

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST
Public Hearing for Conditional Use Permit #863

Date: September 19, 2012 **Time:** 5:30 pm **Applicant:** Jeff Stolz **File #:** VAR 863

EXHIBITS:

- Exhibit #1** : Criteria Worksheet Application Summary
- Exhibit #1A** : Latah County Comprehensive Plan and Vicinity Map
- Exhibit #1B** : Zoning Map
- Exhibit #1C** : Aerial Photograph and Adjacent Property Owner's Map
- Exhibit #2** : Application Form (Submitted by Applicant)
- Exhibit #2A** : Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B** : Site Plan (Submitted by Applicant)
- Exhibit #3** : Site Photographs
- Exhibit #4** : Staff Introduction for Latah County Zoning Commission hearing on September 19th, 2012
- Exhibit #5** : Letter from the City of Potlatch Regarding the Area of Impact Request

CRITERIA WORKSHEET & APPLICATION SUMMARY

Note: This exhibit 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:

Setback Variance on a 3 acre parcel at 1664 Highway 6, Potlatch, Idaho

Description of application:

A request by Jeff Stolz for a variance to allow a 6.5-foot setback from the property line (not abutting a public right-of-way) in lieu of the 35-foot setback from the property line that is required for structures in the Rural Residential zone. The property is located at 1664 Highway 6, Potlatch, Idaho, in Section 01, Township 41 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP0179000002A.

Applicable Code:

Section 7.02.02 Variance Criteria

A variance may be granted if the Zoning Commission finds that the proposed variance meets each of the following criteria:

1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
2. Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

If the Zoning Commission finds that a variance 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.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 3 acres
Soils: Hamsom silt loam, 0-3% slopes
Larken silt loam, 12-35% slopes,
Bluesprin-Flybow complex 36-65% slopes
(Latah County Soil Survey Sheet #19)
Floodplain: Zone "A", Zone "C"

Land Use and Regulations:

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

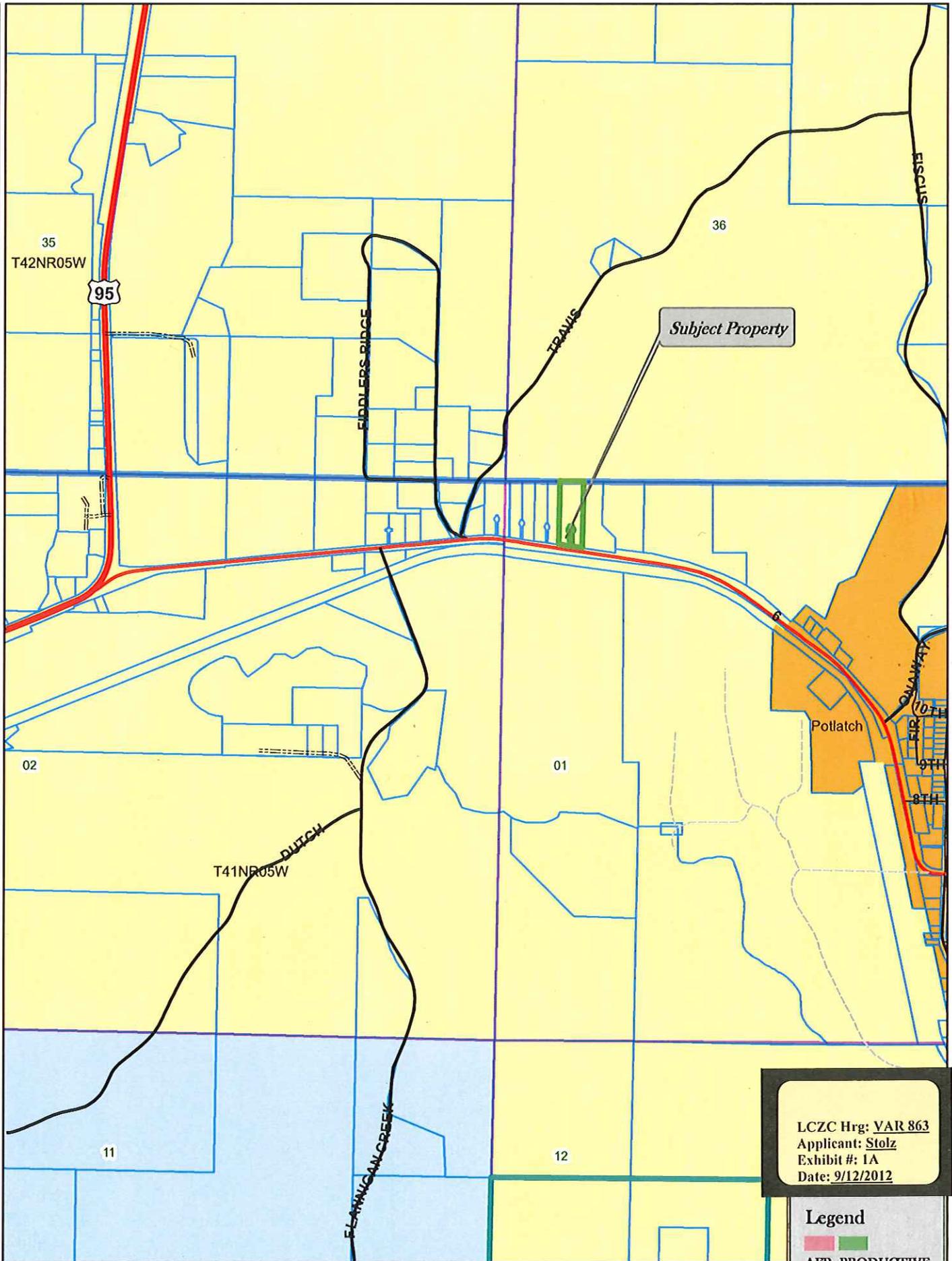
Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: Highway 6
Schools: Potlatch School District
Fire Protection: Potlatch Fire District
Law Enforcement: Latah County Sheriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6512
Latah County Land Use Ordinance # 269, as amended:
Section 3.02 Rural Residential
Article 7 Variances
Latah County Comprehensive Plan

VAR #863 Stolz Setback Variance



LCZC Hrg: VAR 863
 Applicant: Stolz
 Exhibit #: 1A
 Date: 9/12/2012

Legend

- AFR PRODUCTIVE
- AOI RURAL
- ICR

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



VAR #863 Stolz Zoning Map

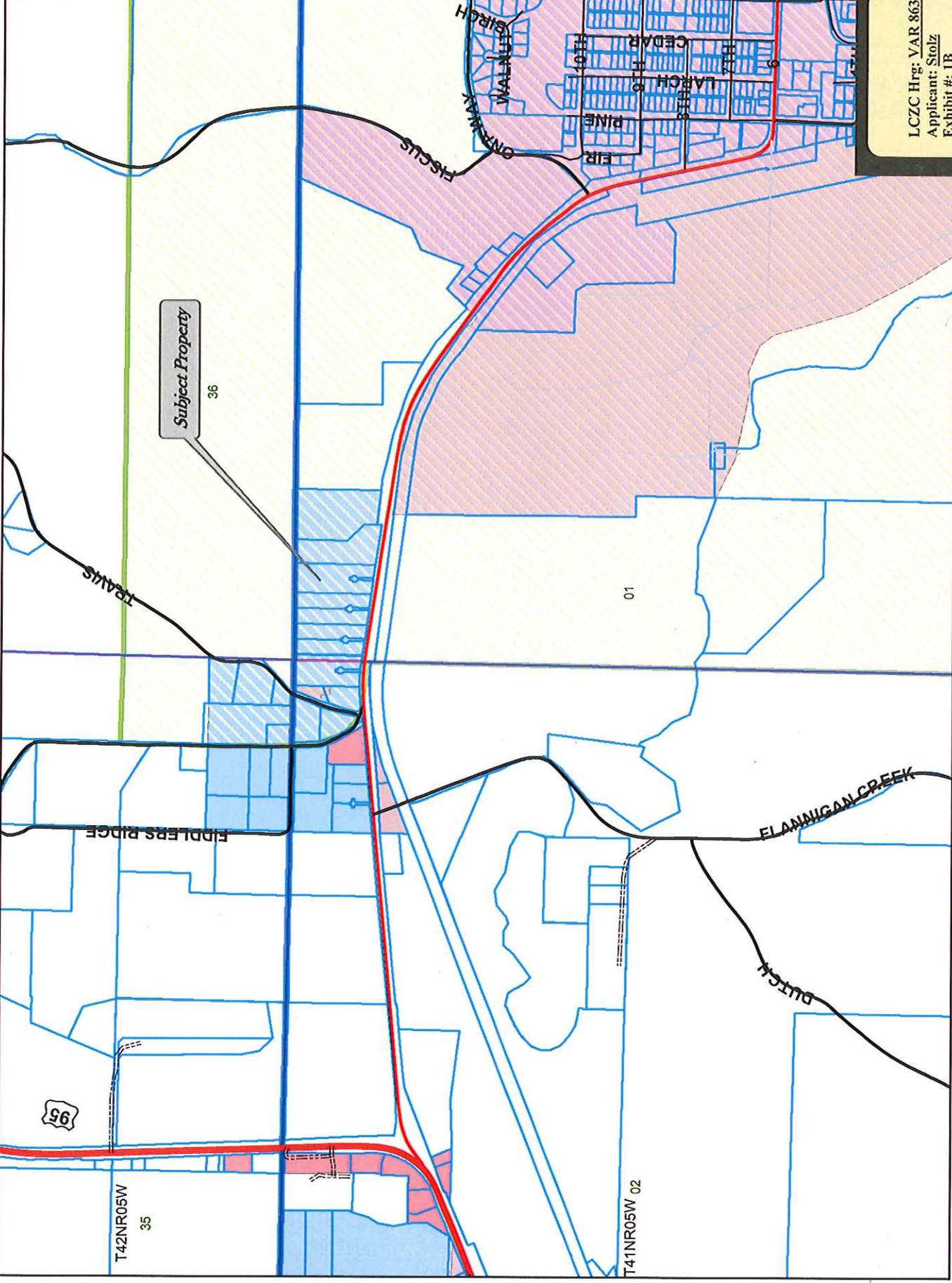


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*Created on 9/12/2012 by JB



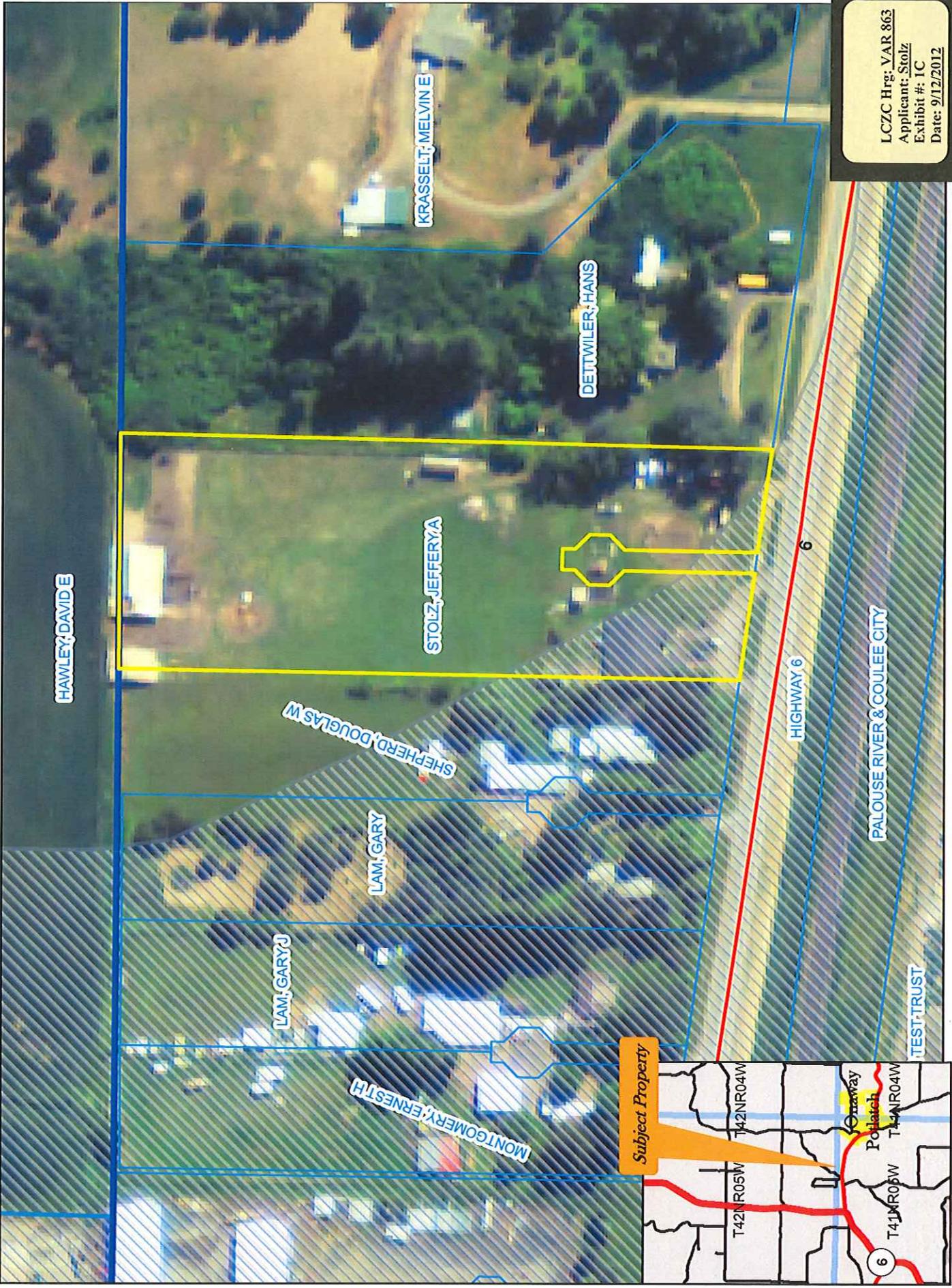
Legend

- Areas_of_City_Impact
- Commercial
- Agriculture / Forest
- Municipality
- Rural Residential
- Single-Family Residential
- Industrial
- Motor Business
- Multiple Family Residential
- Single-Family Residential (RI)
- Suburban Residential



LCZC Hrg: VAR 863
Applicant: Stolz
Exhibit #: 1B
Date: 9/12/2012

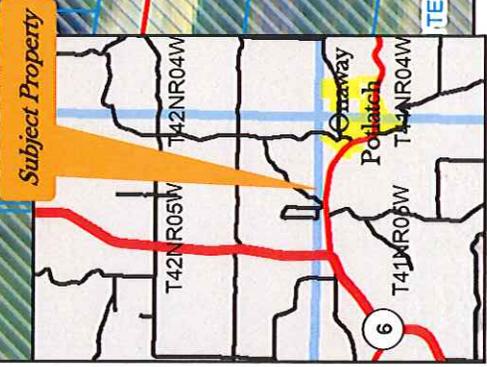
VAR #863 Stolz Setback Variance



LCZC Hrg: VAR 863
 Applicant: Stolz
 Exhibit #: 1C
 Date: 9/12/2012



- Legend**
- Floodplain
 - Parcels



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*Created on 9/12/12 by JB



Application for Variance

Instructions

Please complete the application and required attachments. 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 type or print plainly with dark ink.

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 Jeff Stolz	b. Home Phone 509 330 1090	c. Work Phone 509 330 1090	
d. Mailing Address 1664 Hwy 6	e. City Potlatch	f. State Id	g. Zip code 83855
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) 01790000002A	b. Site Address (if applicable) 1664 HWY 6		
c. Road Used to Access Site Hwy 6	d. Floodplain designation(s) A	e. FEMA Panel # 160860135B	
f. Existing Uses Residential			

Note: Sites within an Area of City Impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

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

a. Source of Potable Water (i.e. city, private well, water district) City	b. Sewage Disposal (i.e. city, sewer, district or private septic system) Septic System
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4. Adjacent Properties Information

a. Zoning of Adjacent Properties Rural Res / Ag / Forest	b. Existing Uses of Adjacent Properties Ag / Residential
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5. Variance Information

Please indicate the section(s) of the Zoning Code for which the variance is sought and explain the circumstances that require the variance. Section 7.02 of the Latah County Land Use Ordinance states a variance shall only be used to modify setbacks, building height, yard or frontage requirements, and parking requirements on a lot or parcel of land prescribed by this ordinance.

3.02.03 size & setback requirements. Need 10ft set back for west side have 6.5 Need a variance of 3.5 feet

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 Jeff Stolz	b. Date July 26 2012
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: (\$150.00) Make checks payable to Latah County.
 Completed Narrative Worksheet: See instructions on the Rezone Narrative Worksheet.

Site Plan: The site plan should include a north arrow, location of roads and rights-of-way, and existing buildings; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Planning and Zoning Commission or Board of Adjustment to make a decision.

Vicinity Map: The map should show the site location in relation to the City of Moscow, outlying neighborhoods, highways and roads, and natural features.

Other Attachments: The Zoning Commission shall have the authority to require an additional public hearing if it feels is necessary to make a fair rezoning request.

Office Use Only

Date Received by County 8/12/12	Fee Amount \$150.00	Receipt No.	By SB
VAR # 863	Date Determined Technically Complete 8/12/12		By SB
Hearing Date 9/19/12			



Variance Narrative Worksheet

Application Information

Applicant's Name

Jeff Stolz

Phone Number

509 830 1090

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 22' x 24' garage to house with breezeway

Existing Uses of Property

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

one car garage, home, barn, and shed

Relevant Criteria and Standards

Please respond to each of the criteria listed in Section 7.02.02 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.

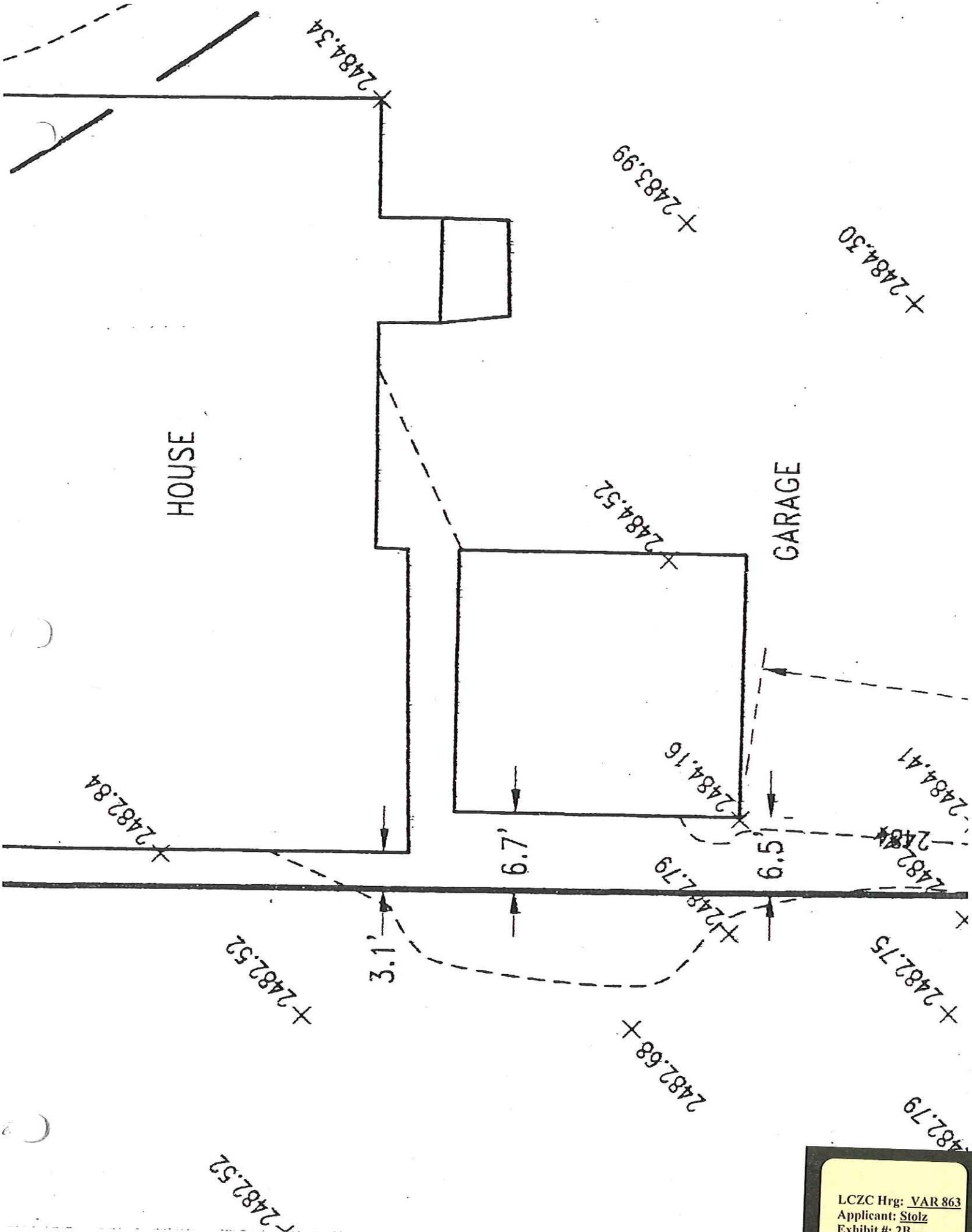
The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.

The 3.5 foot variance is not detrimental to public or other property

Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

garage does not deny any permitted use & follows the lines of the house making appearance more pleasing.

LCZC Hrg: VAR 863
Applicant: Stolz
Exhibit #: 2A
Date: 9/12/2012



LCZC Hrg: VAR 863
 Applicant: Stolz
 Exhibit #: 2B
 Date: 9/12/2012



LCZC Hrg: VAR 863
Applicant: Stolz
Exhibit #: 3
Date: 9/12/2012

VAR #863 – Staff Introduction

A request by Jeff Stolz for a variance to allow a 6.5-foot setback from the property line (not abutting a public right-of-way) in lieu of the 35-foot setback from the property line that is required for structures in the Rural Residential zone. The property is located at 1664 Hwy 6, Potlatch, Idaho, in Section 01, Township 41 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP01790000002A.

1. Section 7.02.01 requires that an application for a variance shall be made by the owner of the affected property

The application was signed and submitted by the property owner Jeff Stolz, to the Planning and Building Department on August 2nd, 2012.

2. Section 3.02.03 of the Latah County Land Use Ordinance requires that all structures shall be a minimum of 35 feet from any property line not abutting a public right-of-way.

3. Section 7.02.02 states that the Zoning Commission may grant a variance if the Commission finds that the proposed variance meets each of the following criteria:

1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
2. Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

4. Section 5.01.03 states that a valid floodplain development permit is required for any development in the flood hazard overlay zone.

Mr. Stolz obtained a development permit (DP12-05) to permit the existing garage in the flood hazard zone.

5. The property is located with in the City of Potlatch's Area of City Impact, which there is an agreement between Latah County and the City of Potlatch for.

The City of Potlatch responded in a latter dated August 2, 2012 that they had no comment on the application.

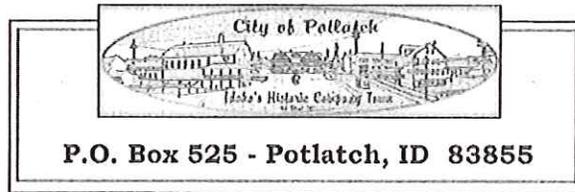
Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

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That is all staff has unless the Commission has questions.



August 2, 2012

Jason Boal
Latah Co. Planning & Building
Latah County Courthouse
P.O. Box 8068
Moscow, ID 83843

Dear Jason:

The City of Potlatch received your letter dated August 2, 2012, notifying us that Latah County Planning and Building had received an application for a variance that is located within the Potlatch City's Area of Impact. Per the AOI agreement adopted in 1981, the City has 40 days to comment on the application.

The application for variance is from Mr. Jeff Stolz, located at 1664 Highway 6, Potlatch. He is requesting approval for a variance to reduce the setback of his garage from the required 35' of any non public right-of-way boundary to 6'.

The City of Potlatch has no comment on this variance request for Mr. Stolz.

Thank you,

A handwritten signature in cursive script that reads "Shelly M. Hammons". The signature is written in black ink and is positioned above the typed name.

Shelly M. Hammons,
City Clerk-Treasurer