

NOTICE OF PUBLIC HEARING
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, May 18th, 2011, 5:30 p.m.

The Latah County Zoning Commission will hold a public hearing on Wednesday, May 18th, 2010 in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

5:35 p.m. – CUP # 839 – A request by Robert Isaac for a conditional use permit to place accessory cottage housing on a 6.5-acre parcel in the Agriculture/Forest zone. The property is located at 4090 Highway 8 Troy, in Section 05, Township 39 North, Range 03 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP39N03W055255A.

Interested parties are encouraged to attend. Accommodations for individuals who qualify under the ADA are available upon request. Notice to acquire accommodations must be made 3 working days prior to the hearing to the Planning Dept. This hearing will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Land Use Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. The Latah County Zoning Commission reserves the right to limit length of testimony.

Additional information, including copies of the proposal, are available from the Planning Dept., Latah County Courthouse, Moscow, Idaho, (208) 883-7220. Written comments will be accepted at the above office prior to the hearing.

Jason Boal, Associate Planner

(This is a public service announcement only)

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing: CUP 839 Date: May 18, 2011 Time: 5:35 pm

Applicant: Robert Isaac File #:CUP 839

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.	Site plan (Submitted by Applicant)
Exhibit #2C.	Building Plans
Exhibit #3.	Staff Introduction for Latah County Zoning Commission public hearing for CUP 839 on May 18, 2011

Exhibit # :

**ROBERT ISAAC
CONDITIONAL USE PERMIT APPLICATION #839
STAFF REPORT**

SUMMARY OF APPLICATION:

A request was made by Robert Isaac for a conditional use permit to place accessory cottage housing on a 6.5-acre parcel in the Agriculture/Forest zone. The property is located at 4090 Highway 8, Troy, in Section 05, Township 39 North, Range 03 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP39N03W055255A.

Site Characteristics:

Size of Parcel:	6.5 acres
Soils:	Lovell, 0-3% Slopes, Bluesprin-Flybow Complex 35-65% Slope Joel Silt Loam, 7-25% Slopes; (Latah County Soil Survey Sheet #34)
Floodplain:	Zone "C" (FIRM Panel #160086 0265B)

Land Use and Regulations:

Comprehensive Plan Designation:	Industrial, Commercial and Residential
Existing Zoning:	Agriculture/Forest
Existing Uses:	Residential
Neighboring Zoning:	Agriculture/Forest
Neighboring Uses:	Agriculture, Public Right of Way, Residential

Infrastructure/Services:

Water:	Existing Private Well
Sewer:	Existing Private Septic
Access:	Highway 8, North Latah County Highway District
Schools:	Troy School District
Fire Protection:	Troy Fire District
Law Enforcement:	Latah County Sheriff

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Exhibit #1E.	Plat Map
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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 # 269, as amended:

Section 3.01 Agriculture/Forest Zone

Article 7 Conditional Use Permits

Latah County Comprehensive Plan

CUP 839

STAFF REPORT FOR Robert Isaac

1 OF 1

LCZC Hrg: CUP 839
Applicant: Isaac
Exhibit #: 1
Date: 05/18/2011

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 to build accessory cottage housing.

Description of application:

Robert Isaac submitted application for a conditional use permit to place an accessory cottage housing on a 6.5-acre parcel in the Agriculture/Forest zone. The property is located at 4090 Hwy 8, Troy, in Section 05, Township 39 North, Range 03 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP39N03W055255A.

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.

The Latah County Land Use Ordinance, under section 3.01.02(14), lists "Accessory Cottage Housing" as a conditionally permitted use in the Agriculture/Forest Zone.

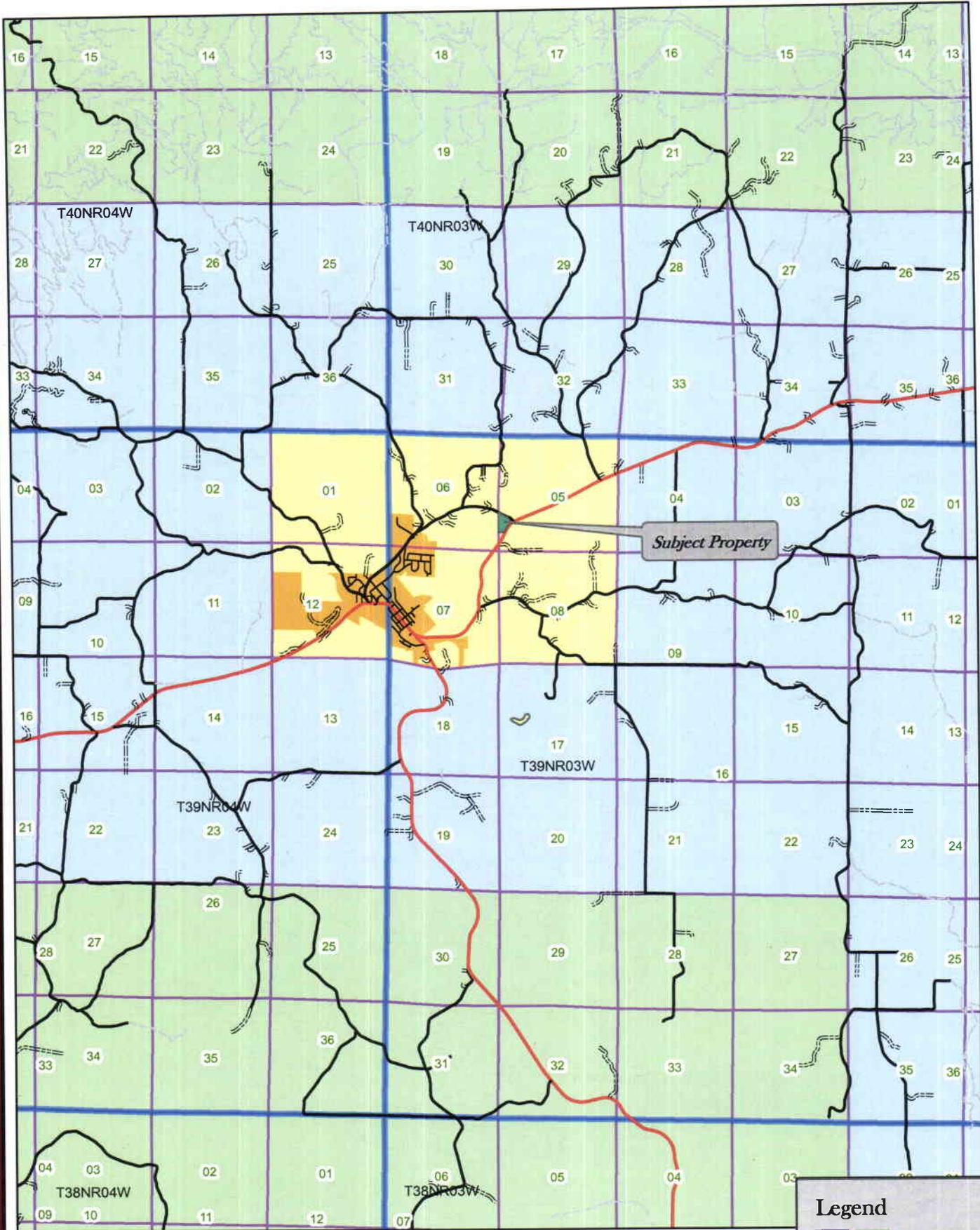
2) Section 7.01.01 requires that an application for a conditional use be made by the owner of the affected property.

Robert Isaac submitted a completed application to the Latah County Planning and Building Department on October 13, 2010.

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 not in conflict 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 findings of fact and conclusions of law.

CUP #839 Vicinity and Comprehensive Plan Map



Legend

- AOI PRODUCTIVE
- ICR RURAL

NOTE: This Document is a representation only.
Latah County bears no responsibility for errors or omissions.

*Created on 5/04/2011 by JB



LCZC Hrg: CUP 839
 Applicant: Isaac
 Exhibit #: 1B
 Date: 05/18/2011



CUP #839 Zoning Map



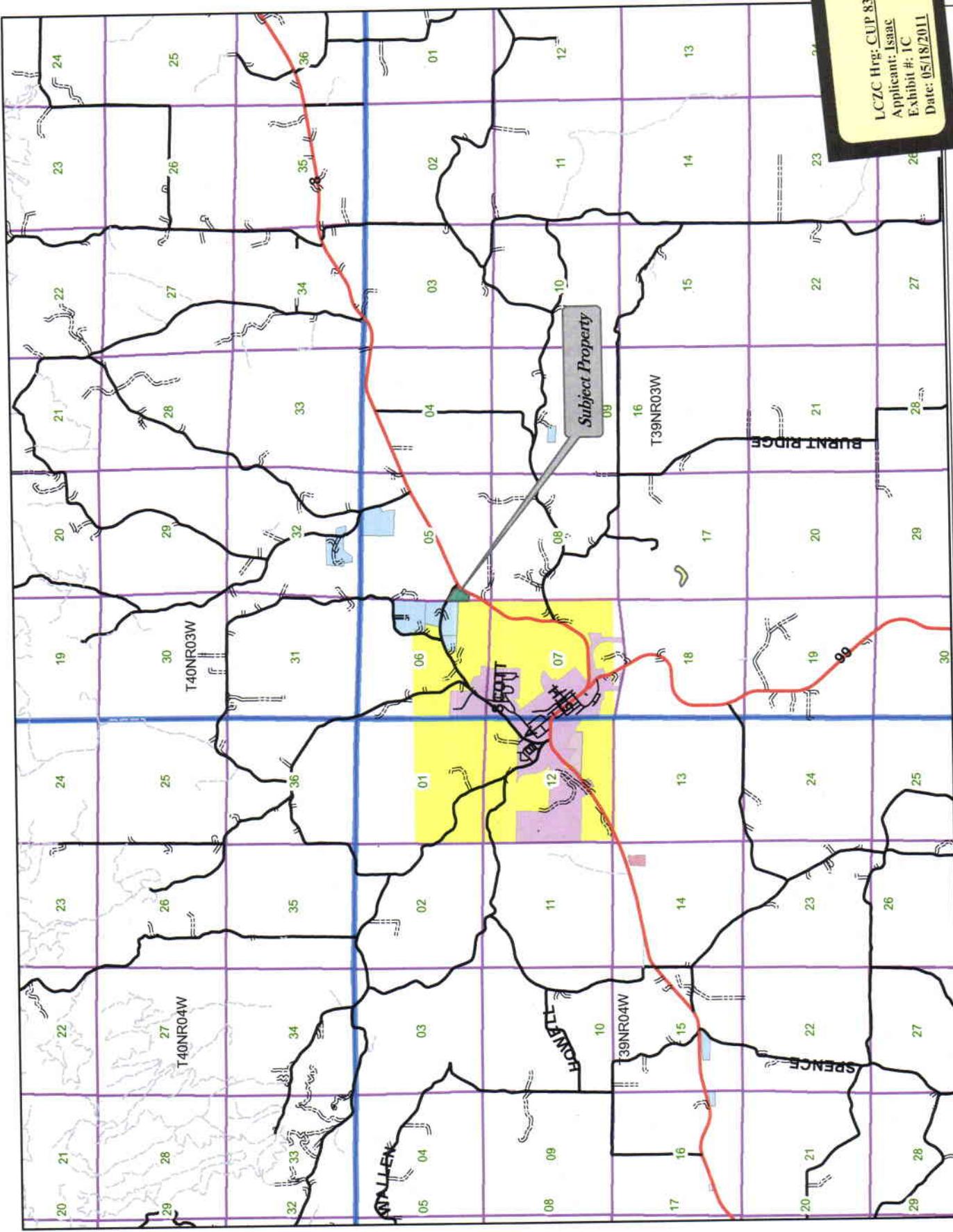
NOTE: This Document is a representation only. Latah County bears no responsibility for errors or omissions.
 *Created on 5/05/2011 by JB



Legend

- Agriculture / Forest Industrial
- Commercial
- Multiple Family Residential Rural Residential
- Single-Family Residential Suburban Residential
- Single-Family Residential (RI)
- Areas of City Impact
- Motor Business Municipality

LCZC Hrp: CUP 839
 Applicant: Isaac
 Exhibit #: 1C
 Date: 05/18/2011

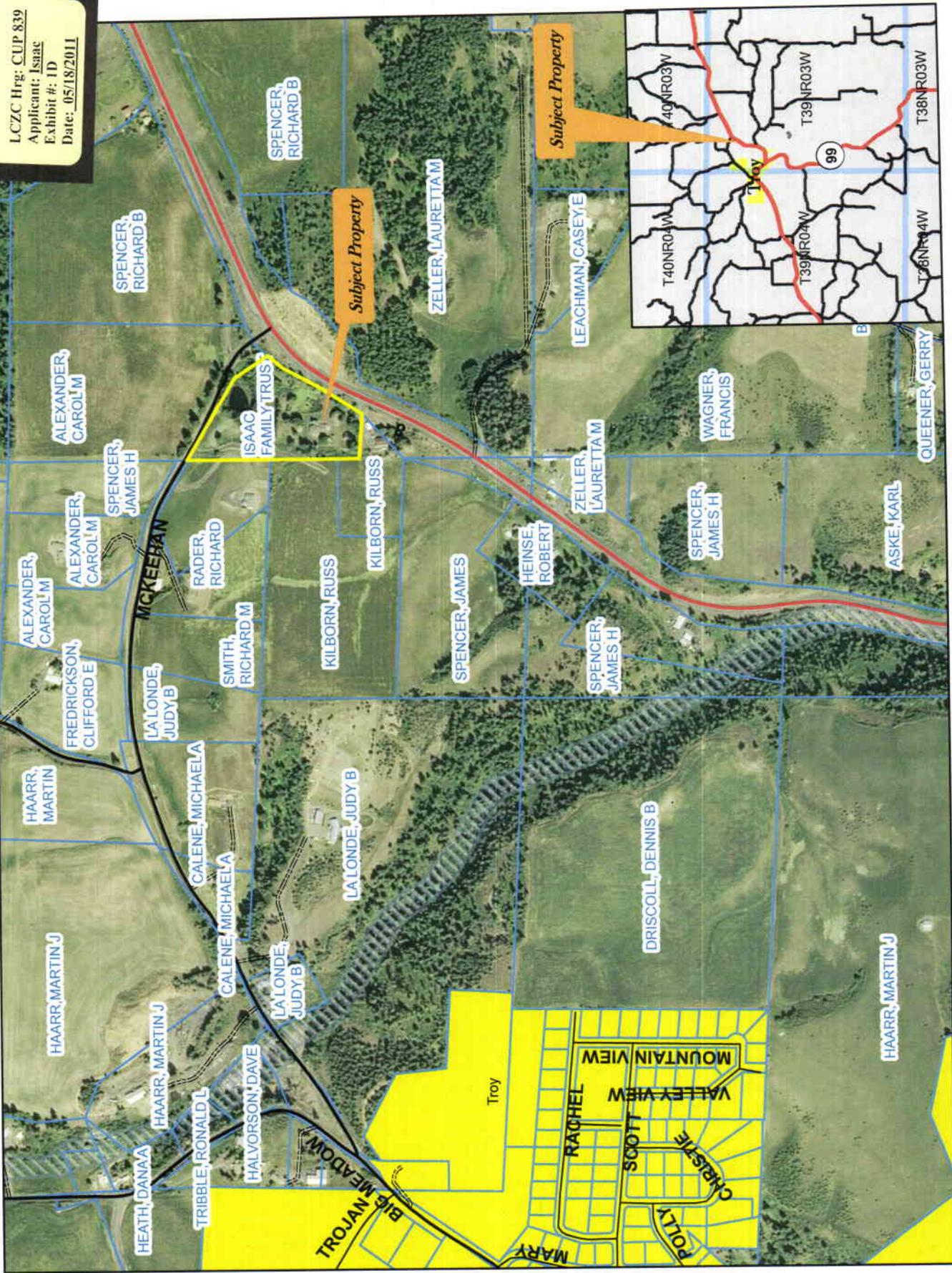


CUP #839 Aerial & Adjacent Propert Owner Map



*Created on 5/04/11 by JB

NOTE: This Document is a representation only. Latah County bears no responsibility for errors or omissions.



LCZC Hrg: CUP 839
 Applicant: Isaac
 Exhibit #: 1D
 Date: 05/18/2011



Legend

- Parcels
- Troy
- Floodplain



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, (208) 883-7220

1. Applicant Information

A. Applicant Name <i>Robert L. Isaac</i>		B. Home Phone <i>(208) 835-4169</i>		C. Work Phone <i>Cell</i> <i>(707) 624-6384</i>	
D. Mailing Address <i>4090 HWY 8</i>		E. City <i>Troy</i>		F. State <i>Idaho</i>	G. Zip code <i>83871</i>
H. Property Owner (if different than applicant)		I. Home Phone		J. Work Phone	
K. Mailing Address <i>Same</i>		L. City		M. State	N. Zip code

2. General Site Information

A. Assessor's Parcel Number(s) <i>RP 39N03W055255A</i>			B. Parcel Address (If Applicable)		
C. Acreage of Existing Parcel <i>6 1/2 Ac.</i>	D. Zoning <i>Ag Forest</i>	E. Comprehensive Plan Designation <i>ICR</i>	F. Floodplain designation(s)	G. FEMA Panel #	
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		

Note: Sites within an Area of City Impact may require additional notification time prior to public hearings.

K. Existing Uses

Residence

3. Service Provider Information (Please Attach Additional Information if Needed)

A. Fire District <i>Troy Fire District</i>	B. Road District <i>North Latah</i>	C. School District <i>Troy</i>
D. Source of Potable Water (i.e. Water District or Private Well) <i>Private Well</i>		E. Sewage Disposal (i.e. Sewer District or Septic System) <i>Septic system</i>

4. Adjacent Properties Information

A. Zoning of Adjacent Properties <i>Ag. Forest / Rural Res.</i>	B. Existing Uses of Adjacent Properties
--	---

5. Permit Information

A. Proposed Use <i>Auxillary Cottage for personal use (Accessory)</i>	
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?	<i>Accessory Cottage Housing</i>

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 <i>Robert L. Isaac</i>	B. Date <i>4/14/11</i>
C. Signature of Property Owner (if different than applicant)	D. Date

7. Attachments

- 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 parcels.
- Other Attachments:** Required for certain p...

Office Use Only

Date Received <i>4/15/11</i>	Amount <i>\$200</i>	Receipt No. <i>270477</i>	By <i>[Signature]</i>
CUP # <i>239</i>	Date Determined Technically Complete		By
Hearing Date <i>5/18/2011</i>			

LCZC Hrg: **CUP 839**
 Applicant: **Isaac**
 Exhibit #: **2**
 Date: **05/18/2011**



Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name

Robert L. Isaac

Phone Number

(208) 835-4169

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

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

Description of Proposal

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

To build an Accessory Cottage of 896 sq. ft. for our personal use. We are in our 70's and wish to have our son live on the property with us. See attached plans

Existing Uses of Property

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

Residence and Barn for storage + equipment (lawn mowers, etc)

Consistency Requirements

Please respond to each of the four criteria listed in § 13.10.01 by explaining how your proposal meets each particular criteria. If the provided space is insufficient, please attach your responses to this packet.

1. The use is consistent with the goals and policies of the Latah County Comprehensive Plan

We are not proposing to divide the property thus preserving the rural nature.

Office Use Only

CUP #

Page 1

Conditional Use Permit Narrative Worksheet

LCZC Hrg: CUP 839
Applicant: Isaac
Exhibit #: 2A
Date: 05/18/2011

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

No conflict with existing land use and public service code
& preserves the rural character of the County

b. Population Element

This cottage will not conflict with Ag or forest
it will allow for the family to remain together

c. Housing Element

This will allow the older parents to live with our son & family.

d. Economic Development Element

N/A

e. Public Services, Facilities, and Utilities Element

No add'l services needed

f. School Facilities and Student Transportation Element

No impact on schools

g. Transportation Element

our proposal does not require any changes to our access to public roads and will not disrupt traffic flow.

h. Natural Resource Element

We have cleaned and removed dead wood and removed low branches for fire safety. We have also planted new trees purchased from the Uoff Nursery. The proposed cottage will not require removal or destruction of beneficial trees.

i. Special Areas Element

No recognized cultural, scenic or natural significant sites will be impacted.

j. Hazardous Areas Element

We have cleaned the debris and dead trees for fire safety - we keep the fields mowed to prevent grass fire etc

k. Recreation Element

N/A

l. Land Use Element

We are located in Ag/Forest/Ror or Rural area where an accessory cottage is allowed.

j. Property Rights Element

This cottage will allow our family to care for us without being a burden to others and we can more fully enjoy the rights of our property ownership.

Office Use Only

2. The use is not detrimental to the health and safety of those in the surrounding area or region

A one bedroom Accessory Cottage will not effect the Health and Safety of the surrounding area.

3. The use will not adversely affect surrounding properties to a greater extent than would a permitted use in the zoning district

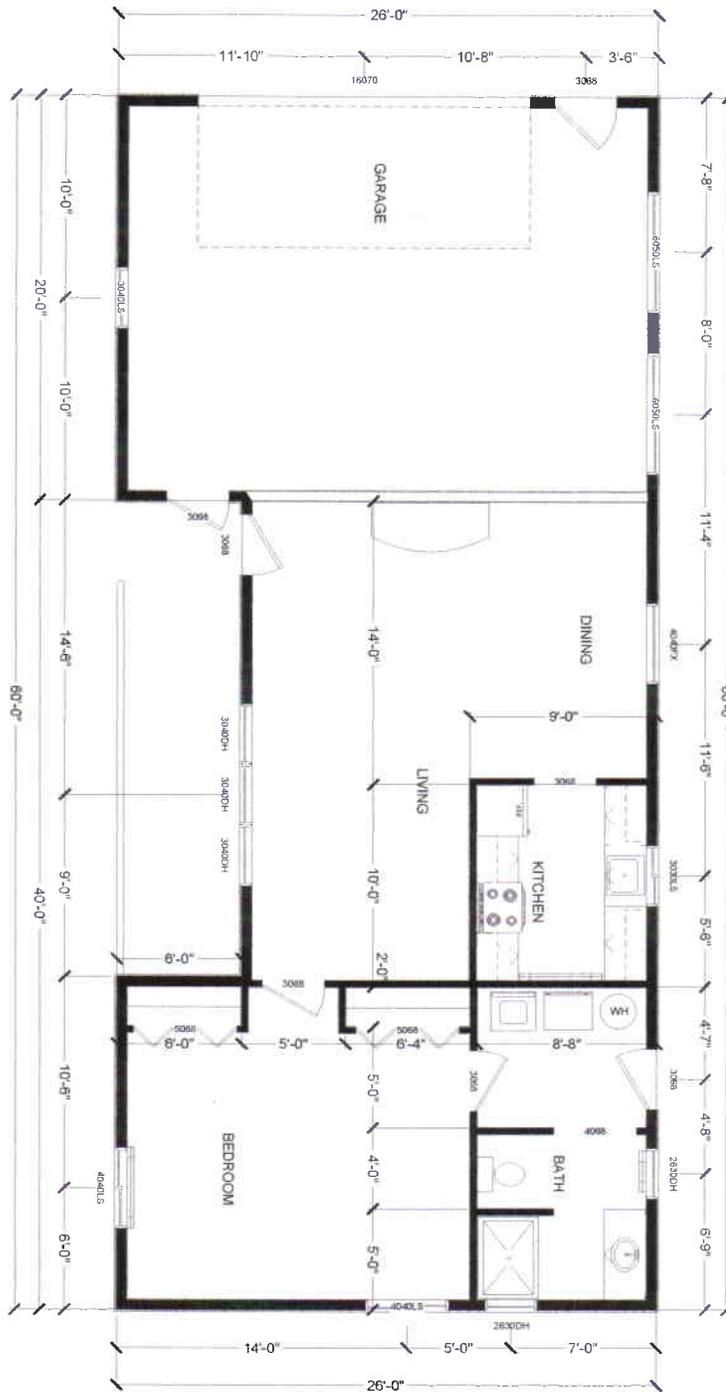
The Accessory Cottage will be for our personal use and will not be rented or occupied for gain. The proposed cottage is less than 900 sq.ft and within 100 ft. of the principal dwelling, and is less than 50% of the principal dwelling.

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

There is no cost to the public for any facility or service that is required.

MAIN FLOOR

SCALE: 1/8" = 1'-0"



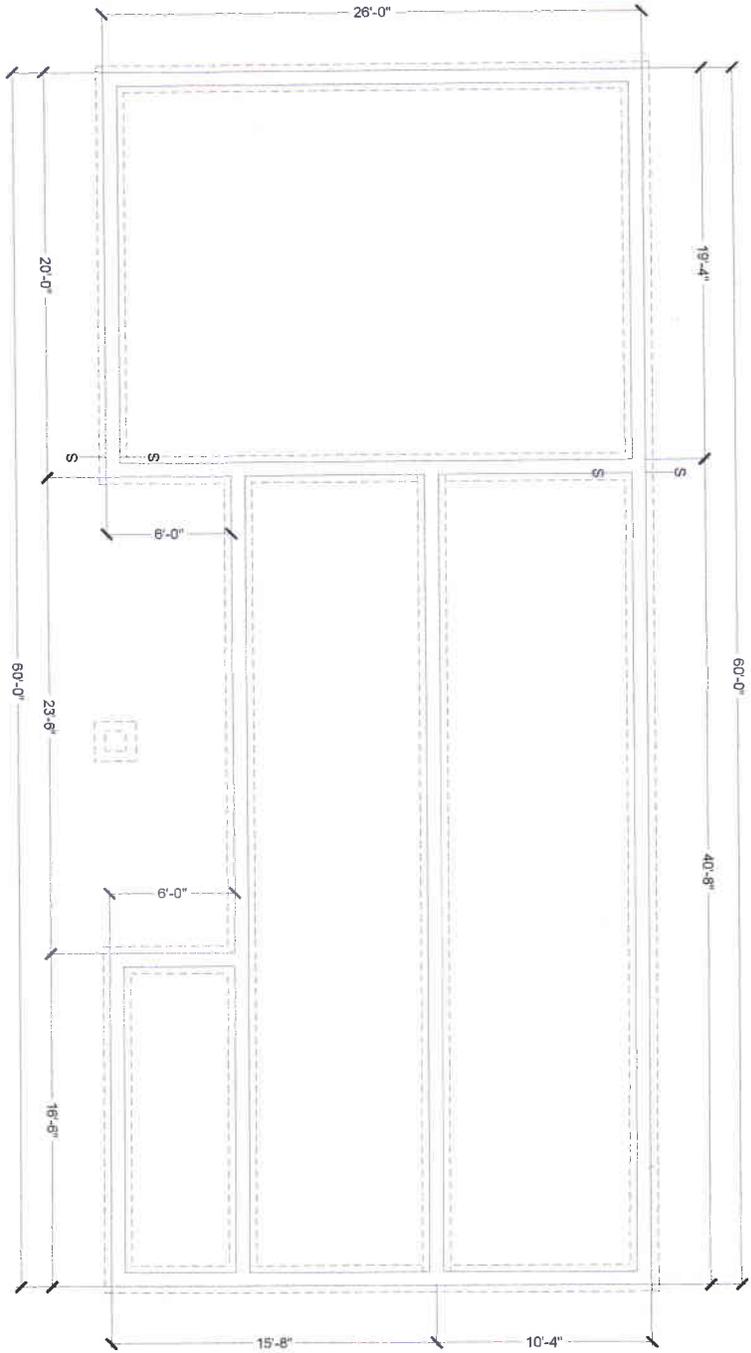
JOB NO: WARS
 PLOT SCALE: WARS
 DRAWN BY: A. TRUONG
 DATE: 3/29/2011
 SHEET TITLE: MAIN FLOOR



ROBERT ISAAC RESIDENCE
 ROBERT ISAAC TRC1: 10 83671 PHONE:
GARRISON CHAMBERS CONSTRUCTION INC.
 10M GARRISON 320 DRY CREEK RD TRC1: 10 83671 PHONE: 298-301-1521

In the event of any knowledge that these plans are drawn to comply with laws and regulations, the contractor shall be held responsible for any errors or omissions in the plans. The contractor shall be held responsible for any errors or omissions in the plans. The contractor shall be held responsible for any errors or omissions in the plans. The contractor shall be held responsible for any errors or omissions in the plans.

LCZC Hrg: CUP 839
 Applicant: Isaac
 Exhibit #: 2C
 Date: 05/18/2011

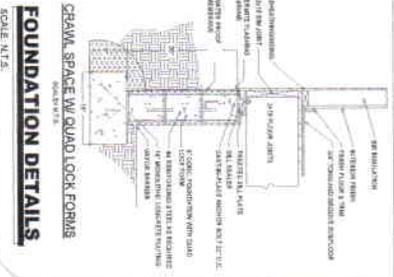


CONCRETE NOTES:

1. CONCRETE SHALL BE STANDARD WEIGHT WITH A 28 DAY STRENGTH OF 3,000 P.S.I. (DESIGNED CALCULATIONS ARE BASED ON 2,500 P.S.I.) WITH MAX SLUMP OF 4".
2. CONCRETE IN CONTACT WITH EARTH SHALL USE TYPE V CEMENT.
3. CONTRACTOR SHALL PROVIDE CONSTRUCTION AND CONTROL JOINTS IN SLAB ON GRADE TO MINIMIZE CRACKING DUE TO SHINKAGE OF CONCRETE.
4. AT DISCONTINUITIES IN CONSTRUCTION OR CONTROL JOINTS PROVIDE REBAR CENTERED ON A PERPENDICULAR DISCONTINUED JOINTS.
5. SUBGRADE PREPARATION AND PLACEMENT OF STRUCTURAL FILL SHALL COMPLY WITH CODE.

FOUNDATION

SCALE: 3/8" = 1'-0"



FOUNDATION DETAILS

SCALE: N.T.S.



JOB NO: PLOT SCALE:
 DRAWN BY: DATE:
 K. HUNTER 1/10/2011
 SHEET TITLE:
FOUNDATION



ROBERT ISAAC RESIDENCE

ROBERT ISAAC TROY, ID 83871 PHONE

GARRISON CHAMBERS CONSTRUCTION INC.

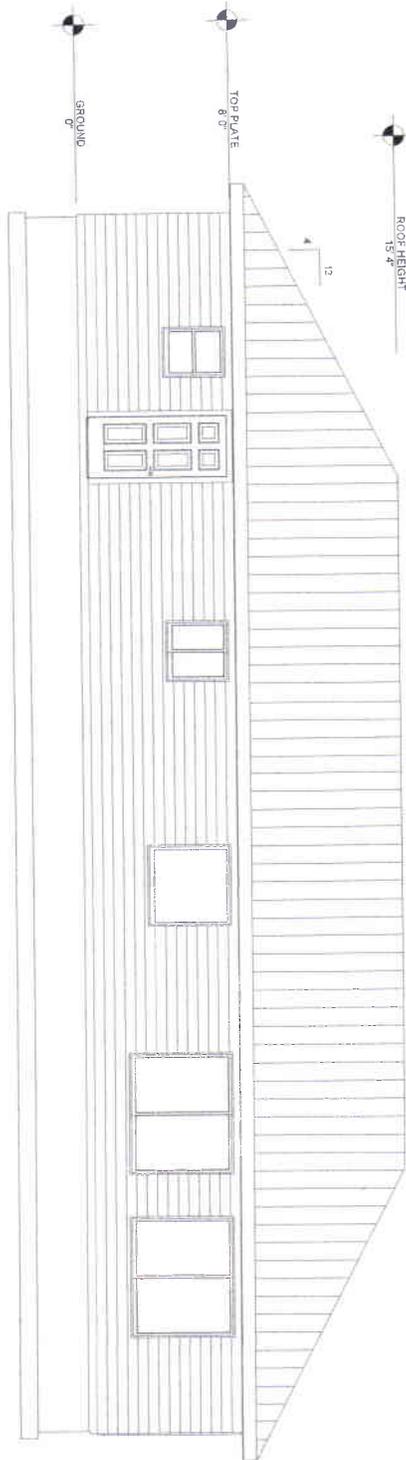
TOM GARRISON • 1120 DRY CREEK RD • TROY, ID 83871 • PHONE 208-311-1121

To the best of my knowledge these plans are drawn to comply with all applicable codes and regulations and any changes made on them after printing are made at the owner's risk. I, the designer, accept no responsibility for the contractor's work or for any construction errors. While every effort has been made in the preparation of this plan to avoid mistakes, the contractor is responsible for any errors. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible therefor. Copyright and drawings contained herein remain the property of the designer and are not to be reproduced or transmitted without written permission under penalty of law.



FRONT ELEVATION

SCALE: 1/2" = 1'-0"



REAR ELEVATION

SCALE: 1/2" = 1'-0"



JOB NO: PLOT SCALE:
 DRAWN BY: DATE:
 E. HARRIS 2/29/2011

SHEET TITLE:
ELEVATIONS



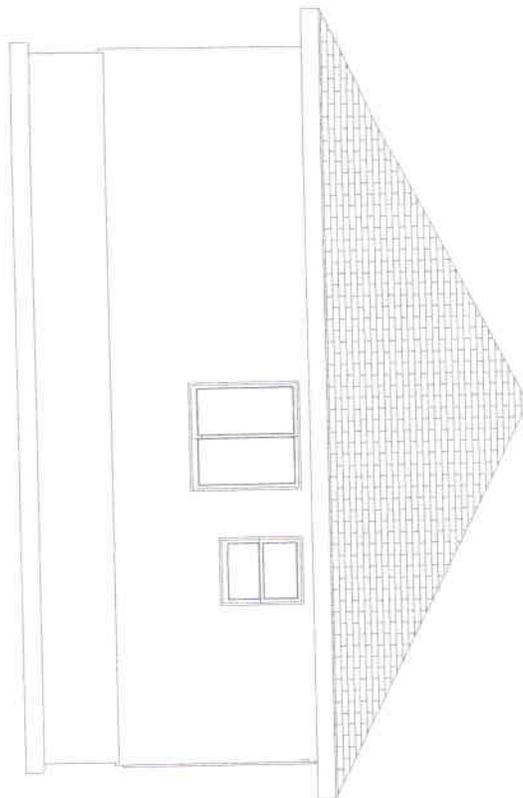
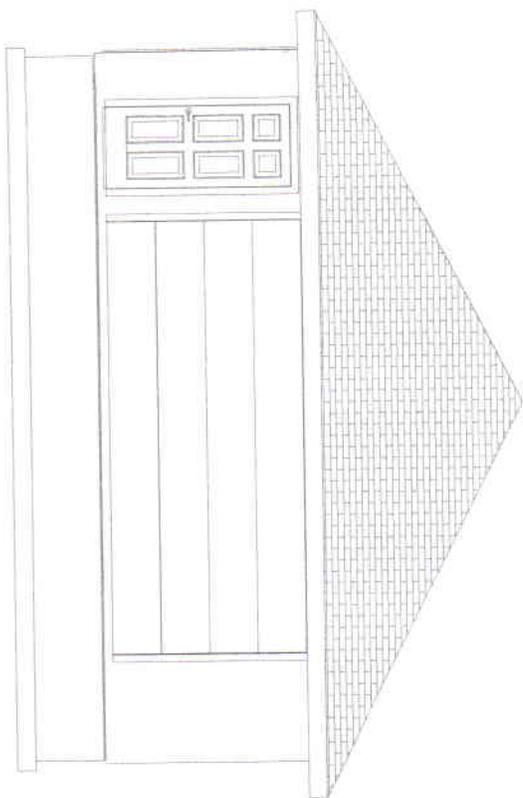
ROBERT ISAAC RESIDENCE

ROBERT ISAAC TRCV. 02 80871 PHONE

GARRISON CHAMBERS CONSTRUCTION INC.

TOM GARRISON • 1120 DRY CREEK RD. • TROY, MI 48061 • PHONE: 248-351-9511

In the event of any knowledge these plans are shown to comply with certain and/or building's specific items and any changes made on them after prints are made will be done at the owner's and/or builder's expense and responsibility. The contractor shall verify all dimensions and materials at every step. It is the owner's responsibility to provide a construction site. While every effort has been made in the preparation of this plan to avoid mistakes, the architect is not responsible for errors. The contractor at the job must check all dimensions and other details prior to construction and be held responsible for any errors. Copyright and drawings retained inside these plans. The property of the designer and may not be reproduced or transmitted without written permission under penalty of law.



SIDE ELEVATIONS

SCALE: N.T.S.

A-5
SHEET NO.

JOB NO: DRAWN BY: K. House
 PLOT SCALE: VARIES
 DATE: 3/29/2011

SHEET TITLE:
SECTIONS



ROBERT ISAAC RESIDENCE
 ROBERT ISAAC (TRCY: IC 6387) PHONE:
GARRISON CHAMBERS CONSTRUCTION INC.
 TOM GARRISON • 1320 URT CHECK RD. TRCY: IC 6387 PHONE: 204-301-1821

The layout of the construction items shown are shown for clarity only. The contractor shall be responsible for all details and specifications and any changes made on the site after the start of construction shall be the contractor's responsibility. The contractor shall verify all dimensions and reference drawings. It is the contractor's responsibility to ensure that all construction items are shown in the drawings. While every effort has been made to ensure the accuracy of the drawings, the contractor shall be responsible for any errors or omissions. The contractor shall be responsible for any changes made to the drawings after the start of construction. The contractor shall be responsible for any changes made to the drawings after the start of construction. The contractor shall be responsible for any changes made to the drawings after the start of construction.

1
SHEET NO.

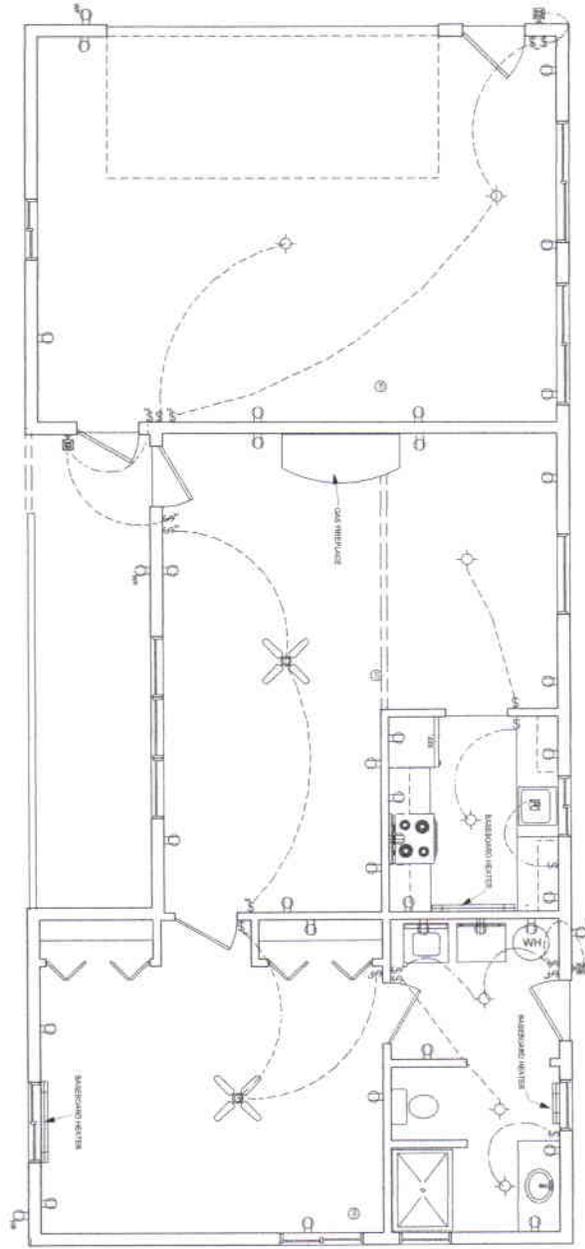
SHEET TITLE:
ELECTRICAL



GARRISON CHAMBERS CONSTRUCTION INC.

The contractor shall be responsible for all details and specifications and any changes made on the site after the start of construction shall be the contractor's responsibility. The contractor shall verify all dimensions and reference drawings. It is the contractor's responsibility to ensure that all construction items are shown in the drawings. While every effort has been made to ensure the accuracy of the drawings, the contractor shall be responsible for any errors or omissions. The contractor shall be responsible for any changes made to the drawings after the start of construction. The contractor shall be responsible for any changes made to the drawings after the start of construction. The contractor shall be responsible for any changes made to the drawings after the start of construction.

ELECTRICAL PLAN
SCALE: 1/2" = 1'-0"



E-1
SHEET NO.

JOB NO: PLOT SCALE:
VARIES
DRAWN BY: DATE:
K. House 7/26/2011
SHEET TITLE:
ELECTRICAL



ROBERT ISAAC RESIDENCE
ROBERT ISAAC TROY, ID 83671 PHONE:
GARRISON CHAMBERS CONSTRUCTION INC.
TOM GARRISON • 1120 CRY CREEK RD. • TROY, ID 83671 • PHONE: 208-301-1921

To the best of the knowledge these plans are drawn to comply with owner's and architect's specifications, and are subject to change without notice. It is the responsibility of the contractor to verify all dimensions and conditions. The contractor shall be responsible for all measurements and conditions. It is not the contractor's responsibility to verify the accuracy of the information provided on these plans. While every effort has been made in the preparation of this plan to avoid omissions, the contractor shall check all dimensions and other details prior to construction and be held responsible therefor. Copyright and drawings contained herein remain the property of the designer and shall not be reproduced or transmitted without written permission under penalty of law.

CUP #839 – Staff Introduction

A request was made by Robert Isaac for a conditional use permit to place accessory cottage housing on a 6.5-acre parcel in the Agriculture/Forest zone. The property is located at 4090 Highway 8, Troy, in Section 05, Township 39 North, Range 03 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP39N03W055255A

The Latah County Land Use Ordinance, under section 3.01.02(14), lists "Accessory Cottage Housing" as a conditionally permitted use in the Agriculture/Forest Zone.

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 not in conflict 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 findings of fact and conclusions of law.**

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

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