



206 First Avenue South, Suite 310
Hailey, Idaho 83333
Land Use Services: 208-788-557
FAX Number: 208-788-5576

**LAND USE & BUILDING SERVICES
VARIANCE APPLICATION**

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As set forth in Chapter 30, Title 9 of the County Code, of Blaine County, Idaho **APR 27 2021**

Contact Information

21-052

**BLAINE COUNTY
LAND USE & BUILDING SERVICES**

- (1) Applicant/Agent Name: SEE OWNER INFO
Mailing Address: _____
Phone: _____
Email: _____
- (2) Owner Name: STUART CAMPBELL
Mailing Address: 27649 OLD LINCOLN HWY - COALVILLE, UT 84017
Phone: 801-231-0591
Email: STUARTCAMPBELL@BLUESKYUTAH.COM

Project Information

- (3) General Size of Tract: 0.45 ACRES / 19,697 SQ. FT.
Present Land Use: SINGLE FAMILY RESIDENTIAL
Existing Zoning: R-2.50 - RURAL RESIDENTIAL
Overlay District(s): HWY-75 R.O.W
- (4) Property Address: 310 EAGLE CREEK LOOP - KETCHUM, ID 83340 *Eagle Creek Meadows L6 B5*
- (5) Requested Action: (i.e. variance from existing lot width, lot depth, and yard setback, height of building or parking variance).
INTERIOR SIDE YARD SETBACK VARIANCE FOR NEW GARAGE STRUCTURE
- (6) Required Minimum Setbacks: Front: 25' Side: 25' Rear: 25'
- (7) Requested Setbacks: Front: N/A Side: 11' Rear: N/A
- (8) Undue Hardship: What undue hardship shall occur if this variance is not granted?
LACK OF ENCLOSED PARKING / STORAGE FOR LOT - LOT IS NARROW
& ADJACENT TO HWY-75 R.O.W - LIMITING BUILDABLE AREA
- (9) Offsetting Impacts: Describe any impacts which would be created by granting the variance AND steps the applicant proposes to offset these impacts.
LESS SIDE YARD FROM ADJACENT NEIGHBOR. HOWEVER GARAGE WILL
ACT AS VISUAL AND NOISE BUFFER BETWEEN NEIGHBOR & HWY-75
- (10) Neighboring Properties: Please itemize neighboring properties that currently intrude into County setbacks.
N/A

Legal Information

- (11) Legal Description: (Include section, township, range) _____
EAGLE CREEK MEADOWS SUB LOT 6 BLK 5
- (12) Parcel Number: RP - 001450050060
- (13) Status of Applicant: Is the applicant the owner of the property legally described above? Yes or No
If no, explain: _____
- (14) Adjacent Ownership: Does the applicant own property adjacent to the area proposed for development? Yes or No
If yes, explain: _____

Additional Information

- (15) Please provide the following:
- a) Legal description of subject property, if not included above.
 - b) Proof of ownership.
 - c) Septic Permit or a letter of approval from the South Central District Health.
 - d) Vicinity map which includes all lands within 1/2 mile of subject property.
 - e) Lot and parcel map. This map can be purchased in the Assessor's Office and the applicant shall include the names of surrounding landowners on it.
 - f) Names and addresses of surrounding landowners within 300' of the exterior boundary of subject property, including private road owners. Names and addresses are to be typed onto self-adhesive copier labels.
 - g) Three (3) copies of site and landscaping plan indicating the proposed location of the building envelope, any changes in present elevations due to grading, and the type and location of existing and proposed planting materials .
 - h) Three (3) copies of Building elevations and floor plan; description of building materials including roofing.
 - i) \$600 variance application fee plus current postage + .15¢ per surrounding land owner mailing fee. County Engineer fees may be assessed in addition to application fee. These fees will be billed by the Land Use office and are payable before the application is considered at public hearing.
 - j) Typed and complete responses to attached Criteria for Review.
 - k) A refundable "Notice" fee of \$50.00 for a Notice board to be posted on site of property being considered for at least 7 days prior to public hearing and returned by the applicant as soon as possible after the hearing.

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LAND USE & BUILDING SERVICES

Page 2 of 5
Variance Application
Revised Dec. 2013

ACKNOWLEDGMENT

(16) The undersigned certifies that (s)he is the owner of the subject property, or an authorized representative, that (s)he has filled in this application to the best of his/her knowledge, and that (s)he agrees to comply with all county codes and state laws, as amended, regulating properties in Blaine County, Idaho. The applicant agrees in the event of a dispute concerning the interpretation or enforcement of the variance permit, in which the County is the prevailing party, the applicant will pay reasonable attorney's fees and costs, including fees and costs of appeal for the County of Blaine.

(17) The undersigned grants permission to County Personnel to inspect any property which is the subject of this application until such time as all condition(s) of approval attached to the application(s) have been satisfied.

SIGNATURE OF OWNER/AUTHORIZED AGENT: 
DATE: 4/22/2021

ADMINISTRATIVE RECORD

Required Fee \$600.00 600.00 paid on 4-27-21
Refundable Notice Board Fee \$50.00 paid on 4-27-21
Surrounding Landowner Notices
Current Postage + .15¢ ea x 18 = \$12.60 paid on 4-27-21
TOTAL \$662.60 ✓ receipt # 423928

Date Application Certified _____

Hearing Date: _____

Commission Disposition _____

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BLAINE COUNTY
LAND USE & BUILDING DEPARTMENT

**Variance
Criteria for Review**

As stated in 9-30-1 of Title 9, Blaine County Code: A "variance" is defined as a modification of the requirements in this Title regarding lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space and location, height of buildings or other provisions affecting the size or shape of a structure or the placement of a structure upon lots or the size of lots.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and only when the variance will not conflict with the public interest. (Ord. 77-5, 3-28-77, eff. 4-7-77)

Pursuant to the directives established in the Blaine County Zoning Ordinance, an applicant for a variance shall present written responses to the variance criteria for review prior to certification of an application by the Administrator. These are the items the Commission shall consider when making a decision regarding the approval, denial or conditional approval regarding a variance application. Not all items have to be true for a variance to be granted.

Please type your explanation and respond to each criterion comprehensively:

- A. Whether the granting of the variance will conflict with the public interest as expressed in the Blaine County Comprehensive Plan.

GRANTING OF VARIANCE WILL NOT CONFLICT WITH THE PUBLIC INTEREST AS IT IS AN INTERIOR LOT SIDE YARD SETBACK ADJUSTMENT TO ALLOW FOR A SINGLE STORY GARAGE.

- B. Whether there are exceptional conditions, creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the property class of use in the zone or district.

HWY-75 R.O.W. OVERLAPS WITH LARGE AREA OF PROPERTY AND LIMITS BUILDABLE AREAS OF THE LOT. PROPOSED GARAGE LOCATION CONCENTRATES DENSITY ADJACENT TO THE RESIDENCE AND PRESERVES OPEN SPACE ON THE MAJORITY OF THE LOT. IN ADDITION, THE SEPTIC SYSTEM LOCATION LIMITS THE BUILDABLE AREA ON THE REAR OF THE PROPERTY.

- C. Whether the granting of such relief will be detrimental to the public health, safety, or welfare.

GRANTING OF VARIANCE WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE.

- D. Whether the owner can derive a reasonable use of his land without a variance.

LAND IS USABLE WITHOUT A VARIANCE, BUT BASED ON HWY-75 R.O.W AND SEPTIC SYSTEM LOCATION, BUILDABLE AREA OF THE LOT IS LIMITED.

- E. Whether the Variance will effect a change in zoning.

VARIANCE REQUEST DOES NOT EFFECT A CHANGE IN ZONING, AND ONLY AFFECTS AN INTERIOR LOT SIDE YARD SETBACK.

- F. Whether the variance will be injurious to the property or improvements of others.

VARIANCE WILL NOT BE INJURIOUS TO THE PROPERTY OR IMPROVEMENTS OF OTHERS AS IT IS STILL CONTAINED WITHIN THE EXISTING FOOTPRINT OF THIS LOT WITH NO IMPACT TO BUILDABLE FOOTPRINT OF ANY ADJACENT PROPERTIES.

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LAND USE & BUILDING SERVICES

**A RESOLUTION OF THE BLAINE COUNTY PLANNING AND ZONING COMMISSION
ESTABLISHING A WRITTEN POLICY GUIDELINE FOR VARIANCE APPLICATION
ADOPTED FEBRUARY 16, 1994**

WHEREAS, . . . the Blaine County Zoning Ordinance . . . , establishes provisions for Variance applications, public hearing notice requirements, criteria for review, action by the Commission, notification by the Administrator, appeals process, resubmittal and expiration;

WHEREAS, the Planning and Zoning Commission ("Commission") desires to adopt by resolution a written policy guideline for considering Variance applications to aid in uniformity and consistency of decisions;

WHEREAS, the Commission desires to provide a written policy to assist and educate potential applicants as to the guidelines the Commission will use when considering Variance applications;

NOW, THEREFORE, BE IT RESOLVED by the Blaine County Planning and Zoning Commission to adopt the following Policy Guideline for Variance Applications:

1. The variance is property specific, i.e. hardship must relate to specific characteristics of the site, not circumstances, desire or intentions of the owner.
2. The hardship must arise naturally from the unique physical character of the property and not from the owner's actions, i.e. a hardship cannot be self-created.
3. "Mere" hardship does not justify a variance since all zoning imposes some hardship. An increase or decrease in land value as a result of the granting or denial of a variance does not in itself constitute a sufficient unnecessary hardship.
4. The applicant must prove that an "undue hardship" exists which is found to be "unnecessary", not a "mere" hardship, as well as unique or peculiar to the property involved.
5. A variance is only justified when the property owner cannot yield reasonable use under the Zoning Ordinance,
6. A variance is not justified upon the mere showing that the variance would be profitable to the property owner and no harm would be done to others.
7. A variance is said to be proper only if it poses no substantial detriment to the public or to immediate neighbors.
8. Variances are not meant to authorize wholesale departures from the intent of the Zoning Ordinance.
9. Courts have found that "practical difficulty" (used interchangeable with "unnecessary hardship") exists if the ordinance unreasonably burdens the property owner who attempts to use the property as allowed. A few courts hold a practical difficulty exists only when a "taking" has occurred.
10. Courts have stated that a variance may only be granted: if it does not constitute a special privilege for the owner that is inconsistent with the limitations on other properties in the zone; if application of the zoning ordinance will deprive the property rights and privileges enjoyed by other properties in the vicinity due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings.

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South Central Public Health District
Prevent. Promote. Protect.

**Subsurface Sewage
Permit Application**

SCALED SITE PLANS REQUIRED

PERMIT # 704820

OWNER NAME: <u>Stuart Campbell</u>			LEGAL DESCRIPTION		PERMIT # 704820	
MAILING ADDRESS: <u>8909 NE Harwood Ave</u>			Twn: <u>4N</u>	Rng: <u>7E</u>	Sec: <u>12</u>	Q Sec: <u>RP001450050060</u>
CITY: <u>Albuquerque</u>			SUBJECT PROPERTY STREET/GRID ADDRESS			HOUSE # <u>310</u>
ST: <u>NM</u>			CITY/ST/ZIP: <u>Ketchum Id.</u>			STREET/GRID: <u>Eagle Creek loop</u>
ZIP: <u>87111-3215</u>			SUBDIVISION: <u>Eagle Creek meadows Sub</u>			LOT SIZE: <u>.452</u>
PHONE HOME: <u>307-734-7333</u>			LOT: <u>6</u>			BLOCK: <u>5</u>
PHONE WORK: <u>307-734-7333</u>			BDRMS or EST FLOW - GAL/DAY: <u>3 bedrooms</u>			
INSTALLER: <u>Taylor Septic</u>			<input type="checkbox"/> 232 - NEW SYSTEM <input checked="" type="checkbox"/> 233 - REPLACEMENT			
GENERAL CONTRACTOR: <u>Taylor Septic</u>			PHONE: <u>471-0008</u>			
			WATER: <input type="checkbox"/> PUBLIC/SHARED WELL <input checked="" type="checkbox"/> PRIVATE WELL			

I understand that the installation must comply with State of Idaho and District Health rules, regulations, and standards; that District Health must be notified two (2) working days prior to completion of installation, and that permits are valid for one (1) year from date of issue. Permits are non-refundable, non-transferable.

SIGNATURE: Daniel Taylor DATE: 11-6-08

FEE: 300 - RECEIPT # 2029559 RECEIVED BY: MT DATE: 11-6-08

Site Evaluation and System Specifications Computer #: 00708-15921 Program: 680-09693

TEST HOLES	DEPTH	PROFILE	TYPE OF SYSTEM:
		<u>A26</u>	<u>Pressure Distribution</u>
			PLANS APPROVED: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			SEPTIC TANK SIZE: <u>1,000</u> PUMP CHAMBER SIZE: <u>500</u>
			ORIGINAL PERMIT #:

DRAINFIELD SIZE, DIMENSIONS, & SPECIFICATIONS: 2- 3'x 40' Trenches w/ approved product. 2" Sch 40 PVC Pressure Transport line. 1 1/4" Sch 40 PVC Laterals w/ 3/16" holes on 48" centers

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APPROVE FOR PERMIT YES NO REHS SIGNATURE: Bob Enich DATE: 11-6-08

BLAINE COUNTY

On-Site Construction Inspection "Permit Application is attached hereto and is incorporated by reference herein."

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Tank Size: <u>1,000</u>	Drainfield Sq. Footage: <u>380</u>	Pump Chamber Size: <u>500</u>
Manufacturer: <u>Jer. Precast</u>	Material: <u>24-4' Infiltrator</u>	Screen: <input checked="" type="checkbox"/> Quick Disconnect: <input checked="" type="checkbox"/>
Lid Depth: <u>Grade</u>	Cover Depth: <u>12"</u>	Float/Timer setup: <input checked="" type="checkbox"/> Riser to Grade: <input checked="" type="checkbox"/>
*Meets Regulations: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	*Meets Regulations: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Alarm Location: <u>Kitchen</u>
*Meets all Setbacks: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	*Meets all Setbacks: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Comments: 2- 3'x 48' Trenches installed

Pump & alarm working normally 1-15-09
Squirt height 2' 78"

COMPLETED BY: Bob Enich APPROVED: YES NO DATE: 1-15-09

32258

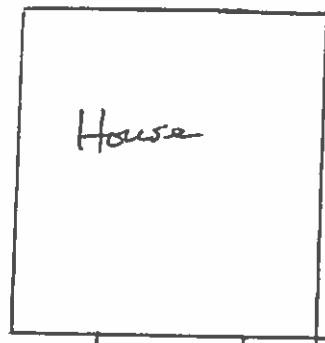
Eagle Cr. Loop



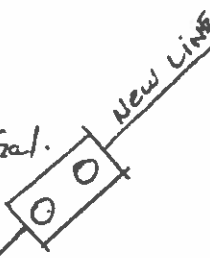
WB



Fence

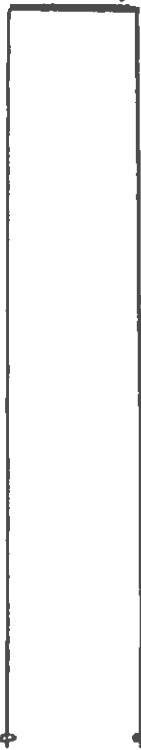


1500 Gal. Tank



6'

OLD SYSTEM



48'

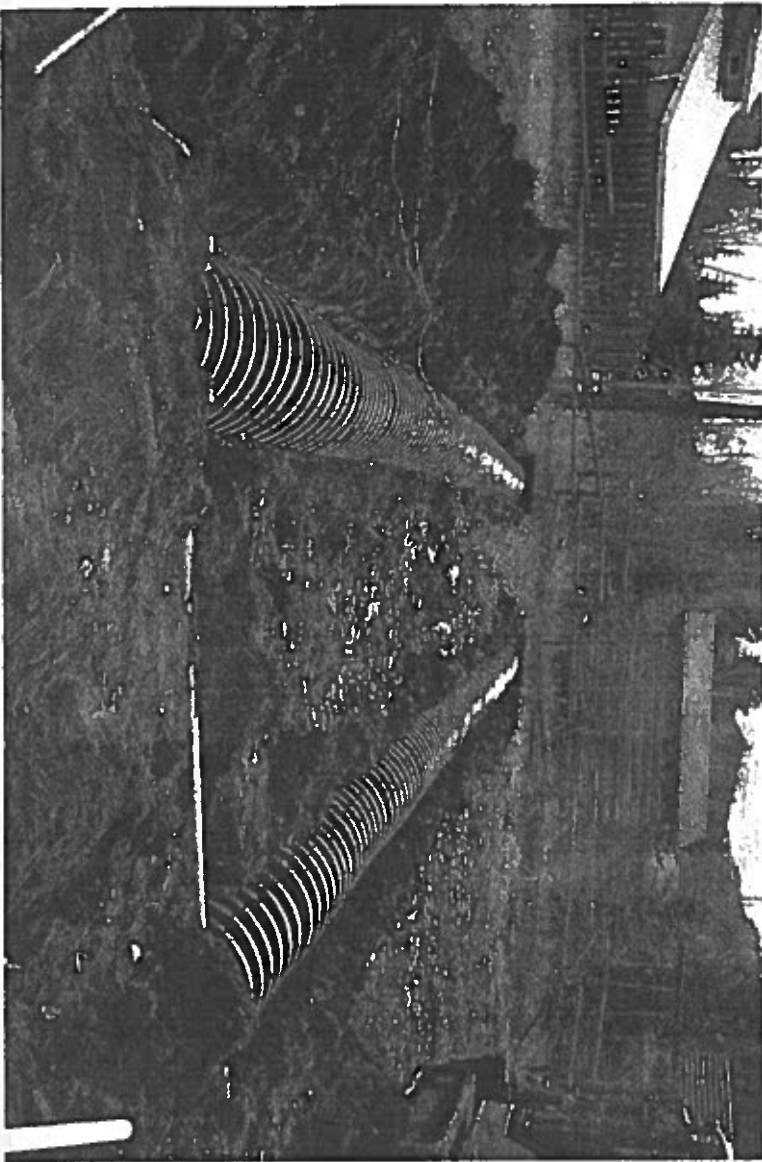
22'

Eagle Cr. Meadows
Lot 6, B1K 5
310 Eagle Cr. Loop

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South Central Public Health District

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Proposal Review for Planning & Zoning

OWNER/APPLICANT NAME: STUART CAMPBELL		LEGAL DESCRIPTION: T R S		PARCEL #: RPC01450050060
MAILING ADDRESS: PO BOX 15030				QUARTER SECTION:
CITY/STATE/ZIP: JACKSON, WY 83002		SUBJECT PROPERTY STREET/GRID ADDRESS: 310 Eagle Creek Loop		
PHONE HOME: STUART CAMPBELL	WORK: 3074136335	CITY/STATE/ZIP:		
GENERAL CONTRACTOR: PAUL BERENSTEIN	PHONE: 2087206116	SUBDIVISION: Eagle Creek Meadows	LOT: 4	BLOCK: 5
CONTACT:	PHONE:	LOT SIZE:	# BEDROOMS/EST FLOW	
Fee: \$25	Enc #: 203	Rec'd by: Ka	Date: 10-5-11	

Applicant's Proposal: (check where appropriate and or describe below):

- Adding an out building; will this building have? Water Yes No Septic Yes No
- Adding on to an existing dwelling; will this increase the number of bedrooms? If so, by how many? _____
- Adding a house or mobile home to an existing septic system
- Land division
- Other

Description of what you will be doing (Please attach a separate page depicting the proposed changes/additions/splits.)

Comments:

BUILDING A CARPORT

Signature:

Date:

Environmental Health Specialist Evaluation

Proposal Approved Proposal NOT Approved

Comments: **carport; no impact to septic system**

REHS Signature:

[Signature]

Date:

10-6-11

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