

**DECISION FROM THE LEMHI COUNTY PLANNING & ZONING
COMMISSION REGARDING:**

Jim & Sandra Dartt for a Variance

INTRODUCTION

The application of Jim & Sandra Dartt who's mailing address is 27 Clark Drive, for a variance located on Clark Drive Salmon, Idaho 83467

FACTUAL BACKGROUND

1. The subject application requests authority to grant a Variance for a road width requirement as provided in Appendix D of the Lemhi County Development Code
2. The application for a variance pursuant to Ordinance #2009-3.
3. The proper legal requirements for advertisement of the hearing have been fulfilled as required by county code and by laws of the State of Idaho. Advertisements have taken place on the following dates: May 27, 2010 and June 3, 2010. Notice was posted on the property on June 8, 2010.
4. The existing use of the property described in the petition is Agricultural/Residential
5. That the comprehensive plan designates this area as Lower Lemhi River Valley. And the proposed use will conform to the comprehensive plan.
6. Surrounding property zoning is Agricultural/Residential
7. Factual information regarding the application is contained in the application documents and staff report which are part of the record in this matter.
8. Written comments were received from:
 - 8.1 Lemhi County Road & Bridge
 - 8.1.1- Agency believes the current road is adequate for the existing use of the property.
9. Additional information was received at the public hearing.
 - 9.1. Concerns supporting the application were:
 - 9.1.1- Vandy Decora- In favor of application but would like to see the applicants come back before planning & zoning if any further development occurs.

9.1.2 Norma Wellard - In favor of application but would like to see the applicants come back before planning & zoning if any further development occurs.

9.2. Concerns uncommitted to the application were:

None

9.3. Concerns opposed to the application were:

None

10. Applicant rebuts concerns:

10.1 No rebuttal

11. Additional facts made by the Lemhi County Planning & Zoning Commission

None

12. The proposed use is not in conflict with provisions of any adopted ordinance or intent of any county policy or uses within the proposed area.

CONCLUSION

Based upon the factual record compiled and upon testimony received at the public hearing conducted to receive such testimony, and after considering the relevant ordinance provisions, the Lemhi County Planning & Zoning determines that the special use permit requested by Jim and Sandra Dartt for a variance of road width requirements be approved with special conditions.

SPECIAL CONDITIONS

1. This proposal must meet all federal, state and local codes.
2. Permits shall be valid for one year from the date of approval, unless extended by a development agreement.
3. Must sign a development agreement with Lemhi County
4. Any other development excluding Jim and Sandra Dartts 1 (one) potential split, utilizing Clark Drive would require the road to meet county standards.

Signed by the Chairman of Planning & Zoning of Lemhi County this 16 day of June, 2010

By: Roy Barrett
Roy Barrett, Chairman