



**AGENDA  
PLANNING AND ZONING COMMISSION  
PUBLIC MEETING  
July 21, 2015  
STARTING AT 5:00 PM**

**LOCATION: 150 Courthouse Dr., Driggs, ID 83422  
Commissioners' Chamber - First Floor (lower level, SW Entrance)**

1. Chairman Business
2. Administrator Business

**5:00pm - WORK SESSION**

**Draft Code:** Discussion of the Draft Development Code.

**Public comment will not be taken regarding the Draft Development Code.**

**6:00pm - SCENIC CORRIDOR DESIGN REVIEW:**

**Adam & Brianna Cohn:** Replacing an existing yurt with a new single-family home. The property is completely within the Scenic Corridor Overlay.

*Legal Description:* RP05N45E028102; LOT 2B WEST TAX #6557 SEC 2 T5N R45E

**6:15pm - BREAK**

**6:30pm - CONTINUE WORK SESSION**

**Draft Code:** Discussion of the Draft Development Code.

**Public comment will not be taken regarding the Draft Development Code.**

**ADJOURN**

- 
- Information on the above application(s) is available for public viewing in the Teton County Planning and Building Office at the Courthouse between the hours of 9am and 5pm Monday through Friday.
  - The application(s) and related documents are posted, at [www.tetoncountyidaho.gov](http://www.tetoncountyidaho.gov). To view these items select the Planning & Zoning Commission Public Meeting of July 21, 2015. Then select the agenda item in the Additional Information Side Bar.

Any person needing special accommodations to participate in the above-noticed meeting should contact the Board of County Commissioners' office 2 business days prior to the meeting at 208-354-8775.



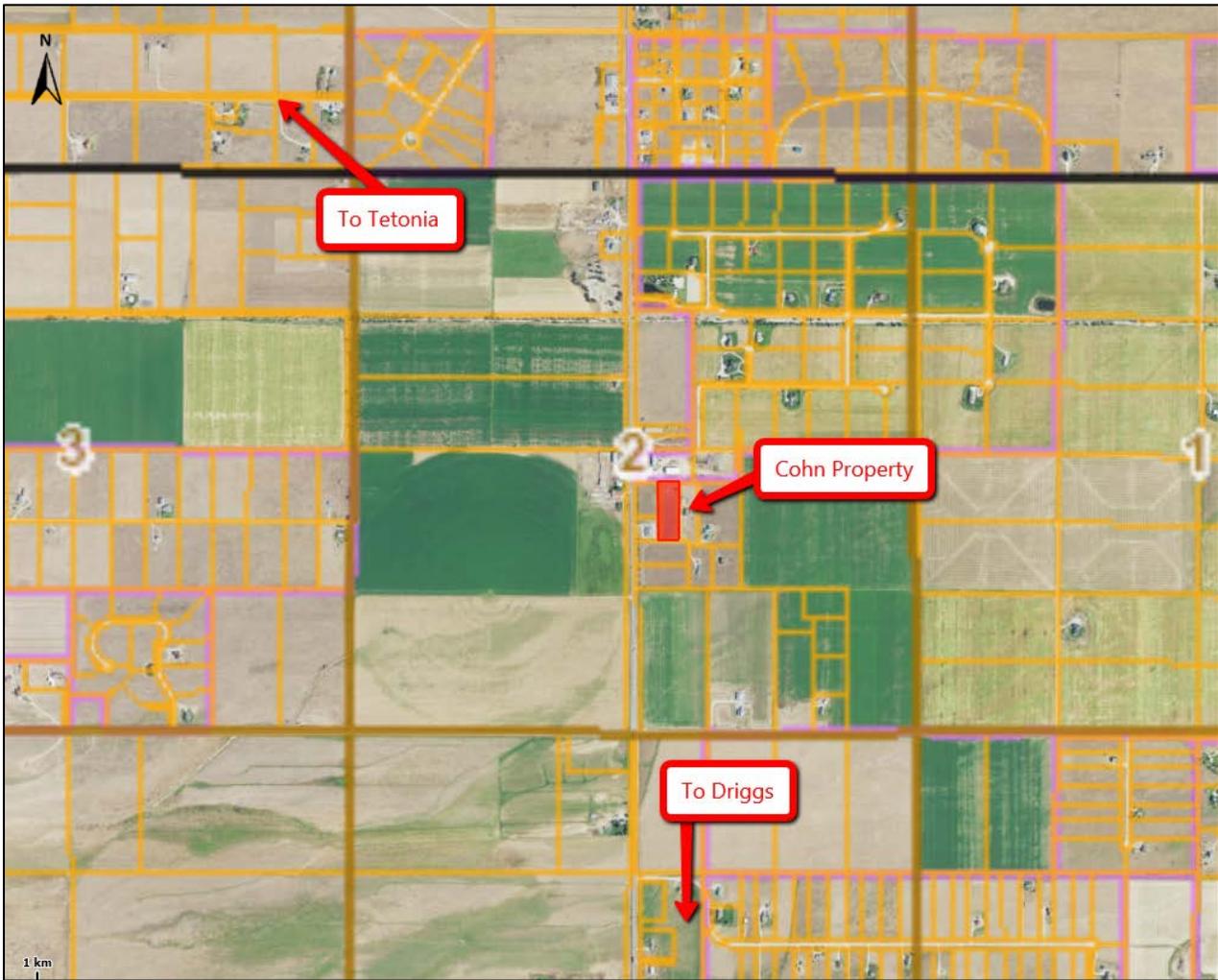
**SCENIC CORRIDOR REVIEW for: Adam & Brianna Cohn**  
**WHERE: 360 West 4350 North**  
 Prepared for the Planning & Zoning Commission  
**July 21, 2015**

**APPLICANT:** Adam & Brianna Cohn  
**LANDOWNER:** Adam & Brianna Cohn

**APPLICABLE COUNTY CODE:** Teton County Zoning Ordinance Section 8-5-2-D (SC) Scenic Corridor Overlay Regulations.

**REQUEST:** Adam and Brianna Cohn are requesting approval for their proposed single-family home, which will replace a yurt that is currently on the property. The property is completely within the Scenic Corridor Overlay. The proposed home would be constructed on the existing foundation used by the yurt.

**LEGAL DESCRIPTION:** RP05N45E028102; LOT 2B WEST TAX #6557 SEC 2 T5N R45E  
**LOCATION:** 360 W 4350 N  
**ZONING DISTRICT:** A-2.5  
**PROPERTY SIZE:** 2.5 acres  
**VICINITY MAP:**



#### AERIAL IMAGE OF PROPERTY



**PROJECT BACKGROUND:** Mr. Cohn submitted a building permit on July 6, 2015 and a completed scenic corridor design review application on July 8, 2015. Before the building permit can be approved, a scenic corridor design review must occur and be approved for the structure. The Cohn property is currently zoned A-2.5. The entire property is within the scenic corridor. Mr. & Mrs. Cohn purchased the property in 2014, after which they constructed a yurt on the property. There are two small sheds on the west side of the proposed home's location. There is also a building on the adjacent property, which screens most the building location from Highway 33.

The proposed home will be approximately 277 feet from the outer edge of Highway 33's right of way, and this proposal complies with all required setbacks (Attachments 4 & 5). Construction of the new home has not begun, but the applicants have said they plan to remove yurt, likely prior to this meeting.

The proposed home will be one story and 40 feet by 33 feet. It will be 14 feet in height. There will be a deck on the front of the home, which will extend 10 feet from the front of the home (attachment 6). The home will have a gray metal roof. Attachment 7 shows three color options for the roof. The home will have wood siding, which will be navy in color. Attachment 8 shows the siding and color options.

#### **OVERVIEW OF SCENIC CORRIDOR REVIEW:**

**8-2-1-A. GENERAL DEFINITIONS:** Scenic Corridor Overlay includes all lands lying within 330 feet of both sides of the rights-of-way for Idaho State Highways 31, 32, 33 and Ski Hill Road from Driggs City limits to the Wyoming state line.

**8-5-1-D. PURPOSE:** The purpose of this overlay area is to provide a design review procedure to ensure that key roads in Teton County are sufficiently protected from unsightly and incompatible land uses.

**8-5-2-D (1) DESIGN REVIEW:** All development shall be subject to design review to ensure that the location, scale, and appearance of buildings, structures, and development of land shall preserve the rural character of the areas bordering Idaho State Highways and Ski Hill Road and to prevent the construction of buildings that project upward beyond the ridgeline of any hill located within one (1) mile of major roads when viewed from those major roads.

Title 8 of the Teton County Code authorizes the Planning & Zoning Commission to make a final determination on scenic corridor applications. A development application shall only be approved if the Planning Commission finds that it meets the design review criteria.

<b>8-5-2-D (3). DESIGN REVIEW CRITERIA:</b>		<b>STAFF COMMENTS:</b>
<b>SETBACKS</b>	No permanent structures may be built within 50 feet of the outer edge of the road right of way, unless the parcel does not contain any buildable sites outside of the setback.	<i>The proposed home will be located approximately 280 feet from the outer edge of Highway 33's right of way. A-2.5 requires front and side setbacks of 30' and rear setbacks of 40', with which this complies.</i>
<b>BUILDING ENVELOPE</b>	1. Building envelopes shall be located so that existing topography and natural vegetation will screen buildings from view from the State Highways and Ski Hill Road to the maximum extent feasible.	<i>There is some existing vegetation on the property but none that could screen the proposed home entirely. The applicant planted some trees and bushes on a berm on the west side of the property, that will help screen the home from HWY 33, when they have matured. There is a building between the property and HWY 33, which almost completely screens the location of the new home. There are also trees along HWY 33 that help screen the property.</i>
	2. Where existing topography and natural vegetation cannot be used to screen buildings, building envelopes should be located at the rear or side edges of an open meadow or pasture, or at the foot of a hill or ridge, rather than in the middle of a meadow, pasture, or hillside.	<i>The location for the proposed home is on the southern end of the property, where an existing yurt with foundation is located. This location was chosen because it is replacing the existing yurt, using the existing foundation, utilities, and driveway. There is an existing septic tank and drain field to the north of the existing foundation.</i>
	3. Building envelopes shall be located so that no portion of a building up to 30 feet tall shall be visible over the ridge of the hillside on which it is located when viewed from the State Highways and Ski Hill Road.	<i>The proposed home will not be located on a ridge or hillside.</i>
<b>BUILDING MATERIALS</b>	All non-agricultural buildings shall not be of highly reflective materials according to ASTM C6007, Light Reflectivity Index.	<i>The proposed home will have wood siding, navy in color, and a gray, metal roof. There will also be a deck off the front of the home. The materials will not be highly reflective.</i>
<b>ROADS &amp; DRIVEWAYS</b>	Roads and driveways shall be designed to eliminate the need to back out onto the State Highways or Ski Hill Road. Existing roads and driveways shall be used where practical. When it is not practical to use existing roads, then new roads and driveways shall be located to skirt the edge of meadows and pastures (i.e. avoid dividing them) to the maximum extent feasible	<i>This property is accessed from West 4350 North, not Highway 33, so there will be no issue with vehicles backing out onto Highway 33. No new roads or driveways are being proposed with this application. The existing driveway and yard area will be utilized.</i>
<b>SCREENING</b>	Landscaping shall be used to screen the view of any resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes over two (2) meters in diameter, and areas with inoperable equipment or more than four (4) inoperable cars or trucks. Required landscaping should be high altitude, native plant material, trees and shrubs	<i>There is no outdoor storage proposed with this application that would need to be screened.</i>
<b>THERE ARE ADDITIONAL PROVISIONS FOR SATELLITE DISHES, REVEGETATION, UTILITIES, AND SIGNS.</b>		<i>The applicant is not proposing a satellite dish, utilities, or signs. An existing satellite dish and utilities will be used. Disturbance will be minimal for construction, so it is staff's opinion that a revegetation plan is not needed.</i>

**POSSIBLE CONDITIONS OF APPROVAL:**

1. Must comply with all federal, state, and local regulations.
2. All structures require a Teton County Building Permit and must comply with the Teton County Building Code.
3. Building materials shall not be highly reflective materials.

**POSSIBLE PLANNING & ZONING COMMISSION ACTIONS:**

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

B. Approve the scenic corridor permit 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 scenic corridor permit request and provide the reasons and justifications for the denial.

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

**POSSIBLE MOTION:**

The following motions could provide a reasoned statement if a Commissioner wanted to approve or deny the application:

***Approval***

*Having found that the proposed development for Adam and Brianna Cohn is consistent with the Teton County development ordinances, specifically Title 8-5-2-D, and Idaho State Statute, I move to approve the scenic corridor permit with the following conditions of approval:*

1. *Must comply with all federal, state, and local regulations.*
2. *All structures require a Teton County Building Permit and must comply with the Teton County Building Code.*
3. *Building materials shall not be highly reflective materials.*

***Denial***

*Having found that the proposed development for Adam and Brianna Cohn is not consistent with the Teton County development ordinances, specifically Title 8-5-2-D, and Idaho State Statute, I move to deny the scenic corridor permit. The following could be done to obtain approval...*

Prepared by Kristin Rader

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**Attachments:**

1. Application (4 pages)
2. Deed (3 pages)
3. OTO Survey (1 page)
4. Site Plan with setbacks (1 page)
5. Site Plan – aerial image (1 page)
6. Building Plan (4 pages)
7. Roof Material Design Options (1 page)
8. Siding Material Design Options (2 pages)
9. Site Visit Photos (7 pages)

End of Staff Report



**RECEIVED**  
 BY: K. Rader  
 DATE: 7-8-2015

**SCENIC CORRIDOR OVERLAY APPLICATION**

**Teton County, Idaho**

The Planning Staff will review this request for completeness. The Planning and Zoning Commission will make the final decision at their regularly scheduled meeting. The applicant is encouraged to discuss this application with the Planning Staff prior to submittal.

*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: Adam Cohn / Brianna Cohn  
 Applicant: Adam Cohn E-mail: consciousearth@gmail.com  
 Phone: (307) 200 1826 Mailing Address: 360 W 4350 N  
 City: Tetonia State: ID Zip Code: 83452

**Location and Zoning District:**  
 Address: 360 W 4350 N Parcel Number: RPO5N45E028102  
 Section: 2 Township: 5N Range: 45E Total Acreage: 2.5

- Latest recorded deed to the property
  - Fees in accordance with current fee schedule
  - Affidavit of Legal Interest
- Cash 7/8/15*

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 the agenda for the Planning and Zoning Commission public meeting.

• Applicant Signature: [Signature] Date: 7-8-15

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: [Signature] Date: 7-8-15

*Fees are non-refundable.*

## SECTION II: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

In accordance with 8-5-2 (C) of the Teton County Zoning Ordinance the Scenic Corridor Overlay shall apply to those lands within 330' of both sides of the right-of-way for Idaho State Highways 31, 32, 33 and Ski Hill Road from Driggs city limits to the Wyoming stateline.

- Design Review: All development shall be subject to design review to ensure that the location, scale, and appearance of buildings, structures, and development of land shall preserve the rural character of the areas bordering Idaho State Highways and Ski Hill Road and to prevent the construction of buildings that project upward beyond the ridgeline of any hill located within one (1) mile of major roads when viewed from those major roads.
- Documentation Required: The applicant shall submit plans and drawings showing all existing structures, building envelopes for all proposed structures, setbacks from the closest State Highway or Ski Hill Road, as applicable, existing and proposed landscaping and fences, existing and proposed off-street parking areas, and drawings of exterior elevations of primary structures visible from the closest State Highway or Ski Hill Road. These materials will be submitted with a conditional use or building permit application, and at the preliminary plat stage of a subdivision or PUD application.
- Design Review Criteria: A development application shall only be approved if the Commission finds that it meets the following criteria:

Setbacks: No permanent structure shall be constructed within fifty (50) feet of the outer edge of the road right-of-way, unless the parcel does not contain any buildable site outside of the setback area in, which case primary structures shall be located as far from the outer edge of the road right-of-way as possible.

Building Envelopes: The development shall identify building envelopes for all primary and accessory structures. Building envelopes shall comply with the following requirements:

- 1) Building envelopes shall be located so that existing topography and natural vegetation, such as ridges, hills, and existing trees, will screen buildings from view from the State Highways and Ski Hill Road to the maximum extent feasible.
- 2) Where existing topography and natural vegetation cannot be used to screen buildings as described in Subsection 1 above, building envelopes should be located at the rear or side edges of an open meadow or pasture, or at the foot of a hill or ridge, rather than in the middle of a meadow, pasture, or hillside.

Notwithstanding Subsections 1 and 2 above, building envelopes shall be located so that no portion of a building up to thirty (30) feet tall shall be visible over the ridge of the hillside on which it is located when viewed from the State Highways and Ski Hill Road, and the applicant shall submit a sight line analysis in sufficient detail to confirm that this standard has been met.

Building Materials: All non-agricultural buildings shall not be of highly reflective materials according to ASTM C6007, Light Reflectivity Index.

Roads and Driveways: Roads and driveways shall be designed to eliminate the need to back out onto the State Highways or Ski Hill Road. Existing roads and driveways shall be used where practical. When it is not practical to use existing roads, then new roads and driveways shall be located to skirt the edge of meadows and pastures (i.e. avoid dividing them) to the maximum extent feasible.

Satellite Dishes: All satellite dishes in the proposed development shall be located to minimize visibility from the State Highways and Ski Hill Road and shall use earth tone colors and/or screening to minimize their visual impact.

Screening: Landscaping shall be used to screen the view of any resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes over two (2) meters in diameter, and areas with inoperable equipment or more than four (4) inoperable cars or trucks. Required landscaping should be high altitude, native plant material, trees and shrubs.

Revegetation: The applicant shall revegetate all areas disturbed by grading or cut-and-fill activity with plants similar to those on the remainder of the development site as each stage of grading is completed, and no later than one (1) year after construction.

Utilities: All service utilities (including but not limited to electric and telecommunication lines) shall be placed underground.

**SECTION III: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING**

**SECTION IV: PLANNING AND ZONING COMMISSION ACTION**

**SECTION V: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION**

Application is considered complete and accepted on this the 8<sup>th</sup> day of July, 2015.  
Planning Administrator/Designee Signature: 



RECEIVED

BY: K. Rader  
DATE: 7-8-2015

SECTION II: CRITERIA FOR RECOMMENDATION AND DECISIONS

SCENIC CORRIDOR OVERLAY APPLICATION

Teton County, Idaho

The Planning Staff will review this request for completeness. The Planning and Zoning Commission will make the final decision at their regularly scheduled meeting. The applicant is encouraged to discuss this application with the Planning Staff prior to submittal.

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

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Owner: Adam Cohn / Brianna Cohn

Applicant: Adam Cohn E-mail: consciousarth@gmail.com

Phone: (307) 200 1826 Mailing Address: 360 W 4350 N

City: Tetonia State: ID Zip Code: 83452

Location and Zoning District:

Address: 360 W 4350 N Parcel Number: RPO5N45E028102

Section: 2 Township: 5N Range: 45E Total Acreage: 2.5

- Latest recorded deed to the property
- Fees in accordance with current fee schedule
- Affidavit of Legal Interest

Cash 7/8/15

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 the agenda for the Planning and Zoning Commission public meeting.

Applicant Signature: [Signature] Date: 7-8-15

RECEIPT

DATE: July 8 2015 No. 751593

RECEIVED FROM: Adam Cohn Date: 7-8-15 \$ 200

Two hundred and 00/100 DOLLARS

FOR RENT  
 FOR Scenic Corridor Review

ACCOUNT: \_\_\_\_\_ PAYMENT: \_\_\_\_\_

CASH  
 MONEY ORDER  
 CHECK

FROM: \_\_\_\_\_ TO: \_\_\_\_\_

Instrument # 231824

TETON COUNTY

03-19-2014 1

Recorded for: F

MARY LOU HANSEN

Ex-Officio Recorder Deputy, Mary Lou Hansen

Index to: DEED, WARRANTY

ATTACHMENT 2.1

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
81 North Main Street/P.O. Box 42  
Driggs, ID 83422

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **496341-T (1b)**

Date: **March 14, 2014**

For Value Received, **The Lynda Sierra Trust, dated August 12, 2005, Lynda Sierra Trustee,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Adam Cohn and Brianna Cohn, husband and wife as community property with right of survivorship,** hereinafter called the Grantee, whose current address is **12993 Claymont Ct., San Diego, CA 92130,** the following described premises, situated in **Teton County, Idaho,** to-wit:

**Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

NOT A TRUE COPY



Date: 03/14/2014

Warranty Deed  
- continued

File No.: 496341-T (1b)

**EXHIBIT A**

**A portion of the Northwest quarter Southeast quarter of Section 2, Township 5 North, Range 45 East, B.M. Teton County, Idaho, being further described as:**

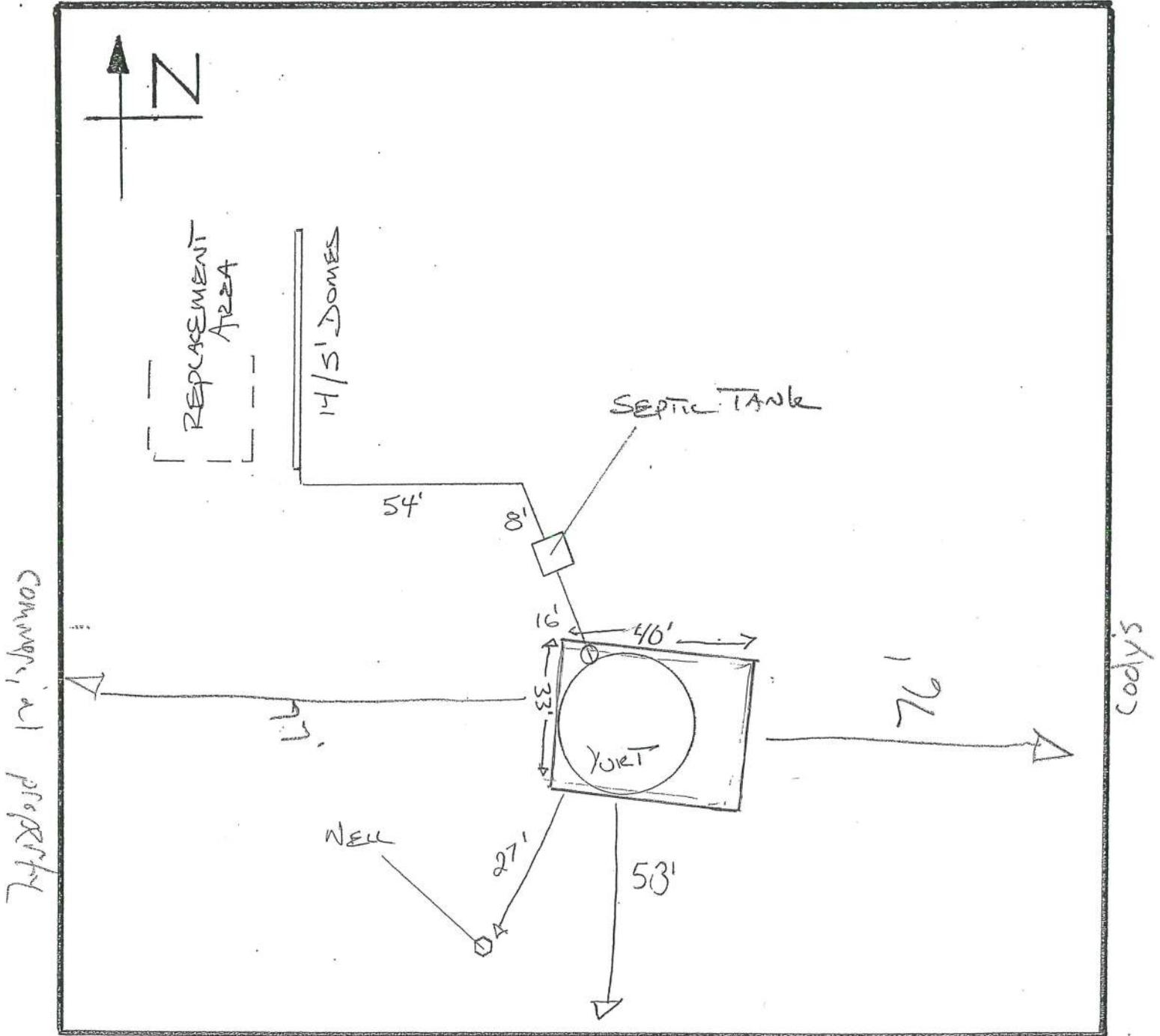
**From the South quarter corner of said Section 2, N 89°54'38"E, 39.24 feet along the southern section line to the eastern right-of-way line of State Highway 33; N 00°44'14"W, 1817.72 feet along said right-of-way line and N 89°59'46"E, 200.00 feet to the point of beginning;  
Thence N 00°44'14"W, 545.00 feet to a point; Thence S 89°48'36"E, 204.03 feet to a point;  
Thence S 00°07'53"W, 544.27 feet to a point; Thence S 89°59'46"W, 195.82 feet to the point of beginning.**

**SUBJECT TO AND TOGETHER WITH a 60-foot road and utility easement being described as:  
Beginning at the SE property corner of parcel 2B East as shown on record of Survey recorded September 23, 2004, as Instrument No. 163672; Thence S 00°07'53"W, 23.16 feet; Thence S 89°59'46"W, 526.54 feet; Thence S 00°44'14"E, 413.03 feet; Thence N 89°56'59"W, 60.01 feet; Thence N 00°44'14"W, 472.96 feet; Thence N 89°59'46"E, 587.46 feet; Thence S 00°07'53"W, 36.84 feet to the true point of beginning.**

NOT A LEGAL COPY



AS-BUILT DRAWING  
(NOT TO SCALE)



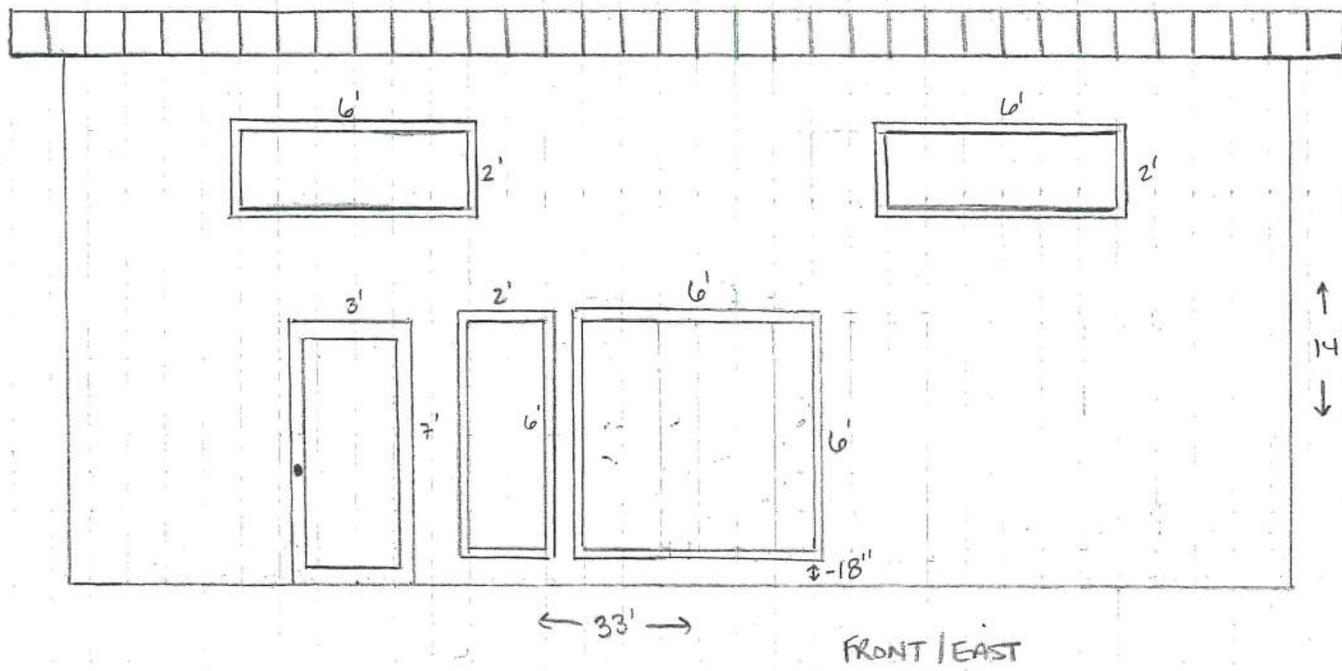
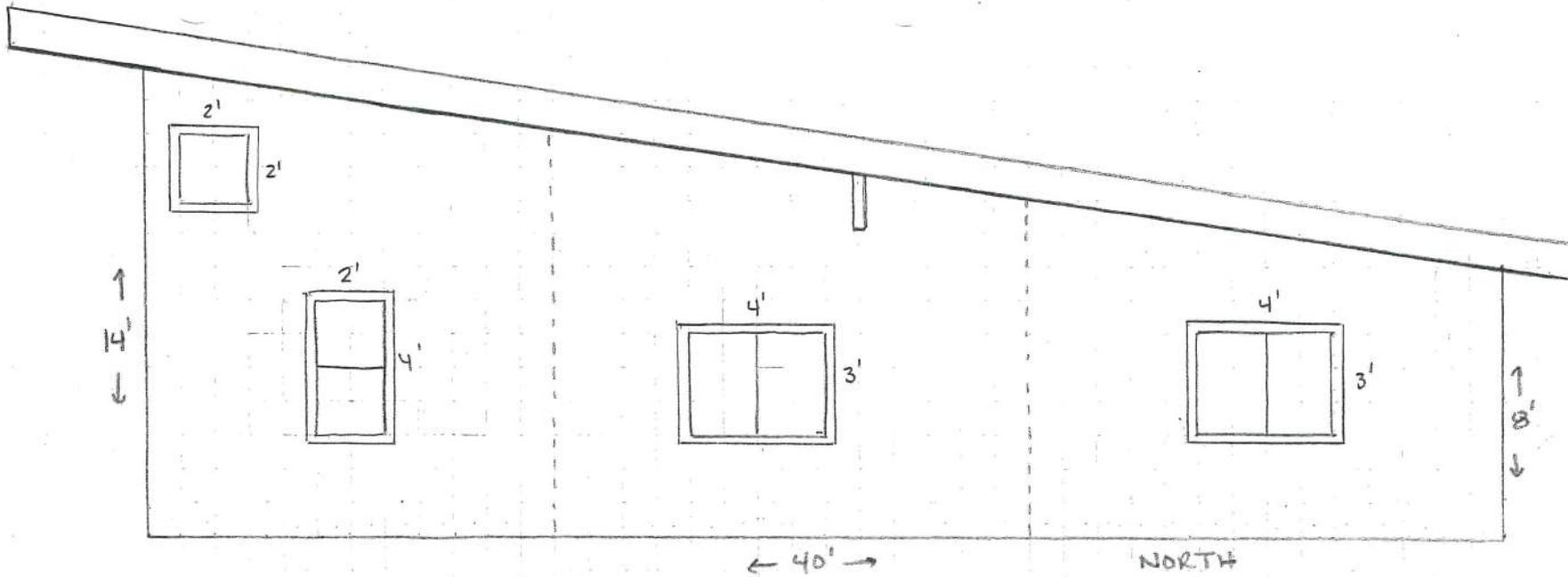
Permit Number: 4114020

Front of property Name: ADAM COHN

Inspection Date: 31 July 2014



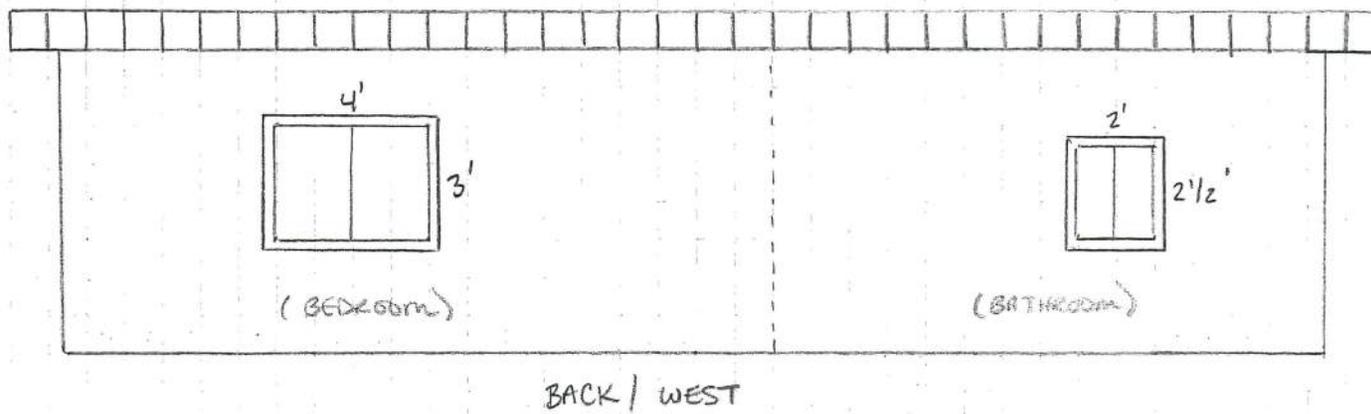
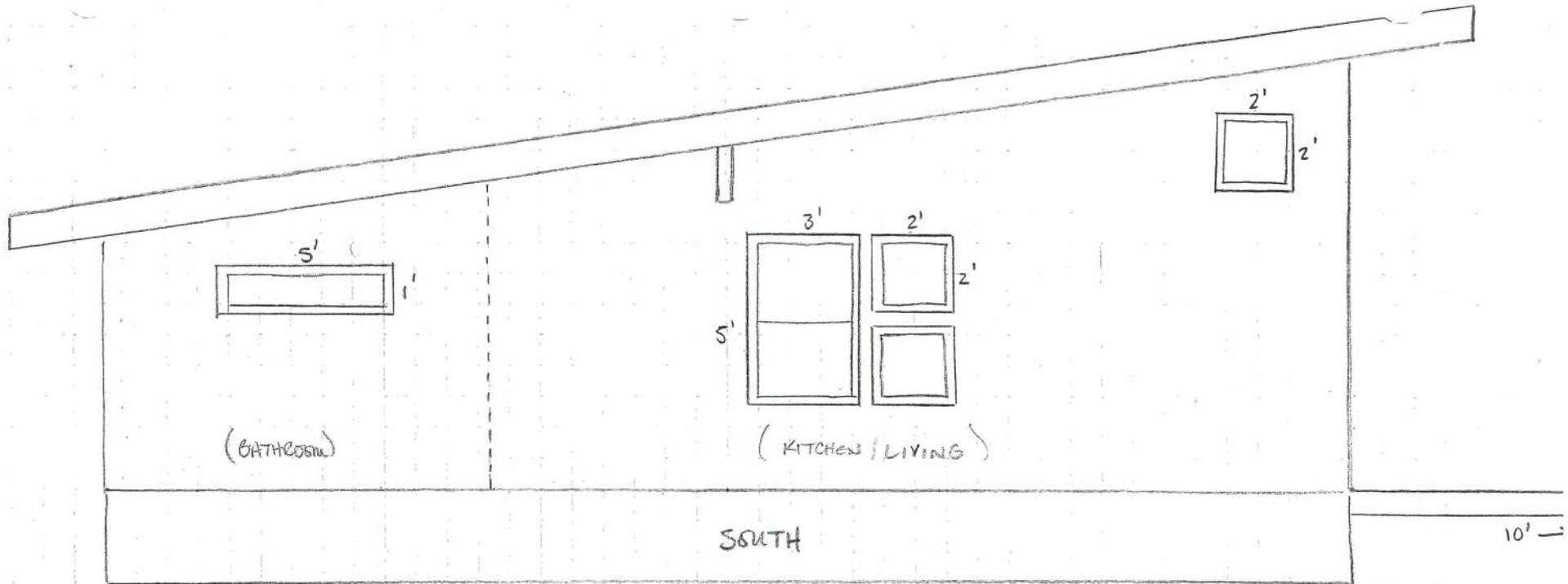
Cohn



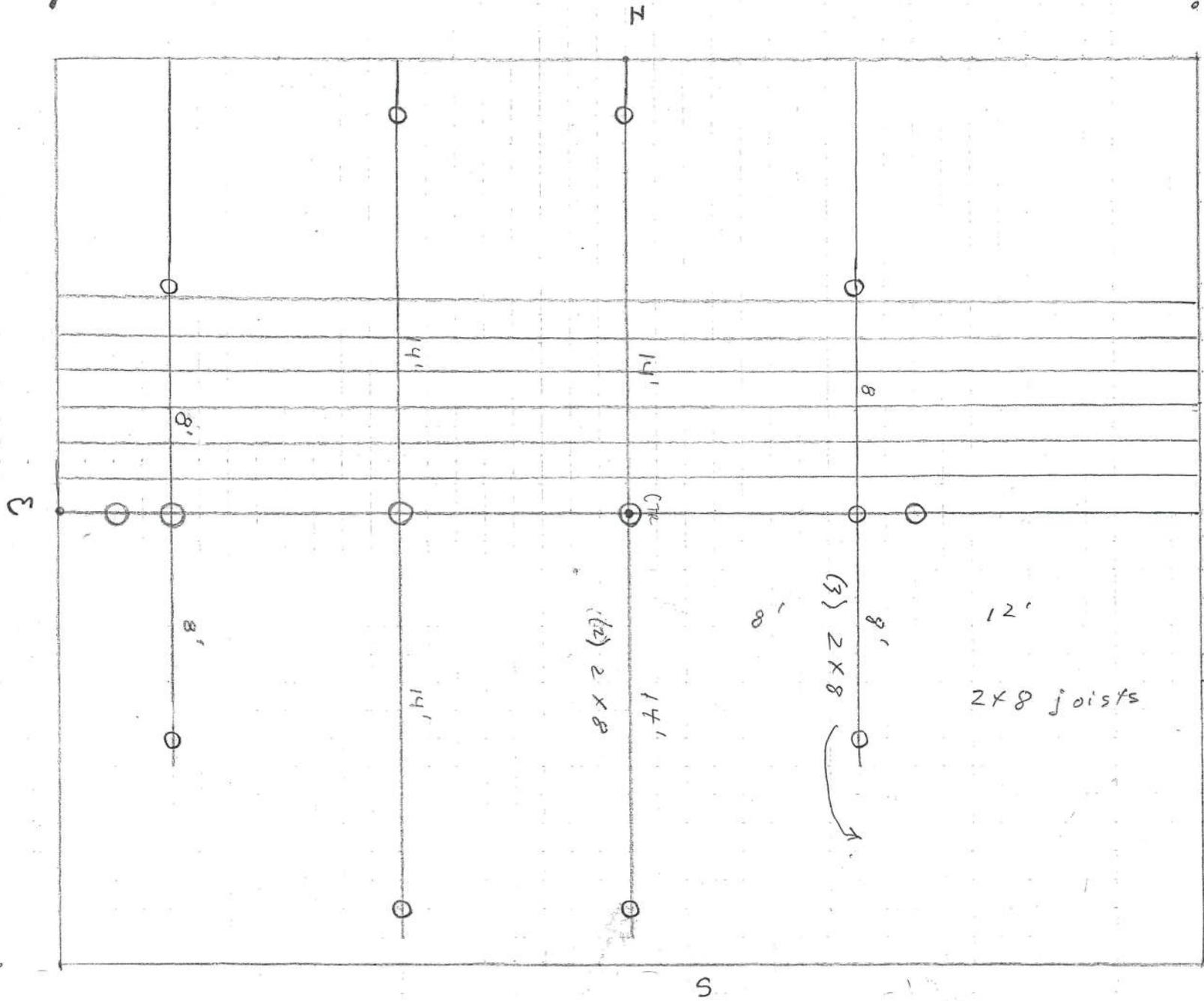
A+B COHN  
360 W 4350 N  
TETONIA

ELEVATION / FLOOR PLAN





# Floor Plan

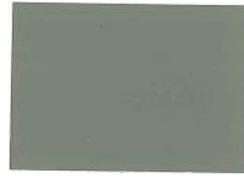
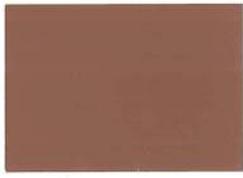


10' 1" high 12' x 10' room (10' x 10')

2 x 8 joists

# ASC BUILDING PRODUCTS COLOR CHART

All colors available in energy saving **COOL Dura Tech® xl**

 		 	
Old Town Gray*	Tahoe Blue	Old Zinc Gray	Canyon Red
			
Light Stone*	Rustic Red*	Chestnut Brown	Everglade
			
Denali Green	Winter White*	Desert Beige*	Cypress Green
			
Forest Green	Weathered Copper	Classic Brown	Tumbleweed
			 
Slate Gray	Surf White	Blackberry	Taupe
			
Matte Black	Copper Penny <sup>†</sup> (Premium Color <sup>1</sup> )	Country Rustic (Premium Color <sup>1</sup> )	Bare Zincolume® Plus

**REPRESENTATION OF COLORS MAY VARY DUE TO PRINTING LIMITATIONS.** Sample color chips are available upon request. Consult your ASC Building Products representative for more information.



**NOTES AND COLOR CHART KEY**

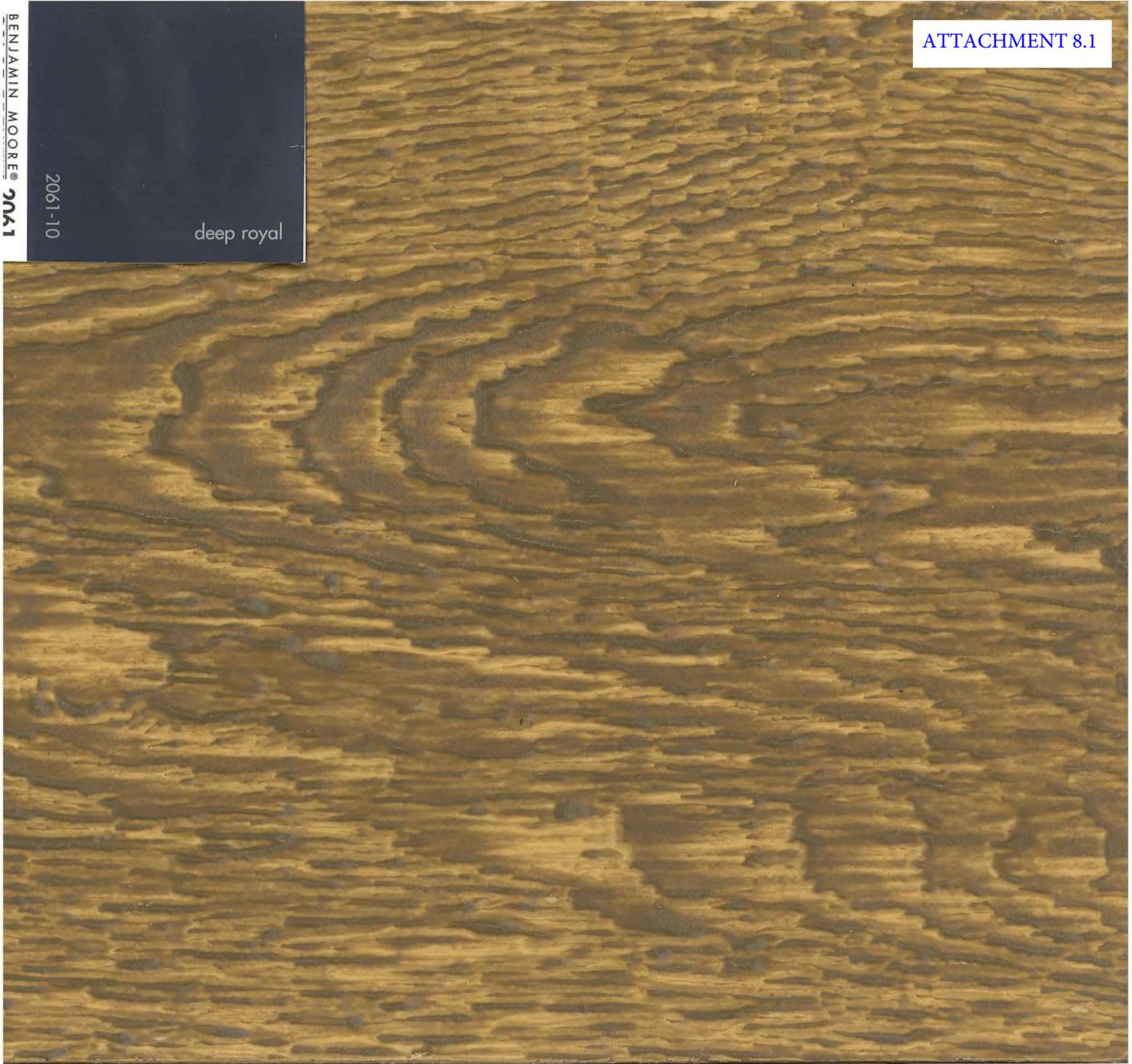
Not all colors and profiles are available at all locations.

**Please see availability chart on back for details.**

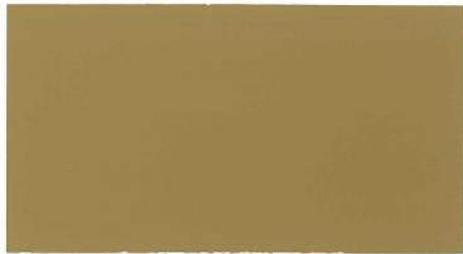
\* ColorGuard 25 with Spectrascape colors that meet a minimum .25 solar reflectivity.

† This coating is batch sensitive and directional in nature.

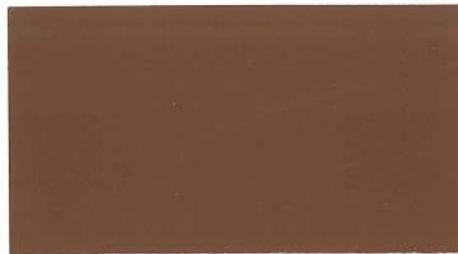
1 Premium colors are subject to upcharge.



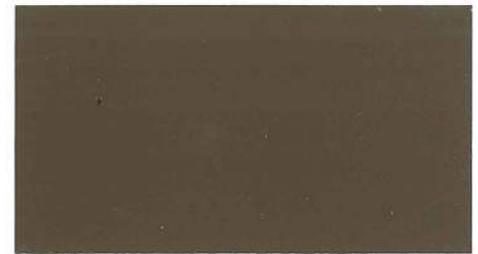
For best results, we recommend DeckCorrect for your deck's horizontal surfaces and Cabot® Solid Color Exterior Stain for its vertical surfaces.



New Cedar



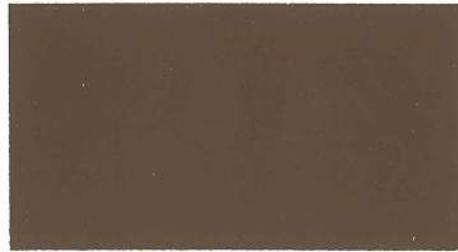
Brickstone



Mission Brown



Redwood



Oak Brown



Cordovan Brown



Terra



Red Cedar



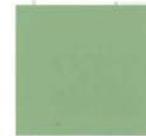
Beige



Cavalry



Pepperwood



Napa Vine



Arboretum



Victory Gray



Granite



Indian Corn



Ochre



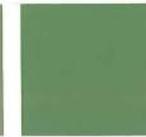
Canyon



Desert Sand



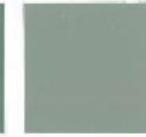
Sycamore



Shade Tree



Allagash



Driftwood Gray



Beechwood Gray



Sequoia



New Redwood



Frontier



Salt Marsh



Sagebrush



Hedgerow



Evergreen



Newport Blue



Dark Gray



Tile Red



Sandstone



Acorn



Golden Husk



Rocky Tundra



Thicket



Mountain Laurel



Spruce Blue



Dark Slate



Barn Red



Bark Mulch



Chestnut Brown



Spanish Moss



Burnt Hickory



Wooded Bog



Deep Forest



Newburyport Blue



Black

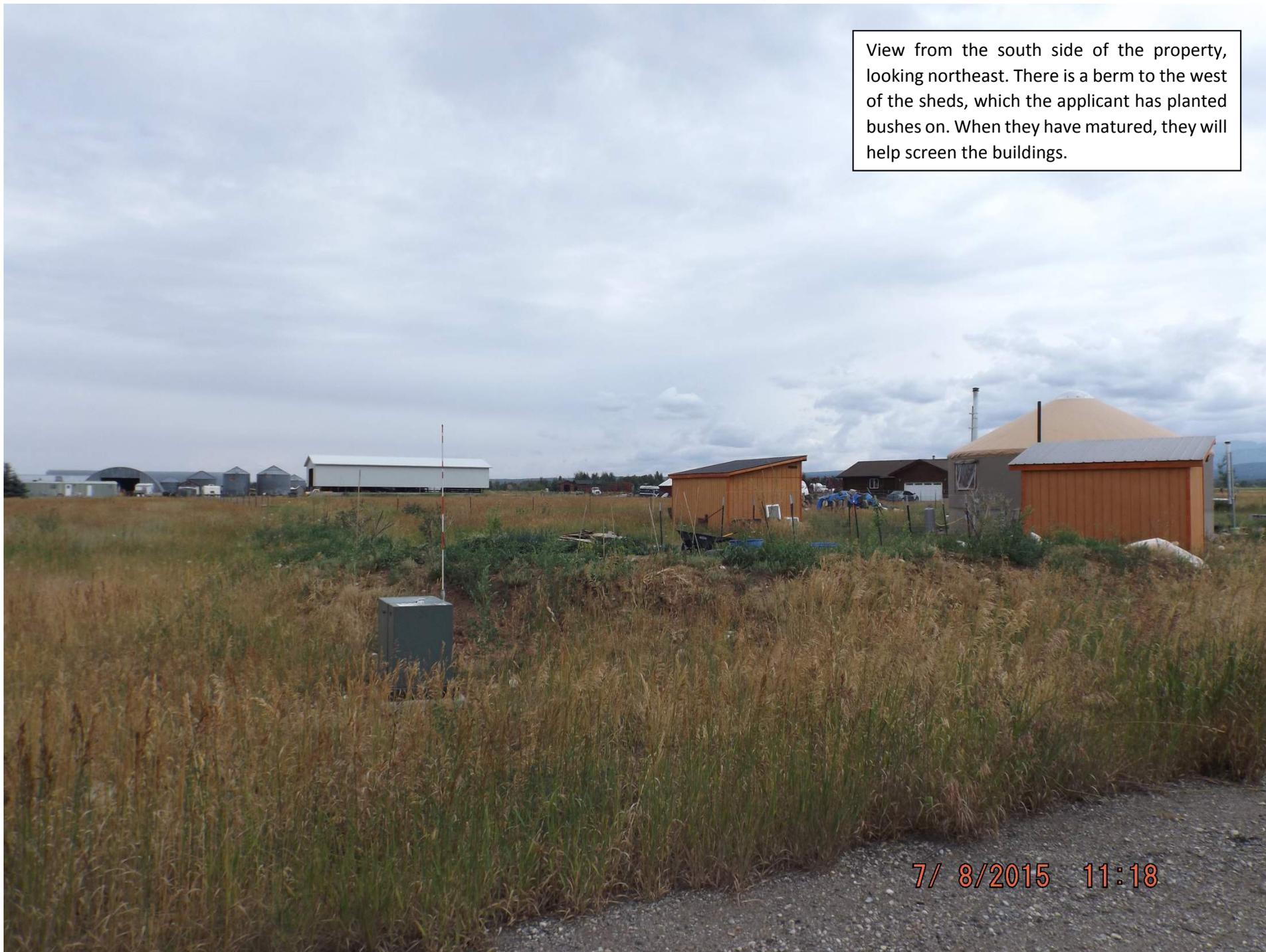
View from the south side of the property, looking north. Existing sheds, driveway, and yurt. The proposed home will replace the yurt. It will be larger, extending to the east of the yurt.



View from the south side of the property, looking northwest. There are existing wood piles and gardens north of the yurt. There is also an existing satellite dish on the pole to the northeast of the yurt.



View from the south side of the property, looking northeast. There is a berm to the west of the sheds, which the applicant has planted bushes on. When they have matured, they will help screen the buildings.



7/ 8/2015 11:18

View from Highway 33, driving from Driggs to Tetonia. Existing trees help screen the property from view.

Yurt location



7/ 8/2015 11:23

View from Highway 33, west of the property. Existing trees and building on the adjacent property help screen the yurt and accessory structures from view.



Yurt location

7/ 8/2015 11:24

View from Highway 33, west of the property. Existing trees and building on the adjacent property help screen the yurt and accessory structures from view.



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View from Highway 33, driving from Tetonia to Driggs. Existing trees help screen the property from view.

Yurt location



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