

NOTICE OF PUBLIC HEARING
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, June 1st, 2011, 5:30 pm

The Latah County Zoning Commission will hold a public hearing on Wednesday, June 1st, 2011, in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

5:35 p.m. – CUP # 840 – A request by Tom Carpenter for a conditional use permit to place an accessory cottage housing on a 10.4-acre parcel in the Agriculture/Forest zone. The property is located at 1140 Hatter Creek Road, in Section 03, Township 40 North, Range 04 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP40N04W037202A.

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 hearings to the Planning Dept. These hearings 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, is 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.

Mauri Knott, Associate Planner

(This is a public service announcement only)

TOM CARPENTER
CONDITIONAL USE PERMIT APPLICATION #840
STAFF REPORT

SUMMARY OF APPLICATION:

A request was made by Tom Carpenter for a conditional use permit to place accessory cottage housing on a 10.4-acre parcel in the Agriculture/Forest zone. The property is located at 1140 Hatter Creek Road, in Section 03, Township 40 North, Range 04 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP40N04W037202A.

Site Characteristics:

Size of Parcel:	10.4 acres
Soils:	Santa Silt Loam, 5-20% Slopes, Uvi Loam, 5-20% Slopes. Helmer Silt Loam, 5-20% Slopes, (Latah County Soil Survey Sheet #18)
Floodplain:	Zone "C"

Land Use and Regulations:

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

Infrastructure/Services:

Water:	Existing Private Well
Sewer:	New Private Septic
Access:	Hatter Creek Road, North Latah County Highway District
Schools:	Potlatch School District
Fire Protection:	Potlatch Rural 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 #1E.	Plat 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.	North Latah Hwy District Public Right of Way Permit (Submitted by Applicant)
Exhibit #3.	Staff Introduction for Latah County Zoning Commission public hearing for CUP 840 on June 1 st , 2011

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 840

STAFF REPORT FOR TOM CARPENTER

1 OF 1

LCZC Hrg: CUP 840
Applicant: Carpenter
Exhibit #: 1
Date: 06/01/2011

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:

A request was made by Tom Carpenter for a conditional use permit to place accessory cottage housing on a 10.4-acre parcel in the Agriculture/Forest zone. The property is located at 1140 Hatter Creek Road, in Section 03, Township 40 North, Range 04 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP40N04W037202A.

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.

Tom Carpenter submitted a completed application to the Latah County Planning and Building Department on April 29, 2011.

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:

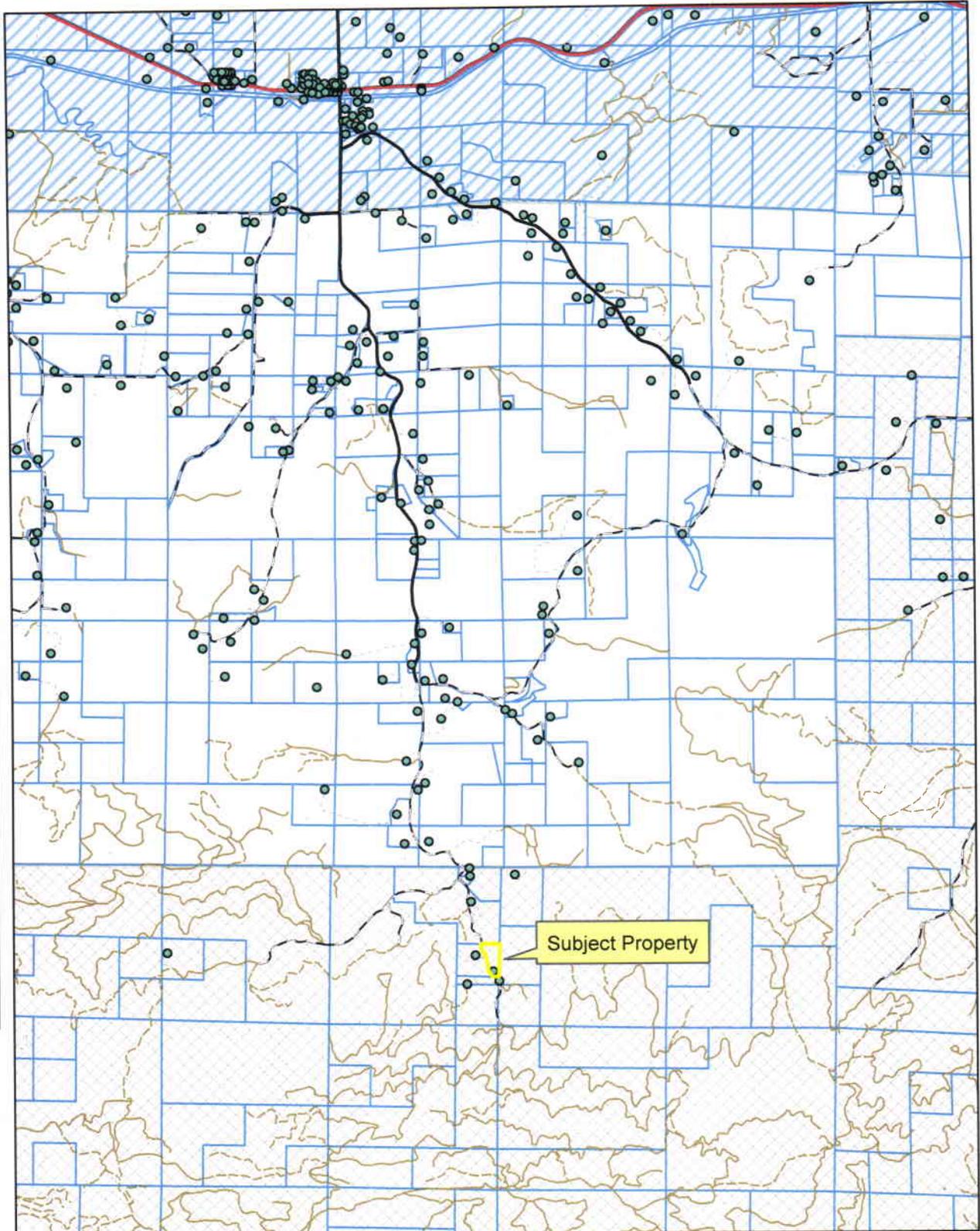
- A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
- B. The use will not require facilities or services with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

RZ840 Vicinity and Comprehensive Plan Map

Planning & Building Department



- Legend
- Comprehensive Plan
- ZONE
- AOI
 - ICR
 - PRODUCTIVE
 - RURAL

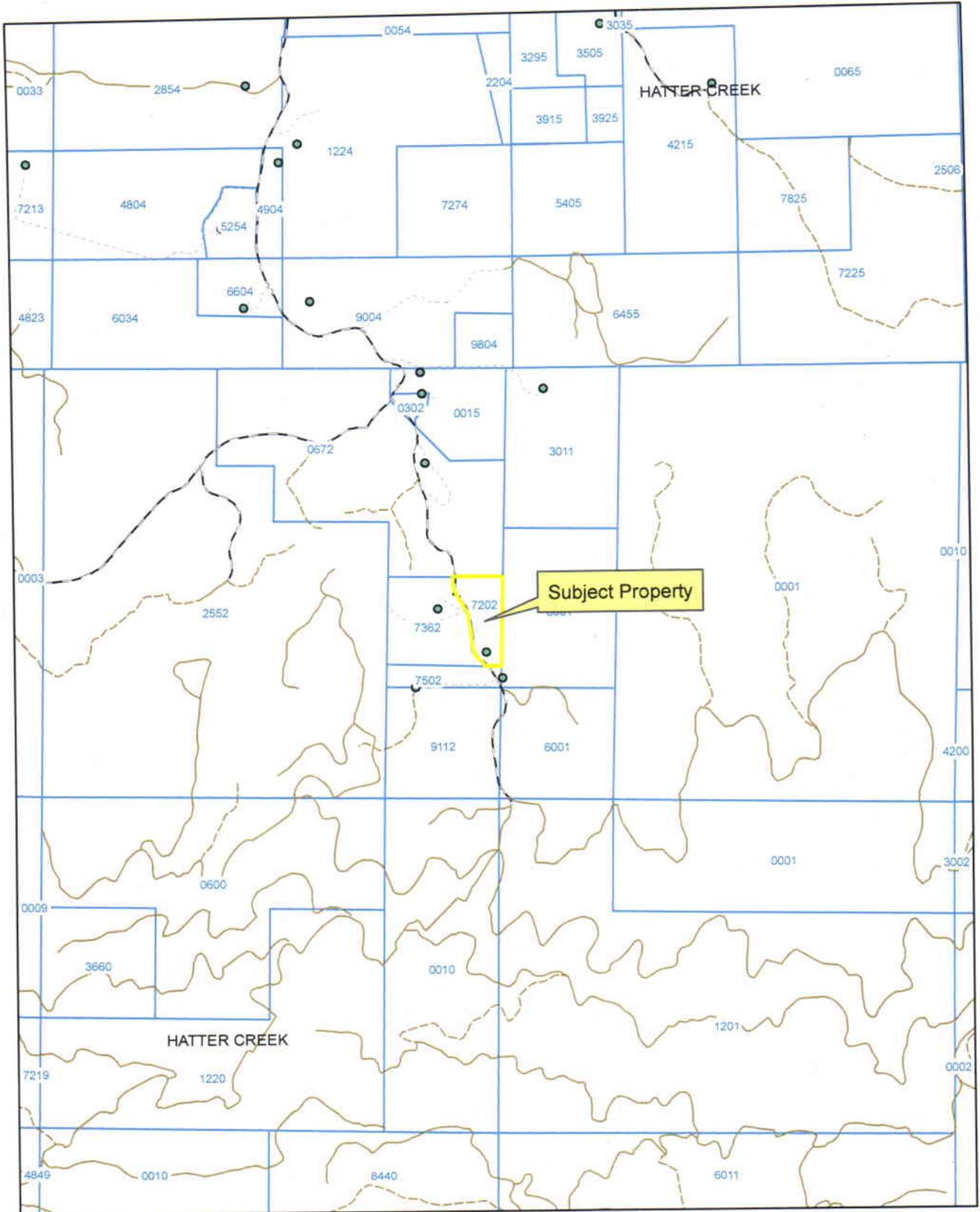
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*Created on 05/25/2011 by MK

LCZC Hrg: CUP 840
Applicant: Carpenter
Exhibit #: 1B
Date: 06/01/2011

RZ 840 Zoning

Planning & Building Department



Legend

Zoning_Districts_2009	Area of Impact - Genesee	Multiple Family Residential	Single-Family Residential (R1)
ZONE_TYPE	Commercial	Municipality	Suburban Residential
Agriculture / Forest	Industrial	Rural Residential	Single-Family Residential
Agriculture / Forestry	Motor Business		

*Created on 05/25/2011 by MK

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LCZC Hrg: CUP 840
 Applicant: Carpenter
 Exhibit #: 1C
 Date: 06/01/2011

CUP 840 Aerial and Adjacent Property Owners

Planning & Building Department



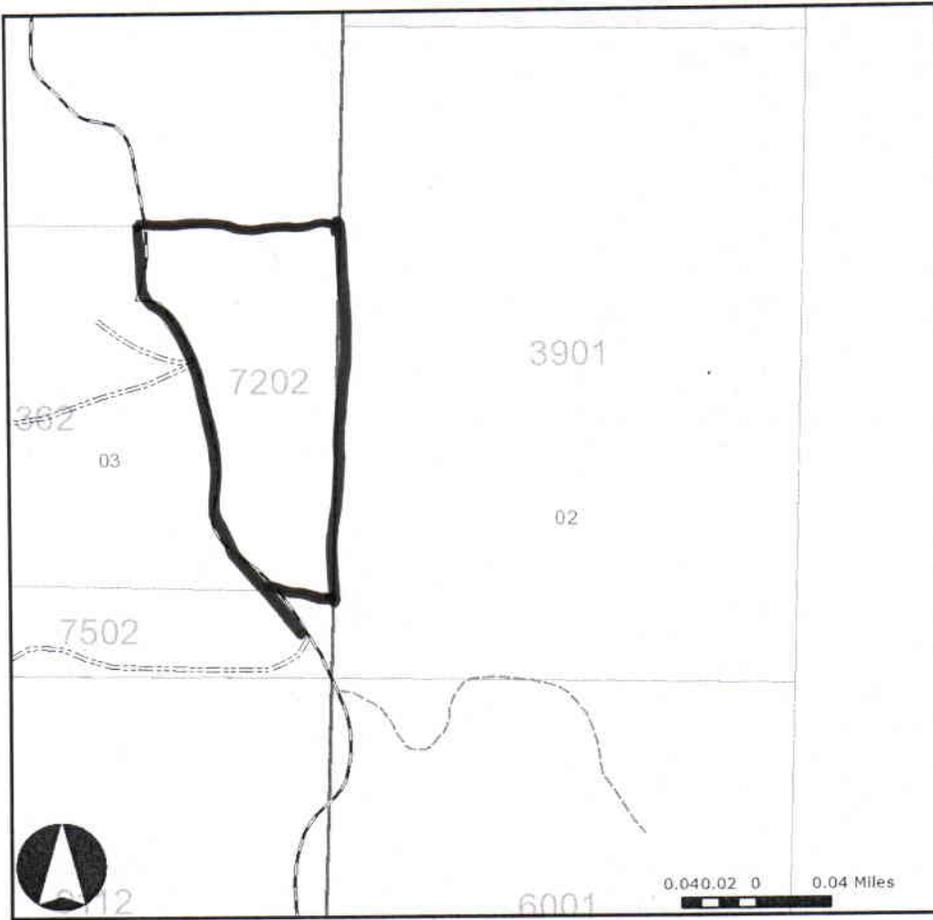
Legend
Addresses



*Create

LCZC Hrg: CUP 840
Applicant: Carpenter
Exhibit #: 1D
Date: 06/01/2011

Map



Surface Transportation

- 4-WD
- ASPHALT
- CITY
- DIRT
- FEDERAL HIGHWAY

Surface Transportation (continued)

- GRAVEL
- PRIVATE DRIVE
- STATE HIGHWAY

Forest Service Roads

Trails

Townships



Sections



Parcels



LCZC Hrg: CUP 840
 Applicant: Carpenter
 Exhibit #: 1E
 Date: 06/01/2011



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 Tom Carpenter	b. Home Phone 208-875-0075	c. Work Phone 208-875-0075	
d. Mailing Address 1140 Hatter Creek Road	e. City Princeton	f. State ID	g. Zip code 83857
h. Property Owner (if different than applicant) (same)	i. Home Phone	j. Work Phone	
k. Mailing Address	l. City	m. State	n. Zip code

2. General Site Information

a. Assessor's Parcel Number(s) RP40N04W037202A	b. Parcel Address (if applicable) N/A		
c. Acreage of Existing Parcel 10.4	d. Zoning Ag-Forest	e. Comprehensive Plan Designation Rural	f. Floodplain designation(s) N/A
g. FEMA Panel # N/A		j. Road Used to Access Site Hatter Creek Road	
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City N/A		

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

Single family residence.

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

a. Fire District Potlatch Fire Deistrict	b. Road District Latah County	c. School District Potlatch #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 (new)	

4. Adjacent Properties Information

a. Zoning of Adjacent Properties Residential Ag-Forest	b. Existing Uses of Adjacent Properties Private land owners, rural residential, forestry
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5. Permit Information

a. Proposed Use
Accessory cottage housing 896 s.f.

Detached from single family residence (existing). 1800 sq ft

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 3.01.02.14

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>Tom Carpenter</i>	b. Date 4-29-11
c. Signature of Property Owner (if different than applicant)	d. Date

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 parcels.
- Other Attachments:** Required by staff / Zoning Commission for certain proposed uses.

Office Use Only

Date Received 4/29/2011	Amount 200.00	Receipt No. 270497	By MSK
CUP # 840	Date Determined Technically Complete 4/29/2011		By MSK
Hearing Date June 1, 2011			

10/11/2006

J:\P&B\PERMIT TECH\Permit Tech Forms\Applications\Planning&Zoning\CU

LCZC Hrg: CUP 840
 Applicant: Carpenter
 Exhibit #: 2
 Date: 06/01/2011



Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name

Tom Carpenter

Phone Number

208-875-0075

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.

Build an accessory cottage house unit 896 s.f. detached from principal residence on property. The placement of the cottage is due to the shape of our property/parcel and terrain.

Existing Uses of Property

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

Single family residential dwelling, 2 shops, 1 barn.

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.

Use is consistent with single family residential use.

Use will have no detrimental effect on health and safety.

Located at least 700ft. from nearest neighboring residence.

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

Use will not require any public facilities, services or costs.

LCZC Hrg: CUP 840
Applicant: Carpenter
Exhibit #:2A
Date: 06/01/2011

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

Use is consistent with low density residential development, protecting existing land uses from conflicting uses, preserving the rural character of Latah County, encourages development of a unique and unobtrusive accessory housing, protects forest land from scattered development and allows for an economically viable use of property.

In addition to your response above, please explain your proposal's consistency with the proceeding 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

Consistent with low density residential development and protection of existing land uses from conflicting uses.

b. Population Element

N/A

c. Housing Element

Encourage variety housing types, energy efficient and meets family needs.

d. Economic Development Element

Provide appropriate land uses for local needs and protects ag-forest land from scattered development.

e. Public Services, Facilities, and Utilities Element

N/A

f. School Facilities and Student Transportation Element

N/A

g. Transportation Element

Existing approach approved by North Latah County - see attached.

h. Natural Resource Element

No adverse effect.

i. Special Areas Element

N/A

j. Hazardous Areas Element

N/A

k. Recreation Element

N/A

l. Land Use Element

Adds value and economic viability to the rural land use designation of our property in a manner that is consistent with the Comprehensive Plan.

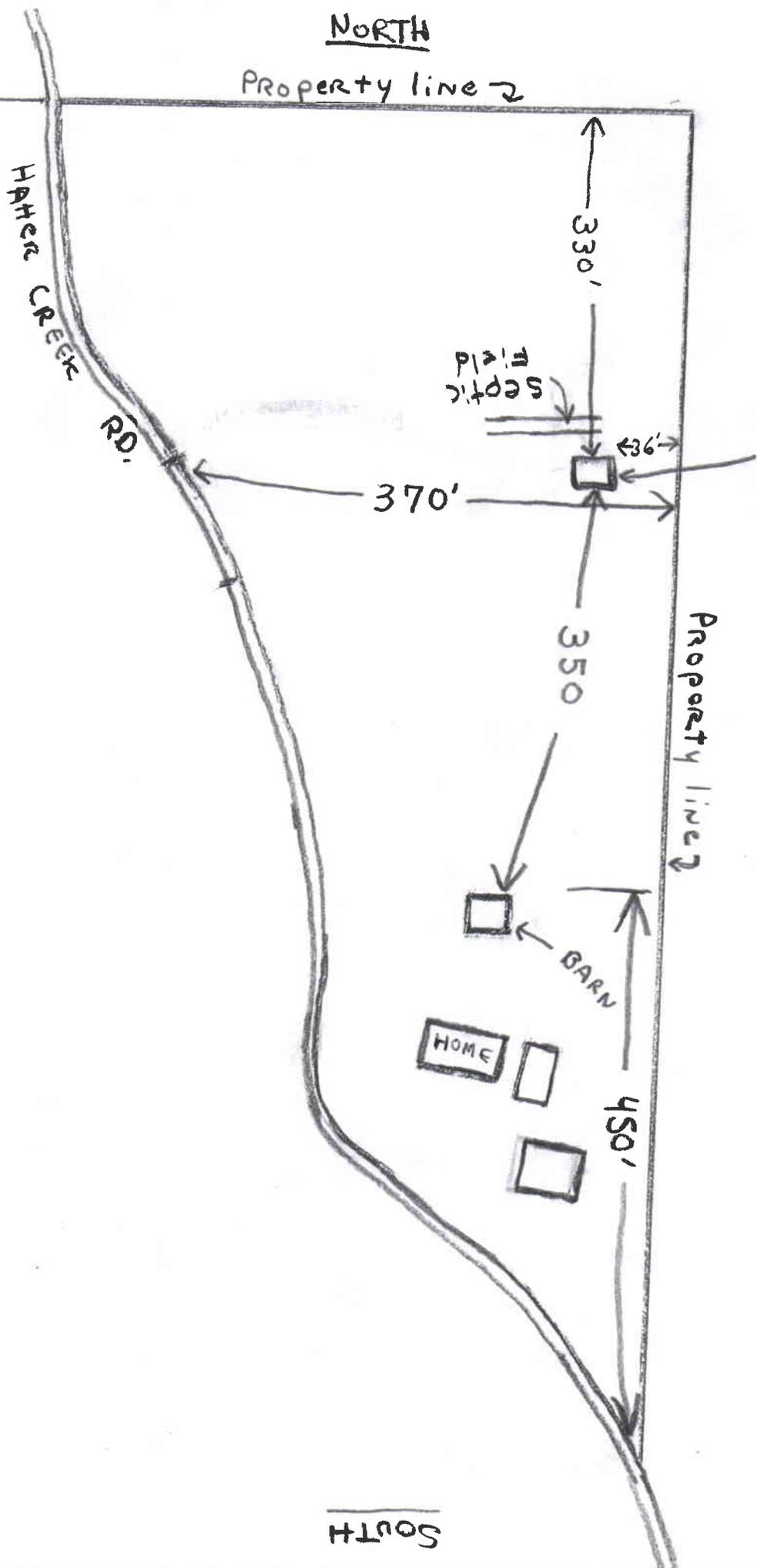
m. Property Rights Element

Allows for family use in an economically viable manner.

Water provided by existing private well.

Section 3, Township 40 Range 4
EAST

WEST



LCZC Hrg: CUP 840
Applicant: Carpenter
Exhibit #: 2B
Date: 06/01/2011

NORTH LATAH COUNTY HIGHWAY DISTRICT

APPLICATION AND PERMIT TO USE PUBLIC RIGHT-OF-WAY -- APPROACHES

COPY OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION

PUBLIC ROAD SURFACE TYPE: (DIRT) GRAVEL (PAVEMENT)

Start Date: _____

Est. Completion Date: _____

Road Name: Hatter Creek Road

Location: _____

Sight Distance: _____

Posted Speed: _____

NOTICE

This permit shall not be valid for excavation until, or unless, the provision of Idaho code, Title 55, Chapter 22 have been complied with.

PRIOR TO EXCAVATION, CALL ONE NUMBER LOCATION SERVICE

Telephone No. 811

<p>APPROACH</p> <p>_____ Single Residence</p> <p>_____ Multiple Residence _____ No. Served</p> <p>_____ Business type _____</p> <p>_____ Agriculture</p>	<p>WIDTH _____ SURFACE TYPE _____</p> <p>ESTIMATED ADT _____ (VEHICLE COUNT)</p> <p>Must meet the requirements of Local Highway Technical Assistance Council, (LHTAC) Standard Approach Policy and §49-221, Idaho Code.</p>
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Other _____ Explain: _____

ATTACH SKETCH OF PROPOSED WORK AND TRAFFIC CONTROL PLANS:

SPECIAL PROVISIONS:

See attached Approach Design, Special Provisions and Information Sheet.
 Approach **MUST** comply with Ditch-line or Fill-slope Section on Approach Design.

I CERTIFY THAT I AM THE OWNER OR AUTHORIZED REPRESENTATIVE OF THE PROPOSED PROPERTY TO BE SERVED AND AGREE TO DO THE WORK REQUESTED HEREON IN ACCORDANCE WITH THE GENERAL REQUIREMENTS PRINTED ON THE REVERSE SIDE, THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

NAME OF PERMITTEE <u>Tom Carpenter</u>	APPLICANT-PLEASE TYPE OR PRINT <u>Tom Carpenter</u>
ADDRESS <u>1140 Hatter Creek Rd.</u>	SIGNATURE OWNER/ AUTHORIZED REPRESENTATIVE
CITY STATE ZIP <u>Princeton, ID 83857</u>	DATE <u>4-29-11</u>

SUBJECT TO ALL TERMS, CONDITIONS, AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE-NAMED APPLICANT TO PERFORM THE WORK DESCRIBED ABOVE.

NORTH LATAH COUNTY HIGHWAY DISTRICT USE

<p style="text-align: center;">TEMPORARY PERMIT</p> <p>Tentative approval subject to inspection of installation.</p> <p>Date: <u>4-25-11</u></p> <p>By: <u>Tom Hill</u></p> <p style="text-align: center;">NLCHD Authorized Representative</p>	<p style="text-align: center;">FINAL PERMIT</p> <p>Approved <input type="checkbox"/> Date: _____ Rejected <input type="checkbox"/> Date: _____</p> <p>Corrections Required: _____</p> <p>Approved by: _____</p> <p style="text-align: center;">NLCHD Authorized Representative</p>
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This form may be reproduced for use in making multiple applications.

LCZC Hrg: CUP 840
 Applicant: Carpenter
 Exhibit #: 2C
 Date: 06/01/2011

CUP #840 – Staff Introduction

A request was made by Tom Carpenter for a conditional use permit to place accessory cottage housing on a 10.4-acre parcel in the Agriculture/Forest zone. The property is located at 1140 Hatter Creek Road, in Section 03, Township 40 North, Range 04 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP40N04W037202A.

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:

EXHIBITS:

Exhibit #1.	Staff Report
Exhibit #1A.	Criteria Worksheet
Exhibit #1B.	Latah County Comprehensive Plan and Vicinity Map
Exhibit #1C.	Zoning Map
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