

**NOTICE OF PUBLIC HEARING**  
**BEFORE THE LATAH COUNTY ZONING COMMISSION**  
**Wednesday, February 19<sup>th</sup>, 2014, 5:30 pm**

The Latah County Zoning Commission will hold public hearing on Wednesday, February 19<sup>th</sup>, 2014, in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

RZ #909 A request by Luke and Marilynne Krebs to rezone approximately 29.7 acres from Agriculture/Forest to Rural Residential. The property is located on Fiddler's Ridge Loop in Section 35, Township 42 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP42N05W357270A.

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

## LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

**Public Hearing:** RZ 909    **Date:** February 19, 2014    **Time:** 5:30 p.m.

**Applicant:** Luke Krebs/Gary Tribble

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- Exhibit #1:     Criteria Worksheet
- Exhibit #1A:    Vicinity and Comprehensive Plan Land Use Map
- Exhibit #1B:    Zoning Map
- Exhibit #1C:    Aerial Photo and Adjacent Property Owners Map
- Exhibit #1D:    Potlatch Area of Impact Map
- Exhibit #2:     Application Form (Submitted by Applicant)
- Exhibit #2A:    Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B:    Aerial (Submitted by Applicant)
- Exhibit #2C:    Survey (Submitted by Applicant)
  
- Exhibit #3:     Staff Introduction for Latah County Zoning Commission hearing for RZ #909 held on February 19<sup>th</sup>, 2014.
- Exhibit #4:     Letter received from City of Potlatch on January 14, 2014

LCZC Hrg: RZ 909  
Applicant: Krebs  
Exhibit #: 3  
Date: 2/19/2014

# 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 rezone request to change the zoning designation on a 29.7 acre parcel from Agriculture Forest to Rural Residential.

**Description of application:**

A request by Luke and Marilynne Krebs to rezone approximately 29.7 acres from Agriculture/Forest to Rural Residential. The property is located on Fiddler's Ridge Loop in Section 35, Township 42 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP42N05W357270A.

**Applicable Code:**

**Local Planning Act:** Idaho Code 67-6511, Zoning Ordinance

**Latah County Comprehensive Plan**

**Latah County Land Use Ordinance:**

*Section 6.01 Zoning Map Amendments*

*Section 3.01 Agriculture Forest Zone*

*Section 3.02 Rural Residential Zone*

***Section 6.01.02 Rezone Criteria***

The Zoning Commission may recommend the Board of Latah County Commissioners approval of a rezone application if the Zoning Commission finds that the proposed rezone conforms to each of the following criteria:

1. The rezone is in accordance with the goals and policies of the Comprehensive Plan.
2. The rezone, and the uses it permits, shall not be detrimental to or incompatible with the surrounding area, and the uses permitted in that area.
3. The rezone must provide some public benefit that exceeds any costs imposed upon the public.
4. The rezone shall not impose a significant burden to any public services.
5. The rezone shall not be a spot zone.

The Zoning Commission may recommend approval for rezone proposals that do not initially meet these criteria, if the applicant can provide substantial mitigation through a written development agreement as provided by Section 6.01.03.4 of this ordinance. The Zoning Commission may also recommend approval for applications not meeting the criteria listed above if the Zoning Commission finds that the rezone is essential to the public health, safety, or welfare.

**Facts of application and the information submitted**

**Site Characteristics:**

Size of Parcel: 29.7 acre  
Floodplain: Zone "C"

**Land Use and Regulations:**

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

**Infrastructure/Services:**

**Water:**

Private Well

**Sewer:**

Private Septic

**Access:**

Fiddler's Ridge Loop

**Schools:**

Potlatch School District

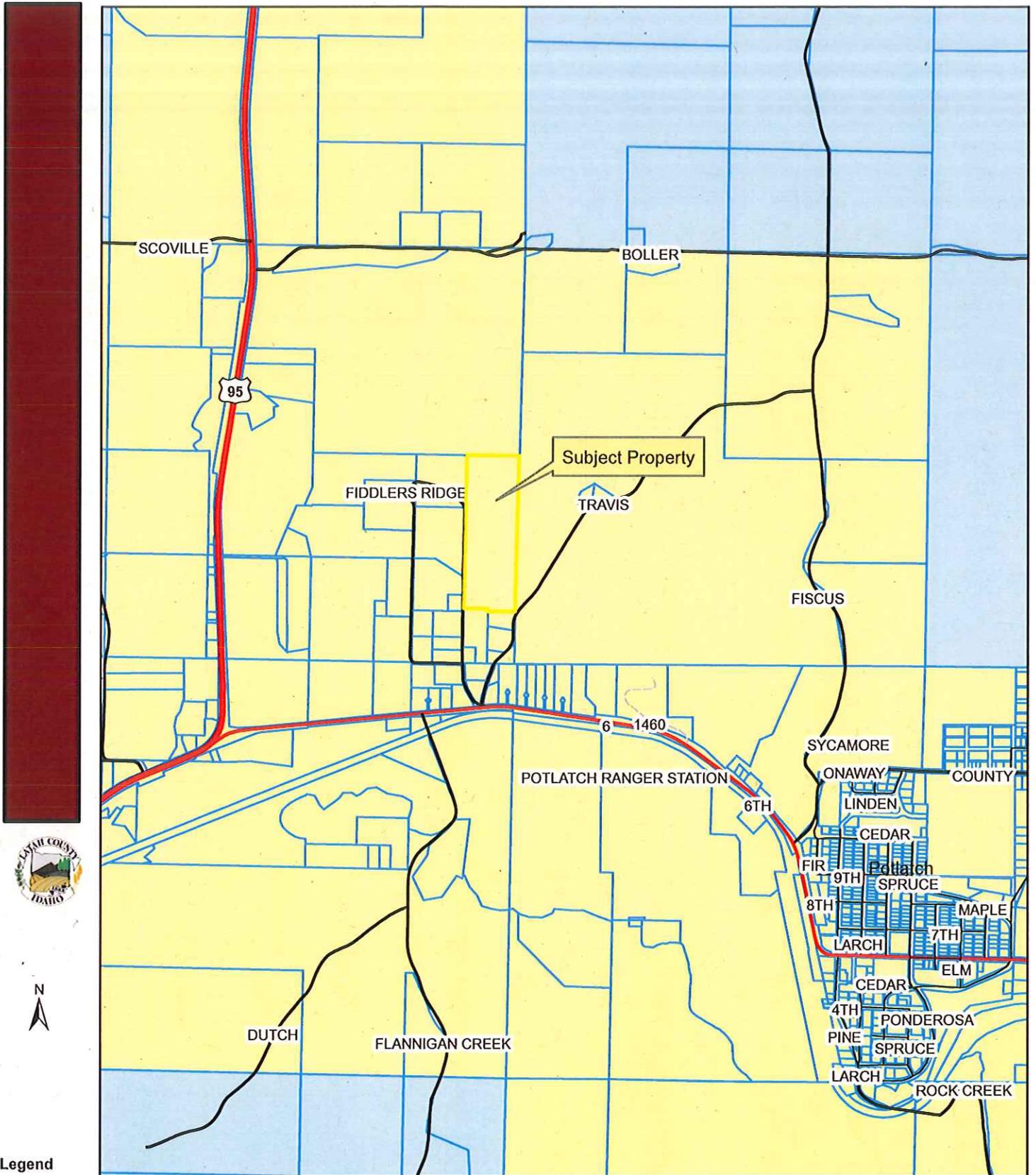
**Fire Protection:**

Potlatch Fire District

**Law Enforcement:**

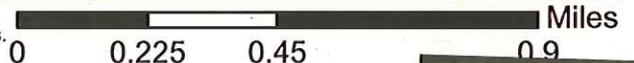
Latah County Sheriff

# RZ #909 Comprehensive Plan and Vicinity Map



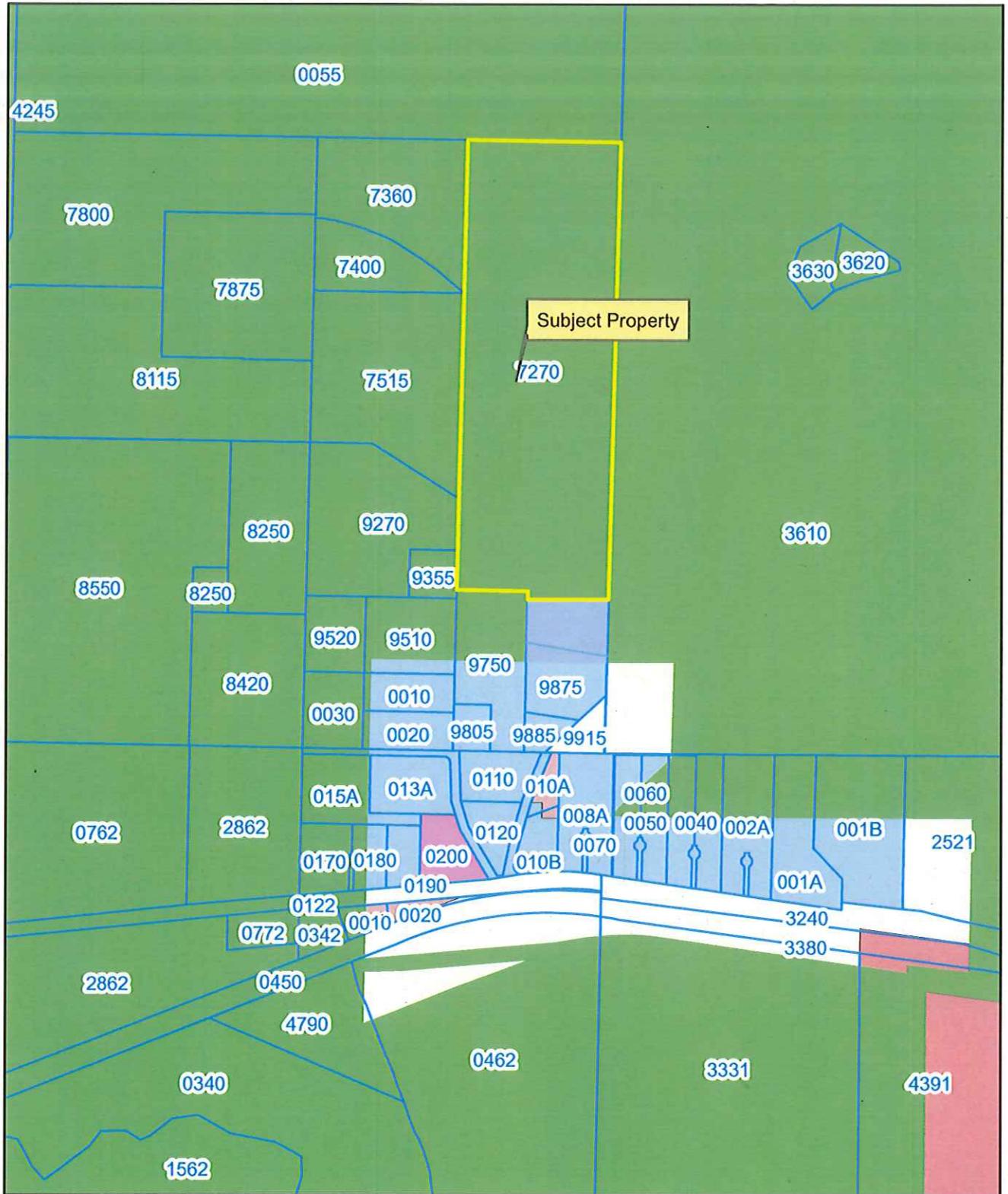
- Legend**
- Comprehensive Plan ZONE**
- AOI
  - ICR
  - PRODUCTIVE
  - RURAL

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



LCZC Hrg: RZ 909  
Applicant: Krebs  
Exhibit #: 1A  
Date: 2/19/2014

# RZ #909 Zoning Map



## Legend

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

0 375 750 1,500 Feet

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

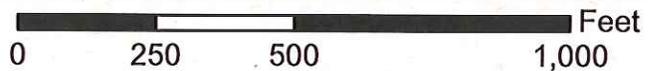
LCZC Hrg: **RZ 909**  
Applicant: **Krebs**  
Exhibit #: **1B**  
Date: **2/19/2014**

# RZ #909 Aerial Photograph and Adjacent Property Owner Map



## Legend

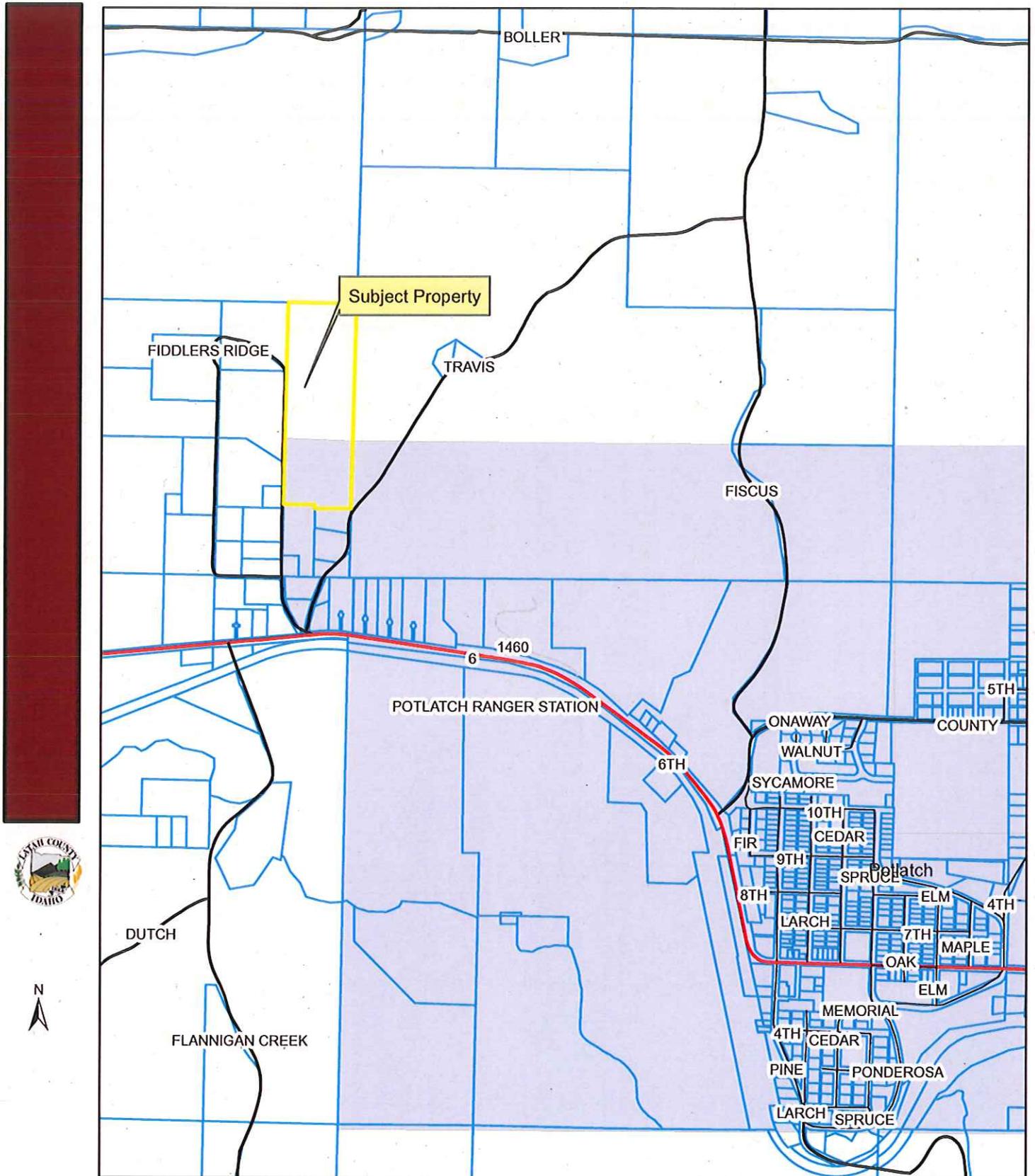
Parcels



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

LCZC Hrg: RZ 909  
Applicant: Krebs  
Exhibit #: 1C  
Date: 2/19/2014

# RZ #909 Potlatch Area of Impact



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



## Legend

Legend

 Areas\_of\_City\_Impact

LCZC Hrg: RZ 909  
Applicant: Krebs  
Exhibit #: 1D  
Date: 2/19/2014



# APPLICATION FOR REZONING

## 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 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>Gary Tribble</b>		B. Home Phone / Work Phone <b>208-883-1525</b>		C. Email <b>Gtribble@LatahRealty.com</b>	
D. Mailing Address <b>128 East Third Street</b>		E. City <b>Moscow</b>		F. State <b>ID</b>	G. Zip Code <b>83843</b>
H. Property Owner (If Different than Applicant) <b>Luke Theodore and Marilynne Krebs</b>		I. Home Phone <b>208-875-2330</b>		J. Work Phone <b>Cell: 208-310-2116</b>	
K. Mailing Address <b>1038 Fiddler's Ridge Loop</b>		L. City <b>Potlatch</b>		M. State <b>ID</b>	N. Zip Code <b>83855</b>

## 2. General Site Information

A. Assessor's Parcel Number(s) <b>RP42N05W357270A</b>			B. Parcel Address (If Applicable) <b>1038 Fiddler's Ridge Loop</b>		
C. Acreage of Existing Parcel <b>29.71</b>	D. Existing Zoning <b>Agriculture/Forest</b>	E. Comprehensive Plan Designation <b>ICR</b>		F. Floodplain Designation(s) <b>C</b>	G. FEMA Panel # <b>1600860045B</b>
H. Is the parcel within an Area of City Impact? <input checked="" type="checkbox"/> Yes. <input type="checkbox"/> No.		I. Impact City <b>Potlatch</b>		J. Road Used to Access Site <b>Fiddler's Ridge Loop</b>	

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

L. Existing Uses  
**Residential, Recreational, Mini-Farm**

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

A. Fire District <b>Potlatch</b>	B. Road District <b>North Latah County-Potlatch</b>	C. School District <b>Potlatch</b>
D. Source of Potable Water (i.e. Water District or Private Well) <b>Private Well (House has 30 gpm well)</b>		E. Sewage Disposal (i.e. Sewer District or Septic System) <b>Private Septic System</b>

## 4. Adjacent Properties Information

A. Zoning of Adjacent Properties <b>Ag/Forest and Rural Residential</b>	B. Existing Uses of Adjacent Properties <b>Residential, small acreages (ranchettes), farm ground</b>
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## 5. Rezone Information

A. Proposed Zoning District(s) <input type="checkbox"/> Agriculture/Forestry <input checked="" type="checkbox"/> Rural Residential <input type="checkbox"/> Suburban Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial	B. Explain for Rezone Request <b>Owner wishes to split his 30 +/- acre property into 3 parcels, which would be similar size to the other properties along Fiddler's Ridge Loop Road.</b>
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*Note: If you would like to change different sections of your property to different zoning designations, please provide a map depicting which zoning designations will be located on the corresponding sections of your property.*

6. Authorization	7. Attachments
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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>Luke Theodore Krebs</i> <span style="float: right;">Property Owner</span>	b. Date <b>12/17/2013</b>
c. Signature of Property Owner (If Different than Applicant) <i>Gary M. Tribble</i> <span style="float: right;">Applicant</span>	d. Date <b>12/23/2013</b>

**Fee:** (\$400.00) 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, 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.

**Survey or Boundary Description:** This must be prepared by a surveyor licensed in the state of Idaho.

**Other Attachments:**

Office Use Only			
Date Received <b>12/23/13</b>	Amount <b>400.00</b>	Receipt No. <b>995/134</b>	By <i>MM</i>
RZ# <b>909</b>	Date Determined Technically Complete <b>1/5/14</b>	By <i>MM</i>	
Hearing Date			

**LCZC Hrg: RZ 909**  
**Applicant: Krebs**  
**Exhibit #: 2**  
**Date: 2/19/2014**



## Rezone Narrative Worksheet

### Application Information

Applicant's Name  
Gary Tribble

Phone Number  
208-883-1525

**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.

The intent is to re-zone this 30 +/- acre parcel so that there is a potential of selling it in 3 parcels of a size which would be more typical of the other properties along Fiddler's Ridge Loop Road. These smaller parcels would be more suitable for small farming and ranching so a person can manage with smaller equipment.

### Existing Uses of Property

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

There is presently a home built on the southern 1/3 of the property. The remainder is in pasture/hay ground with two groves of trees.

### Consistency Requirements

Please respond to each of the five criteria listed in Section 6.01.02 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.

**1. The rezone, and the uses it permits, shall not be detrimental to or incompatible with the surrounding area, and the uses permitted in that area.**

The rezone would allow uses similar to those in the surrounding area. They would be larger sizes in the 7-12 acre range with adequate size for a home, outbuildings, well, septic system. In addition, there would be room for FHA projects. This will provide little or no impact on larger commercial agricultural operations in the area.

LCZC Hrg: RZ 909  
Applicant: Krebs  
Exhibit #: 2A  
Date: 2/19/2014





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**g. Transportation Element**

There already exists a very nice road running adjacent to this property.

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**h. Natural Resource Element**

There should be no more negative impact on natural resources and within the adjoining properties.

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**i. Special Areas Element**

There are no known special areas, or sites of historic, archaeological, architectural, geological, biological, or scenic significance on this property.

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**j. Hazardous Areas Element**

There are no known natural hazards on this property.

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**k. Recreation Element**

With the rezone, this beautiful property will allow 3 families to fully enjoy it.

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**l. Land Use Element**

This property is best suited for residential purposes. It is too small to be a viable farming operation. The property is already designated ICR by the Comprehensive Plan. Low-density, single family residential use is most consistent with the character of the area.

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**m. Implementation**

The process of this application is in and of itself in furtherance of the implementation of the Comprehensive Plan.

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**n. Property Rights Element**

Residential use of this property enables future owners to have full enjoyment of this beautiful area.

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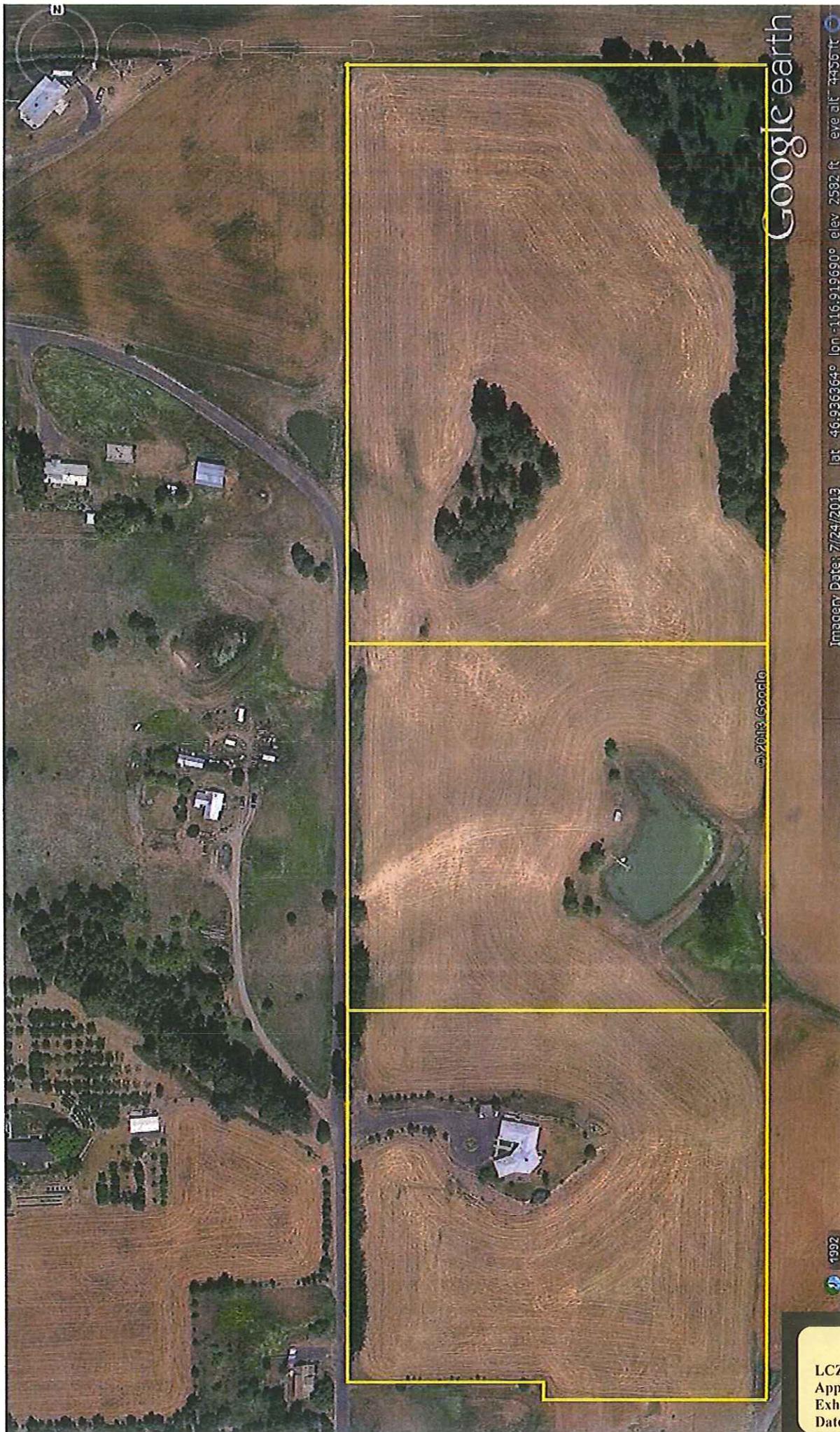
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**o. Water Resource Element**

It appears there is substantial water for this property. The well that serves the existing house produces 30 gpm according to the well drillers' log.

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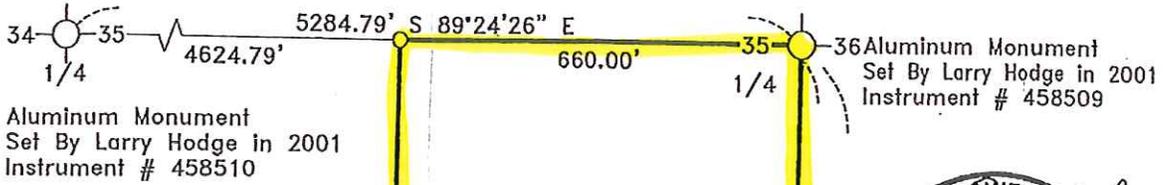


Imagery Date: 7/24/2013 lat 46.936364° lon -116.919690° elev 2582 ft eye alt 34356 ft

© 2013 Google

1992

LCZC Hrg: RZ 909  
Applicant: Krebs  
Exhibit #: 21B  
Date: 2/19/2014



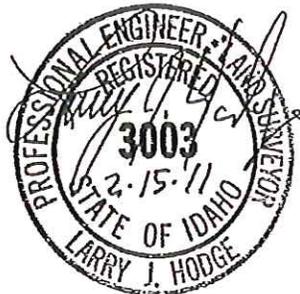
### Legal Description

A legal description for a parcel of land located in the SE1/4 of Section 35, T42N, R5W BM and being more particularly described as follows:

Beginning at the southeast corner of said Section 35, Thence N 1°02'20" E, 661.87 feet along the east line of the SE1/4 of said Section 35 to the TRUE POINT OF BEGINNING.

- Thence West, 346.89 feet;
- Thence N 0°28'09" E, 46.88 feet;
- Thence N 89°20'51" W, 312.69 feet;
- Thence N 1°02'20" E, 1942.00 feet;
- Thence S 89°24'26" E, 660.00 feet to the Northeast corner of the SE1/4 of said Section 35;
- Thence S 1°02'20" W, 1985.62 feet along the East line of the SE1/4 of said Section 35 to the TRUE POINT OF BEGINNING.

PARCEL CONTAINS 29.71 ACRES.



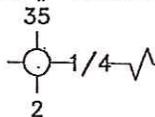
### Legend

- Monument as Described
- 5/8" Diameter Iron Pin
- Theoretical Point
- Property line
- Lot line
- Right-of-Way

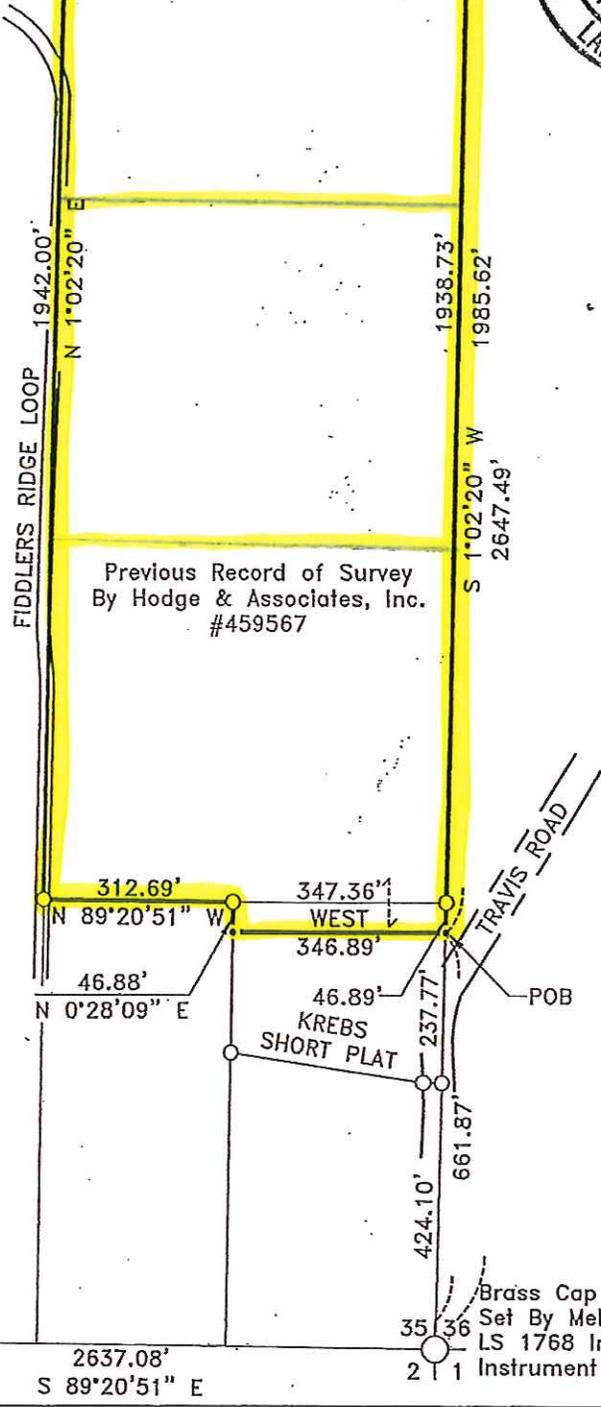


SCALE: 1" = 300'

Brass Cap Monument  
Set By Mel Taggart,  
LS 1768 In 1995.  
Instrument # 416924

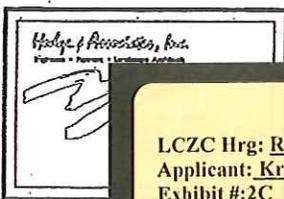


Brass Cap Monument  
Set By Mel Taggart,  
LS 1768 In 1975.  
Instrument # 276993



Drafted By: SW
Checked By:
Project No. 3250-2-11
File Name: 3250-Exhibit.dwg
Date: 2/15/2011

**Ted Krebs Legal Description**  
Exhibit Drawing  
Ted Krebs  
Latah County, Idaho  
Section 35, T42N, R5W, B.M.



LCZC Hrg: RZ 909  
Applicant: Krebs  
Exhibit #: 2C  
Date: 2/19/2014

## **RZ #909 - Staff Introduction**

A request by Luke and Marilynne Krebs to rezone approximately 29.7 acres from Agriculture/Forest to Rural Residential. The property is located on Fiddler's Ridge Loop in Section 35, Township 42 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP42N05W357270A.

An approximately 9.9 acre portion of this parcel is located in the Potlatch Area of City Impact.

1) Section 6.01.02 states, "the Zoning Commission may recommend the Board of Latah County Commissioners approval of a rezone application if the Zoning Commission finds that the proposed rezone conforms to each of the following criteria:"

1. The rezone is in accordance with the goals and policies of the Comprehensive Plan.
2. The rezone, and the uses it permits, shall not be detrimental to or incompatible with the surrounding area, and the uses permitted in that area.
3. The rezone must provide some public benefit that exceeds any costs imposed upon the public.
4. The rezone shall not impose a significant burden to any public services.
5. The rezone shall not be a spot zone.

2) The Zoning Commission may recommend approval for rezone proposals that do not initially meet criteria 1-5, if the applicant can provide substantial mitigation through a written development agreement as provided by 6.01.03.4 of the Latah County Land Use Ordinance #269, as amended. The Commission may also recommend approval for applications not meeting the criteria listed above if the Zoning Commission finds that the rezone is essential to the public health, safety, or welfare.

### **The following exhibits were submitted with the staff packet:**

- Exhibit #1: Criteria Worksheet
- Exhibit #1A: Vicinity and Comprehensive Plan Land Use Map
- Exhibit #1B: Zoning Map
- Exhibit #1C: Aerial Photo and Adjacent Property Owners Map
- Exhibit #1D: Potlatch Area of Impact Map
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- Exhibit #2C: Survey (Submitted by Applicant)
  
- Exhibit #3: Staff Introduction for Latah County Zoning Commission hearing for RZ #909 held on February 19<sup>th</sup>, 2014.
- Exhibit #4: Letter received from City of Potlatch on January 14, 2014

**That is all staff has unless the Commission has questions.**



January 14, 2014

Mauri Knott  
Associate Planner  
Latah County Planning and Building  
522 S. Adams  
Moscow, ID 83843

Dear Mauri:

The Potlatch City Council meeting was last night and the Council reviewed the application for the Krebs Rezone RZ#909 which is located in the City of Potlatch's Area of Impact. Mr. Tribble and Mr. Krebs attended the meeting last night and explained to the Council what this rezone will entail. The Council discussed the matter and the Council then voted in favor of allowing this zone change with a vote of 3-1. The Council also agreed to waive the 40 day comment period on this application.

If you have any further questions, please feel free to contact me at any time.

Sincerely yours,

Shelly M. Hammons,  
City Clerk-Treasurer