



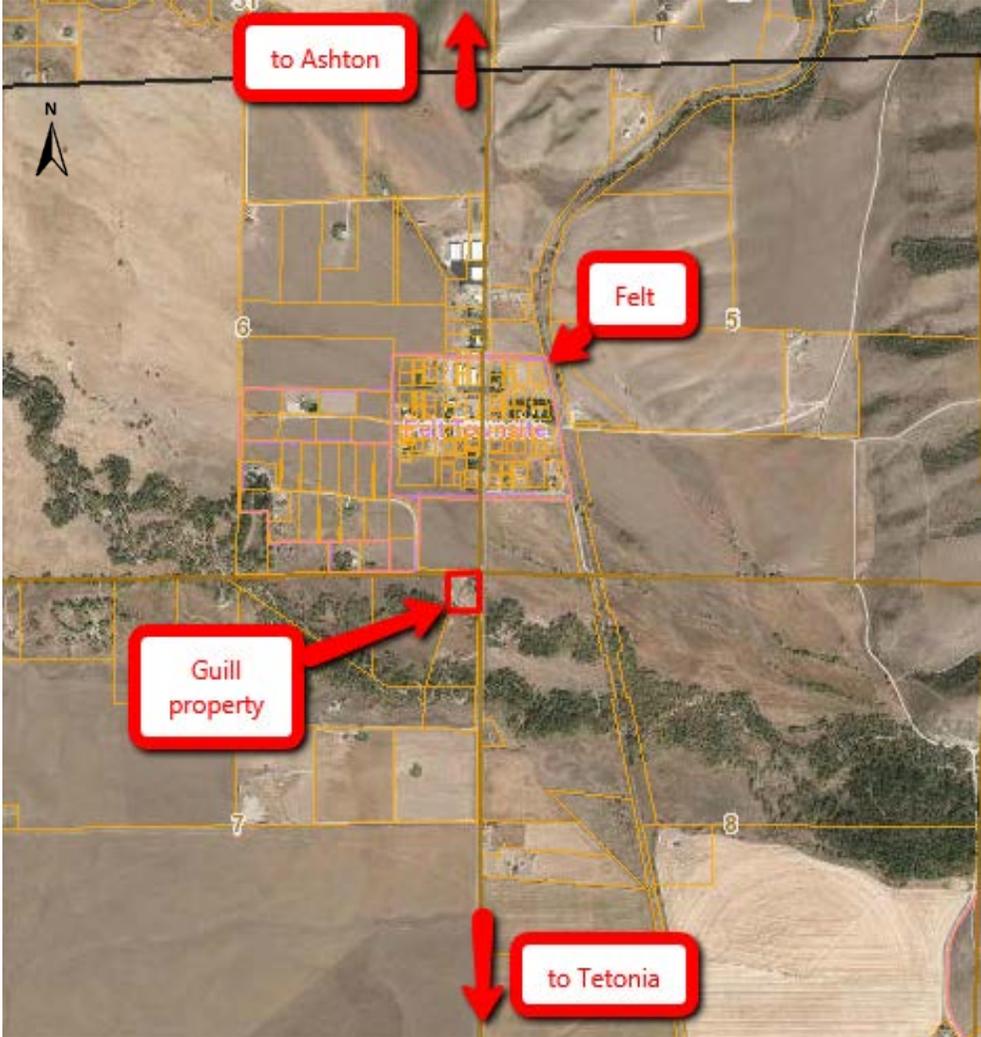
SCENIC CORRIDOR REVIEW for: Amber Winegar
WHERE: 4035 W 10000 N (Felt)
Prepared for the Planning & Zoning Commission
December 13, 2016

APPLICANT: Amber Winegar
LANDOWNER: Delie G. Guill

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

REQUEST: Amber Winegar is requesting to place a single-wide, manufactured home on her family's property south of Felt, located along Highway 32 at 4035 W 10000 N. The property is entirely in the Scenic Corridor Overlay.

LEGAL DESCRIPTION: RP06N45E070010, TAX #6633 SEC 7 T6N R45E
LOCATION: 4035 W 10000 N
ZONING DISTRICT: A-2.5
PROPERTY SIZE: 3.08 acres
VICINITY MAP:



AERIAL IMAGE OF PROPERTY



PROJECT BACKGROUND: Amber Winegar and her husband submitted a completed scenic corridor design review application on December 1, 2016 (attachment 1), and they also submitted a building permit application. Before the building permit can be approved, a scenic corridor design review must occur and be approved for the structure. The proposed single-wide, manufactured home will be approximately 280 feet from the outer edge of Highway 32's right of way, and this proposal complies with all required setbacks. There are three existing homes on the property that are not livable and will be marked as "condemned" by the Building Official. One of these homes will be removed and replaced by the proposed home (see attachments 4 and 5).

This property is currently zoned A-2.5. The entire property is in the scenic corridor. The building location was chosen because it is replacing one of the existing homes. See attachment 6 for photos of the proposed home.

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.

8-5-2-D (3). DESIGN REVIEW CRITERIA:		STAFF COMMENTS:
SETBACKS	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 structure will be located over 50 feet from the outer edge of Highway 32's right of way. A-2.5 requires front and side setbacks of 30' and rear setbacks of 40'. The existing home is not currently meeting the 40' setback; however, the new home will have to meet all setbacks.</i>
BUILDING ENVELOPE	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 building entirely.</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 structure was chosen because it is replacing an existing structure. The building will be visible from the highway. There's minimal vegetation on the property that could be used to screen the structure.</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 building will not be located on a ridge or hillside.</i>
BUILDING MATERIALS	All non-agricultural buildings shall not be of highly reflective materials according to ASTM C6007, Light Reflectivity Index.	<i>The proposed structure has white siding, as shown in attachment 6. The materials will not be highly reflective.</i>
ROADS & 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	<i>This property is accessed from 10000 N, so there should not be an issue with vehicles backing out onto Highway 32.</i>
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	<i>There are no resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes proposed with this application that would need to be screened. There is existing outdoor storage.</i>
THERE ARE ADDITIONAL PROVISIONS FOR SATELLITE DISHES, REVEGETATION, UTILITIES, AND SIGNS.		<i>The applicant is not proposing a satellite dish, utilities, or signs. Disturbance will be minimal for construction.</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. If outdoor lighting is desired, it must comply with Teton County Code lighting requirements.
4. Building materials shall not be highly reflective materials.
5. If a satellite dish is installed, it must be located to minimize visibility from Highway 32, as per Title 8-5-2-D-4.

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 MOTIONS:

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 Amber Winegar 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. *If outdoor lighting is desired, it must comply with Teton County Code lighting requirements.*
4. *Building materials shall not be highly reflective materials.*
5. *If a satellite dish is installed, it must be located to minimize visibility from Highway 32, as per Title 8-5-2-D-4.*

Denial

Having found that the proposed development for Amber Winegar 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 have been done to obtain approval...

1. ...

Prepared by Kristin Owen

Attachments:

- | | | |
|--------------------------|-----------------------|--------------------------------|
| 1. Application (2 pages) | 4. Site Plan (1 page) | 6. Building Photos (6 pages) |
| 2. Deed (3 pages) | 5. Aerial Image with | 7. Google Earth image (1 page) |
| 3. Narrative (1 page) | Setbacks (1 page) | |

End of Staff Report

*Must be submitted by 12/2 to be on the 12/13 agenda. Otherwise will have to wait until at least the January meeting w/ Planning Commission.

RECEIVED
12-1-16



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: Delia "Gay" Guell
Applicant: Amber Winegar E-mail: zoozieg87@yahoo.com
Phone: (208) 346-1290 Mailing Address: 4035 W 10,000 N
City: Tetonia State: ID Zip Code: 83452

Location and Zoning District:
Address: 4035 W 10,000 N Parcel Number: 1P06N45E070010
Section: 7 Township: 6N Range: 45E Total Acreage: 308

- Latest recorded deed to the property
- Fees in accordance with current fee schedule \$200.00
- Affidavit of Legal Interest - see attached for documentation required

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: 12-30-16

I, the undersigned, am the owner of the referenced property and do hereby give my permission to Amber Winegar 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: Delia "Gay" Guell Date: 11-30-16

Fees are non-refundable.

RECEIVED
12-1-16



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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: Wendy "Gay" Gill
Applicant: Amber Winegar E-mail: zoozie987@yahoo.com
Phone: (208) 346-1290 Mailing Address: 4035 W 10,000 N
City: Tetonia State: ID Zip Code: 83452

Location and Zoning District:
Address: 4035 W 10,000 N Parcel Number: 1P06N45E070010
Section: 7 Township: 6N Range: 45E Total Acreage: 3.08

- Latest recorded deed to the property
- Fees in accordance with current fee schedule \$200.00
- Affidavit of Legal Interest
- see attached for documentation required

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: 11-20-16

I, the applicant

RECEIPT NUMBER
DATE: 12-1-16
RECEIVED FROM: Amber Winegar
ADDRESS: _____
FOR: Scenic Corridor Application DOLLARS \$ 200.00
BY: Sharon Fox

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	<u>X</u>
BALANCE DUE		MONEY ORDER	

© REDIFORM Cabonites • StreetViewCL Triplate

Instrument # 234339

TETON COUNTY, IDAHO
10-30-2014 12:57:00 PM No. of Pages: 3
Recorded for : NELSON ENGINEERING
MARY LOU HANSEN Fee: 16.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

1

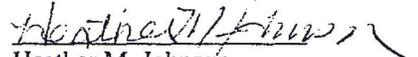
QUITCLAIM DEED

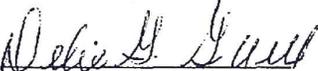
For Value Received, Garret T. Johnson and Heather M. Johnson, and Delie G. Guill, heinafter called the **GRANTORS**, hereby quitclaim and release any and all right, title and interest unto Delie G. Guill, hereinafter called the, **GRANTEE**, whose current address is 4035 W. 10000 N. Felt, Idaho, 83452, the following described premises, situated in Teton County, Idaho, to-wit:

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

TO HAVE AND TO HOLD the said premises, unto the said grantee(s) that their heirs and assigns forever together with their appurtenance and any hereinafter acquired title.


Garret T. Johnson


Heather M. Johnson

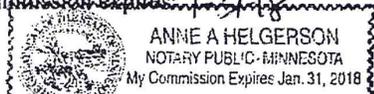

Delie G. Guill

STATE OF MN)
) ss.
COUNTY OF Dakota

On this 24 day of Sept, 2014 before me, a Notary Public in and for said State, personally appeared **Garret T. Johnson** and **Heather M. Johnson**, known to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.


Notary Public of MN
My commission expires: Jan 31, 2018



(Notary acknowledgment of Delie G. Guill on following page)

EXHIBIT A**Legal Description****Parcel B**

Parcel easterly of existing fence combined with adjacent parcel Instrument Nos. 129634 and 129635, all described as follows:

A Tract of Land located in the NE1/4 NE1/4 Section 7, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, being that portion of Parcel 2 as shown on that Record of Survey Instrument No. 119354 lying easterly of the existing fenceline as described herein together with that Parcel described and conveyed in Instruments Nos. 129634 and 129635, records of Teton County, and being more particularly described as follows:

That Parcel described and conveyed in Instruments Nos. 129634 and 129635, records of Teton County and *described in Said Instruments* as:

Beginning at the northeast corner of the northeast quarter of Section 7, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho; running thence WEST 325 feet; thence SOUTH 390 feet; thence EAST 325 Feet; thence NORTH 390 Feet to the Point of Beginning.

TOGETHER WITH

That Portion of Parcel 2 as shown on Record of Survey Instrument No. 119354 lying easterly of the existing fenceline near the easterly boundary line of Said Parcel 2 and more particularly described as:

Beginning at a Point on the North line of Said Section 7 which lies S89°04'15"W, 325.15 feet from the Northeast Corner of Said Section 7 where is found a steel reinforcing bar with Cap inscribed AW Eng 2860; Thence S00°20'17"E, 390.40 feet to a steel reinforcing bar with Cap inscribed AW Eng 2860;

Thence S17°29'06"W, 10.37 feet to an existing fence;

Thence along said fence, N77°43'17"W, 19.89 feet to an angle point in said fence;

Thence along said fence, N01°13'57"W, 84.58 feet;

Thence continuing along said fence, N01°03'19"E, 311.27 to the prolongation of said fence with the North line of Said Section 7;

Thence along the North line of Said Section 7. N89°04'15" E, 16.34 feet to the Point of Beginning.

Said combined Parcel contains 3.11 acres, more or less, and is subject to easements, rights-of-way, reservations, and restrictions, of sight and/or of record, including an easement for County Road 10000 North comprising approximately the northerly 15 feet of the Parcel described herein.

We are just going to move the single wide 14x70 trailer home from back of the property and replacing it with a newer 14x70 trailer home. We will not be adding or taking any trees or plants. We will within the next few months get internet and cabel so we will have the Statelight dishes attached to the house. The new one will be in the exact place the one we are moving is.

Thank you
Dwight Winegar



Replacing
↓ this
trailer

R066 N 45E 07.0010
GUILLE ALBERT D

R066 W 10000 N

trailer will be
demod

57

ATTACHMENT 5















996 996 ID-32



Exit Street View

