Road, approximately ¼ mile east of the intersection of Flannigan Creek Road and Lisher Cut-Off Road and ½ mile south of the City of Potlatch, in Sections 11 and 12, Township 41 North, Range 5 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W111800A and RP41N05W123612A.

All interested parties are encouraged to attend the hearing. Accommodations for individuals who qualify under the Americans with Disabilities Act are available upon request. Notice is required in the Planning Office three working days prior to the hearing in order to acquire accommodations.

The hearing will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. The Latah County Zoning Commission reserves the right to limit the length of testimony.

Additional information on this request, including full copies of the proposal, is available from the Planning and Building Department at the Latah County Courthouse, Moscow, Idaho. Phone (208) 883-7220. Written comments will be accepted at the above office prior to the public hearing.

Aimee Shipman
Associate Planner

(This is a public service announcement)

**LAURETTA SESOCK
CONDITIONAL USE PERMIT APPLICATION #795
STAFF REPORT**

SUMMARY OF APPLICATION:

A request by Laretta Sesock for a conditional use permit for a second dwelling on 80-acres in the Agriculture/Forest Zone. The property is located at 1020 Lisher Cut-Off Road, approximately ¼ mile east of the intersection of Flannigan Creek Road and Lisher Cut-Off Road and ½ mile south of the City of Potlatch, in Sections 11 and 12, Township 41 North, Range 5 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W111800A and RP41N05W123612A.

Site Characteristics:

Size of Parcel:	117-acres
Soils:	Driscoll-Larkin Silt Loams, 7-25 % Slopes; Taney Silt Loam, 3-7 % Slopes; Taney Silt Loam, 7-25 % Slopes; Latahco-Lovell Silt Loams, 0-3 % Slopes; (Latah County Soil Survey Sheet #42)
Floodplain:	Zone "C" (FIRM Panel #160086 0340B)

Land Use and Regulations:

Comprehensive Plan Designation:	Rural/Industrial, Commercial, Residential
Existing Zoning:	Agriculture/Forest (A/F)
Existing Uses:	Agriculture, Residential
Neighboring Zoning:	Agriculture/Forest (A/F)
Neighboring Uses:	Residential, Agriculture

Infrastructure/Services:

Water:	Private well
Sewer:	Private septic
Access:	Lisher Cut Off Road, North Latah County Highway District
Schools:	Potlatch School District
Fire Protection:	Potlatch Fire District
Law Enforcement:	Latah County Sheriff

EXHIBITS:

Exhibit #1.	Staff Report
Exhibit #1A.	Criteria Worksheet
Exhibit #1B.	Latah County Comprehensive Plan and Vicinity Map
Exhibit #1C.	Zoning Map
Exhibit #1D.	Adjoining Property Owners and Aerial Photograph Map
Exhibit #2.	Application Form (Submitted by Applicant)
Exhibit #2A.	Applicant's Narrative (Submitted by Applicant)
Exhibit #2B.	Vicinity Map/Plat Map (Submitted by Applicant)

NOTE: Exhibits not included in the staff packet are available for review in the Planning Office, and will be entered into the record during the public hearing.

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6512

Latah County Land Use Ordinance:

Section 3.01 Agriculture/Forest Zone

Article 7 Conditional Use Permits

Latah County Comprehensive Plan

CRITERIA WORKSHEET

Note: This criteria worksheet does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

Type of request:

Conditional Use Permit

Description of application:

A request by Laretta Sesock for a conditional use permit for a second dwelling on 80-acres in the Agriculture/Forest Zone. The property is located at 1020 Lisher Cut-Off Road, approximately ¼ mile east of the intersection of Flannigan Creek Road and Lisher Cut-Off Road and ½ mile south of the City of Potlatch, in Sections 11 and 12, Township 41 North, Range 5 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W111800A and RP41N05W123612A.

Facts of application and the information submitted

1) Section 7.01 requires that specific uses within a particular zone require special consideration prior to being permitted in that zone (Section 3.01, Latah County Land Use Ordinance)

The Latah County Land Use Ordinance, under section 3.01.02(11), lists additional single family dwelling units for parcels that have existing residences as a conditionally permitted use in the Agriculture/Forest (A/F) Zone.

The intent of this Section of the ordinance is to enable the placement of an additional single family dwelling unit on any site within the parcel, subject to a maximum total density of one unit per 40 acres. Accordingly, a parcel must have 80 acres to be eligible for a second dwelling or 120 acres to be eligible for a third dwelling, etc.

2) Section 7.01.01 requires that an application for a conditional use be made by the owner of the affected property.

The conditional use permit application was signed and submitted by Laretta Sesock, owner of the subject property, on June 9, 2009.

3) Section 7.01.02 requires:

1. A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:

A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;

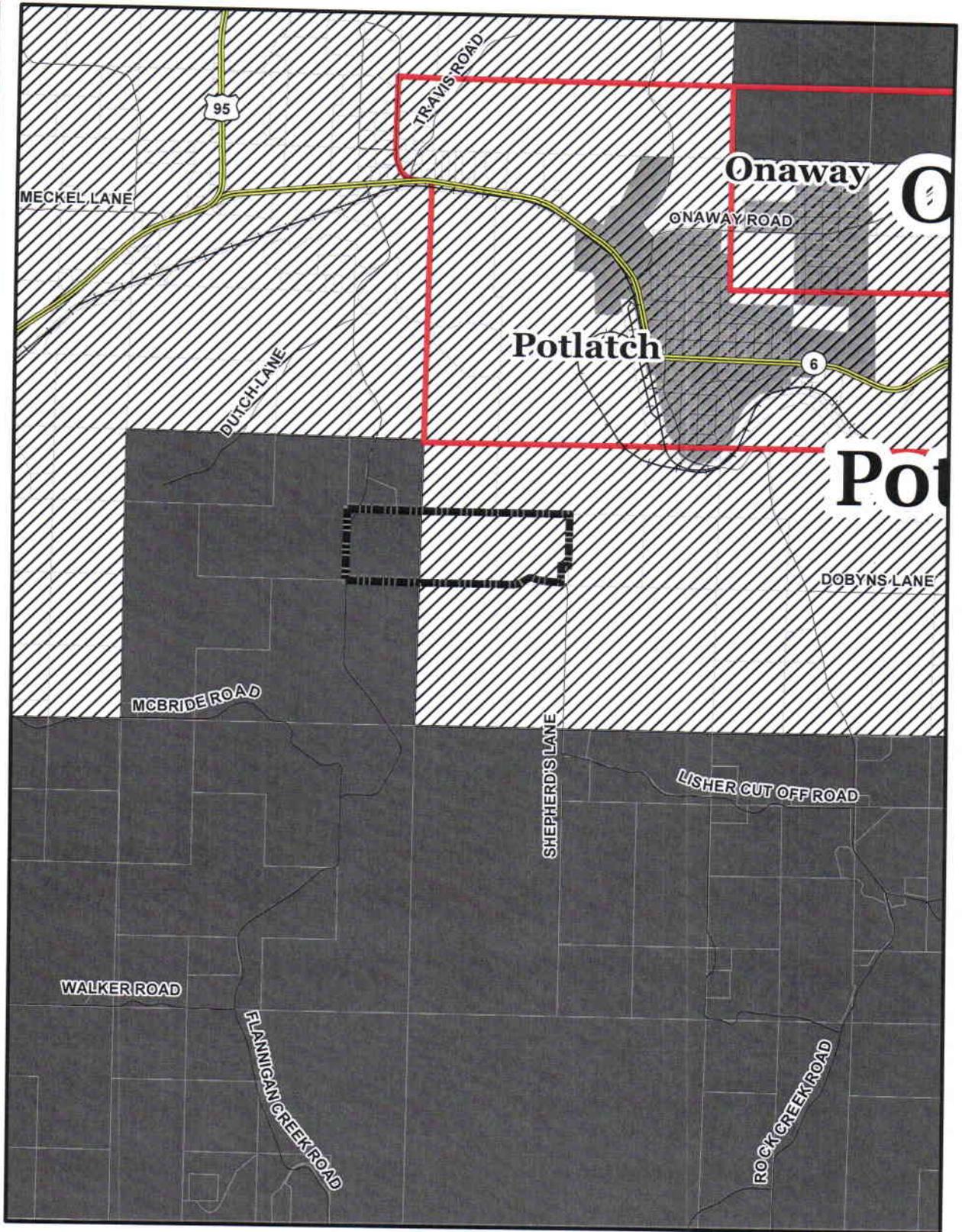
B. The use will not require facilities or services with excessive costs to the public;

- C. The use is consistent with the goals and policies of the Latah County Comprehensive Plan.
2. **If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.**
 3. **The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their finding of fact and conclusions of law.**

Additional Information:

The subject property was purchased by Robert and Constance Robbins in 2007. Mr. and Mrs. Robbins are the parents of the applicant Laretta Sesock. There is one permanent single family dwelling unit on the parcel. The Sesocks also have a dependent dwelling on the property which was approved by the Board of Latah County Commissioners in September, 2007, so that they could reside in close proximity to their aging parents. The dependent dwelling is renewed annually based upon demonstrated continuing need and must be completely removed once the need no longer exists. The 117-acre existing parcel is not eligible for any land divisions based upon less productive soils or size which is the reason for this subject conditional use permit application.

CUP #795 Vicinity and Comprehensive Plan Land Use Map



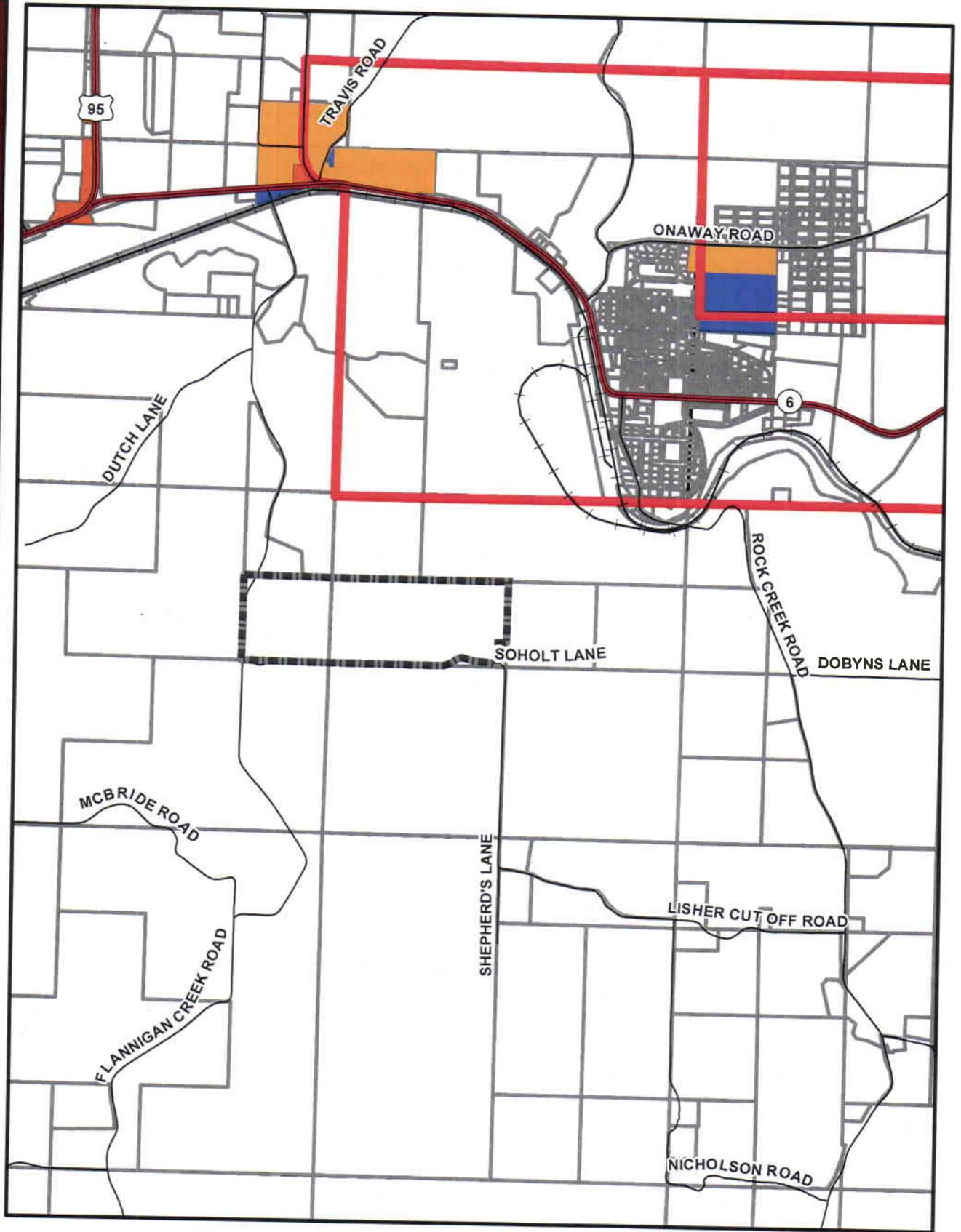
Legend

- | | | | |
|---|---------------------|---|------------------------------------|
|  | Subject CUP Parcel |  | Productive |
|  | Area of City Impact |  | Rural |
|  | Parcels |  | Residential, Commercial Industrial |
| | |  | Incorporated Places |



LCZC Hrg: CUP 795
 Applicant: Sesock
 Exhibit #: 1B
 Date: 7/15/2009

CUP # 795 Zoning Map



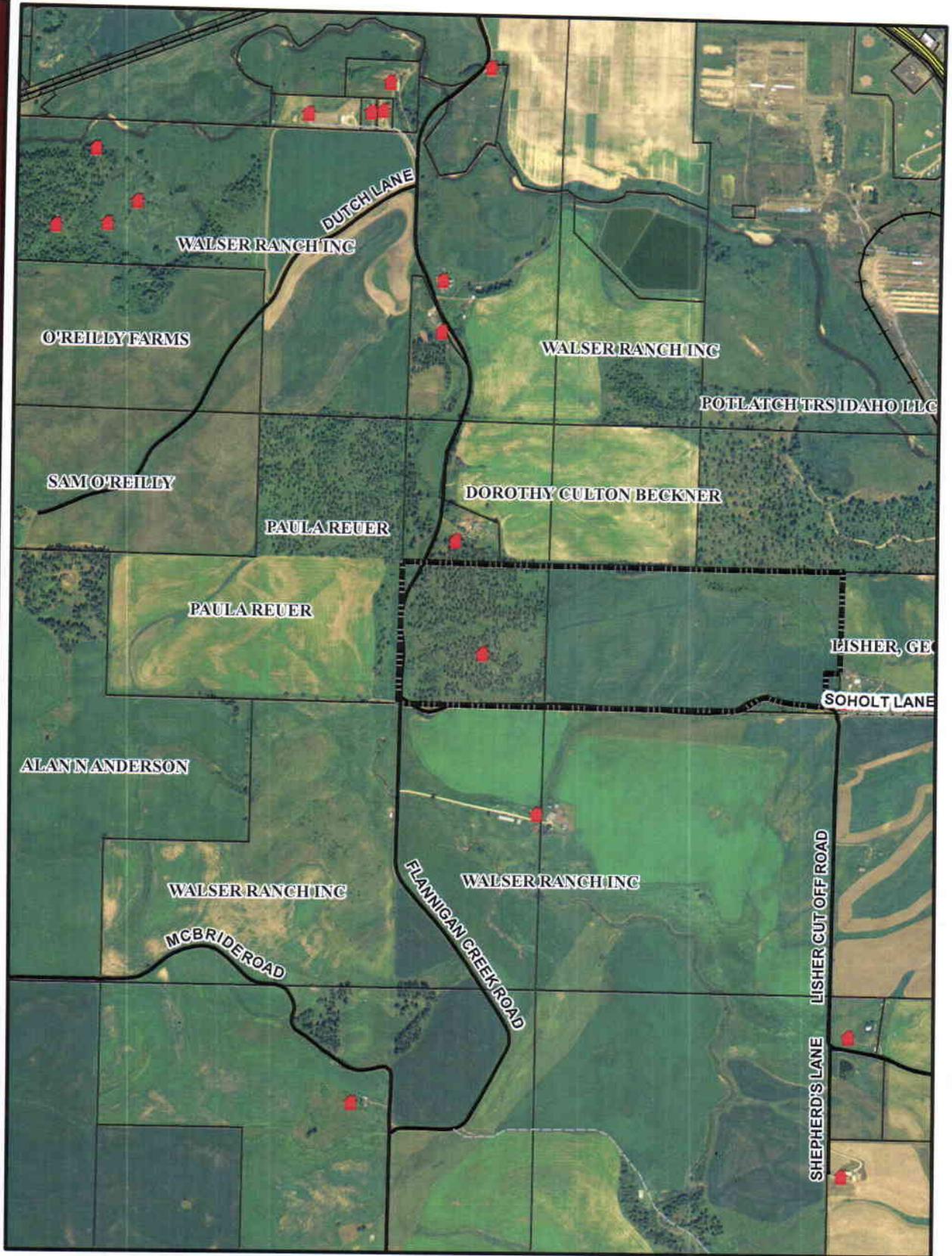
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 Subject CUP Parcel	Zoning Districts	 Parcels	
 Area of Impact Boundary	 Agriculture / Forest		
	 Commercial		
	 Rural Residential		
	 Suburban Residential		



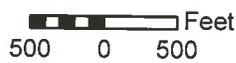
LCZC Hrg: CUP 795
Applicant: Sesock
Exhibit #: 1C
Date: 7/15/2009

CUP #795 Adjacent Property Owners



Legend

-  Subject CUP Parcel
-  Location of Structures
-  Parcels



LCZC Hrg: CUP 795
 Applicant: Sesock
 Exhibit #: 1D
 Date: 7/15/2009



Application for Conditional Use Permit

Instructions

Please complete the application and required attachments. For certain uses, additional information may be necessary. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete.

Please submit to: **Latah County Department of Planning & Building**
Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow, ID 83843 (208) 883-7220

1. Applicant Information

a. Applicant Name Lauretta R Sesock		b. Home Phone 208 875-0807	c. Work Phone	
d. Mailing Address 1020 Lisher Cutoff Rd		e. City Potlatch	f. State ID	g. Zip code 83855
h. Property Owner (if different than applicant) Robert L. & Connie E. Robbins		i. Home Phone 208 875-1630		j. Work Phone
k. Mailing Address 1020 Lisher Cutoff Rd		l. City Potlatch	m. State ID	n. Zip code 83855

2. General Site Information

a. Assessor's Parcel Number(s) RP41N05W11800 A & RP41W05W123612A			b. Parcel Address (if applicable)	
c. Acreage of Existing Parcel 117	d. Zoning A1F	e. Comprehensive Plan Designation ICR	f. Floodplain designation(s) Zones "A" & "C"	g. FEMA Panel # 160860035B
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City		j. Road Used to Access Site Lisher Cutoff Rd	

Note: Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

i. Existing Uses

Residential, Farm, Timber

3. Service Provider Information (please attach additional information if requested)

a. Fire District Potlatch	b. Road District N. Latah Hwy	c. School District 285
d. Source of Potable Water (i.e. water district or private well) Private Well	e. Sewage Disposal (i.e. sewer district or private septic system) Private Septic System	

4. Adjacent Properties Information

a. Zoning of Adjacent Properties A1F	b. Existing Uses of Adjacent Properties Residential, Ag
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5. Permit Information

a. Proposed Use Residential Single Family Rental Unit

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located? Section 3.01.02.211

Note: If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.

6. Authorization

The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false.

a. Signature of Applicant Lauretta R Sesock	b. Date 6/9/09
c. Signature of Property Owner (if different than applicant) Robert L. Robbins	d. Date 6/9/09

Office Use Only

Date Received 6/9/09	Amount \$200	Receipt No. 466395	By AS
CUP # 795	Date Determined Technically Complete 6/9/09	By AS	
Hearing Date 7/15/09			

7. Attachments

All attachments should be reproducible in black and white at 8 1/2" x 11"

- Fee: (\$200.00)** Make checks payable to Latah County.
- Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
- Site Plan:** The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision.
- Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
- Assessor's Plat Map:** Include a copy of that portion of the map that shows the subject parcel and adjoining parcel.
- Other Attachments:** Required by staff / Zoning Commission for certain proposed uses.



Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name

Phone Number

Purpose: To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance.

Instructions: Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

Description of Proposal

Describe your proposal in detail. Include all aspects of your proposal.

The proposal involves building a single family dwelling of approx 1800 sq ft on a Full Daylight basement. This dwelling will include an attached garage. This will involve making a driveway approx 500 ft long, drilling a well, installing a septic system, and providing power & phone lines to bldg sites.

Existing Uses of Property

Please describe what uses, structures and features currently occupy the property.

The 117 acre parcel has 63 acres of land being used for farming. The structures already on property include a 2100 sq ft home, a 1500 sq ft temporary home for elderly parents, a 1200 sq ft shop and two small storage sheds.

Consistency Requirements

Please respond to each of the three criteria listed in Section 7.01.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

A. The use is not detrimental to the health or safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone.

The single family dwelling will have negligible effect on anyone's health or safety. This home will have no effect on the permitted uses in the area.

B. The use will not require facilities or services with excessive costs to the public.

This dwelling will have minimal impact on public facilities or services since the county already has garbage pickup and a school bus which provide these services on Fisher Cottrell Rd which runs along the southern side of the property. A power line and telephone line also run along the edge of the property.

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Applicant: Sesock
Exhibit #: 2A
Date: 7/15/2009

C. The use is not in conflict with the goals and policies of the Comprehensive Plan.

This proposal is in keeping with the goals and policies of the Comprehensive Plan because it is using property in compliance with its classification. It is also in keeping with the orderly growth of the county by providing a residence in close proximity (1/2 mi) of the city of Pottlatch. This construction will have minimal impact on residents living nearby, the environment, or public services. This construction will not affect any sensitive areas such as wetlands, nor any areas of historical or other significance.

In addition to your response above, please explain your proposal's consistency with the preceding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.

a. Community Design Element

This proposal would be considered a low density residential development which is the appropriate use for property classified as industrial/commercial/residential.

b. Population Element

The close proximity of this property to the city of Pottlatch makes it suitable for the addition of a single family dwelling to the area. The three forty acre parcels to the east of this property each have a single family dwelling on them.

c. Housing Element

This dwelling will provide a pleasing environment for a family with children as it is large enough to accommodate a growing family. It will be built with the oversight of county building inspectors using energy efficient characteristics.

d. Economic Development Element

This dwelling would affect less than 2 acres of agricultural land and will be providing needed housing for the growing county population.

e. Public Services, Facilities, and Utilities Element

The property already has school bus services and garbage services as well as power lines on the southern side of the acreage. Its close proximity to the city of Pottlatch makes the impact minimal on fire and police services.

f. School Facilities and Student Transportation Element

This construction will bring added students to a school system which has recently seen declining enrollment. School buses already pass this property requiring no change in the busing schedule.

g. Transportation Element

The access to this dwelling will be approved by the appropriate county officials negating any dangerous or disruptive traffic situations. This dwelling will be approx 500 feet from the county road eliminating any dangers from the road to the occupants of the home.

h. Natural Resource Element

This dwelling will not impact any stream, wetland or wooded area. The septic system will be constructed with county supervision to ensure minimal impact to ground water.

i. Special Areas Element

This parcel has no special areas of historical, archaeological, architectural, geological, biological or scenic significance.

j. Hazardous Areas Element

This dwelling is not in a floodplain and will be properly constructed taking into account the hilly nature of the Palouse.

k. Recreation Element

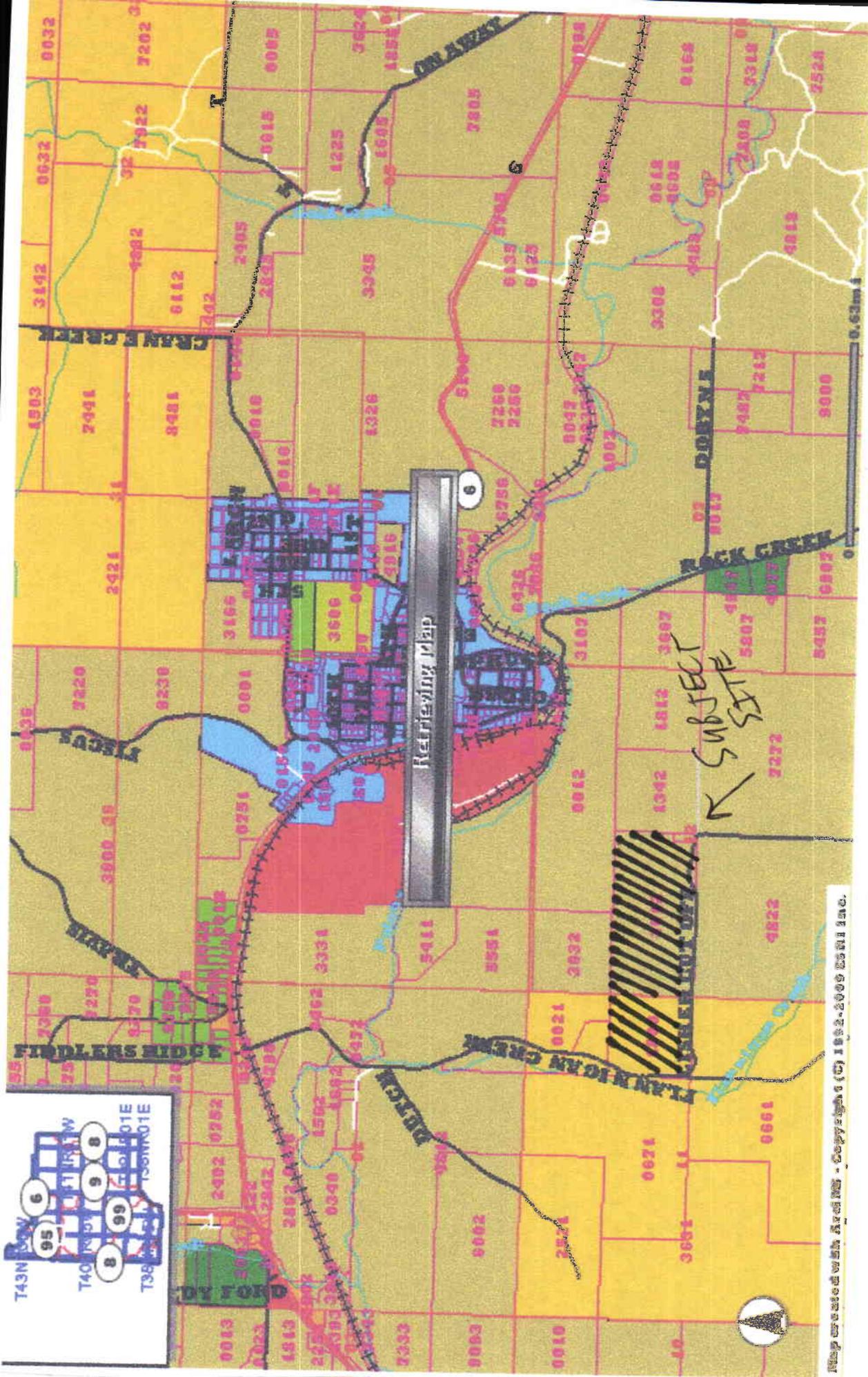
This dwelling will have no effect on any recreational land.

l. Land Use Element

This dwelling will be constructed on land designated by the county as residential/commercial/industrial making it suitable for development.

m. Property Rights Element

The construction of this dwelling will not impact the private property rights of any individuals and allow the owners of said property to use their property in a way that is economically beneficial to them.



Map created with Aerials - Copyright (C) 1982-2009 Esri Inc.

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 Applicant: Sesock
 Exhibit #: 2B
 Date: 7/15/2009

