

**LATAH COUNTY ZONING COMMISSION EXHIBIT LIST**  
Public Hearing for Conditional Use Permit #919

**Date:** June 4<sup>th</sup>, 2014    **Time:** 5:30 pm    **Applicant:** William LaVoie IV    **File #:** CUP 919

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**EXHIBITS:**

- Exhibit #1.** Criteria Worksheet and Application Summary
- Exhibit #1A.** Latah County Comprehensive Plan and Vicinity Map
- Exhibit #1B.** Zoning Map
- Exhibit #1C.** Adjoining Property Owners and Aerial Photograph Map
- Exhibit #1D.** Flood Map
- Exhibit #2.** Application Form (Submitted by Applicant)
- Exhibit #2A.** Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B.** Property Site Plan (Submitted by Applicant)
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for CUP #919 on June 4<sup>th</sup>, 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:

Conditional Use Permit for accessory cottage housing on a 16.03-acre parcel in the Agriculture/Forest zone.

## Description of application:

CUP #919 – A request by William LaVoie IV for a conditional use permit for an accessory cottage house on approximately 16 acres in the Agriculture/Forest (A/F) zone. The property is located on Bower Road, Troy, Idaho in Section 09 of Township 40 North, Range 02 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N02W094819.

## Applicable Code:

*Section 7.01.02* (see exhibit #3) and *Sections 3.01.02.14*

*Section 3.01.02.14* 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.

## Facts of application and the information submitted

### Site Characteristics:

Size of Parcel: 16.03 acres  
Floodplain: Zone "C" and "A"

### Land Use and Regulations:

Comprehensive Plan Designation: Rural  
Existing Zoning: Agriculture/Forest  
Existing Uses: Agriculture/Previous home site  
Neighboring Zoning: Agriculture/Forest  
Neighboring Uses: Forestry, Residential, Agriculture, Previous home site

### Infrastructure/Services:

Water: Private Well  
Sewer: Private Septic  
Access: Bower Road  
Fire Protection: Deary Rural

## Applicable Statute, Ordinance, and Comprehensive Plan Sections:

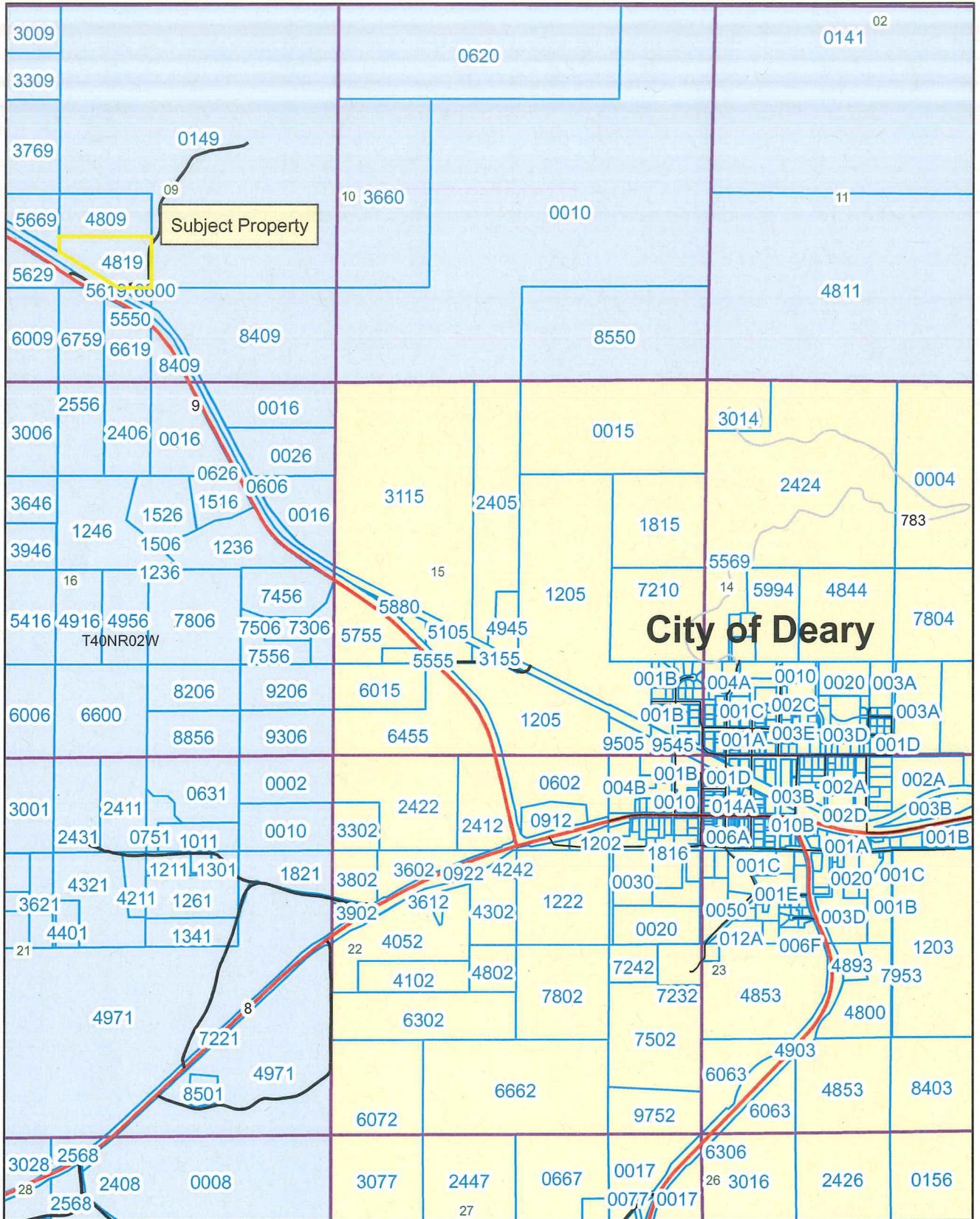
Local Planning Act: Idaho Code 67-6512

Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture/Forest Zone  
Article 7 Conditional Use Permits

Latah County Comprehensive Plan

# CUP #919 Comprehensive Plan and Vicinity Map



Subject Property

City of Deary

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

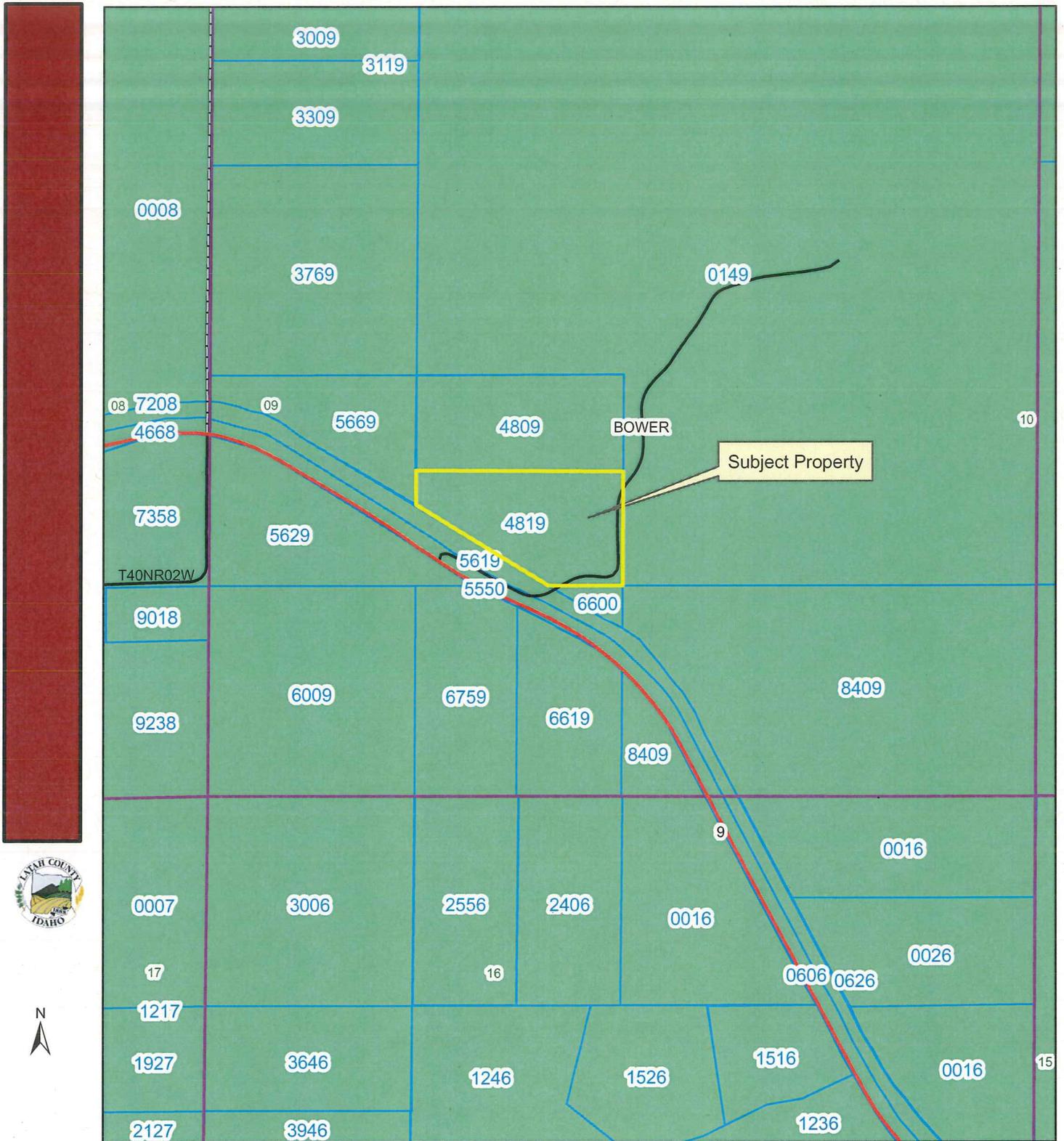


NOTE: This Document is a representation of the Comprehensive Plan. Latah County bears no responsibility for the accuracy of the information shown on this map.

LCZC Hrg: **CUP 919**  
 Applicant: **LaVoie**  
 Exhibit #: **1A**  
 Date: **05/4/2014**



# CUP #919 Zoning Map



**Legend**

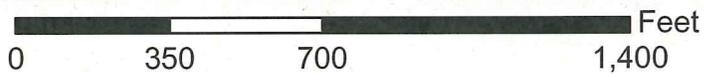
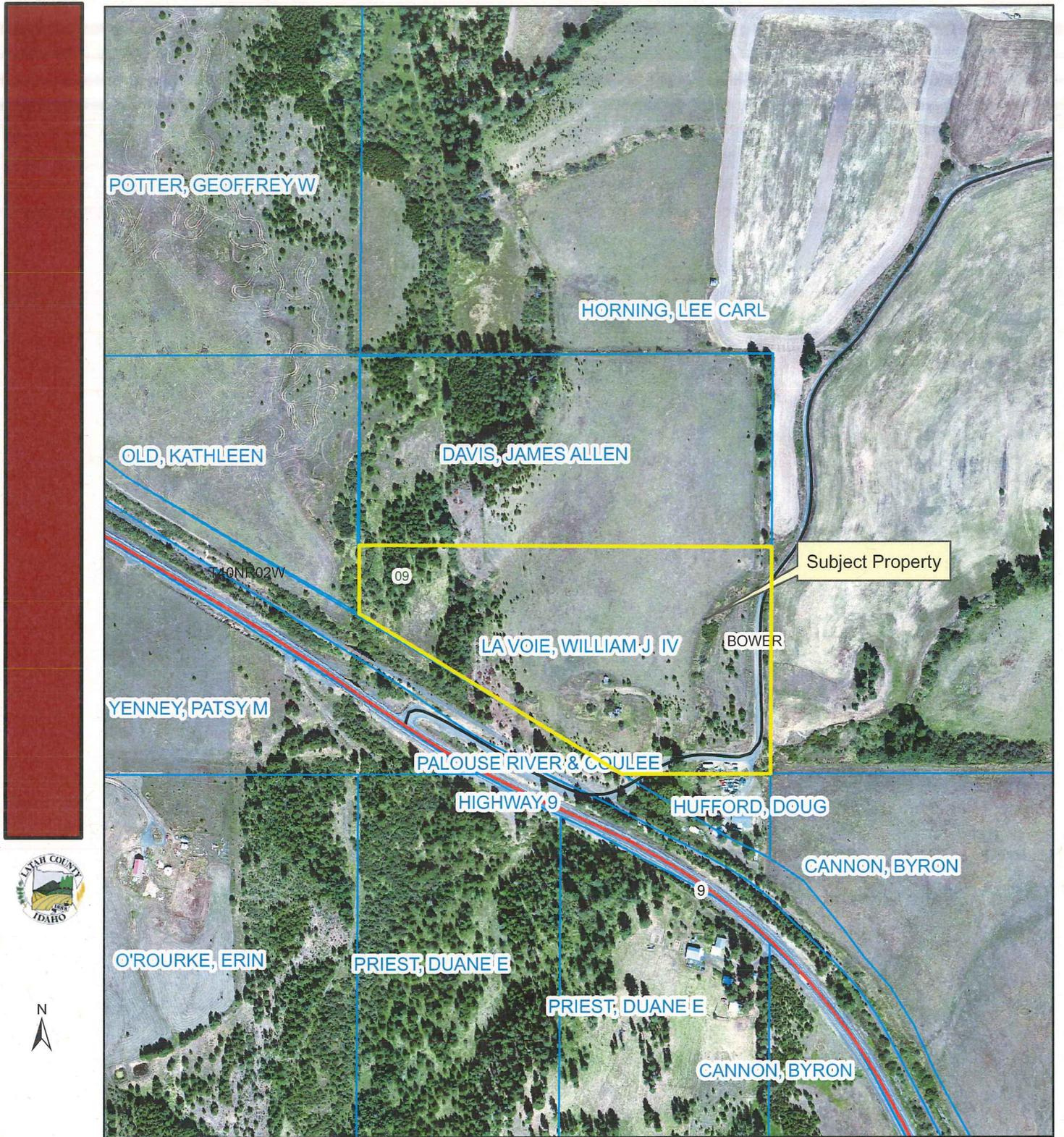
<b>Zoning_Districts_2009</b>	Commercial	Rural Residential
<b>ZONE_TYPE</b>	Industrial	Single-Family Residential
Agriculture / Forest	Motor Business	Single-Family Residential (R1)
Agriculture / Forestry	Multiple Family Residential	Suburban Residential
Area of Impact - Genesee	Municipality	



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

**LCZC Hrg: CUP 919**  
**Applicant: LaVoie**  
**Exhibit #: 1B**  
**Date: 05/4/2014**

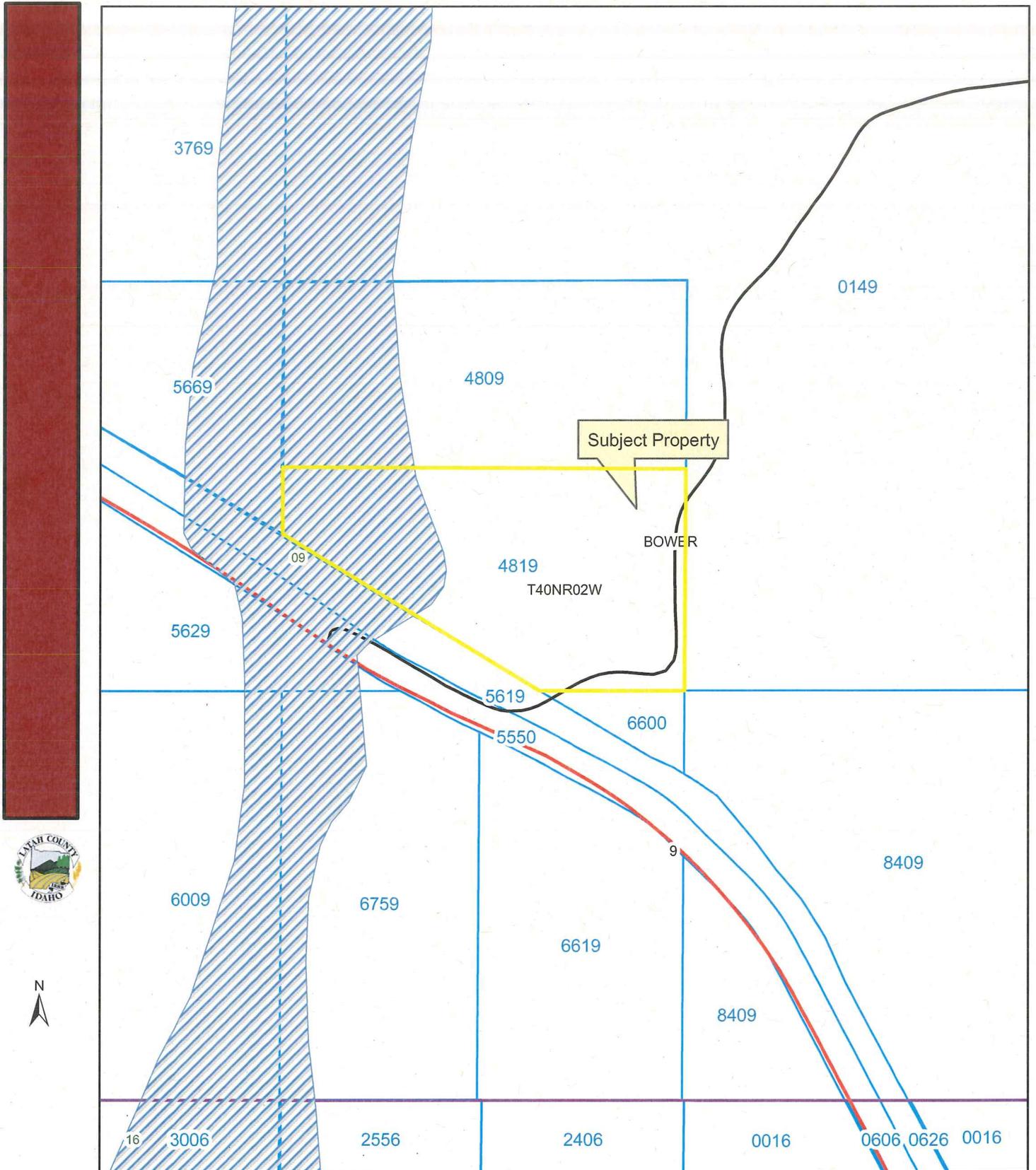
# CUP #919 Aerial Photograph and Adjacent Property Owner Map



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

LCZC Hrg: CUP 919  
Applicant: LaVoie  
Exhibit #: 1C  
Date: 05/4/2014

# CUP #919 Flood Map



**Legend**  
lathafldplain polygon

0 260 520 1,040 Feet

NOTE: This Document is a representation of the information provided. Latah County bears no responsibility for the accuracy of the information.

**LCZC Hrg: CUP 919**  
**Applicant: LaVoie**  
**Exhibit #: 1D**  
**Date: 05/4/2014**



# 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 <b>William LaVoie IV</b>		b. Home Phone / Work Phone <b>208-874-3158 Cell #</b>	c. Email <b>majorcarp@gmail.com</b>	
d. Mailing Address <b>P.O. Box 9623</b>		e. City <b>Moscow</b>	f. State <b>ID</b>	g. Zip code <b>83843</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>RP40N02W09 4819</b>			b. Parcel Address (if applicable) <b>TBD Bower Rd.</b>	
c. Acreage of Existing Parcel <b>16.03</b>	d. Zoning <b>Ag/ Forest</b>	e. Comprehensive Plan Designation <b>Rural</b>	f. Floodplain designation(s)	g. FEMA Panel #
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.		i. Impact City	j. Road Used to Access Site <b>Bower Road</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.

i. Existing Uses

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

a. Fire District <b>Deary</b>	b. Road District <b>N. Latah County Hwy</b>	c. School District <b>Deary</b>
d. Source of Potable Water (i.e. water district or private well) <b>private well</b>		e. Sewage Disposal (i.e. sewer district or private septic system) <b>private septic</b>

### 4. Adjacent Properties Information

a. Zoning of Adjacent Properties <b>Ag / Forest</b>	b. Existing Uses of Adjacent Properties <b>RESIDENTIAL / AG</b>
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### 5. Permit Information

a. Proposed Use <b>Accessory Cottage</b>
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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? **Accessory Cottage Housing**

**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 	b. Date <b>5/13/2014</b>
c. Signature of Property Owner (if different than applicant)	d. Date

### 7. Attachments

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

**Fee:** (\$300.00) 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 <b>5/13/14</b>	Amount <b>300-</b>	Receipt No. <b>995296</b>	By <b>JML</b>
CUP # <b>919</b>	Date Determined Technically Complete		By
Hearing Date			

09/19/2013

**LCZC Hrg: CUP 919**  
**Applicant: LaVoie**  
**Exhibit #2**  
**Date: 05/4/2014**



## Conditional Use Permit Narrative Worksheet

### Application Information

Applicant's Name

William LAVOIE IV

Phone Number

208-874-3158

**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 pole barn with temporary living quarters that will be used as living space until main home is built.

After home is built, pole barn living quarters will serve as accessory cottage for guests.

Living quarters in pole barn (accessory cottage) will be no larger than 360 square feet.

Future home will be at least twice the size of the accessory cottage.

Accessory cottage will be enclosed within pole barn to maintain rural character and will not change single family usage of property.

### Existing Uses of Property

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

Property is currently bare land with the remnants of an old, uninhabitable cabin. No other existing structures.

### 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.**

The use of the property will remain single family residential occupancy on an existing 16.03 acre parcel.

Accessory cottage will not affect health and safety of those in the surrounding area and will not adversely affect any uses of the zone.

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

The accessory cottage will not change the occupancy / use of the property and will not require services with excessive costs to the public.

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Applicant: LaVoie  
Exhibit #: 2A  
Date: 05/4/2014

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

Use will be rural residential, single family occupancy on existing 16.03 acre parcel in the Ag / Forest zone. Once new home is built, pole building living space will become accessory cottage and will not change the character of the property. The accessory cottage will be contained within the pole barn, which will ensure preservation of rural appearance / character, and it will not change the intensity of use of the property (ie: it will remain single family use).

*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**

The proposal is consistent with low density, residential development and will not conflict with other existing land uses and it will not increase public service costs.

**b. Population Element**

The proposal will not impact population growth because the accessory cottage will be used consistent with single family, rural residential goals (ie: only as a space for guests after the primary home is built). The accessory cottage will be inside of a pole building which will also further the rural appearance / character of the property.

**c. Housing Element**

The accessory cottage (living space within the pole barn) will conform to building codes, public health standards, and will be energy efficient. The accessory cottage will be inside of a pole building which will further the rural appearance / character of the property.

**d. Economic Development Element**

No change / conflict.

**e. Public Services, Facilities, and Utilities Element**

No change / conflict. Property will remain rural residential, single family use.

**f. School Facilities and Student Transportation Element**

No change / conflict.

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**g. Transportation Element**

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No change / conflict. Property will remain residential, single family use with a single driveway.

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**h. Natural Resource Element**

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Site planned specifically to avoid / minimize degradation to the environment, including stream drainage. Accessory cottage will not impact site plan as it will be in the pole barn, and site plan concentrates future home site, pole barn, and access to a small area of the property to protect open spaces and wildlife habitat.

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**i. Special Areas Element**

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N/A

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**j. Hazardous Areas Element**

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N/A

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**k. Recreation Element**

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N/A

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**l. Land Use Element**

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The accessory cottage will not adversely affect the goals of the land use element. The property will continue to be low density, rural residential, single family use in the ag/forest zone.

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**m. Property Rights Element**

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The accessory cottage will further the goals of low-impact, single family property uses.

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**n. Water Resources Element**

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The accessory cottage will not impact water usage / supply for the property as it will utilize the existing well at existing single family usage rates.

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Imagery Date: 8/5/2011

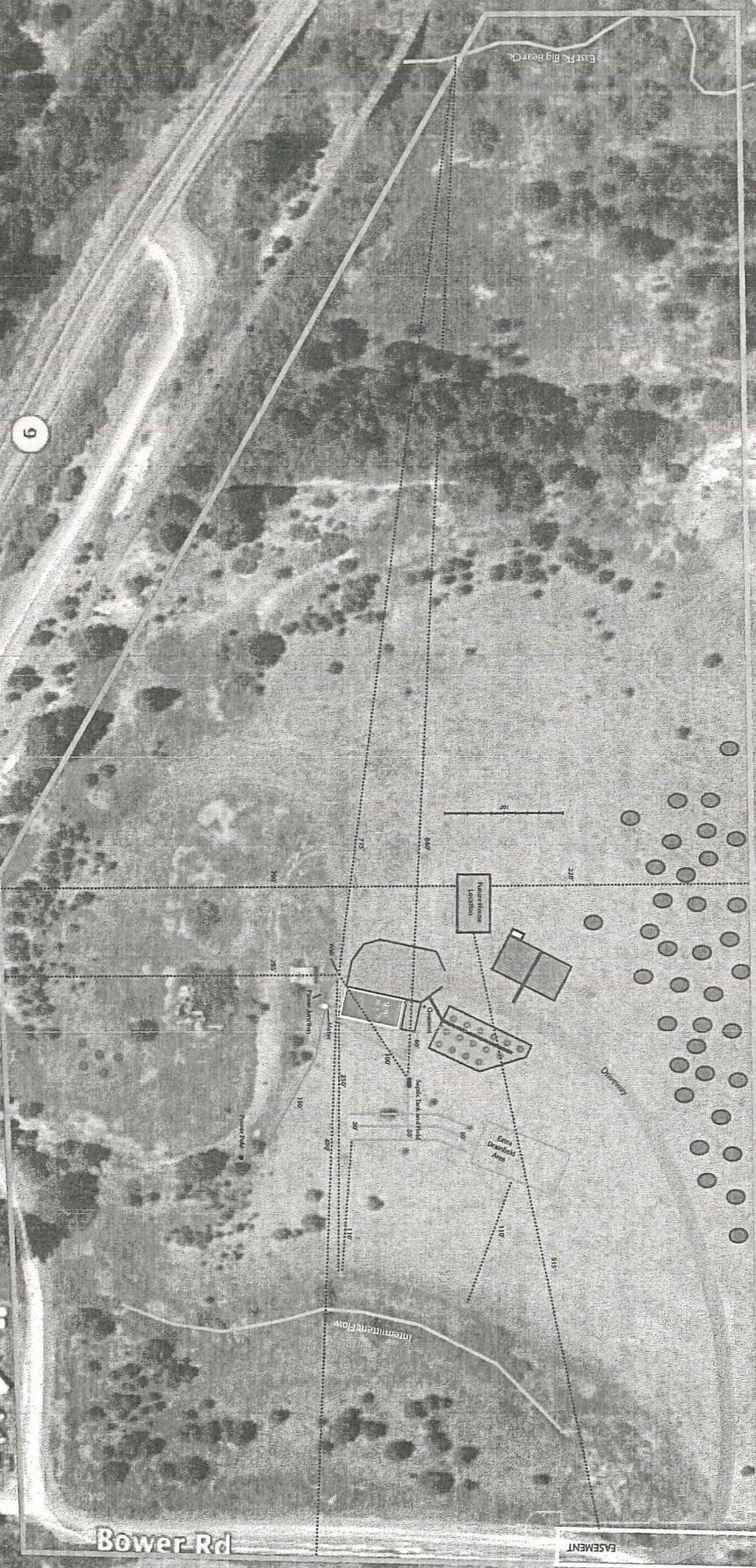
1992

46°49'14.67" N 116°35'46.54" W elev 2807 ft

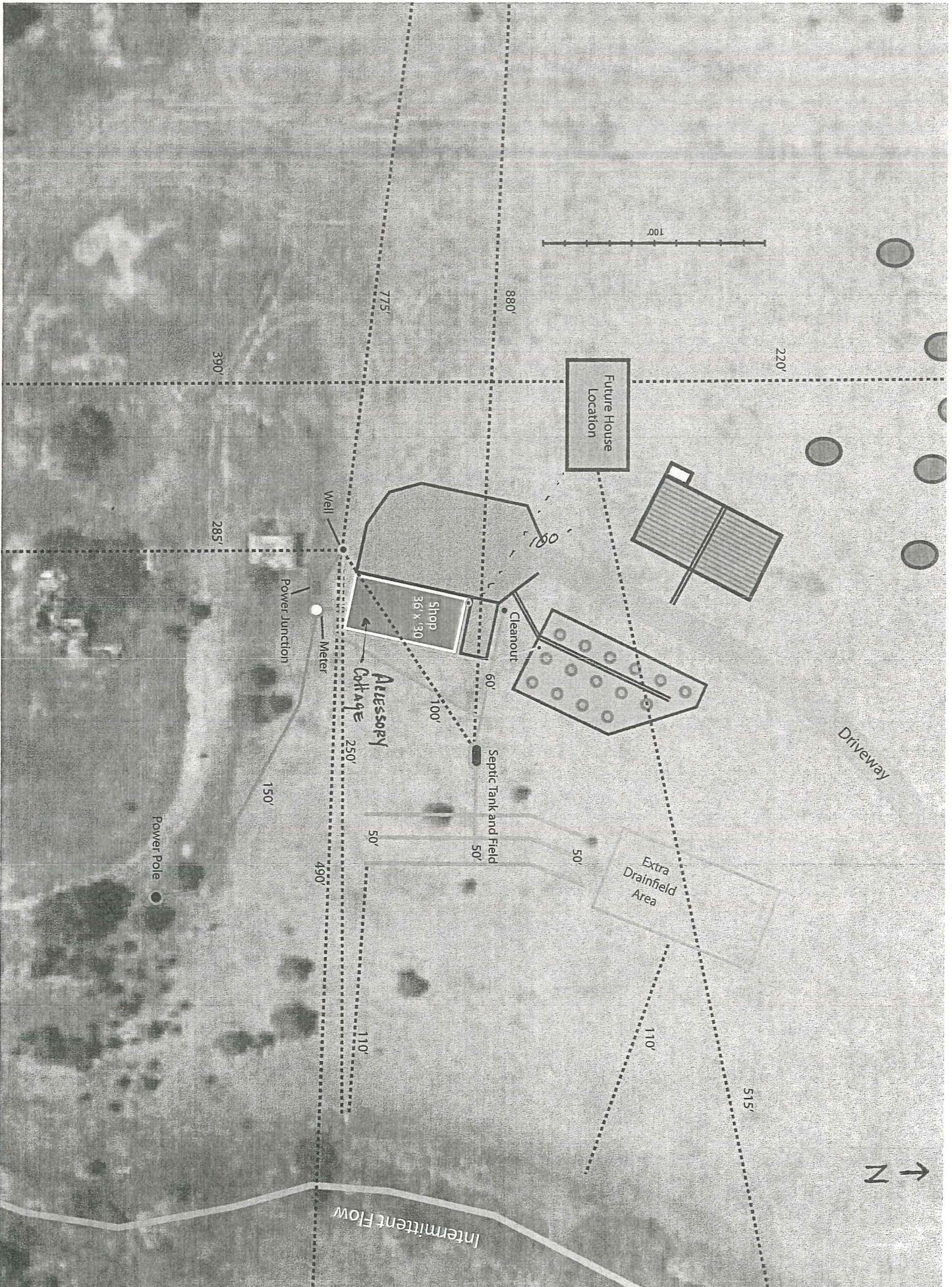
© 2013 Google

Google Earth

Eye alt 4043 ft



LCZC Hrg: CUP 919  
 Applicant: LaVoie  
 Exhibit #: 2B  
 Date: 05/4/2014



## CUP #919 – Staff Introduction

CUP #919 – A request by William LaVoie IV for a conditional use permit for an accessory cottage house on approximately 16 acres in the Agriculture/Forest (A/F) zone. The property is located on Bower Road, Troy, Idaho in Section 09 of Township 40 North, Range 02 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N02W094819.

### *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:**

- |                     |  |
|---------------------|--|
| <b>Exhibit #1.</b>  | Criteria Worksheet and Application Summary   |
| <b>Exhibit #1A.</b> | Latah County Comprehensive Plan and Vicinity Map   |
| <b>Exhibit #1B.</b> | Zoning Map   |
| <b>Exhibit #1C.</b> | Adjoining Property Owners and Aerial Photograph Map  |
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| <b>Exhibit #3.</b>  | Staff Introduction for Latah County Zoning Commission public hearing for CUP #919 on June 4 <sup>th</sup> , 2014 |