

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing: VAR 872 **Date:** November 7th, 2012 **Time:** 5:30 pm

Applicant: Abraham Koehn **File #:**VAR 872

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 Owners Map
- Exhibit #1D** : Floodplain 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** : Staff Introduction for Latah County Zoning Commission hearing on July 18th, 2012

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 .8 acre parcel on Hatter Creek Road, Princeton, Idaho

Description of application:

A request by Abraham Koehn for a variance to allow a 15-foot setback from the adjacent property lines in lieu of the 35-foot setback from the adjacent property lines that is required for residences in the Agriculture/Forest zone. The property is located at 1525 Hatter Creek, Potlatch, Idaho, in Section 15, Township 41 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP41N04W157405A.

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: .8 acres
Soils: Agatha gravelly silt loam, 35 to 65% slopes
Floodplain: Zone "C" and Zone "A"

Land Use and Regulations:

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

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: 1525 Hatter Creek Road
Schools: Potlatch School District
Fire Protection: Potlatch Rural Fire District
Law Enforcement: Latah County Sheriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6512

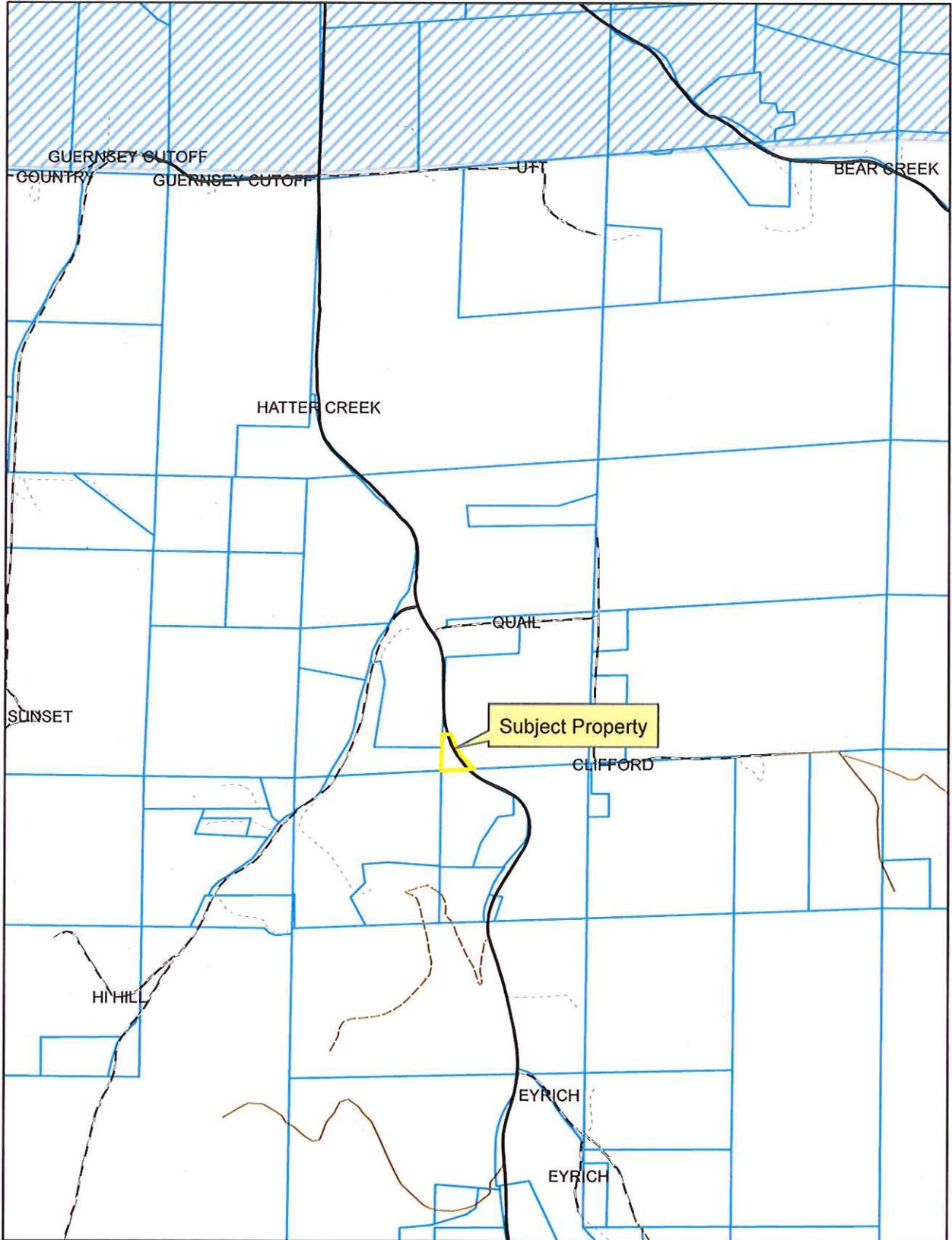
Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture Forestry
Article 7 Variances

Latah County Comprehensive Plan

VAR 872 Comprehensive Plan Map

Planning & Building Department



0 500 1,000 2,000
Feet

Legend

Comprehensive Plan

ZONE

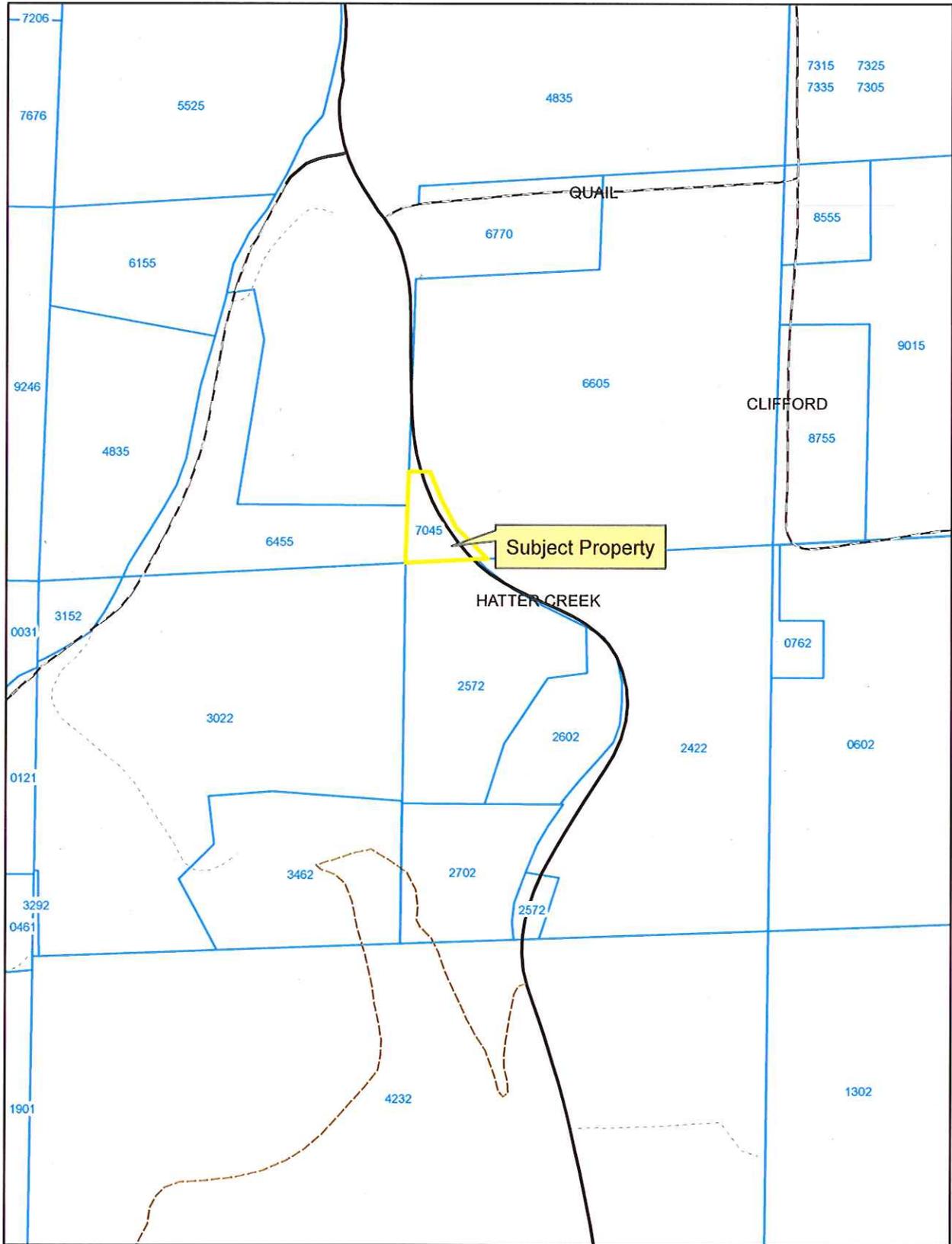
-  AOI
-  ICR
-  PRODUCTIVE

*Created on 10//2012 by MK

LCZC Hrg: VAR 872
Applicant: Koehn
Exhibit #: 1A
Date: 11/07/2012

VAR 872 Zoning

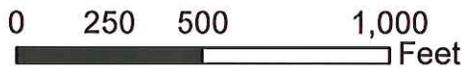
Planning & Building Department



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	
Agriculture / Forestry	Motor Business	Single-Family Residential	

*Created on 10//2012 by MK



LCZC Hrg: VAR 872
 Applicant: Koehn
 Exhibit #: 1B
 Date: 11/07/2012

VAR 872 Aerial and Adjacent Property Owner Map

Latah County Planning and Building



*Created on 10//2012 by MK

0 100 200 400

Legend

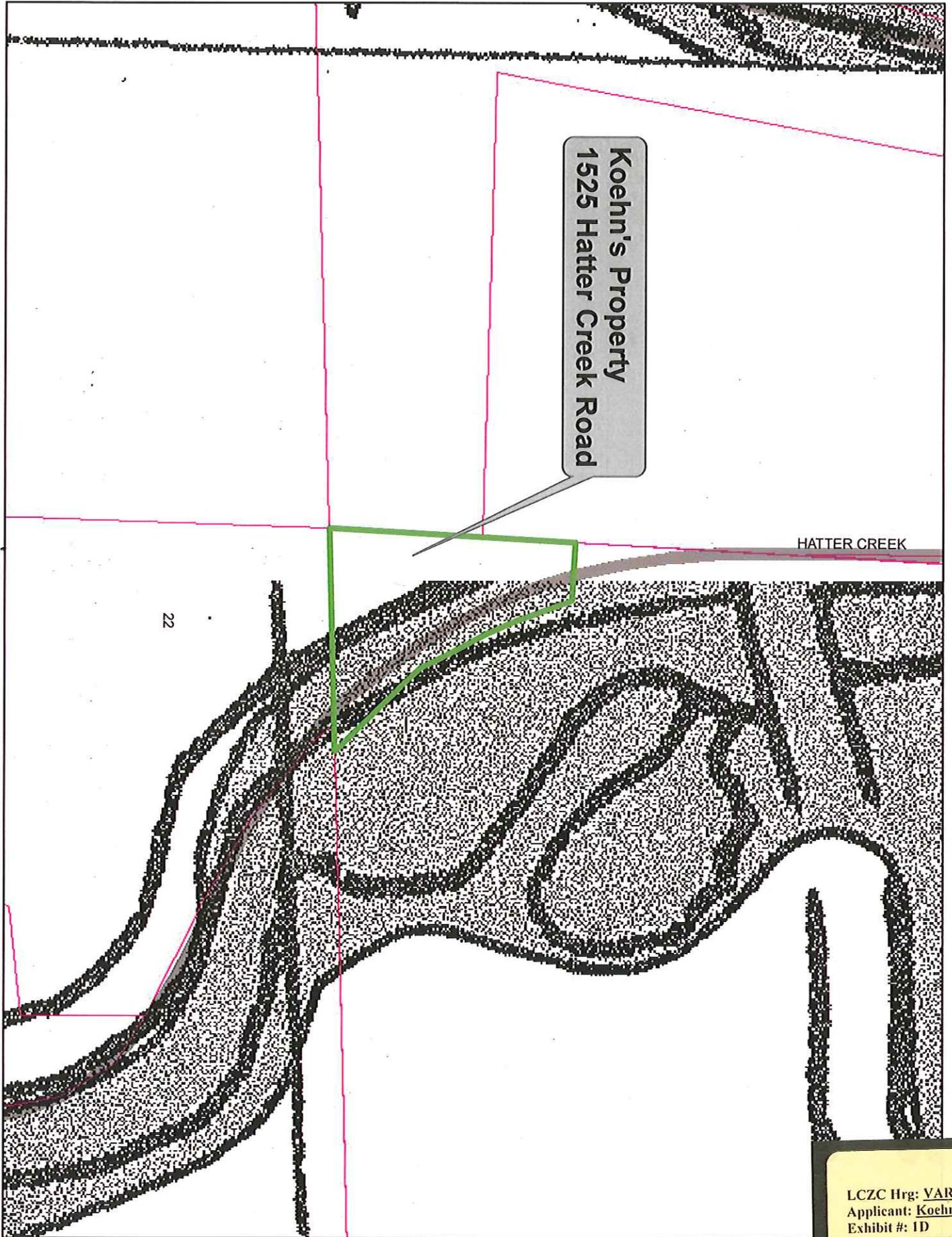
 Parcels

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

LCZC Hrg: VAR 872
Applicant: Koehn
Exhibit #: 1C
Date: 11/07/2012



Koehn Floodplain



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

LCZC Hrg: VAR 872
Applicant: Koehn
Exhibit #: 1D
Date: 11/07/2012



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	b. Home Phone	c. Work Phone	
Abraham Koehn	208-875-8739	208-596-3339	
d. Mailing Address	e. City	f. State	g. Zip code
1590 Hwy 6	Potlatch	Id	83855
h. Property Owner (if different than applicant)	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)	b. Site Address (if applicable)	
RP 41N04W157045 A	1525 Hatter Crk	
c. Road Used to Access Site	d. Floodplain designation(s)	e. FEMA Panel #
Hatter Crk		
f. Existing Uses		
Home Site		

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)	b. Sewage Disposal (i.e. city, sewer district or private septic system)
Private Well	Private septic system
4. Adjacent Properties Information	
a. Zoning of Adjacent Properties	b. Existing Uses of Adjacent Properties
Ag- Forest	Pastures

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.

Because of the parcels peculiar shape, and some of it is in flood plain, and also the location of existing well.

6. Authorization	7. Attachments
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.	All attachments should be reproducible in black and white at 8 1/2" x 11"
a. Signature of Applicant	<input type="checkbox"/> Fee: (\$150.00) Make checks payable to Latah County.
Abraham Koehn	<input type="checkbox"/> Completed Narrative Worksheet: See instructions on the Rezone Narrative Worksheet.
b. Date	<input type="checkbox"/> 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.
10-22-12	<input checked="" type="checkbox"/> Vicinity Map: The map should show the site location in relation to the City of Moscow, outlying neighborhoods, highways and roads, and natural features.
c. Signature of Property Owner (if different than applicant)	<input type="checkbox"/> Other Attachments: The Zoning Commission shall have the authority to require any attachments if it feels is necessary to make a fair recommendation on a rezoning request.

Office Use Only			
Date Received by County	Fee Amount	Receipt No.	By
10/20/12	\$150	890724	SP
VAR #	Date Determined Technically Complete	By	
872	10/22/2012	MSK	
Hearing Date			
Nov 7th			



Variance Narrative Worksheet

Application Information

Applicant's Name

Abraham Koehn

Phone Number

208-875-8739

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.

I would like to propose that the setbacks be modified to fifteen feet from property lines so we may build a house out of the Flood plain, and farther from the well.

Existing Uses of Property

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

The property is a home site with a little house and a well. The house is about 500 sq feet so will become a shop.

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.

I don't believe so, because the property to the south is a steep treed hillside and currently used for pasture. The property to the west is currently used for horses and a hay field. There isn't any houses for a quarter mile.

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

Although we could meet the requirements putting the house there would impact access to the well and also put us closer to the flood plain.



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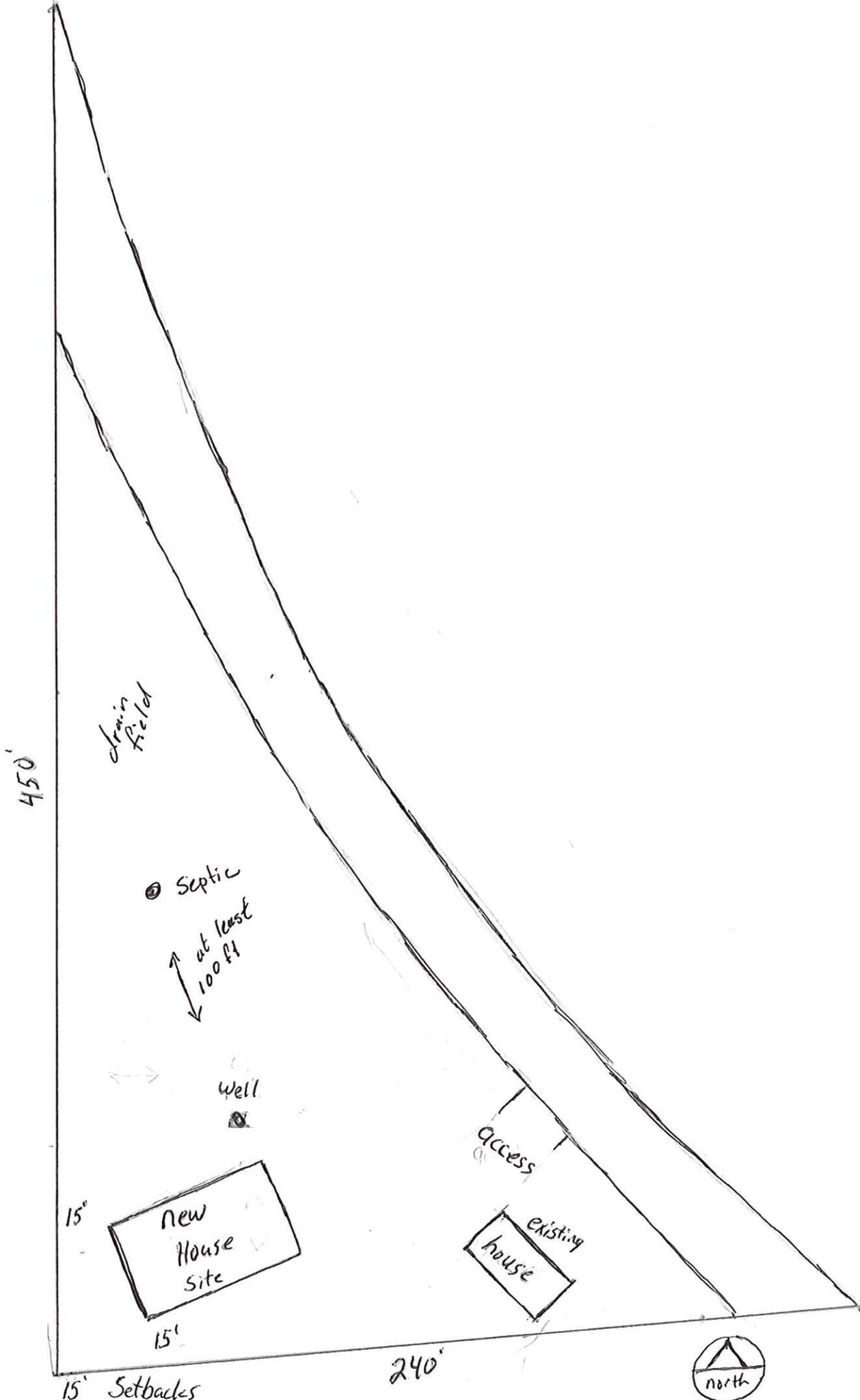
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LCZC Hrg: VAR 872
Applicant: Koehn
Exhibit #: 2A
Date: 11/07/2012



LCZC Hrg: VAR 872
Applicant: Koehn
Exhibit #: 2B
Date: 11/07/2012

2x 11
10710
074

VAR #872 – Staff Introduction

A request by Abraham Koehn for a variance to allow a 15-foot setback from the adjacent property lines in lieu of the 35-foot setback from the adjacent property lines that is required for residences in the Agriculture/Forest zone. The property is located at 1525 Hatter Creek, Potlatch, Idaho, in Section 15, Township 41 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP41N04W157405A.

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 Abraham Koehn, to the Planning and Building Department on October 20th, 2012.

2. Section 3.03.03 of the Latah County Land Use Ordinance requires that all structures shall be a minimum of 35 feet from the boundaries of any adjacent property line in the Agriculture Forest Zone.

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.

The Zoning Commission may also approve applications not meeting the criteria listed above if the Commission finds that the variance is essential to the public health, safety, or welfare.

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.