



Received  
 DEC 20 2022  
 Blaine County  
 Land Use & Building Services

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

#22-100

**LAND USE & BUILDING SERVICES  
 VARIANCE APPLICATION**

As set forth in Chapter 30, Title 9 of the County Code, of Blaine County, Idaho

**Contact Information**

- (1) Applicant/Agent Name: PETER ANDERSON - ARCHITECT  
 Mailing Address: P.O. BOX 1306 KETCHUM, ID 83340  
 Phone: 208-726-6054  
 Email: PETE@ANDERSONARC.COM
- (2) Owner Name: RICHARD DICK, DOLORES PRITCHARD  
 Mailing Address: P.O. BOX 10056, KETCHUM, ID 83340  
 Phone: 949-683-6499  
 Email: RNDICK@RNDICK.COM

**Project Information**

- (3) General Size of Tract: 8.843 ACRES  
 Present Land Use: R10, R1 SINGLE FAMILY RESIDENCE  
 Existing Zoning: R10, R1  
 Overlay District(s): SHO

(4) Property Address: 589 BENJAMIN WAY

(5) Requested Action: (i.e. variance from existing lot width, lot depth, and yard setback, height of building or parking variance).  
VARIANCE FROM SH 75

(6) Required Minimum Setbacks: Front: 100' Side: \_\_\_\_\_ Rear: \_\_\_\_\_  
FROM SH 75 OR 10' 3" 10' 2" setback amount

(7) Requested Setbacks: Front: 89'-9" 89.75 Side: \_\_\_\_\_ Rear: \_\_\_\_\_  
FROM SH 75

(8) Undue Hardship: What undue hardship shall occur if this variance is not granted?  
APPLICANT WILL NOT BE ABLE TO BUILD SMALL BEDROOM ADDITION

(9) Offsetting Impacts: Describe any impacts which would be created by granting the variance AND steps the applicant proposes to offset these impacts.  
THE EXISTING CABIN WAS IN COMPLIANCE W/ SH 75 SETBACK UNTIL THE HIGHWAY WAS WIDENED, MAKING THE CABIN NON-COMPLYING. ADDING THE BEDROOM WILL NOT CREATE ANY ADVERSE IMPACT TO THE NEIGHBORHOOD.

(10) Neighboring Properties: Please itemize neighboring properties that currently intrude into County setbacks.  
NA

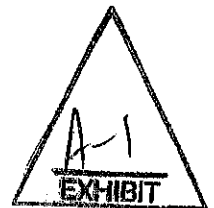


**Legal Information**

- (11) Legal Description: (Include section, township, range) RIVERS EDGE PARISH SUB LOT 5 & A-2 BLOCK 1, EXCEPT LTD FEE ACQUISITION PARCEL 03.0270
- (12) Parcel Number: RP - 0049300005A
- (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.



**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: Dolores Pritchard

DATE: 12/5/22

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**ADMINISTRATIVE RECORD**

Required Fee \$600.00 \_\_\_\_\_ paid on 12.20.22

Refundable Notice Board Fee \$50.00 paid on 12.20.22

Surrounding Landowner Notices  
Current Postage + .15¢ ea x 16 = \$12.00 paid on 12.20.22

TOTAL \$662.00 receipt # 434776

Date Application Certified \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Commission Disposition \_\_\_\_\_

16 x (.60¢ + 15¢) = \$12.00



## 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.

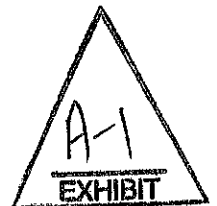
We are proposing a small addition to an existing cabin. The original cabin was built before the State Highway 75 expansion, and at the time of its construction in 2006, was outside of the 100' setback from State Highway 75. The expansion of the highway moved the setback line into the existing cabin footprint by approximately 10'. The cabin sits behind a large berm and heavy mature tree planting, and is obscured from view from the highway. We feel that the addition will not conflict with the public interest of the Blaine County Comprehensive Plan.

- 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.

The existing cabin sits on a small buildable portion of the property. The area around the existing cabin is bordered by the south neighboring property access road between the cabin and the highway, the driveway on the north side, and a large pond and floodway on the east side. There is a small area available on the south side of the cabin for the addition to the back of the existing garage. The existing septic tank, natural gas and power services are directly to the east of the proposed addition, making the proposed footprint the only reasonable location for the addition. Prior to the expansion of State Highway 75 and the revised 100' setback, the footprint of the existing cabin and location of the proposed addition was outside of the original 100' setback. Without the variance to encroach 10'-2 3/4" into the revised 100' setback to the highway, the addition isn't feasible. We are in the process of trying to locate the exact placement of the existing septic drain field and will follow up with this information when we receive it. In the event that the drain field is found to be in conflict with the addition footprint, we will provide a plan to relocate the drainfield as necessary.

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

The proposed addition will have no effect on the public health, safety, or welfare



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

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Without the proposed variance for a 10'-2 3/4" encroachment into the revised 100' State Highway setback, the addition to the existing cabin will not be feasible

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

The proposed variance will not effect a change in zoning

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

The proposed variance will have no effect on the property or improvements of others.

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Page 5 of 5

