



A REQUEST FOR A SETBACK VARIANCE BY:
 Clarence Hatt
WHERE: 10265 Bancroft Street
 Prepared for the Planning & Zoning Commission (Item #2)
June 9, 2015

APPLICANT: Clarence Hatt
LANDOWNER: Clarence and Janet Hatt

APPLICABLE COUNTY CODE: Variance pursuant to Title 8, Chapter 8 Teton County Zoning Ordinance, (revised 09/09/2013)

REQUEST: Clarence Hatt is seeking a rear-yard setback variance of 20 feet (to the south) from the required 40-foot setback for property in the Felt Townsite.

LEGAL DESCRIPTION: RPG00240120014; LOTS 14-16 BLK 12 FELT TOWNSITE SEC 5 & 6 T6N R45E
LOCATION: 10265 Bancroft Street
ZONING DISTRICT: A-2.5
PROPERTY SIZE: 0.22 acres (9,750 ft²)
VICINITY MAP:



AERIAL IMAGE OF PROPERTY



**Note: The property boundaries shown on the GIS (yellow) do not line up with the actual property lines (red).*

PROJECT DESCRIPTION: The property owners would like to build an addition to their home. The existing home is within the required 40-foot rear yard setback. The proposed addition is to the south side of the home, so a variance is required for the rear-yard setback. The proposed addition will provide three more rooms to the existing home: two rooms, 10 feet by 30 feet and one room, 30 feet by 30 feet (Exhibit 4).

PROJECT BACKGROUND: The property is located in the Felt Townsite and includes Lots 14-16. Each lot was originally platted in 1913; the lots are each 25 feet by 130 feet (Exhibits 5 & 6). With the three lots combined, it is not possible to build an addition while meeting all of the required setbacks. The existing home has a front yard setback of approximately 35 feet, side yard setbacks of approximately 30 feet, and a rear yard setback of approximately 10 feet from the originally platted lot lines.

The existing home was built prior to Mr. Hatt purchasing the property. A building permit could not be found for this home. A building permit for a neighboring property was found, which listed the property as having R-1 zoning, which would allow a front yard setback of 30 feet, side yard setbacks of 10 feet, and a rear yard setback of 20 feet. However, there is no record that lots in Felt were ever zoned R-1.

The applicants had the street on the south side of their property (Chatfield Avenue) vacated, which will add an additional 40 feet to their property on the south side (making the rear yard setback approximately 50 feet for the existing home). This road vacation was approved by the Board of County Commissioners in 2012 (Exhibit 7). The property has been surveyed, but the new survey showing the adjusted property boundaries has not been completed for recording at this time. We have been provided a draft copy of this survey (Exhibit 10). With this additional land, the proposed addition to the home would only require a rear-yard setback variance of 20 feet from the required 40 feet, as shown on the site plan (Exhibit 4).

OVERVIEW OF VARIANCE APPROVAL:

8-8-1-A. DEFINITIONS: A “variance” is a modification of the requirements of this title as to lot or land parcel size, coverage, width, depth, and front, side and rear yard setbacks, parking spaces, height of

buildings or other ordinance provisions affecting the size or shape of a structure and the placement of a structure upon the lot or land parcel. A variance does not include a change of authorized land use.

8-8-1-B. UNDUE HARDSHIP: A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of characteristics of the site, and that the variance is not in conflict with the public interest nor the general land or conditions in the vicinity of the application and that the variance will not be a material detriment to public health, safety and welfare nor to neighboring property owners.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE: Idaho Code, Title 67; Section 67-6516, requires “Prior to granting a variance, notice and an opportunity to be heard shall be provided to property owners adjoining the parcel under consideration.”; and Title 8, Section 8-1-F of the Teton County Zoning Ordinance requires “Before granting or denying a variance the commission, acting as the board of adjustment, shall hold at least one public hearing in accordance with sections 67-6509, 67-6511 and 67-6516 of the Idaho Code, as applicable. The purpose of this hearing is to allow affected persons the opportunity to be heard by the commission (board of adjustment).” A notification was sent via mail to surrounding property owners within a 300-foot buffer area. A notice was also posted on the property providing information about the public hearing.

COMMENTS FROM NOTIFIED PROPERTY OWNERS:

We have not received any comments at the time of completing this document.

CONSIDERATION OF APPROVAL:

A variance is to be granted to an applicant only upon showing of undue hardship because of:

1. Characteristics of the site;
2. That the variance is not in conflict with the public interest nor the general land or conditions in the vicinity of the application; and
3. That the variance will not be a material detriment to public health, safety, and welfare nor to neighboring property owners.

SPECIFICATIONS OF COMMISSION:

Upon granting or denying a variance, the Commission provide a reasoned statement that specifies:

- The ordinance or ordinances, criteria, and standards used in evaluating the application;
- The reasons and justification for approval or denial;
- The actions, if any, which the applicant could take to obtain a permit for the variance (if it is denied).

POSSIBLE CONDITIONS OF APPROVAL:

1. The conditions of the road vacation on 11/26/2012 by the Teton County Board of County Commissioners must be met prior to Teton County issuing a building permit (The applicant shall obtain an assessed value of the property and pay that value to Teton County, if the value is greater than \$2,500.00. The applicant shall record a survey and update all deeds that are affected by this vacation. The vacation shall not be valid until payment is received, the deeds are updated, and the survey is recorded.).
2. The requested variance shall not be exceeded.
3. Obtain all other required permits from Local, State, and Federal Agencies.
4. Must comply with the Teton County Building Code.

POSSIBLE PLANNING & ZONING COMMISSION ACTIONS:

A. Approve the variance request with the recommended conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.

B. Approve the variance request, with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.

C. Deny the variance request, application request and provide the reasons and justifications for the denial.

D. Continue to a future PZC Public Hearing with reasons given as to the continuation or need for additional information.

POSSIBLE MOTION:

The following motion could provide a reasoned statement, if a Commissioner wanted to approve the application (A motion in the same format could be used if denying the variance, but it would also need to include a list of any items the applicant could have taken to obtain the variance):

After evaluation of State Statute and County Code, as well as the application materials, staff report, and presentations to the Planning & Zoning Commission, I concluded that the Criteria for Approval of a Variance found in Title 8-8-1 can be satisfied with the inclusion of the following conditions of approval:

1. The conditions of the road vacation on 11/26/2012 by the Teton County Board of County Commissioners must be met prior to Teton County issuing a building permit (The applicant shall obtain an assessed value of the property and pay that value to Teton County, if the value is greater than \$2,500.00. The applicant shall record a survey and update all deeds that are affected by this vacation. The vacation shall not be valid until payment is received, the deeds are updated, and the survey is recorded.).
 2. The requested variance shall not be exceeded.
 3. Obtain all other required permits from Local, State, and Federal Agencies.
 4. Must comply with the Teton County Building Code.
- *and having found that based on the site, granting the Variance to Mr. Hatt can be justified,*
 - *and having found that the proposal is not a detriment to the public's or neighbors' health, safety, and welfare,*
 - *I move to APPROVE the Variance applied for by Mr. Hatt for a reduced rear-yard setback of 20 feet on the south property line and as described in the application materials submitted May 20, 2015.*

Prepared by Kristin Rader

Attachments:

- | | |
|---------------------------------------|---|
| 1. Application (3 pages) | 6. Felt Townsite, Block 12 Plat – Alley Vacation (1 page) |
| 2. Deed (1 page) | 7. BoCC Meeting Minutes 11/26/2012 – Chatfield Avenue Road Vacation (9 pages) |
| 3. Narrative (1 page) | 8. Adjacent Landowner Notification (2 pages) |
| 4. Site Plan (1 page) | 9. Site Visit Photos (5 pages) |
| 5. Felt Townsite - 1913 Plat (1 page) | 10. Draft Road Vacation Survey (1 page) |

End of Staff Report



TETON CO
PLANNING & ZONING

MAY 20 2015



RECEIVED

VARIANCE APPLICATION

Teton County, Idaho

The planning staff is available to discuss this application and answer questions. Once a complete application is received, it will be reviewed by the planning administrator or his designee and then scheduled for a public hearing with the Planning & Zoning Commission, who will make the final decision at a public hearing. It is recommended that the applicant review Title 8 of the Teton County Code and 67-6516 of the Idaho Code. Application materials may be viewed on the Teton County Idaho website at www.tetoncountyidaho.gov.

To expedite the review of your application, please be sure to address each of the following items

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Clarence or Janet HATT

Applicant: Clarence & Janet E-mail: _____

Phone: (406) 370-4293 Mailing Address: 10265 Bancroft St.

City: Felt State: Idaho Zip Code: 83424

Engineering Firm: _____ Contact Person: _____ Phone: () _____

Address: _____ E-mail: _____

Location and Zoning District:

Address: 10265 Bancroft St Parcel Number: RPG00240120014
Lots 14-16; Block 12

Section: 6 Township: 6N Range: 45E Total Acreage: 0.22 (9750ft²)

Present Zoning District: Felt Id Requested Zoning District: N/A
A2.5

- Latest Recorded Deed to the Property
- Affidavit of Legal Interest
- Fee in accordance with current fee schedule \$676.00 *Narrative explaining what & why*

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Board of County Commissioners public hearing.

• Applicant Signature: Clarence E. Hatt Date: 20 May 2015

I, the undersigned, am the owner of the referenced property and do hereby give my permission to ~~Clarence E. Hatt~~ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: Clarence E. Hatt Date: 20 May 2015

Fees are non-refundable.

SECTION II: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

1. Attach a site plan of the property under consideration, drawn to scale showing:
 - Perimeter, dimensions and topography of the property;
 - The names and locations of all streets bordering the property;
 - The location of all easements or rights-of-way;
 - The location and dimensions of present and proposed structures;
 - The distance from all structures to the property lines.

2. Undue Hardship: A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of:
 - Undue hardship because of characteristics of the site;
 - The variance is not in conflict with public interest or the general land conditions in the vicinity of the application;
 - The variance will not be a material detriment to public health, safety or welfare nor to neighboring property owners.
 - Any other information necessary to assure the fullest presentation of facts and evaluation.

SECTION III: SPECIFIC REQUIREMENTS FOR PUBLIC HEARING AND NOTICE

Notification is required in accordance with Title 67, Chapter 65; Section 6509 of the Idaho Code. Notice shall be provided by mail to property owners within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be impacted by the proposed change. Notice shall also be posted on the premises not less than one (1) week prior to the hearing. At least fifteen (15) days prior to the hearing, notice of the time, date and place and a summary of the plan to be discussed shall be published in the paper of general circulation within the jurisdiction. This procedure will be completed by the planning staff.

SECTION IV: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION V: PLANNING AND ZONING COMMISSION (BOARD OF ADJUSTMENT) ACTION



TETON COUNTY
PLANNING & ZONING

MAY 20 2015

VARIANCE APPLICATION

RECEIVED

Teton County, Idaho

The planning staff is available to discuss this application and answer questions. Once a complete application is received, it will be reviewed by the planning administrator or his designee and then scheduled for a public hearing with the Planning & Zoning Commission, who will make the final decision at a public hearing. It is recommended that the applicant review Title 8 of the Teton County Code and 67-6516 of the Idaho Code. Application materials may be viewed on the Teton County Idaho website at www.tetoncountyidaho.gov.

To expedite the review of your application, please be sure to address each of the following items

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Owner: Clarence or Janet HATT

Applicant: Clarence & Janet E-mail: _____

Phone: (406) 370-4293 Mailing Address: 10265 Bancroft St.

City: Felt State: Idaho Zip Code: 83424

Engineering Firm: _____ Contact Person: _____ Phone: () _____

Address: _____ E-mail: _____

Location and Zoning District:

Address: 10265 Bancroft St Parcel Number: RPG00240120014
Lots 14-16, Block 12

Section: 6 Township: 6N Range: 45E Total Acreage: _____

Present Zoning District: Felt Id Requested Zoning District: _____
A25

- Latest Recorded Deed to the Property Affidavit of Legal Interest
- Fee in accordance with current fee schedule \$676.00 *Narrative explaining what & why*

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Board of County Commissioners public hearing.

Applicant Signature: Clarence G. Hatt Date: 20 May 2015

CLARENCE G HATT
JANET R HATT
318 W 1ST ST
MOUNTAIN VIEW, MO 65548

1224
93-121/929
51
Date May 20, 2015 FRAUDARMOR

Pay to the Order of Teton County \$ 676.00
Six hundred seventy six dollars & no cents

Security Features Details on Back.

to the
015

SPECIAL WARRANTY DEED

File No.: 105556
Escrow No.: 105556
REO No.: 1708341122

This Deed is from FEDERAL NATIONAL MORTGAGE ASSOCIATION, AKA FANNIE MAE, a corporation organized and existing under the laws of the United States, having its principal office in the City of Washington DC (Grantor) to Clarence G Hatt and Janet R Hatt, husband and wife, (Grantee), whose current address is ~~10265 fka 1017 Bancroft Street, Teton, ID 83452~~ and to Grantees heirs and assigns.

* 171 Clark Creek Loop Plains, MT 59859

For value received, Grantor hereby grants, remises, aliens and conveys unto Grantee and to Grantee's heirs and assigns forever, but without recourse, representation or warranty, except as expressed herein, all of Grantor's right, title and interest in and to that certain tract or parcel of land situated in the County of Teton, State of ID, described as follows (the premises): Commonly known as 10265 fka 1017 Bancroft Street, Teton, ID 83452

Lots 14, 15 and 16 Block 12 of the Townsite of Felt, Teton County, Idaho as per the recorded plat thereof.

GRANTEE HEREIN SHALL BE PROHIBITED FROM CONVEYING CAPTIONED PROPERTY TO A BONAFIDE PURCHASER FOR VALUE FOR A SALES PRICE OF GREATER THAN \$80,400.00 FOR A PERIOD OF THREE MONTHS FROM THE DATE OF THIS DEED. GRANTEE SHALL ALSO BE PROHIBITED FROM ENCUMBERING SUBJECT PROPERTY WITH A SECURITY INTEREST IN THE PRINCIPAL AMOUNT OF GREATER THAN \$80,400.00 FOR A PERIOD OF THREE MONTHS FROM THE DATE OF THIS DEED. THESE RESTRICTIONS SHALL RUN WITH THE LAND AND ARE NOT PERSONAL TO GRANTEE.

THIS RESTRICTION SHALL TERMINATE IMMEDIATELY UPON CONVEYANCE AT ANY FORECLOSURE SALE RELATED TO A MORTGAGE OR DEED OF TRUST.

The Grantor, for itself and for its successors does covenant and agree, to and with Grantee, Grantee's heirs and assigns, that Grantor has not done or suffered to be done anything whereby the Premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited: and that Grantor will warranty and forever defend title to the Premises, against all persons lawfully claiming or who may claim the same, by, through or under Grantor but not otherwise.

Grantor is exempt from all taxation imposed by any state, county, municipality, or local taxing authority, except for real property taxes. Thus, Grantor is exempt from any and all transfer taxes. Sec. 12 USC 1723a (c) (2).

DATED February 15, 2012


JENNIFER HAGGERTY
Fannie Mae aka Federal National Mortgage Association
ASST. VICE PRESIDENT



State of Texas}ss.
County of Dallas }

On this 15th day of February, in the year 2012, before me, a Notary Public in and for said state, personally appeared JENNIFER HAGGERTY known to me to be the ASST VICE PRESIDENT of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of Texas
Residing at: Dallas
Commission Expires: _____

Milton Trong Phan
Commission Expires
08-12-2014

ELECTRONICALLY RECORDED - DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT.

This is an explanation of our need for a variance consideration to allow us to build an addition onto our home that would go closer to the property line than the allowed 40 feet. Our home was built on a pretty small piece of ground and we were misinformed when we bought it about how far from the property line construction could go. We need additional space for .storage and office space quite badly and a place where quilting could be done.. There is no storage room in this house right .now. There is no place indoors for our grandchildren to play. So what we would like to add is a large room 30 by 30 and then 2 smaller rooms that total 10 by 30.

On the front North & East side is the septic and drain field. On the West side there is the well house , well and transformer. On the South or back there are no other homes or road ways that direction at this time.

The recorded property line indicates that it goes through the middle of our home. We've had it surveyed to correct the recorded problem. We've spent time & money to have the road closed behind our home, in preparation to add much needed space on to our home making sure our neighbors are all in agreement. The home we live in there is 25 feet on the North side in front where the septic drain field is laid out. On the West side bordering Bancroft street, there is 10 feet then a well house of 10 feet and a well and a transformer and then 4 feet to the property line. On the East side there is 25 feet to the property line with some of the septic drain field laid there also. On the South there is 9 feet to the present property line. We've gotten the Chatfield Avenue road closed that adds 40' more with the plan on building on the back, South, side. But the 30' limit on the front and sides and the 40' limit on the back, South, is preventing us from adding on. When we purchased our home we were told that we could build with in 10 feet of the property line. Our request is to be able to build up to 20 feet of the property line.

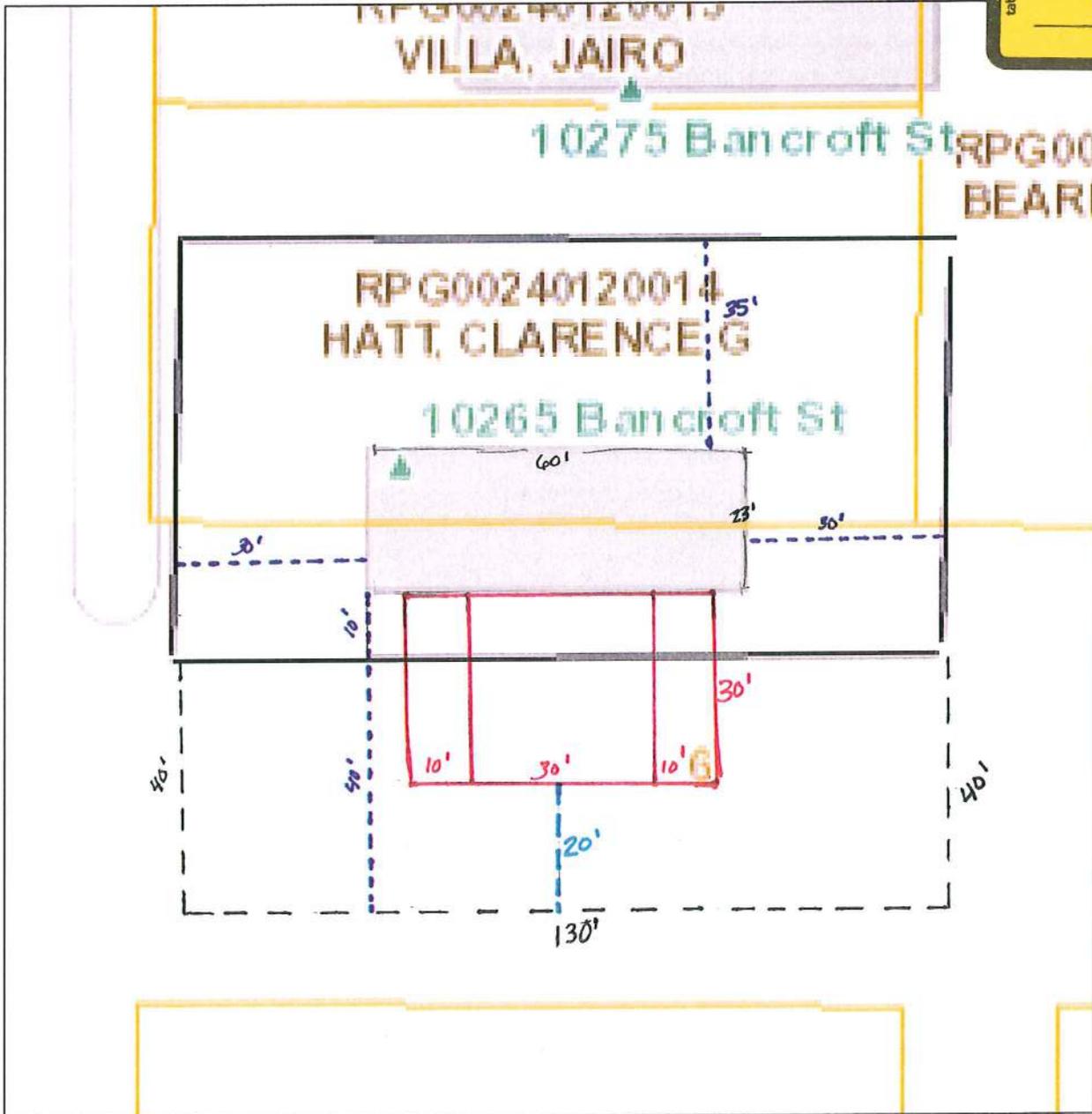
We appreciate your consideration of this request. Thank you

Blaine E. Hatt

Janet Hatt
10265 Bancroft Street
Felt, Idaho

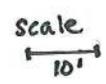
83424

406-370-4293



Legend

- Original Property Line
- - - New Property Line
- Current Setback
- - - Requested Setback
- Proposed Addition



Site Plan drawn by Staff
 based on [unclear] [unclear]

Felt City, Teton Valley, Fremont County, Idaho 364.1 inch 100

STATE OF IDAHO
County of Fremont

Felt City Townsite

KNOW ALL MEN BY THESE PRESENTS THAT the Felt City
vesting company a corporation organized and existing under the laws of the State of Idaho has caused to be recorded in the office of the County Clerk of Fremont County, Idaho a certain plat of land in the Felt City which is included herein and which is described as follows: to-wit: A certain tract of land in the Felt City, Idaho, containing 100 acres, more or less, and situated in the Felt City, Idaho, and bounded as follows: Beginning at a point 732.0 ft North and 925.0 feet of the southeast corner of section 5, T. 33 N., R. 20 E., S. 10 E., 1535.5 ft thence South 11.21' E. 1535.9 ft to the place of beginning.

AND I DO HEREBY CERTIFY that it is the intention of the Felt City, Idaho, to divide the land and the whole thereof into lots of 1/4 acre each, and to further hereby certify that in consideration of the filing of the plat by the Felt City, Idaho, and the payment of the fee thereon, I do hereby certify that the same shall be a part of the public domain of the United States and shall be held in trust for the public forever.

IN WITNESS WHEREOF I have hereunto set my hand and the seal of the State of Idaho at Boise, Idaho, this 20th day of September, A.D. 1911.

By Albert J. Felt, Its President
Felt Investment Company (SS&A)

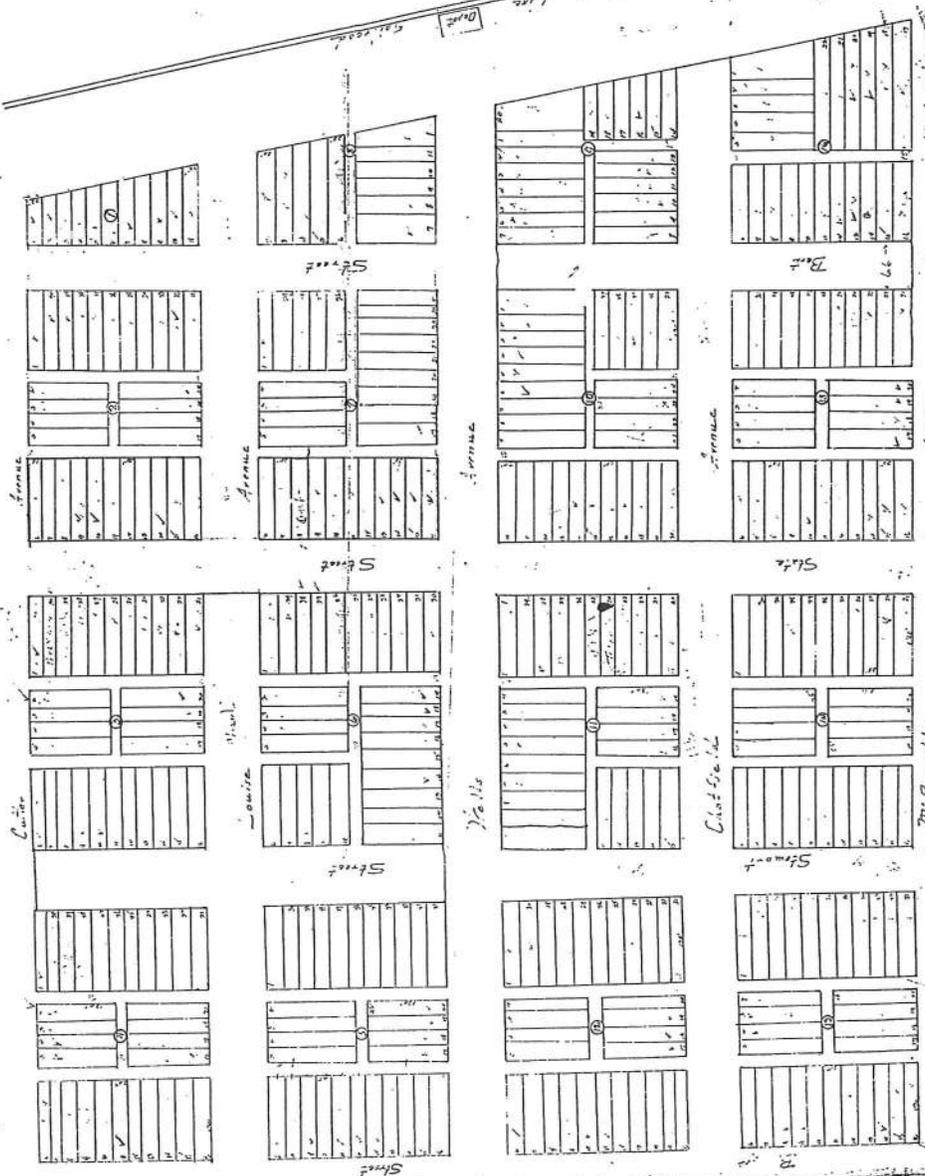
(COUNTY RECORD)
STATE OF IDAHO }
County of Fremont }

On this 20th day of September in the year 1911 before me, J. A. Miller, Notary Public for the State of Idaho, appeared Albert J. Felt known to me to be the President of the Felt City, Idaho, and he requested me to certify that the same shall be a part of the public domain of the United States and shall be held in trust for the public forever.

I, J. A. Miller, Notary Public for the State of Idaho, do hereby certify that the same shall be a part of the public domain of the United States and shall be held in trust for the public forever.

WITNESSED AND SIGNED to before me H. Schwaner a Notary Public in and for said Felt City, Idaho, this 20th day of September, 1911.

H. Schwaner, Notary Public
September 22nd 1911
A. M. Carter Recorder
Transcribed from Book 11, page 2, records of Fremont County, Idaho.



V. J.

M. Reynolds

Clair S. ...

Street

Avenue

Street

Avenue

Avenue

Street



Board of Teton County Commissioners
MINUTES: November 26, 2012

Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho

12:00 NOON **Meeting Called to Order** – Chairman Kathy Rinaldi
Pledge of Allegiance & any amendments to the agenda
Executive Session per IC § 67-2345(1)(d) indigent matters
and (1)(a) personnel.

DEPARTMENT BUSINESS

- Public Works – Jay Mazalewski, Engineer
- Planning, Building & GIS – Angie Rutherford, PA
 - IFAC Committee Appointment
 - River Rim Development Agreement Amendment
- Clerk – Mary Lou Hansen
 - Policy Updates
 - Employee Meeting
 - Juvenile Justice Annual Financial Report
 - * Annual Statistical Report from JPO

Administrative Business will be dealt with as time permits

1. Approve Available Minutes
2. Discuss correspondence & Sign Documents
 - ID Emergency Communications Grant Application
3. City & Committee Reports
4. Other Business
 - Contingency Funds Request for Fingerprint Machine Software
5. Claims

1:00 **Law Enforcement Center** – Arden Smith, Ormond Construction

3:00 **Tri-County Probation** – Ryan Brown
Joint Powers Agreement

3:30 **PUBLIC HEARING: Road Vacation Application** –Clarence and Janet Hatt have submitted an application to vacate a portion of Chatfield Avenue and Bancroft Street located in the former Felt Townsite, Teton County, Idaho.

ADJOURN

COMMISSIONERS PRESENT: Kelly Park, Bob Benedict, Kathy Rinaldi

OTHER ELECTED OFFICIALS PRESENT: Clerk Mary Lou Hansen, Prosecutor Kathy Spitzer

Chairman Rinaldi called the meeting to order at 12 noon and led the Pledge of Allegiance.

● **MOTION.** Chairman Rinaldi made a motion to amend the agenda to add a discussion of the Sheriff's office request to increase fingerprint fees. Motion seconded by Commissioner Park and carried unanimously.

EXECUTIVE SESSION

● **MOTION.** At 12:04 pm Chairman Rinaldi made a motion for Executive Session to discuss personnel matters pursuant to IC 67-2345(1) (a). Motion seconded by Commissioner Park and a roll call vote showed all in favor. The Executive Session ended at 12:42 pm.

PLANNING, BUILDING, GIS

● **MOTION.** Chairman Rinaldi made a motion to nominate Pete Moyer, Lou Parri, Jeff Potter, Ken Dunn, Sarah Johnston, Shon Kunz and Ann Moyer to serve on the Impact Fee Advisory Committee. Motion seconded by Commissioner Park and carried unanimously.

RIVER RIM DEVELOPMENT AGREEMENT AMENDMENT. River Rim has applied for an amendment to modify Section 21I (“Teton County Pipeline Association”) of their Development Agreement in order to allow the private owner of a platted lot the ability to own the water rights (Attachment #1). Planning Administrator Angie Rutherford said her staff and Prosecutor Spitzer have reviewed the proposed amendment and see no issues with it. Engineer Bob Ablondi said the county previously approved a similar amendment for unplatted lots. This amendment will clarify the water rights situation for owners of platted lots. The amendment became necessary in order to complete the sale of a platted open space lot for agricultural use. Mr. Ablondi said several River Rim phases have been sold to various entities. Big Sky Western Bank will present a major River rim plat amendment in early 2013.

● **MOTION.** Commissioner Benedict made a motion to approve the River Rim Development Agreement Amendment as requested. Motion seconded by Commissioner Park and carried unanimously.

CLERK

The Board: (1) Gave final approval to the revised Computers, Technology & Information Security administrative policy; (2) Finalized the agenda for the Dec. 6 employee meeting; and (3) Reviewed the Juvenile Justice Annual Financial Report and Annual Statistical Report.

PUBLIC WORKS

Public Works Director Jay Mazalewski said the Badger Creek Bridge has been installed and the road is now open. Streambank rehabilitation work is now underway.

● **MOTION.** Commissioner Benedict made a motion to approve: (1) Transfer of \$9,000 out of the Road & Bridge Reserve Fund and into the Road & Bridge Fund for purchase of a Clean Burn oil furnace; and (2) Expenditure of up to \$3,000 out of the 02-00-491 account for repairs to the scarifier. Motion seconded by Commissioner Park and carried unanimously.

The Board authorized Mr. Mazalewski to prepare a full disclosure resolution for the sale of recycled material for their consideration. If adopted, the resolution would require the county to disclose the final destination of all products recycled by the county.

Engineering intern Ben Davis will complete his work for the county next week.

LAW ENFORCEMENT CENTER

Arden Smith was present from Ormond Construction. Paul Jensen and Latecia Herzog were present from JHS Architects. Mr. Smith said Ormond Construction’s cost estimate for the new law enforcement center is \$2,575,720, based upon the current plans and specifications. However, he has a list of questions for JHS Architects regarding items that could affect that estimate significantly. The uncertain items include the cost of hook-up fees and building permits and the need for more specifications for items such as hardware, etc. Mr. Smith said the design incorporates some unique design features such as the curved roofline and stainless steel siding. Mr. Mazalewski will consult in detail with Mr. Smith and the architects regarding possible value engineering. The group will work quickly to obtain answers to all questions posed by Mr. Smith so that a final cost estimate can be obtained.

Mr. Jensen and Mr. Smith agreed that only furnishings or fixtures requiring an electrical or plumbing connection should be included in the construction contract. Mr. Smith needs final, 100% complete plans by about February 1 in order to bid the project in February. Mr. Jensen said that should present no problem, provided all decisions affecting the plans are made in a timely manner.

Mr. Smith said 15-20 individual trade contracts would be executed in March/April. Clerk Hansen said the FY 2013 budget includes \$2.26 million for the construction contract, but some of those funds will not be collected until mid-summer. Prior to the next meeting, Prosecutor Spitzer will research state statute regarding the legalities of signing a contract before sufficient funds are in the bank and Clerk Hansen will prepare a report regarding other funds that might be available for the project during FY 2013, including impact fees.

ADMINISTRATIVE

● **MOTION.** Commissioner Park made a motion to approve the minutes of the Nov. 15, 2012 commission meeting as written. Motion seconded by Chairman Rinaldi and carried unanimously.

● **MOTION.** Chairman Rinaldi made a motion to approve the minutes of the Nov. 15, 2012 public hearing as amended. Motion seconded by Commissioner Benedict and carried unanimously.

The Board signed the Idaho Emergency Communications Commission Grant Award Document for \$17,472.78, which will be used to purchase a call logger for the dispatch center (Attachment #2).

● **MOTION.** Chairman Rinaldi made a motion to approve expenditure of contingency funds for repair of the Identix fingerprint system. Motion seconded by Commissioner Benedict and carried unanimously.

● **MOTION.** Chairman Rinaldi made a motion to increase the county’s fingerprint fee to \$20 in order to match the state fingerprint fee. Motion seconded by Commissioner Park and carried unanimously.

Prosecutor Spitzer said a public hearing was not needed since the county was only passing through a fee adopted by the state.

On behalf of the Teton Valley Business Development Center, Lynda Skujins apologized for the Anne Callison editorial published in the *Teton Valley News* Nov. 21. She said the editorial had been written over one year ago, that Ms. Callison was no longer a TVBDC member and had no approval or authority to publish the article on behalf of TVBDC. On the contrary, Ms. Skujins said TVBDC was very happy with how things were currently progressing. The Board thanked Ms. Skujins for the clarification and suggested that TVBDC take some steps to protect their reputation from the effects of Ms. Callison’s very negative editorial.

COMMITTEE REPORTS. Commissioner Benedict said he was recently deposed in relation to a lawsuit brought against the county and hospital by a former hospital employee. He said the prosecution was trying to demonstrate that hospital employees are actually county employees.

● **MOTION.** Chairman Rinaldi made a motion to approve the claims as presented. Motion seconded by Commissioner Benedict and carried unanimously.

General	\$17,360.87
Road & Bridge	31,921.02
Court & Probation	784.12
Elections	12.96
Solid Waste	18,526.23
E911	719.00
Ambulance	89.60
Auditor’s Trust	572.61
Court-Bonds	325.00
TOTAL.....	\$70,311.41

TRI-COUNTY PROBATION

Tri-County Probation provides adult misdemeanor probation services for Teton, Madison and Fremont Counties. Director Ryan Brown was present to obtain approval of an updated Joint Powers and Operating Agreement. He said the 2003 agreement was originally intended to be updated in 2008, but the document was never fully executed. The current update improves upon the 2008 version and upon will be retroactive to Sept. 22, 2008 when it is adopted.

● **MOTION.** Commissioner Benedict made a motion to approve the Tri-County Adult Misdemeanor Probation Department Joint Powers and Operating Agreement. Motion seconded by Commissioner Park and carried unanimously. (Attachment #3)

ROAD VACATION PUBLIC HEARING

Clarence and Janet Hatt have submitted an application to vacate a portion of Chatfield Avenue and Bancroft Street located in the former Felt Townsite, Teton County, Idaho (Attachment #4).

3:30 pm Chairman Rinaldi called the public hearing to order. The applicant was not present.

STAFF REPORT. Jay Mazalewski, County Engineer stated that since his staff report was written he had received public comments from Fall River Electric and Ms. Inez Eck. Neither of these comments has changed the written recommendation from staff.

Based upon Idaho Statute 40-203, Mr. Mazalewski is recommending that approximately 250 feet of Chatfield Avenue between Bancroft Street & Stewart Street be vacated and that Bancroft Street remain unchanged. Chatfield Avenue is an unimproved right-of-way (ROW) with no visible road surface. Bancroft Street provides access to multiple property owners and has potential for connectivity within the city of Felt should there be future expansion. The County does not maintain either of these right-of-ways. After consulting with the planning staff Mr. Mazalewski has determined that maintaining the connection with Wells Avenue and McReynolds Street via the Bancroft Street ROW is important. Chatfield Avenue has encumbrances not easily dealt with (e.g. a home and a large tree sits within the right of way) and an additional through street to the highway would not make sense from a safety point of view. Mr. Mazalewski stated that the property owners adjacent to Chatfield Avenue will receive land equal to approximately one-half the 80 foot width of the avenue (40 feet) and the length of their lot. With this vacation, the applicant will be required to record a new survey of the acquired land, update the necessary deeds and pay the county the assessed value if the assessed value is over \$2,500.

Commissioner Benedict confirmed that the staff recommendation coincides with the public comments received.

Commissioner Park asked how the taxes would be apportioned to the adjacent lot owners. Mr. Mazalewski stated that each land owner would be receiving future property value assessment and tax notices based upon the increased ownership of 40 feet in width by the length of each lot for those lot owners on both the north and south sides of Chatfield Avenue for the approximately 250 foot of Chatfield being vacated. IC§40-203 addresses vacation requirements.

Prosecutor Spitzer stated that she would recommend holding off on vacating any easements or right-of-ways until a complete evaluation of future needs can be assessed for the city of Felt. Mrs. Spitzer felt the County should look at Felt in its entirety rather than each road individually as property owners have specific needs or concerns. Mr. Mazalewski reiterated that based upon planning staff recommendations regarding future growth within the town of Felt and proximity to Highway 33, he did not see any viable use by the County of Chatfield Avenue. Bancroft Street does hold future possibilities.

Commissioner Rinaldi wanted to make sure this vacation met with the comprehensive plan's vision for the city of Felt as a rural neighborhood in Teton County. Mr. Mazalewski confirmed that the planning department agrees with the recommendation to the Board.

Commissioner Benedict said the suggested wording for defining the new ownership was too vague and suggested the phrase "... be assimilated into the bordering properties" be replaced with something more precise such as "down the middle." After some discussion, and despite state statute, it was agreed that this phrase will be replaced with "divided down the middle..."

3:43 pm **PUBLIC COMMENT.** Chairman Rinaldi opened the public comment portion of the hearing. There was no public comment and the Chairman closed the public comment portion.

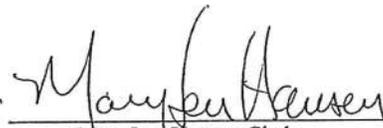
BOARD DELIBERATION. None

3:44 pm ● **MOTION.** Chairman Rinaldi moved to approve the vacation of the Chatfield Avenue right-of-way having found that the vacation is in the public interest, that the Chatfield Avenue and right-of-way be vacated as a public right-of-way and the property be divided down the middle. The applicant shall obtain an assessed value of the property and pay that value to Teton County, if the value is greater than \$2,500.00. The applicant shall record a survey and update all deeds that are affected by this vacation. The vacation shall not be valid until payment is received, the deeds are updated, and the survey is recorded. Furthermore, having found that the vacation of Bancroft Street is not in the public interest as this right-of-way may serve a future connection between county maintained roads, that the application for vacation of Bancroft Street be denied. Motion seconded by Commissioner Park and passed unanimously.

● **MOTION.** At 3:45 pm Chairman Rinaldi made a motion to adjourn. Motion seconded by Commissioner Park and carried.


Kathy Rinaldi, Chairman




Mary Lou Hansen, Clerk

- Attachments: #1 River Rim Development Agreement Amendment Application
#2 IECC Grant Award Document
#3 Tri-County Joint Powers & Operating Agreement
#4 Request for vacation of portions of Chatfield Avenue & Bancroft Street in Felt



STAFF REPORT-DRAFT
Bancroft St-Chatfield Avenue/ROW Vacation
 Prepared for the November 16
 Board of County Commissioners Public Hearing

Attachment # 4
November 26, 2012

APPLICANT:

Clarence & Janet Hatt
 171 Clark Creek Loop, Plains, MT 59859

REQUEST:

The applicant is requesting that a portion the public right-of-way of Chatfield Avenue and Bancroft Street be vacated.

CODES:

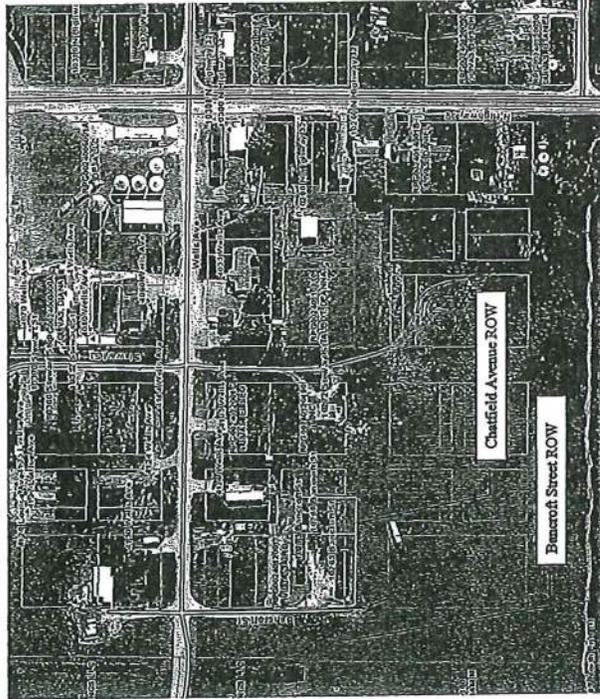
Idaho Code Title: 40 Chapter 203

LEGAL

Section 5 & 6 T6N R45E, Adjacent to Lots 14-16 Block 12, Felt Townsite

LOCATION:

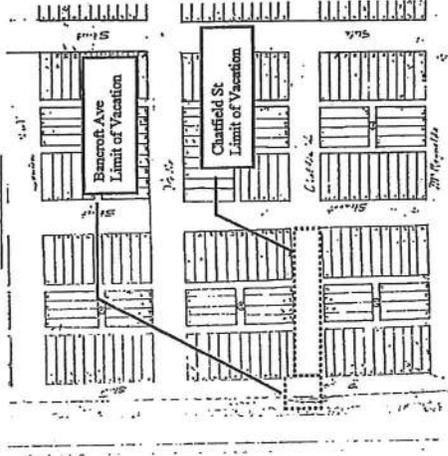
Teton County, Idaho (in the former Felt Townsite)



Vicinity Map



Aerial Location



1913 Felt Townsite Plat Map

BACKGROUND INFORMATION

This is a public hearing vacate approximately 250 feet of an 80-foot wide public road & right-of-way known as Chatfield Avenue, and approximately 70 feet of an 80-foot wide public road & right-of-way known as Bancroft Street. The applicant has applied as is being heard based on Idaho Statute 40-203:

(b) Any resident, or property holder, within a county or highway district system including the state of Idaho, any of its subdivisions, or any agency of the federal government may petition the respective commissioners for abandonment and vacation of any highway or public right-of-way within their highway system. The petitioner shall pay a reasonable fee as determined by the commissioners to cover the cost of the proceedings.

The Felt Townsite was created in 1913 and later dissolved. Chatfield Avenue and Bancroft Street were created with original plat and the Right-of-way reverted to Teton County upon dissolution of Felt. Teton County does not currently maintain either of the platted R.O.W.'s, however they are both still dedicated for public use. Additionally there are no surface improvements to Chatfield Avenue. Bancroft Street is used an access for multiple properties.

CONSISTENCY WITH THE APPLICABLE POLICIES OF 2012 ITC COMPREHENSIVE PLAN

The 2012 Comprehensive Plan enumerated a vision and set of policies for the Valley, no specific policies that apply to this application.

REVIEW OF THE APPLICABLE STATE STATUTES (see attached statutes for additional information)

40-203

- 1) (b) The applicant has applied for this vacation as is their right.
 - (i) The applicant is requesting that the ROW become part of theirs and the adjacent properties. Therefore fair market value should be assessed and paid to the county if the road is vacated and the value is greater than \$2,500.00
- 2) The vacation of Chatfield Ave. does not appear to leave any properties without access. Access to some properties would be via 30-foot alleys that are dedicated to the public. The vacation of Bancroft Avenue does not appear to leave any properties without access. However it would limit the access to the lots south of Chatfield Ave. and eliminate a future connection to the south.
- 3) It is not known whether utility lines are located within these ROW's. Fall River Rural Electric and Silverstar Communications have been contacted.

PUBLIC NOTICE:

- 1. Legal ads were made to the Teton Valley News in accordance with local and state requirements.
- 2. A notification was mailed to landowners within 300 feet and to those who own land within subdivisions within 300 feet of the subject property. Additionally local public utility providers were also notified.

COMMENTS FROM NOTIFIED NEIGHBORS AND GENERAL PUBLIC
No Comments were received as of the writing of this report (November 16, 2012)

POSSIBLE BOARD OF COUNTY COMMISSION ACTIONS:

- A. VACATE the identified sections of Chatfield Avenue and Bancroft Street as a Public Road & Right-of-Way.
- B. VACATE the identified sections of Chatfield Avenue as a Public Road & Right-of-Way. Deny the vacation of Bancroft Street.
- C. VACATE the identified sections of Bancroft Street as a Public Road & Right-of-Way. Deny the vacation of Chatfield Avenue and Bancroft Street.
- D. DENY the vacation of Chatfield Avenue and Bancroft Street.

COUNTY ENGINEER RECOMMENDATION (based on information received as of 11/16/2012):

ACTION B: VACATE the identified sections of Chatfield Avenue as a Public Road & Right-of-Way. Deny the vacation of Bancroft Street.

Suggested motion: Having found that the vacation of Chatfield Avenue Right of Way is in the public interest, that the Chatfield road and right of way be vacated as public right of way and the property be assimilated into the bordering properties. The applicant shall obtain an assessed value of the property and pay that value to Teton County. The application shall record a survey and update all deeds that are affected by this vacation. The vacation shall not be valid until payment is received, the deeds are updated, and the survey is recorded.

Having found that the vacation of Bancroft Avenue is not in the public interest as this right-of-way may serve as a future connection between county maintained roads, that the application for vacation of Bancroft Street be denied.

Report prepared by County Engineer, Jay T. Mazzaletski, PE

Attachments:

- Road Validation Application & Narrative
- Idaho Statutes: 40-203

JUN 01 2014

RECEIVED



ROAD VACATION / ABANDONMENT / ADDITION
APPLICATION

Teton County, Idaho

The County Engineer is available to discuss this application and answer questions. Once a complete application is received, it will be reviewed by staff and then scheduled for the appropriate public hearing(s). It is recommended that the applicant review Idaho Code 40-203 and Teton County Code Section 9-7-1.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Clarence & Janet Hatt
Applicant: Clarence & Janet Hatt Email: hattingsjunk.com
Phone: 406-826-3943 Mailing Address: 171 Clark Creek Loop
City: Plains State: Montana Zip Code: 59859

Location:
Address: Chatfield from Stewart to Bannock Section: 6 Township: Felt Range: 45E East
Parcel Number: RPG-00240120014 Lots: 14-16
Block: 12

I, the undersigned, understand that the items listed below are required for my application to be considered complete and for it to be scheduled on an agenda for public meeting/hearing.

- Applicant Signature: Clarence Hatt Date: 6-2-12
- I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.
- Owner Signature: Janet Hatt Date: 6-2-12

Fees are non-refundable.

SECTION II. CRITERIA FOR RECOMMENDATIONS AND DECISIONS:

- A site plan drawn to scale by a professional surveyor may be required showing:
 - Perimeter, dimensions and topography of the road/property.
 - The names and locations of all streets bordering the property.
 - The location of all easements or right(s)-of-way.
 - The location and dimensions of present and proposed structures.

- Attach a narrative statement that addresses Title 40 of Idaho Code. Neighbors want
 - That granting the proposed vacation is in the public interest. no one uses road
 - That the vacation will not leave real property adjoining the highway or public right(s)-of-way without access to the public highway or right(s)-of-way. none
 - Reservation of easements or right(s)-of-way for public utilities or ditches and canals. all property served by Bannock or Willa
 - Name of landowner who originally dedicated the parcel to the public. four quarter value may be imposed
 - Fees paid in accordance with current fee schedule. Albert W. Felt (Felt Investment Co)

SECTION III. SPECIFIC REQUIREMENTS FOR PUBLIC HEARING AND NOTICE:

- Notification of adjoining property owners: Property owners, utility companies, underground facilities, and irrigation companies adjoining the road shall be notified of this application 30 days prior to the public hearing date. This notice must include time, date, and place of the public hearing and will be mailed by staff.

If a subdivision is adjacent to the application then all lot owners in the subdivision must be notified. If the property is within a subdivision the entire subdivision and any property within 300 feet of the exterior of the subdivision must be notified.

- Notice shall be posted on the property showing the time, date and place of the public hearings and a description of the action requested.
- These procedures are required to be completed prior to each public hearing in accordance with Idaho Code Section 40-209 as amended.

SECTION IV: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION V: PLANNING AND ZONING COMMISSION ACTION IF NECESSARY

SECTION VI: BOARD OF COUNTY COMMISSIONERS ACTION

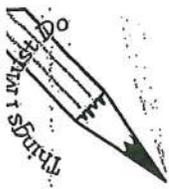
Return Completed Form & Documentation to:

Teton County Engineer
Department of Public Works
150 Courthouse Drive
Driggs, ID 83422

FAX: 1-208-354-8778

If you have questions about this application, you may call 1-208-354-0245

Survey in the + vacated lot portion will pay for survey if approved



FROM THE DESK OF ANEZ L. ECK
3103 Perry Ave. (P.O. Box 86
Tetonia, ID. 83452--ph. (208)-456-2216
11-20-2012

RECEIVED
NOV 20 2012
BY: Bocc-D-C

To: Teton County Public Works Dept.
150 Courthouse Drive; Driggs, ID. 83422
The board of County Commissioners.

ATTN: Jay Mazalewski:

Dear Sir:

I'm writing in regards to your notice as of Nov. 15, 2012; In which there has been a request for the Vacation of a (80 foot Public right-of-way) Portion of Chatfield Ave. from Stewart St. to Bancroft St. and a portion of Bancroft St. in the former Felt Townsite.

I do own the 30 lots in Bloko 13 of the Felt Townsite. Which is bordered on the East by Stewart St. — on the North by Chatfield Ave. — on the West by Bancroft — and on the South by Mc Reynolds. I have no concerns as to the vacation of Chatfield Ave from Stewart St to Bancroft, as I know that the home that Mr. & Mrs. Hatt Purchased had been built partially on the North side of that right-of-way and I feel that in order to protect their home that would be a wise decision. That north 40' could then be deeded to them which would allow their home set on property belonging to them from the time of the decision to Vacate Chatfield Ave.

If this street is vacated I would expect the curtsey of the south 40 feet being deeded to myself as the land owner bordering on the South side of Chatfield Ave. from Stewart St. to Bancroft.

However I do have a concern with the vacation of the portion of Bancroft St. as that would land lock entrance to Block 13. The only access I have at present is through Bancroft, because Stewart St is Fenced and Mc Reynolds Runs Through the area where the creek runs through. I had offered to make a trade with the county years ago for them to have access through my ground from Hwy.32 to Bancroft. But they declined that offer. and they told us that they would make sure that Stewart was open from Wells Ave to Mc Reynolds. IT Never happened.

The only other option I would have With vacation of a portion of Bancroft St. is to put a Private Road through my own property in order to be able to Sale it. That I can do if Necessary. Scence you as a Board of County Commissioners have the final decision, I would make the suggestion that if you choose to close a portion of Bancroft St. You may as well Vacate that street from Chatfield Ave to Mc Reynolds Ave. Make your deeds accordingly 40' to the land owners on the West and East and I for my part will put my own road into my property. I'm sure this would work out well for all land owners concerned.

I did stop by to talk with Jay about how much of Bancroft would be considered in this vacation but he was out of his office until next week. and I will be unable to be here for the meeting, so I have no choice but to put my thoughts into writing. I wish you well in making your decision and feel that you will consider my thoughts and suggestion to the benefit of all. I would have loved to be there, but I have other commitments that week and into the week following that.

Thanking you for the consideration of keeping me informed.

Respectfully

Jay L. Eck
Jay L. Eck, ph. 208-456-2216
cc:file

Jay Mazalewski

From: Clarence G Hatt [hatting@luno.com]
Sent: Thursday, June 14, 2012 1:21 PM
To: Jay Mazalewski
Subject: Vacation of Right of Way

Dear Commissioners,

This is a petition for a right of way Vacation for part of Chatfield Avenue in Felt which has already had a portion vacated and a small vacation of Bancroft where it adjoins the property we purchased 5 months ago. We desire that vacation because the property we have is not large enough to build a storage area on which we really do need. This will be beneficial to the community because they will be able to properly store our belongings out of sight of others. The secondary request of the small part of vacation on Bancroft is because the current well house is too close to the property line and is falling down because it is rotted at the bottom so we would like to replace it also. We do not want either right of way contingent on the other in case someone has an objection to one or some agency sees a problem. But the current well house is an eyesore. It really needs to be properly replaced. We understand that if a survey is required we would be required to pay for it.

Neither of these two areas is used at all. We have discussed the vacation with the adjoining neighbors and all of them were in agreement. Mrs. Eck is the principle property owner to the closure of Chatfield and she expressed her agreement. The other principle owner to that piece of Bancroft however has not responded to our efforts to contact him.

Vacation either or both of these sections will not leave any property with our access to highways and public access.

Bancroft is not used by public utilities at this time and there are no ditches or canals adjoining it. Chatfield is not being used by utilities and has no contact with any ditches or canals. We talked with a Fall River representative who told us they were not using either road right of way but would need a right away along the Bancroft piece if any other homes were built in that area. Prior to now all property served by Bancroft and Chatfield were previously vacated at the request of Mrs.

Eck. Part of the Bancroft right of way was also previously vacated.

These areas were surveyed in 2006 when that vacation was granted.

Albert W. Felt through the Felt Investment Company originally dedicated these area to the public.

The application fee has been given to the Department of Public Works in Driggs and the description of the property is there also with the additional request to vacate Bancroft from Chatfield to the end of our property along lot 16.

We are desirous that the vacation of each piece is not contingent on the vacation of the other as both areas have different needs for us and also will make the area more attractive by our being able to properly care for it. Our primary concern however is the vacation of Chatfield from Stewart to Bancroft.

Thank you so much

Clarence and Janet Hatt

53 Year Old Mom Looks 33
The Stunning Results of Her Wrinkle Trick Has Botox Doctors Worried
<http://thispartystuffers.luno.com/7613141/4fd2a35213ad84687195t04vuc>



May 21, 2015

Re: Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a setback variance.

Dear Property Owners:

This letter is to notify you that an application for a Variance to a rear yard setback at 10265 Bancroft Street in Felt has been submitted to the Teton County Planning Department by a nearby landowner. According to the Teton County Code (8-2-1A), a "variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing applicability of all of the following:

- a. Undue hardship because of characteristics of the site; and
- b. That the variance is not in conflict with the public interest; and
- c. The need for a variance is not arising as a direct result of the applicant's own actions."

The planning staff is soliciting comments from people in the vicinity of the applicant's property so that we can be aware of neighborhood issues and then include your comments in the packet of information provided to the Teton County Planning and Zoning Commission for their consideration prior to the hearing. If you have any comments or questions regarding this application, please contact us using the contact information listed above. The details below provide more information on the proposal.

Applicant: Clarence Hatt

Landowner: Clarence & Janet Hatt

Legal Description: RPG00240120014; LOTS 14 – 16 BLK12 FELT TOWNSITE SEC 5 & 6 T6N R45E

Zoning District: A-2.5

Description of the Request: A variance request pursuant to the Teton County Code Section 8-4-4 (Height, Setback, and Lot Size). The Teton County Code specifies a rear yard setback of 40-feet. The applicant proposes a rear yard setback of 20-feet from the south property line to allow an addition to the existing residence.

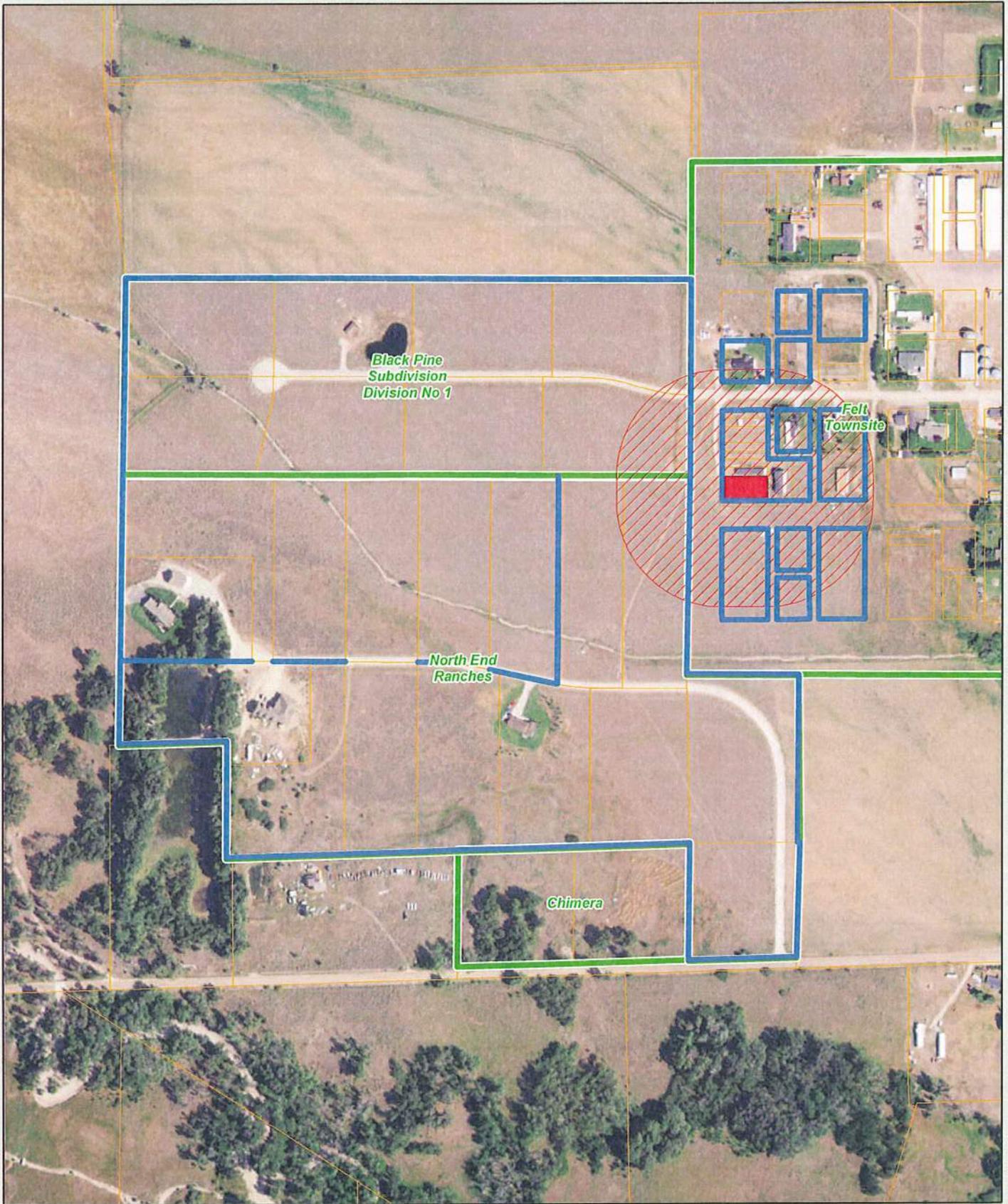
PUBLIC HEARING

The Teton County Planning and Zoning Commission will hold a public hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **June 9, 2015** on this matter. This application is scheduled to be heard at 5:15 p.m.

Information on the above application is available for public viewing in the Teton County Planning and Building Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the Calendar or Upcoming Events and select the PZC Public hearing of 6-9-2015. Then select the agenda item in the Additional Information Side Bar. Written comments will be included in the packet of information provided to the Commission for consideration prior to the hearing if they are received in the Planning and Building Department no later than 5:00pm on Friday, May 29, 2014. Written comments may be e-mailed to pz@co.teton.id.us, mailed to the address above, or faxed. You may also present your comments in person at the hearing.

The public shall not contact members of Planning & Zoning Commission concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

If you have any further questions, please do not hesitate to call the Teton County Planning and Building Department at 208-354-2593.



Legend

-  300 ft Notification Buffer
-  Subject Parcel
-  Notified Parcels
-  Subdivisions / Phases
-  Parcels

**HATT SETBACK
VARIANCE NOTIFICATION**

Printed: May 20, 2015



View of the front of the Hatt property. The fence line runs along the north property line. The existing home has a front yard setback of approximately 35'.



tabbles[®]
EXHIBIT
9

5/26/2015 17:16

View of the east side of the Hatt property looking south. The fence line runs along the east and south property lines. The existing home has a side yard setback of approximately 30'.



5/26/2015 17:18

View of the west side of the Hatt property looking south. The fence line runs along the west property line. The existing home has a side yard setback of approximately 30'.



View of the south side of the Hatt property looking northeast. The fence line runs along the originally platted south property line. The existing home has a rear yard setback of approximately 10' from the original lot line.

Originally platted south property line

5/26/2015 17:17

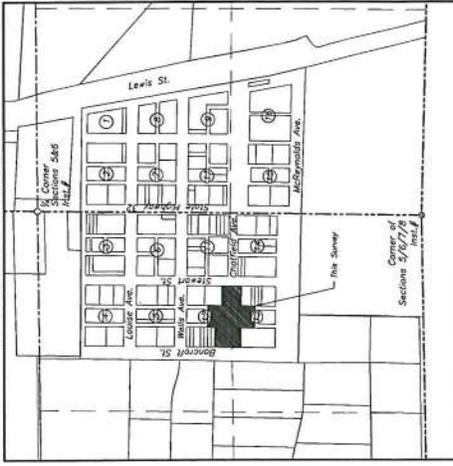
View of the south side of the Hatt property. The fence line runs along the original south property line. The stake represents the corner of the new property line, with the addition of the 40' from the approved vacation of Chatfield Avenue.

Originally
platted south
property line

Corner of new
south property
line

5/26/2015 17:17

VICINITY MAP



Felt, ID
 Pt. E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 5 & W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 6
 T. 5 N., R. 45 E., B.M.
 Scale: 1"=500'

COMMISSIONERS' CERTIFICATE

Presented to the Teton County Board of Commissioners on the following date at which time that portion of Chatfield Avenue shown herein was vacated at the request of the adjacent land owners.

Chairman, Teton County Commissioners _____ Date _____

PLANNING DEPARTMENT CERTIFICATE

Presented to the Teton County Planning & Zoning Department on this date at which time this plat vacation was recommended to the County Commissioners.

Planning & Zoning Administrator _____ Date _____

COUNTY SURVEYOR'S CERTIFICATE

I, the undersigned, being a licensed surveyor in the State of Idaho, did review this survey and find that it complies with Idaho and Teton County codes and approve this survey to be recorded.

Teton County Surveyor _____ Date _____

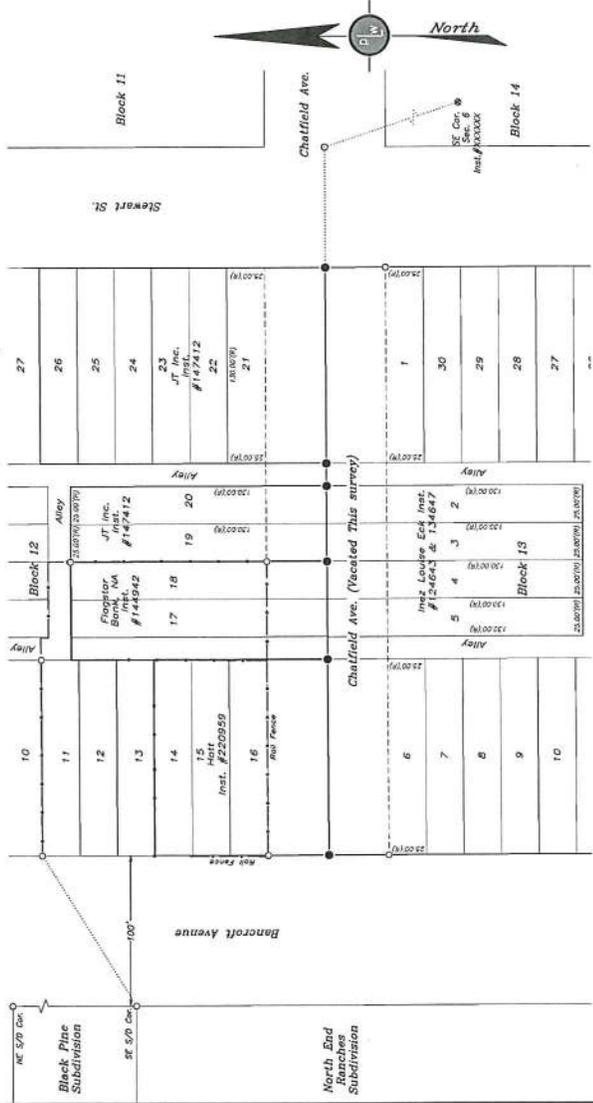
LEGEND

- Indicates a rebar with aluminum cap inscribed "PLS 28660" found this survey
- ⊙ Indicates a rebar with illegible aluminum cap found this survey
- Indicates a ½" diameter rebar with aluminum cap inscribed "PLS 14783" set this survey

- Lot Boundary Line
- Adjoining Lot Boundary Line
- Boundary Between Lots with Common Ownership
- - - - - Vacated Lot Boundary Line
- Fence Line
- Section Line
- Quarter-Section Line
- Sixteenth-Section Line
- Corner Tie
- Measured Dimension
- Record Dimension per plat of Felt Townsite

NOTE:

Base of Bearings = S 00°31'04" E along the east line of the Block Pine Subdivision, Division No. 1, recorded at Instrument No. 200785 in the Office of the Teton County Recorder.



Project Number - 13362
 Drawn By - MPT
 Reviewed By - GPT
 Revision Date - February 26, 2014

Pierson Land Works LLC, P.O. Box 1143 180 S. Willow St. Jackson, WY 83001 (307) 733-5429

ROAD VACATION PLAT
 PREPARED FOR
 A PORTION OF
 CHATFIELD AVENUE

Felt Townsite
 E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec.
 T. 5 N., R. 45 E.
 TETON COUNTY,

EXHIBIT
 10