

## LATAH COUNTY ZONING COMMISSION MEETING MINUTES

**Date:** 10/7/09

**Place:** Latah County Courthouse, Room 2B

**Members Present:** Wayne Sprouse, Jim Hagedorn, John Akin, Duane Priest.

**Members Absent:** Kevin Gergeley

**Staff Present:** Aimee Shipman, Cecily Gordon

**Meeting Opened by:** Wayne Sprouse

**Time:** 17:30

**Adoption of Minutes for:** 9/16/09

**Motion:** Jim moved to adopt the minutes as written. Seconded by Duane.

**Action:** Approved                      **Vote:** Yes 2                      No                      Abstain 1

### **Adoption of Findings of Fact and Conclusions of Law for:**

1) CUP #797 - A request by Noel Leithart for a conditional use permit to place accessory cottage housing on 4.35 acres in the AG/Forest zone.

**Motion:** Jim moved to adopt the findings of fact and conclusions of law as written. Seconded by Duane.

**Action:** Approved                      **Vote:** Yes 2                      No                      Abstain 1

**Public Hearing for:** VAR #801 - A request by Robert Hendrix for a variance to allow a 47 foot setback from the centerline of a public right of way in lieu of the 60 setback required for residential structures in the Suburban Residential zone.

**Opened Public Hearing:** 17:35 - Staff report. A letter from the Hoodoo Water and Sewer district in favor of the variance was read into the record and was included as exhibit 4.

**Open to Public Comment:** 17:40 - Dennis Hendrix representing the applicant discussed the request. There was no opposition to the variance.

**Closed to Public Comment:** 17:50

**Motion:** Due to the fact that the applicants parcel had public right of ways on three sides considerably reducing the amount of space available to adequately place a new home on the property, Duane moved to approve VAR #801. Seconded by Jim.

**Conditions:**

**Action: Approved**                      **Vote: Yes 3**                      **No**                      **Abstain**

**Public Hearing for:** CUP #799 - A request by Marilyn Shattuck for a conditional use permit for a second dwelling on 80 acres in the AG/Forest zone.

**Opened Public Hearing:** 17:55 - Staff report

**Open to Public Comment:** 18:05 - The applicant discussed the request. The second residence would be used by her, while her son and his family occupy the main residence to assist her. There was no opposition to the request.

**Closed to Public Comment:** 18:10

**Motion:** Jim moved to approve CUP #799 with conditions. Seconded by Duane.

**Conditions:**

- Compliance with all federal, state and local ordinances.
- Substantial compliance with the application and presentation.
- A minimum of 80 acres must remain with the two residences as long as they both exist.

**Action: Approved**                      **Vote: Yes 3**                      **No**                      **Abstain**

**Public Hearing for:** VAR #802 - A request by Terry Cummings for a variance to allow a 6 foot setback from the south and east property lines in lieu of the 10 foot setback required for structures in the Suburban Residential zone.

**Opened Public Hearing:** 18:15 - Staff report.

**Open to Public Comment:** 18:20 - The applicant discussed the request. He indicated that he thought the setback was 5 feet.

**Closed to Public Comment:** 18:30

**Motion:** Jim moved to re-open the public hearing for just and legal cause to gather additional information regarding code compliance in respect to the structure. Seconded by John.

**Conditions:**

**Action: Approved**                      **Vote: Yes 3**                      **No**                      **Abstain**

**Motion:** Jim moved to continue the hearing for VAR #802 on October 21, 2009 at 17:30 in the Latah County Courthouse. Seconded by John.

**Conditions:**

**Action:** Approved

**Vote:** Yes 3

**No**

**Abstain**

**Adoption of Findings of Fact and Conclusions of Law for:**

1) VAR #801 - A request by Robert Hendrix for a variance to allow a 47 foot setback from the centerline of a public right of way in lieu of the 60 setback required for residential structures in the Suburban Residential zone.

**Motion:** Duane moved to adopt the findings of fact and conclusions of law as written. Seconded by Jim.

**Action:** Approved

**Vote:** Yes 3

**No**

**Abstain**

**Other Business:** None

**Meeting Adjourned at:** 19:20

**Respectfully Submitted 10/13/09:**



Secretary