



TETON COUNTY
PLANNING & ZONING
SEP 11 2014
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 Board of Adjustment, 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: Steven and Patricia Wuthrich
Applicant: Steven and Patricia Wuthrich E-mail: wuth@comcast.net
Phone: (925) 951-7075 Mailing Address: 141 Brodia Way
City: Walnut Creek State: CA Zip Code: 94598
Engineering Firm: _____ Contact Person: _____ Phone: () _____
Address: _____ E-mail: _____

Subdivision: Teton Saddleback Vistas
Location and Zoning District: _____
Address: 3543 Edge Braid Ct. Driggs, ID Parcel Number: RP004750020050
Section: _____ Township: _____ Range: _____ Total Acreage: 6.92
Present Zoning District: A-2.5 Requested Zoning District: A-2.5 (No Change)

- Latest Recorded Deed to the Property Affidavit of Legal Interest
 Fee in accordance with current fee schedule

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: Steven Wuthrich Date: 9-11-14
Patricia Wuthrich

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: *Steve W. Wathel* Date: 9-11-14

Peter W. Wathel 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

September 11, 2014

To: Teton County, Idaho
Planning and Zoning

From: Steven and Patricia Wuthrich

Re: Variance for property at 3543 Edge Braid Ct., Driggs, ID
(Teton Saddleback Vistas)

To Whom It May Concern:

We are applying for a variance to the side set back for our home at 3543 Edge Braid Ct., Driggs, ID, within the Teton Saddleback Vistas subdivision. We have incurred an undue hardship due to characteristics of the site as related to the original building/development of the site.

We purchased the house in August of 2009. All exterior construction, septic, and well had been completed. The interior was not finished. We did not alter any exterior construction related to the house.

We are now planning an addition to the home and have discovered the house was constructed within the 30-foot side set back required by the county for the zoning district of A-2.5. The house is approximately 14 feet to the side property boundary, at the closest point. (See attachment 1)

We are requesting a variance to conform this existing condition for the property as well as the ability to construct an addition of approximately 1100sq ft, which will contain a Master Bedroom suite and meet the requested variance (See attachment 2). Based on the layout of the house, this is the only location to add a first floor Master at the back of our house.

Following are the attachments as noted above as well as additional attachments that may contain helpful information to support our request.

Attachment 1: Drawing of property with boundaries and current house location
(including distance from house to property boundaries)

Attachment 2: Proposed addition with distances to relative property boundary, including locations of septic and well

Attachment 3: Information from Eastern Idaho Public Health department regarding septic field location.

Attachment 4: Copy of latest recorded deed from Teton County website (Instrument 206752)

Please contact us if you have any additional questions. We can be reached at 925-951-7075 or 925-930-9403.

Sincerely,


Steven Wuthrich


Patricia Wuthrich



3543 Edge Braid Ct. Lot size = 6.92 acres
 Driggs, ID 83422

3200 sq ft. existing house
 2200 on ground/main floor

EASTERN IDAHO PUBLIC HEALTH DISTRICT
SEPTIC SYSTEM INSPECTION REPORT 1/2007

Travel Time: 20 min Inspection Time 35 min

INSPECTION CONDUCTED FOR: Name ALAN TWITCHELL Permit No 4107170

LOCATION OF INSPECTION: Street Address _____ City DRIGGS

Legal Description: ¼ Section _____ Section 14 Township 4N Range 4SE
 Subdivision: TEION SANDEROCK VISTAS Lot 5 Block 2

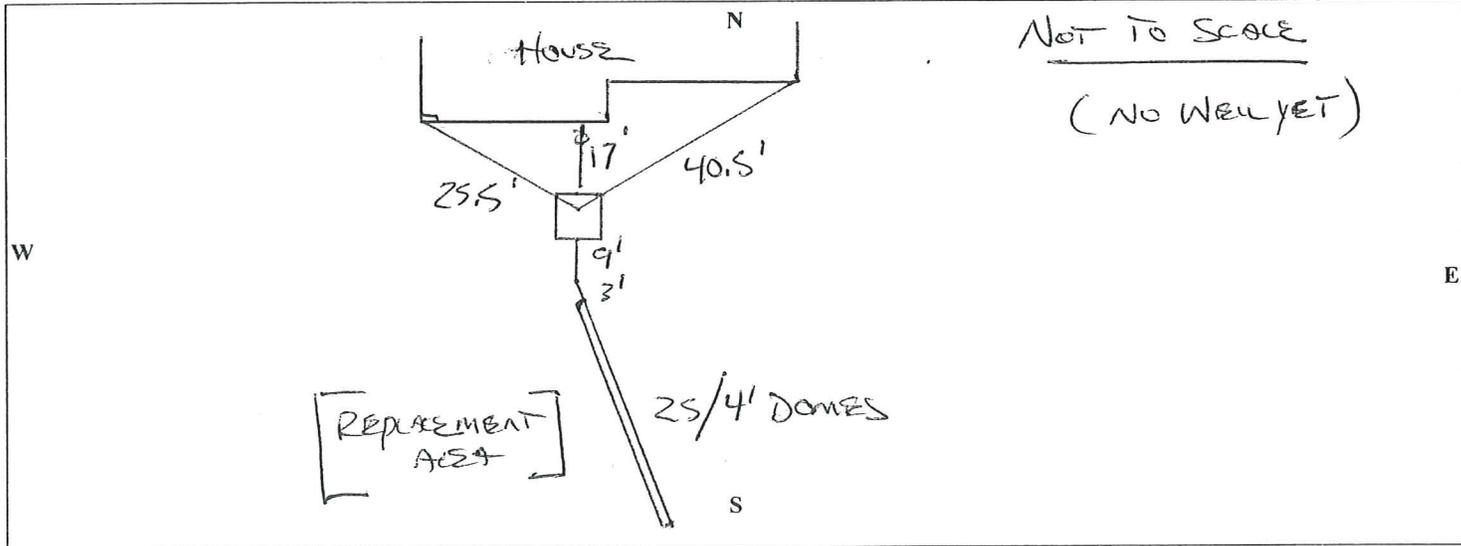
KANTA **SEPTIC TANK INSPECTION**

- Capacity Tank 1000 gallons. ATU _____ gpd. Septic Tank capacity = or greater than permit requirements? Yes No N/A
- Was Septic Tank construction in compliance with State regulations and was tank State approved? Yes No
- Were inlet and outlet properly sealed? Yes No
- Did Septic Tank meet minimum separation requirements as required by permit? Yes No
- Was extension of manhole required? Yes No Depth from final grade to manhole. 1 feet

SUBSURFACE DISPOSAL (DRAINFIELD) INSPECTION

- Type of Disposal System installed GRAVELLESS TRENCH Meets permit requirements? Yes No N/A
- Disposal Area Size 300 Square Feet In compliance with Permit Issued? Yes No
- Did Disposal System meet the minimum separation distance as required by the Permit? Yes No
- Was Disposal System constructed in compliance with the State Technical Guidance Manual? Yes No
- Maximum depth of Disposal System 3 Feet. In compliance with Permit Issued? Yes No

DRAWING: (Show buildings, septic system components, water lines, surface waters, & wells within 300 feet of septic system. Important to show distances.)



SELF-INSPECTION; If given approval for self inspection, Installer certifies that information provided is accurate and system was installed as shown.

Installers Signature X _____ License #: _____ Date: _____

Installed by: MATKIN BROTHERS EXCAVATION Official Use Only License #: 3004

- This System appears to:
1. Be in Substantial Compliance with permit and is approved. Yes
 2. Have Minor deficiencies which could cause premature failure, but still in substantial compliance with Intent of Rules. Recommend that deficiencies be corrected, which could improve your system, but system is still approved. Yes*
 3. Have Major deficiencies which violate the Intent of Rules and must be corrected, system not approved. Yes*

Comments SYSTEM NOT YET CONNECTED TO HOUSE *See Comments

(Handwritten signature)

F

EASTERN IDAHO PUBLIC HEALTH DISTRICT SEPTIC PERMIT

***NOTE* THIS PERMIT IS ONLY VALID FOR ONE YEAR FROM DATE OF ISSUE and IS NOT TRANSFERABLE**

*Installation shall comply with all the requirements of Idaho's Individual Subsurface Sewage Disposal Regulations as stated below.
Failure to install the system in compliance with permit may be grounds for disapproval and may result in further legal action being taken.*

CDP No _____ T-Code: 232 Time: 20 min Permit No 4107170
Receipt No 86059

Permit Issued To: Name ACAN TWITCHELL Phone (307) 413-3380

For Location: Address _____ City DRUGGS Zip 83422

Legal Description: 1/4 Section 1 Section 14 Township 4N Range 45E
Subdivision TETON SANDERBACH UST Lot 5 Block 2

SEPTIC TANK SPECIFICATIONS (minimums)

Size of Septic Tank: 1000 gallons Multiple tank (If using or required): Total gallons
First tank: gallons Second tank: gallons
Pump Chamber (If required): gallons ATU: Company: Model:

SEWAGE DISPOSAL (DRAINFIELD) SPECIFICATIONS (minimums)

Type of Standard & Basic Alternative System Permitted: GRAVELLESS TRENCH
(*) USING DOME CHAMBER SYSTEM → 300 SQ FT (*)

Type of Complex Alternative System Permitted: _____

**Note* A licensed complex installer is required to install a complex system. A homeowner cannot install complex systems.*

MAXIMUM DEPTH OF EXCAVATION: 4 Feet DISPOSAL AREA SIZE: 500/300 Sq. Ft.
SOIL TYPE: B APPLICATION RATE: 0.5 gals/day/ft²
DISTANCE TO NEAREST SURFACE WATER (explanation): _____

SPECIAL CONDITIONS

INSPECTION REQUIRED BEFORE COVER

SEE REVERSE FOR ADDITIONAL PERMIT REQUIREMENTS.
QUESTIONS, CALL 234-2220

I hereby agree that the system will be installed as per the permit and will not make any changes from the permit without written approval from Eastern Idaho Public Health District. I also hereby authorize access to this property for purpose of inspection.

Applicant/Agent Signature X John M. Coome

ISSUED BY EHS [Signature] # SS Date Issued: 18 OCT 07
Expiration Date: 18 OCT 07

EASTERN IDAHO PUBLIC HEALTH DISTRICT
APPLICATION FOR SEWAGE DISPOSAL PERMIT

Permit # 4107170

Receipt # Amt

Receipt # 86059 Amt 260.00

CH # 1348

(This is not a permit to install)

SINGLE FAMILY RESIDENCES

Owner of system: Alan Jacobson

Phone # 307-413-3380

Mailing Address of Owner: 926 100th E
(Current Address)

City: Driggs

Zip: 83422

Location of actual system:

Legal Description: 1/4 Section 1-1 Section 1-1 Township 4N Range 4BE

Subdivision Name if applicable: TEJON SANDERBACK Div. --- Lot 5 Block 2

Address: --- USMS City Driggs Zip 83422

Directions to property: turn left into Saddleback 213th on Hwy 33 - take 1st left, just house in east side of cul-de-sac

Lot Size: 6.7 acres. Water Supply: Private Well () Shared Well () Public System ()

Constructional Activity: New Construction () Enlargement () Replacement ()

Wastewater Flow Information:

Maximum number of POTENTIAL bedrooms 3

Will home have basement with bathroom, laundry or other plumbing for disposal of wastes? Yes No

Will dwelling serve as a rental unit? Yes No

Proposed Disposal System:

Standard or Basic Alternative Systems:

SEPTIC TANK + GRASSLESS TRENCH

Complex Alternative System:

Note Current rules require you to hire a septic installer that has a complex installer license to install a complex systems. A homeowner cannot install complex systems.

I certify that public or central sewage facilities are not reasonably accessible. I understand that if this system is constructed by anyone other than homeowner, a licensed installer must install it. I understand that the system must be inspected and approved prior to final cover. I understand this is an application only and that it is necessary to have a permit before construction can begin. * Note * Once the permit has been issued, no changes can be made without prior approval from Eastern Idaho Public Health District.

Is Home Owner Installing? No

I am the: Homeowner () Owner's authorized representative: Installer () license number Contractor ()

I hereby authorize access to this property for the purpose of conducting an on-site evaluation.

Signed By: X [Signature] Date: 3-20-07

ON-SITE EVALUATION ON REVERSE SIDE

[Signature]

3-7-30-07

Eastern Idaho Public Health District

ENVIRONMENTAL HEALTH SECTION

BONNEVILLE
254 E Street
Idaho Falls ID 83402
208-523-5382
FAX: 208-528-0857

CUSTER/LEMHI
801 Monroe
Salmon ID 83467
208-756-2122
FAX: 208-756-6600

FREMONT
45 S 2nd W
St. Anthony ID 83445
208-624-7585
FAX: 208-624-0954

TETON
139 Valley Centre Dr
Driggs ID 83422
208-354-2220
FAX: 208-354-2224

JEFFERSON/CLARK
380 Community Lane
Rigby ID 83442
208-745-7297
FAX: 208-745-8151

MADISON
314 N 3rd E
Rexburg ID 83440
208-356-3239
FAX: 208-356-4496

SEPTIC PERMIT INFORMATION SHEET

FEES:	\$ 125.00	Application Fee (Application fee may be paid separately if type system is unknown, or may be included with permit fee.)
	\$ 90.00	Permit, Standard and Basic Alternative Systems (Total Price of Permit \$ 215.00)
	\$ 140.00	Permit, Complex Systems (Total Price of Permit \$ 265.00)
	\$ 140.00	Permit, Large Systems (Total Price of Permit \$ 265.00)
	\$ 00.00	Tank Only for connection to Central System (Permit included with Application fee of \$ 125.00)
	\$ 70.00	Site Evaluations. Evaluation of property when permit is not requested (i.e., for potential buying of property). The fee may be credited toward the permit fee if requested within one (1) year.

PROCESS:

1. Submit application for permit: Obtain and **completely fill out** application, including a plot plan. Applications cannot be processed without payment of fee. **No payments can be taken in the field.**
2. Schedule site evaluation: Environmental Health Specialist must go on-site in order to evaluate the application and to assess the situation before issuing the permit. (A representative must meet the EHS at the site to answer any questions.) (Test holes may be required to determine soil type, limiting layer, or water level, etc.) **Plan on a minimum of five to six working days for processing of application.**
3. Permit Issuance: When permit is ready to issue, applicant will be called to come to the office to sign permit. The permit can be used to get building permit from Planning and Zoning. A copy of the permit should be given to licensed installer who will then be able to install system. (The permit is valid for one year only. It can be renewed prior to the anniversary date at an additional cost (\$40.00).)
4. Construction of septic system: When licensed installer has copy of permit, construction can begin anytime thereafter. System must be installed in accordance with issued permit. **Any changes must be approved by Eastern Idaho Public Health District prior to changes being made.**
5. Final Inspection Necessary: It is necessary to have the system inspected by an Environmental Health Specialist prior to covering in order to determine if system was installed in accordance with issued permit. It is the owner's or installer's responsibility to call for final inspection. **Systems covered prior to final inspection will be required to be uncovered for final inspection.**

THINGS TO REMEMBER:

1. Septic systems **MUST** be installed by a licensed installer. (List of installers can be obtained from your local health district office.) Homeowners can only install their own septic system if it is a standard system.
2. No changes to the system specifications stated on the permit can be made without prior approval from Eastern Idaho Public Health District.
3. Septic systems (tank and drainfield) **MUST BE INSPECTED PRIOR TO COVERING.**
4. **If the system is not inspected prior to covering, the installer or owner will be asked to uncover the system for inspection. This may cause more expense as system may become damaged if disturbed.**

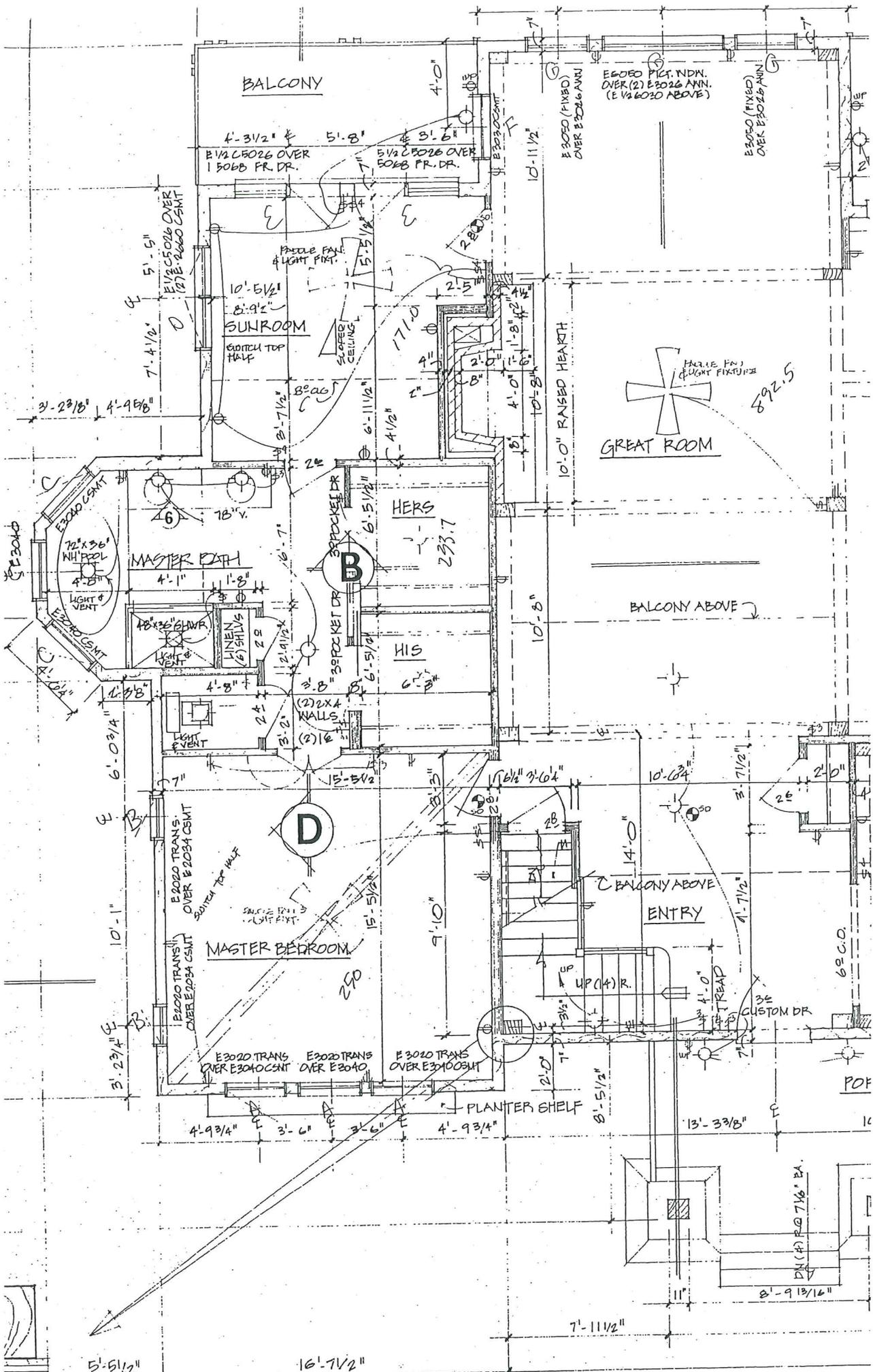
SAVE TIME:

1. Avoid unnecessary delays by filling out the application form completely. Be sure to include a mailing address and phone number of the owners, and, if applicable, a phone number of the contact person (Builder and/or installer).
2. **Eastern Idaho Public Health District requires 24 hours notice to schedule an inspection.**

I have received, read, and
understand the above information.

Signed: _____ Date: _____





Teton County Title

MART LOU HANSEN
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

Fee: 3.00

Instrument
206752

AND WHEN RECORDED MAIL TO:
Teton County Title
65 S. Main Street
Driggs, Id 83422

Teton County Title

WARRANTY DEED

FOR VALUE RECEIVED

Alan Twitchell, a married man as his sole and separate property,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto
The Wuthrich Family Trust

GRANTEE(S), whose mailing address is: **141 Brodia Way, Walnut Creek, CA 94590**

the following described premises, to wit:

Lot 5, Block 2, Master Plan/Final Plat for Teton Saddleback Vistas, Phase I, as shown on the official plat thereof, recorded January 04, 2006, as Instrument No. 173852. Amended Owners Certificate recorded June 06, 2006, as Instrument No. 177562, records of Teton County, Idaho.

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 28th day of August, 2009.



Alan Twitchell

STATE OF Idaho)
) ss.
COUNTY OF Teton)

On this 28th day of August, 2009, before me, the undersigned, a Notary Public, in and for said State, personally appeared **Alan Twitchell** known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.



Attachment 4



West Property Line

