

**LATAH COUNTY ZONING COMMISSION EXHIBIT LIST**  
Public Hearing for Variance #931

Date: October 15<sup>th</sup>, 2014 Time: 5:35 pm Applicant: Josephine Mordaunt File #: VAR 931

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**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  |
| <b>Exhibit #1D.</b> | Detail Site Map  |
| <b>Exhibit #1E.</b> | Approximate Property Line Map  |
| <b>Exhibit #2.</b>  | Application Form (Submitted by Applicant)  |
| <b>Exhibit #2A.</b> | Applicant's Narrative (Submitted by Applicant)   |
| <b>Exhibit #3.</b>  | Staff Introduction for Latah County Zoning Commission public hearing for VAR #931 on October 15 <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:

Setback Variance of 44 feet between two adjacent residences.

## Description of application:

**VAR #931** – A request by Josephine Mordaunt for a variance to allow a 44-foot setback between the two existing residences in lieu of the 70-foot setback that is required for the homes located at 1041 Carscallen Road, Potlatch, Idaho 83537, in Section 32, Township 43 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP43N04W323940A.

The completed application was received by the Latah County Planning and Building Department on September 29<sup>th</sup>, 2014. The request would result in a reduction of the residential setback between two residences from 70-ft to 44-ft on Carscallen Road in order to bring 2 non-conforming residence into density compliance via a land division. The application was signed by the applicant, Josephine Mordaunt.

## 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 non-conforming density.

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:** 163.6 acres  
**Floodplain:** Zone "C"

### Land Use and Regulations:

**Comprehensive Plan Designation:** Productive  
**Existing Zoning:** Agriculture/Forest  
**Existing Uses:** Residential, Fruit Trees, Forestry, Agriculture  
**Neighboring Zoning:** Agriculture/Forest  
**Neighboring Uses:** Forestry, Agriculture, Residential

### Infrastructure/Services:

**Water:** Private Well  
**Sewer:** Private Septic

**Access:** 1041 Carscallen Rd  
**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:**

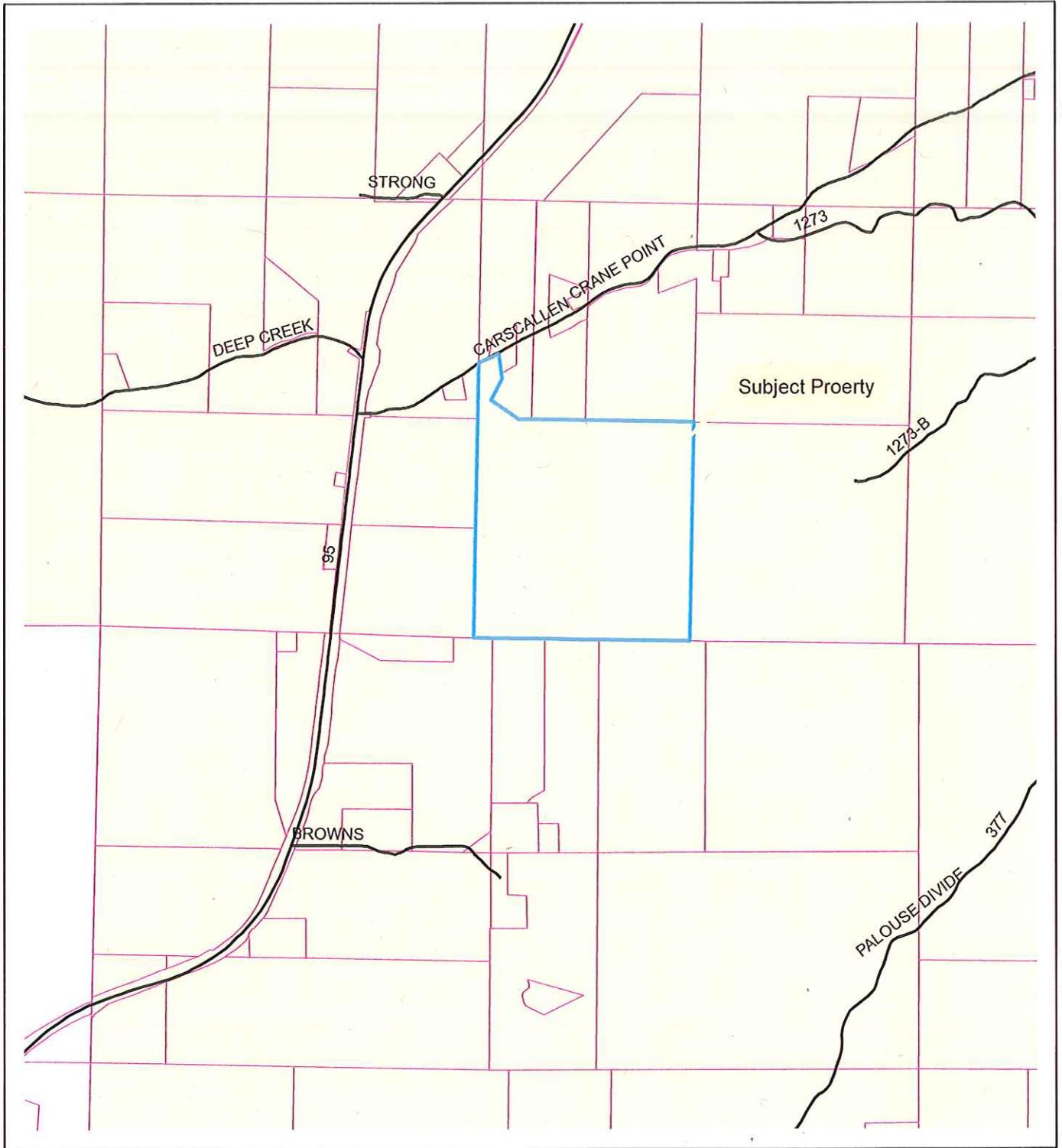
Section 3.01 Agriculture/Forest

Article 7 Variances

**Latah County Comprehensive Plan**

# VAR #931 Comprehensive Plan

Latah County Planning and Building



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

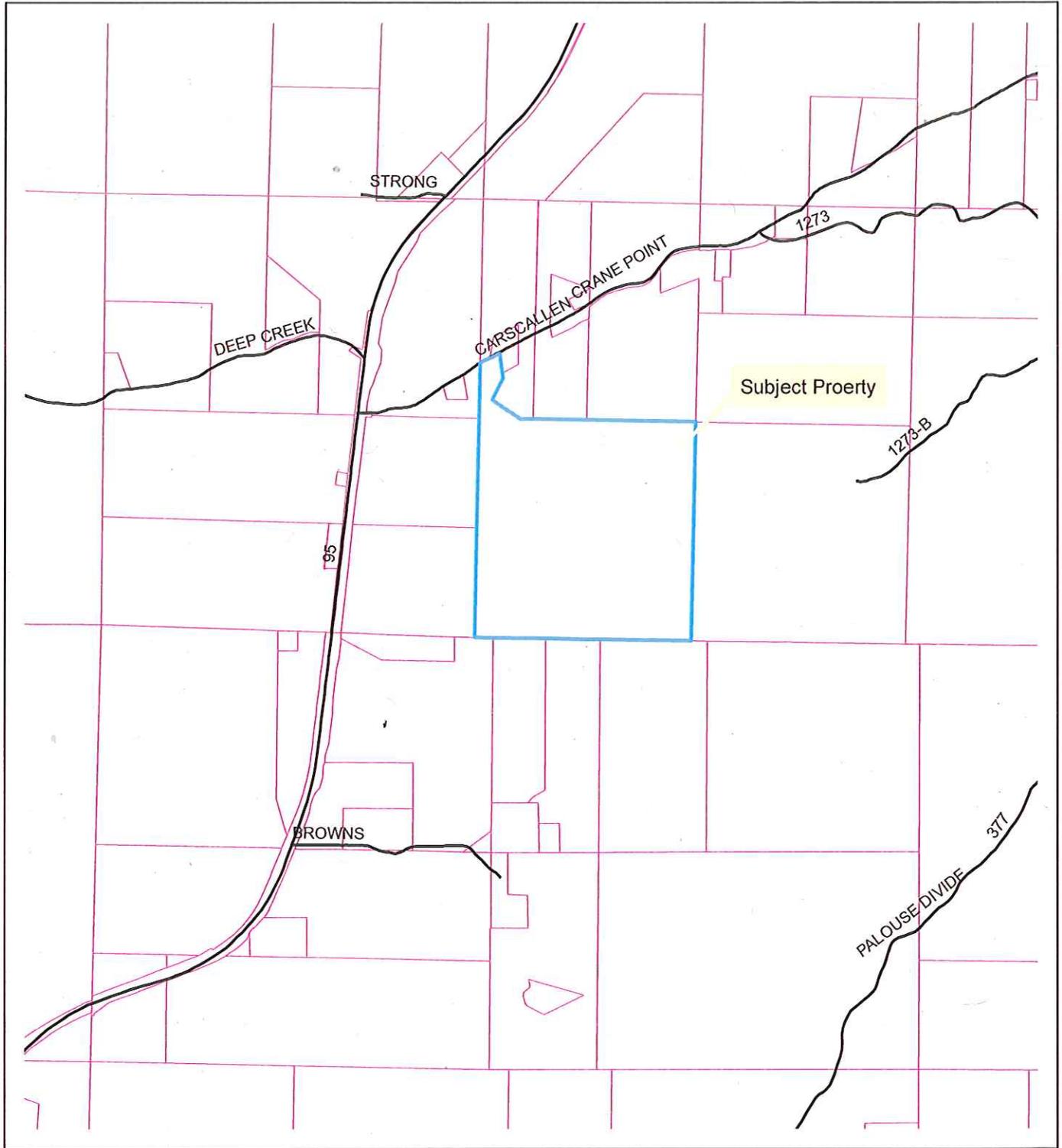


- Comprehensive Plan**
- ICR
  - PRODUCTIVE
  - AFR
  - AOI; AOI
  - RURAL

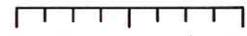
LCZC Hrg: VAR 931  
 Applicant: Mordaunt  
 Exhibit #: 1A  
 Date: 10/15/2014

# VAR #931 Zoning

Latah County Planning and Building



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



## Zoning Districts

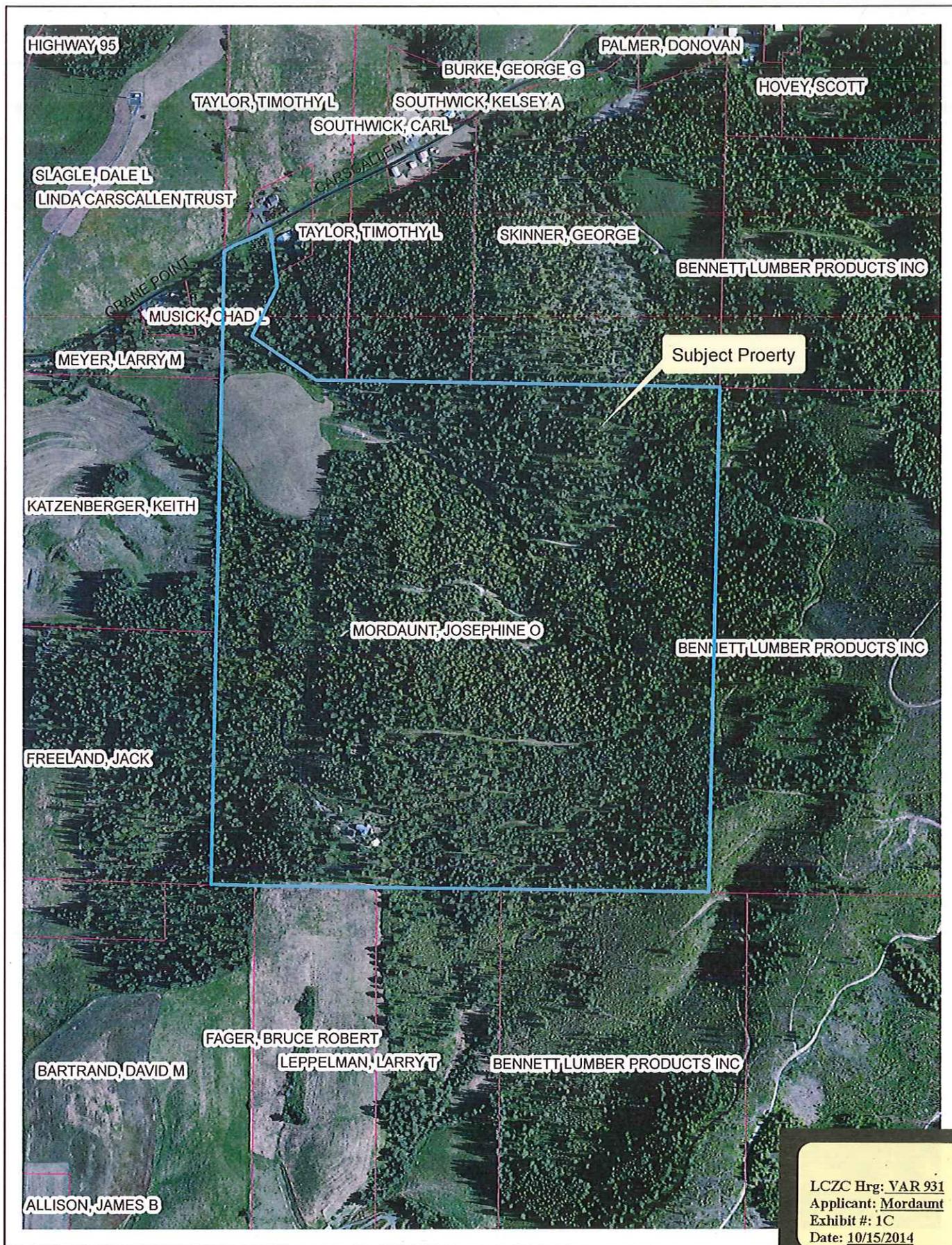
### ZONE\_TYPE

- |  |                      |  |                                |
|--|----------------------|--|--------------------------------|
|  | Agriculture / Forest |  | Multiple Family Residential    |
|  | Commercial           |  | Municipality                   |
|  | Industrial           |  | Rural Residential              |
|  | Motor Business       |  | Single-Family Residential      |
|  |                      |  | Single-Family Residential (R1) |
|  |                      |  | Suburban Residential           |

LCZC Hrg: VAR 931  
 Applicant: Mordaunt  
 Exhibit #: 1B  
 Date: 10/15/2014

# VAR #931 Aerial Photograph and Adjacent Property Owners

Latah County Planning and Building



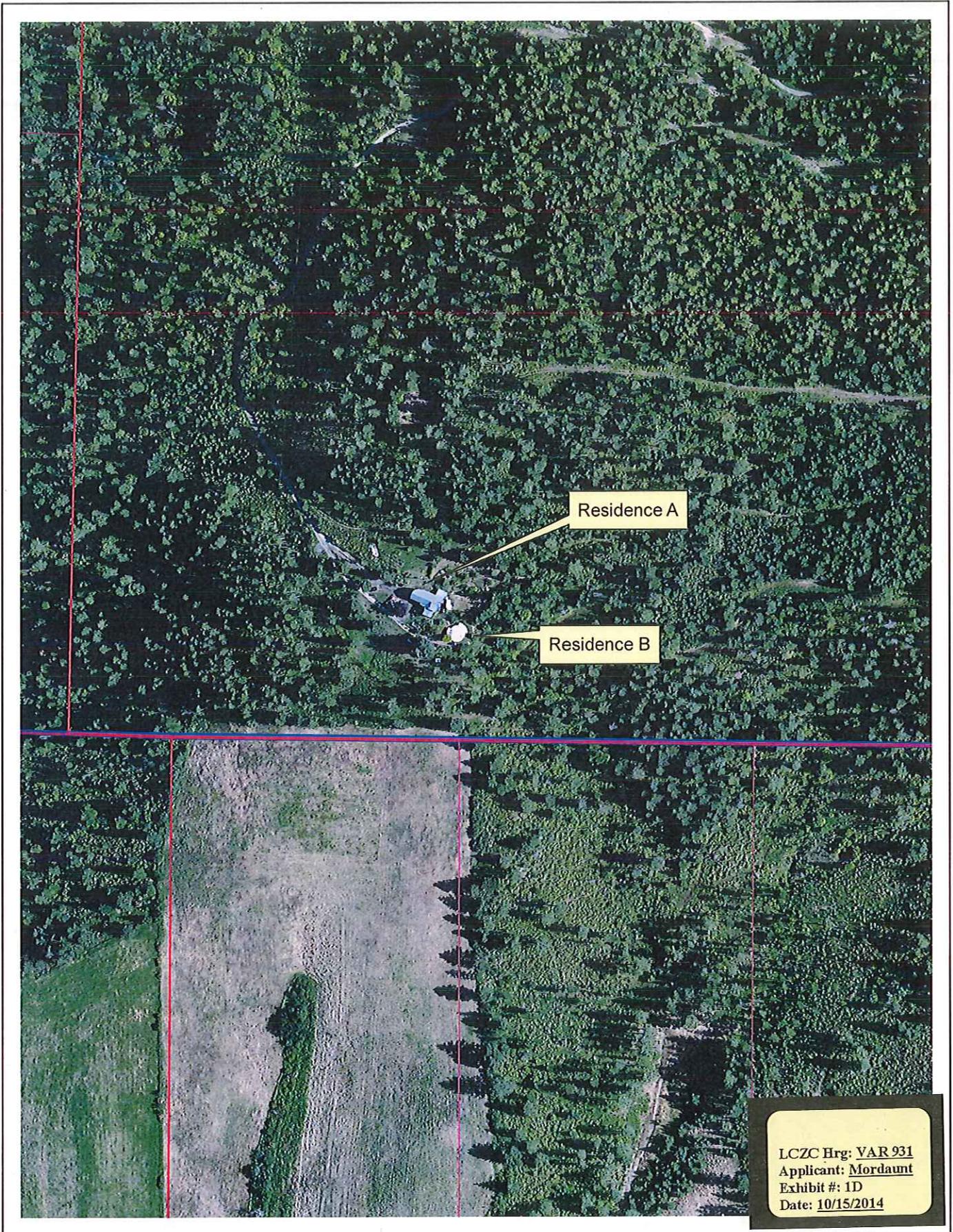
LCZC Hrg: VAR 931  
 Applicant: Mordaunt  
 Exhibit #: 1C  
 Date: 10/15/2014

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

0 245 490 980 Feet

# VAR #931 Detail Site Map

Latah County Planning and Building



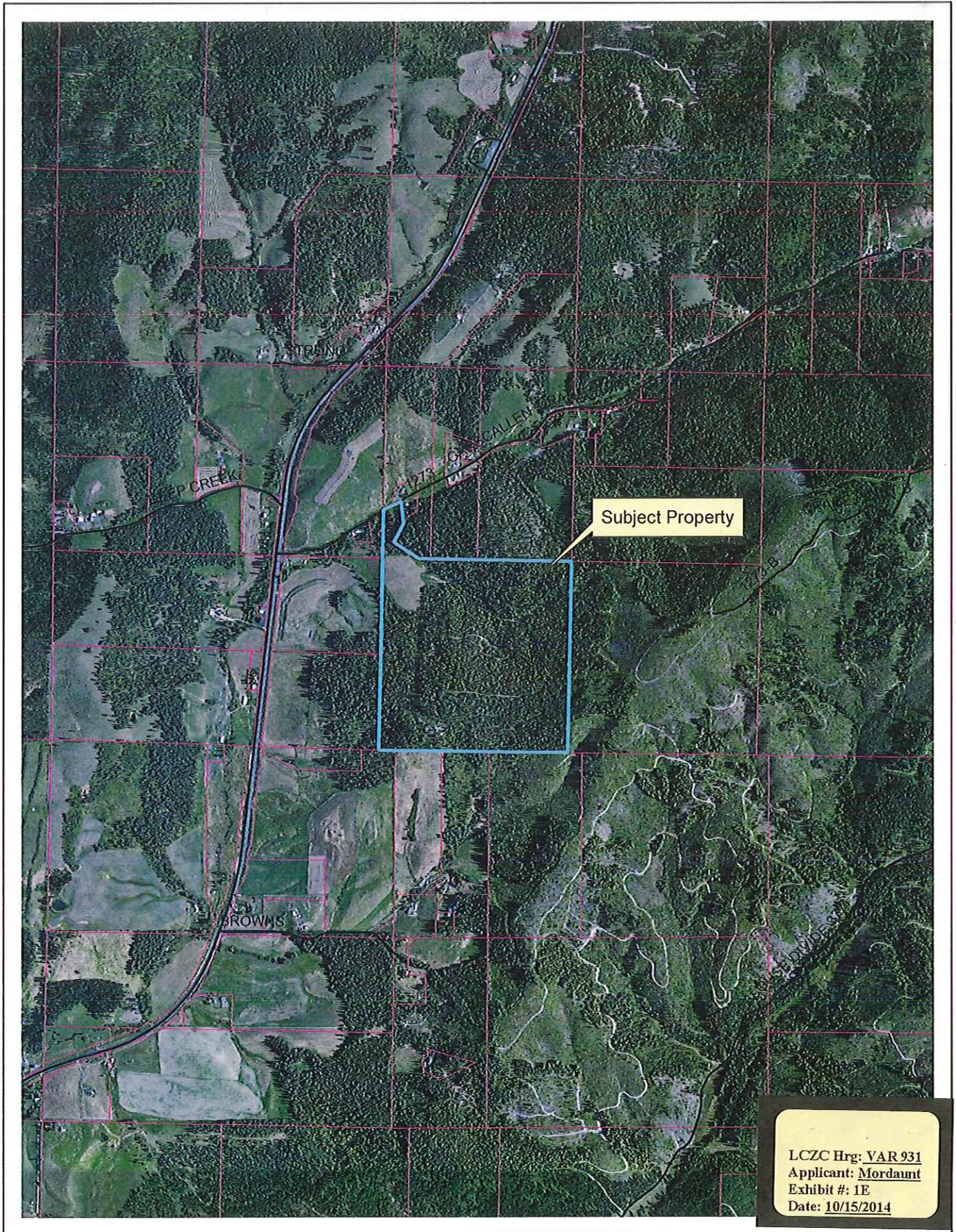
LCZC Hrg: VAR 931  
Applicant: Mordaunt  
Exhibit #: 1D  
Date: 10/15/2014

NOTE: This document is a representation only.  
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0 100 200 400 Feet

# VAR #931 Approximate Property Line Map

Latah County Planning and Building



LCZC Hrg: VAR 931  
Applicant: Mordaunt  
Exhibit #: 1E  
Date: 10/15/2014

NOTE: This document is a representation only.  
Latah County bears no responsibility for errors or omissions. 0 600 1,200 2,400 Feet



# 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**

<b>1. Applicant Information</b>			
a. Applicant Name <i>Josephine O. Mordant</i>	b. Home Phone / Work Phone <i>208-875-0760</i>	c. Email <i>N/A</i>	
d. Mailing Address <i>1041 Carscallen Road</i>	e. City <i>Potlatch</i>	f. State <i>ID</i>	g. Zip code <i>83855</i>
h. Property Owner (if different than applicant) <i>same</i>	i. Home Phone	j. Work Phone	
k. Mailing Address	l. City	m. State	n. Zip code

<b>2. General Site Information</b>			
a. Assessor's Parcel Number(s) <i>RP43N04W323940</i>		b. Site Address (if applicable) <i>1041 Carscallen Road</i>	
c. Road Used to Access Site <i>Carscallen Road</i>		d. Floodplain designation(s) <i>NONE</i>	e. FEMA Panel # <i>N/A</i>
f. Existing Uses <i>2 residences, fruit trees, timber, grass</i>			

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

<b>3. Service Provider Information (please attach additional information if requested)</b>			
a. Source of Potable Water (i.e. city, private well, water district) <i>private well</i>		b. Sewage Disposal (i.e. city, sewer district or private septic system) <i>private septic</i>	

<b>4. Adjacent Properties Information</b>			
a. Zoning of Adjacent Properties <i>ag/forest</i>		b. Existing Uses of Adjacent Properties <i>timber, grass, residential</i>	

**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.

*Adjacent property line set-back based on existing residences. Set-back total of 44 feet, to be divided between the 2 residences at time of land division*

<b>6. Authorization</b> 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.		<b>7. Attachments</b> All attachments should be reproducible in black and white at 8 1/2" x 11"	
a. Signature of Applicant <i>Josephine O. Mordant</i>	b. Date <i>9/25/14</i>	<input checked="" type="checkbox"/> <b>Fees (\$200.00)</b> Make checks payable to Latah County. <input type="checkbox"/> <b>Completed Narrative Worksheet:</b> See instructions on the Rezone Narrative Worksheet. <input checked="" type="checkbox"/> <b>Site Plan:</b> 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. <input type="checkbox"/> <b>Other Attachments:</b> The Zoning Commission / Staff shall have the authority to require any additional information it feels is necessary to make a fair recommendation on the rezone request.	
c. Signature of Property Owner (if different than applicant)	d. Date		

<b>Office Use Only</b>			
Date Received by County <i>9/29/14</i>	Fee Amount <i>200.00</i>	Receipt No. <i>744051</i>	By <i>M.2</i>
VAR # <i>VAR #931</i>	Date Determined Technically Complete <i>9/29/2014</i>		By <i>M.2</i>
Hearing Date <i>10/15/14</i>			

09/19/2013

LCZC Hrg: **VAR 931**  
 Applicant: **Mordant**  
 Exhibit #: **2**  
 Date: **10/15/2014**



# Variance Narrative Worksheet

## Application Information

Applicant's Name

Josephine O. Mordaunt

Phone Number

208-875-0760

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.

Applicant currently owns 2 homes built in 1970 and 1972 on one parcel of 163.6 +/- acres. Her parcel is eligible (per Latah County Planning) for 3 land divisions + 4 building permits. Applicant is preparing for retirement + would like to sell her parcel. The full acreage + both homes is cost prohibitive to most Buyers in Latah County, so applicant would like to sell off parts of the parcel. In order to do this, and take advantage of her land divisions, applicant needs to bring her homes' set-back into compliance. Current set-back is 76 feet b/w homes, her existing set-back is 44 feet. A variance will bring her homes into compliance + allow applicant to split her parcel + sell off portions.

Existing Uses of Property Please describe what uses, structures and features currently occupy the property.

There are 2 homes, one w/ attached garage. These are for residential use.

## 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 variance will not harm public interest or other property. This is a very secluded parcel with no neighbors. The variance itself will bring the property into current Planning compliance + will actually help the status of anyone who might purchase the property in the future.

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.

Applicant is unable to use her available land divisions and building permits without the variance. This puts a burden on her ability to sell as the size/value of the full parcel is cost prohibitive to most local Buyers.

## VAR #931 – Staff Introduction

VAR #931 – A request by Josephine Mordaunt for a variance to allow a 44-foot setback between the two existing residences in lieu of the 70-foot setback that is required for the homes located at 1041 Carscallen Road, Potlatch, Idaho 83537, in Section 32, Township 43 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP43N04W323940A.

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 Josephine Mordaunt to the Planning and Building Department.

2. Section 3.01.03 of the Latah County Land Use Ordinance requires that all residential structures shall be a minimum of 35 feet from any adjacent property line.

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 non-conforming density.

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:

<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 VAR #931 on October 15th, 2014

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.

*Not applicable to this property.*