

**NOTICE OF PUBLIC HEARING**  
**BEFORE THE LATAH COUNTY ZONING COMMISSION**  
**Wednesday, June 19, 2013**  
**5:30 p.m.**

The Latah County Zoning Commission will hold a public hearing on Wednesday, June 19, 2013 in Room 2-B of the Latah County Courthouse, Moscow, Idaho, to receive comments on:

**5:30 p.m. – VAR #890** – A request by Julie Thorson for a variance to allow a access for a lot created via a short plat to a state highway. The property is located at approximately 3570 Highway 8, Troy, Idaho, in Section 16, Township 39 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N04W166029A.

**VAR #891** – A request by Marsha Schoeffler for a variance to allow a 50-foot setback from the centerline of the road in lieu of the 60-foot setback from the centerline of the road that is required for structures in the Agriculture Forest zone. The property is located at approximately 1290 Cedar Ridge Road, Kendrick, Idaho, in Section 15, Township 38 North, Range 02 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP38N02W154370A.

All interested parties are encouraged to attend the hearings. Accommodations for individuals who qualify under the Americans with Disabilities Act are available upon request. Notice is required in the Planning Office three working days prior to the hearings in order to acquire accommodations.

The hearings will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. The Latah County Zoning Commission reserves the right to limit the length of testimony.

Additional information on this request, including full copies of the proposal, is available from the Planning and Building Department at the Latah County Courthouse, Moscow, Idaho. Phone (208) 883-7220. Written comments will be accepted at the above office prior to the public hearing.

Jason Boal  
Associate Planner

(This is a public service announcement)

## LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

**Public Hearing:** VAR 890    **Date:** June 19, 2013    **Time:** 5:30 pm

**Applicant:** Julie Thorson    **File #:**VAR 890

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### 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 #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 June 19, 2013

# 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:

A variance to allow a access for a lot created via a short plat to a state highway.

## Description of application:

A request by Julie Thorson for a variance to allow a access for a lot created via a short plat to a state highway. The property is located at approximately 3570 Highway 8, Troy, Idaho, in Section 16, Township 39 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N04W166029A.

## Applicable Code:

*Section 7.02 Variances*

*Section 8.02.0(5)*

A. An applicant for a short plat may request a hearing before the Zoning Commission, applying the general procedures set forth in Section 7.02 of this ordinance, excepting 7.02.02 and using the criteria set below, to ask for permission to use an existing residential access approach (existing residential access approach defined as approval from Idaho Transportation Department for a residential access approach given prior to the adoption of this section) to a state highway maintained by the Idaho Transportation Department if no reasonable lot configuration can meet the requirement and one of the following applies:

1. The original parcel from which a rezone was created does not touch any other public roadway.
2. An area rezoned prior to the adoption of this provision does not touch any other public roadway.
3. It is physically impractical for the new or existing parcel to gain access to a public roadway that is not a state highway maintained by the Idaho Transportation Department that touches that parcel.

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: 1 acre  
Floodplain: Zone "C"

### Land Use and Regulations:

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

### Infrastructure/Services:

Water: Private Well  
Sewer: Private Septic  
Access: State Highway 8  
Schools: Troy School District

**Fire Protection:**

Troy 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:**

Article 7

Variances

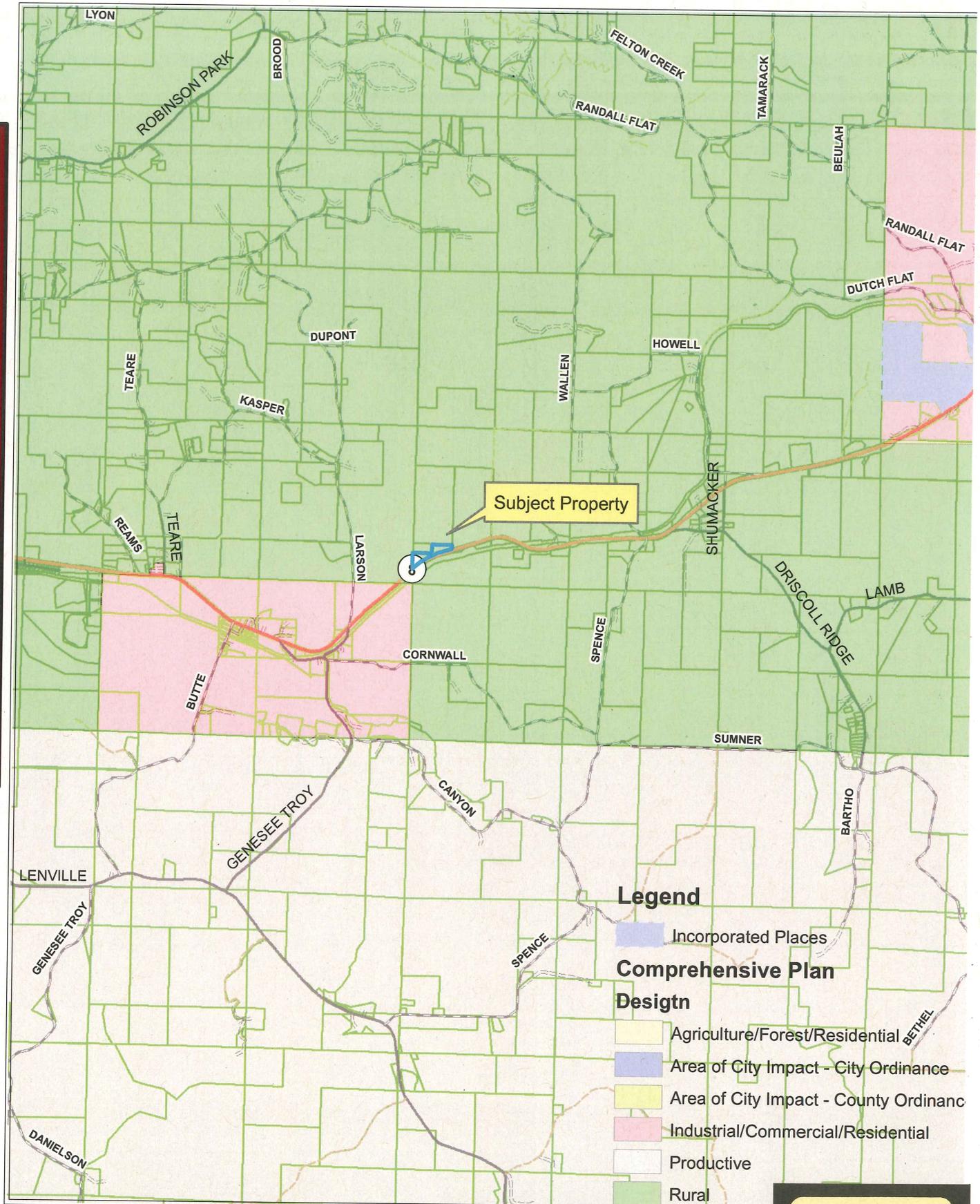
Article 8.02

Short Plats

**Latah County Comprehensive Plan**

# VAR 890 Comprehensive Plan and Vicinity Map

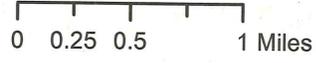
Latah County Planning and Building



### Legend

- Incorporated Places
- Comprehensive Plan**
- Design**
- Agriculture/Forest/Residential
- Area of City Impact - City Ordinance
- Area of City Impact - County Ordinance
- Industrial/Commercial/Residential
- Productive
- Rural

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



Created by MK 06/12/2013

LCZC Hrg: VAR 890  
 Applicant: Thorson  
 Exhibit #: 1A  
 Date: 06/19/2013

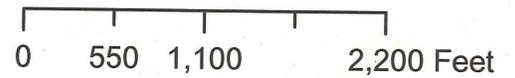
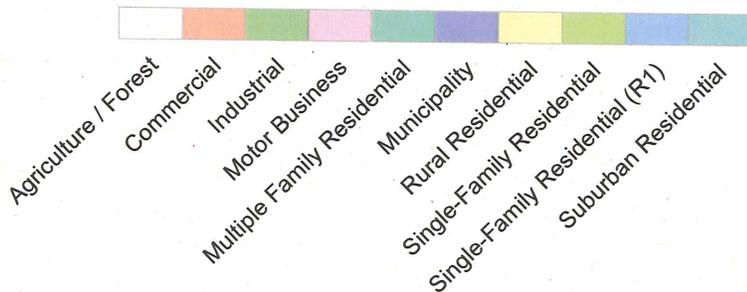
# VAR 890 Zoning

Latah County Planning and Building



## Legend

### ZONE\_TYPE



Created by MK 06/12/2013

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

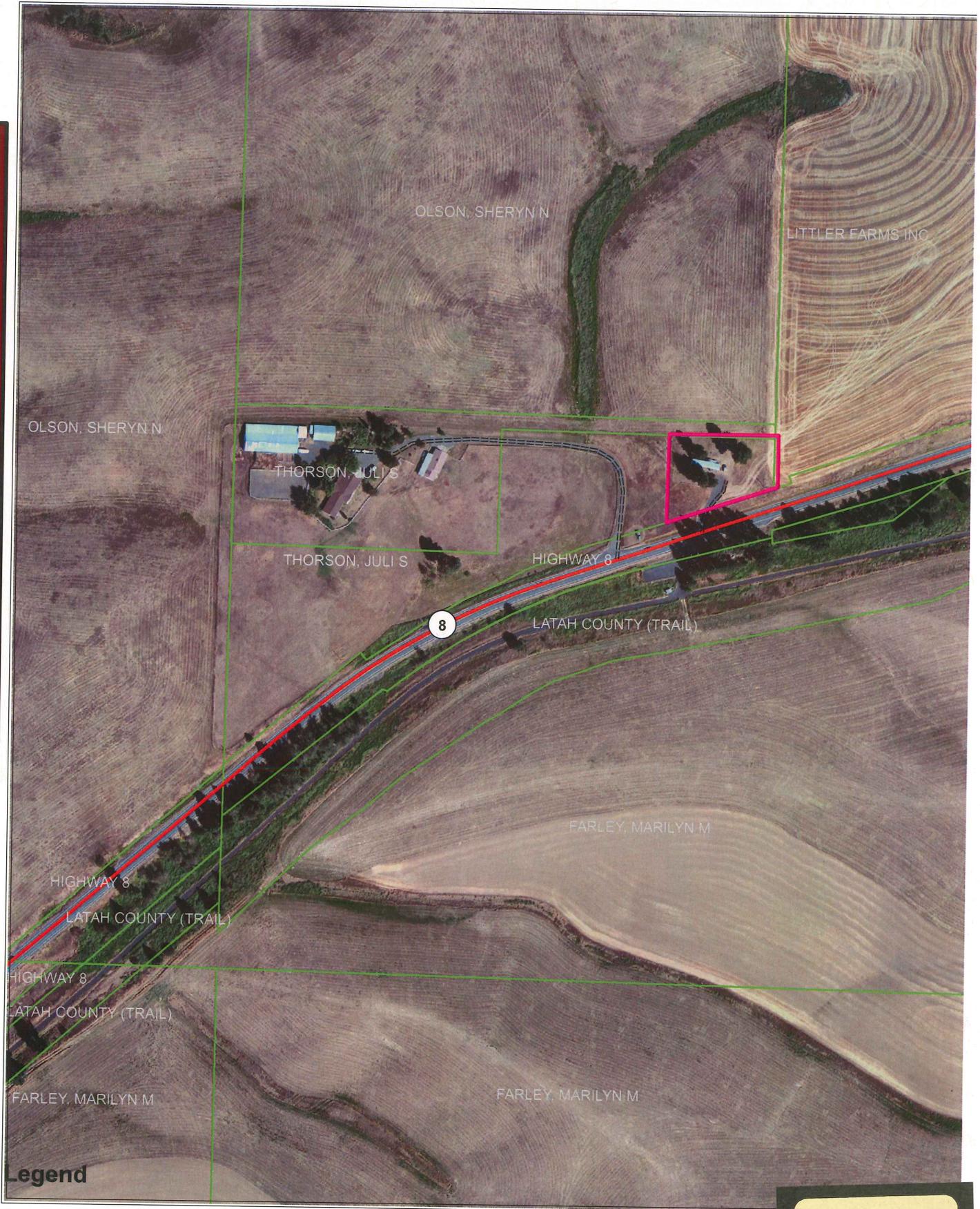
LCZC Hrg: VAR:890  
Applicant: Thorson  
Exhibit #: 1B  
Date: 06/19/2013

# VAR 890 Aerial and Adjacent Property Owners

Latah County Planning and Building



N



Legend

0 170 340 680 Feet

Created by MK 05/08/2013

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

LCZC Hrg: VAR 890  
Applicant: Thorson  
Exhibit #: 1C  
Date: 06/19/2013



# Application for Short Plat to Use Existing Residential Access Approach to a State Highway

## 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>Juli S. Thorson</b>	b. Home Phone <b>208 883 4344</b>	c. Work Phone	
d. Mailing Address <b>3570 Highway 8 East</b>	e. City: <b>Troy</b>	f. State ID	g. Zip code: <b>83871</b>
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>RP39N04W166029A</b>	b. Site Address (if applicable) <b>3580 Highway 8 East, Troy, ID 83871</b>		
c. Road Used to Access Site: <b>State Highway 8</b>	d. Floodplain designation(s)	e. FEMA Panel #	
f. Existing Uses <b>Single family residential use.</b>			

*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. Short Plat Application Information

a. Short Plat Application in association with this application: <b>Yes</b>	b. Number of lots of proposed Short Plat: <b>2</b>
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### 4. Adjacent Properties Information

a. Zoning of Adjacent Properties <b>AF/SF</b>	b. Existing Uses of Adjacent Properties <b>Single Family Ranch and Farmland</b>
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### 5. Existing Residential Access Approach to State Highway Request Information

A. Existing Residential Access Approach Requested for Approval per Section 8.02.01 of the Latah County Land Use Ordinance	B. Explanation of Request
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### 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 	b. Date <b>3-5-11</b>
c. Signature of Property Owner (if different than applicant)	d. Date

### 8. Attachments

### 7. Other Requirements

Per §8.02.02 of the Latah County Land Use Ordinance select which of the following applies to this request:

The original parcel from which a rezone was created does not touch any other public roadway (If applicable indicate Rezone # \_\_\_\_\_)

LCZC Hrg: VAR 890  
 Applicant: Thorson  
 Exhibit #2  
 Date: 06/19/2013



# Short Plat Request to Use Existing Residential Access Approach to a State Highway Narrative Worksheet

## Application Information

Applicant's Name : Juli S. Thorson

208 883 4344

**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 Request

Describe your request in detail.

We request to continue to use the existing highway access for the subdivision application for the one acre parcel, as proposed to be short platted, in Latah County, Idaho. The existing access allows for superior distance visibility that any potential alternatives. The access has been in use for decades.

## Existing Uses of Property

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

One single family zoned parcel with an existing single wide mobile home, and septic system and driveway.

## Relevant Criteria and Standards

Please respond to the criteria listed in Section 8.02.01.5.B of the Latah County Land Use Ordinance by explaining how your proposal meets the criteria. If the provided space is insufficient, please attach your responses to this packet.

The proposed access is not detrimental to the health or safety of those in the surrounding area or the safety of the public at large.

This requested RAA is well located to allow for great more than adequate visibility allowing for safe ingress and egress to the site. An existing access to the Latah Trail trailhead is located just across the highway from this existing access.

All attachments should be reproducible in black and white at 8½" x 11"

**Fee:** (\$100.00) Make checks payable to Latah County.

**Completed Narrative Worksheet:** See instructions on the Attached 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, location of proposed access approach, improvements and operations; as well as any other details necessary for the Planning and Zoning Commission or Board of Adjustment to make a decision.

**Copy of ITD Permit:** Copy of permit from ITD for residential access approach for one or more homes dated December 23, 2008 or before or a letter from ITD that states that they recognized the approach on the subject property for residential use prior to December 23, 2008. *Lew. 799-5090*

**Vicinity Map:** The map should show the site location in relation to the city or town nearest your location, outlying neighborhoods, highways and roads, and natural features.

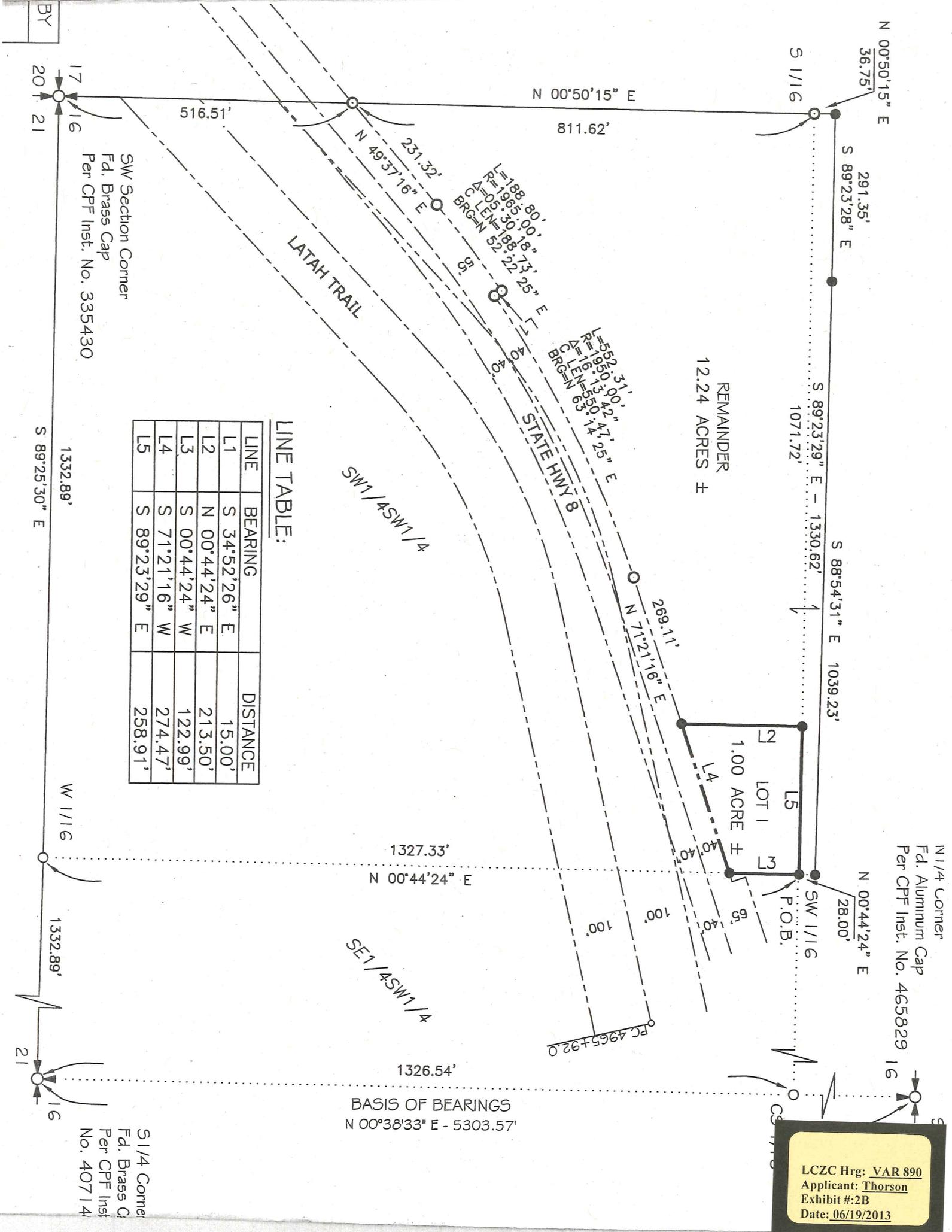
**Other Attachments:** The Zoning Commission / Staff shall have the authority to require any additional information it feels is necessary to make a fair recommendation on the request.

An area rezoned prior to the adoption of this provision (12/23/2008) does not touch any other public roadway (If applicable indicate Rezone # \_\_\_\_\_ and date of rezone \_\_\_\_\_)

It is physically impractical for the new or existing parcel to gain access to a public roadway that is not a state highway maintained by the Idaho Transportation Department that touches the parcel. (If applicable additional documentation may be required as per the discretion of Staff or the Latah County Zoning Commission)

**Office Use Only**

Date Received by County	5/31/13	Fee Amount	100.00	Receipt No.		By	MK
SPAR #	VAR 870	Date Determined Technically Complete	5/31/13			By	MK
Hearing Date	6/19/2013						



LINE TABLE:

LINE	BEARING	DISTANCE
L1	S 34°52'26" E	15.00'
L2	N 00°44'24" E	213.50'
L3	S 00°44'24" W	122.99'
L4	S 71°21'16" W	274.47'
L5	S 89°23'29" E	258.91'

LCZC Hrg: VAR 890  
 Applicant: Thorson  
 Exhibit #: 2B  
 Date: 06/19/2013

SW Section Corner  
 Fd. Brass Cap  
 Per CPF Inst. No. 335430

S1/4 Corner  
 Fd. Brass Cap  
 Per CPF Inst. No. 40714

N1/4 Corner  
 Fd. Aluminum Cap  
 Per CPF Inst. No. 465829

BASIS OF BEARINGS  
 N 00°38'33" E - 5303.57'

REMAINDER  
 12.24 ACRES ±

LOT 1  
 1.00 ACRE ±

LATAH TRAIL

STATE HWY 8

SW 1/4 SW 1/4

SE 1/4 SW 1/4

P.O.B.

CS 770

PC 4965+92.0

N 00°50'15" E 36.75'  
 S 11/16 291.35'  
 S 89°23'28" E 1071.72'  
 S 89°23'29" E - 1330.62'  
 S 88°54'31" E 1039.23'  
 N 00°44'24" E 28.00'  
 N 00°50'15" E 811.62'  
 N 49°37'16" E 231.32'  
 L=188.80', R=196.50', ΔC=0.00', ΔE=188.73', ΔN=52.22', BRG=N  
 L=552.31', R=191.350', ΔC=1.14', ΔE=550.14', ΔN=89.25', BRG=N  
 L=269.11', R=191.350', ΔC=1.14', ΔE=269.11', ΔN=71°21'16" E  
 1327.33' N 00°44'24" E  
 1326.54' N 00°38'33" E - 5303.57'  
 516.51'  
 1332.89'  
 1332.89'  
 W 1/16  
 17 20 21  
 16 21  
 16 21

## **VAR #890 – Staff Introduction**

A request by Julie Thorson for a variance to allow a access for a lot created via a short plat to a state highway. The property is located at approximately 3570 Highway 8, Troy, Idaho, in Section 16, Township 39 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N04W166029A.

### **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 Julie Thorson, to the Planning and Building Department on May 31, 2013.

**2. Section 8.02.01(5) requires that each lot shall have at least 25 feet of frontage on a public road or at least 50 feet of frontage onto one 50 foot easement that is a shared private driveway that accesses a public road. Each access onto the public road must be approved in writing by the jurisdiction maintaining the public road. No short plat may include new public roads or shared private driveways, unless required and approved in writing by the responsible highway district in the interest of public safety. As part of a development agreement via the rezone, the Board of Latah County Commissioners can require the private driveway be built to highway district standards for a public road. In addition to meeting the requirements of Section 9.01.02.4, all shared private driveways in a short plat shall have 20 feet of graveled surface. The shared private driveway meeting the previous requirements shall be built to completion prior to issuance of any building permit for said short plat.**

**Unless the following requirements are met, no short plat may include driveways entering directly onto state highways maintained by the Idaho Transportation Department. All new lots created via a short plat, and rezones which will ask for a subsequent subdivision, must be designed to meet this requirement.**

A. An applicant for a short plat may request a hearing before the Zoning Commission, applying the general procedures set forth in Section 7.02 of this ordinance, excepting 7.02.02 and using the criteria set below, to ask for permission to use an existing residential access approach (existing residential access approach defined as approval from Idaho Transportation Department for a residential access approach given prior to the adoption of this section) to a state highway maintained by the Idaho Transportation Department if no reasonable lot configuration can meet the requirement and one of the following applies:

1. The original parcel from which a rezone was created does not touch any other public roadway.
2. An area rezoned prior to the adoption of this provision does not touch any other public roadway.
3. It is physically impractical for the new or existing parcel to gain access to a public roadway that is not a state highway maintained by the Idaho Transportation Department that touches that parcel. 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:

**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 #2 :** Application Form (Submitted by Applicant)
- Exhibit #2A :** Site Plan (Submitted by Applicant)
- Exhibit #3 :** Staff Introduction for Latah County Zoning Commission hearing on June 19, 2013.

That is all staff has unless the Commission has questions.