



Latah County Planning and Building

Latah County Annex
200 S Almon St Suite 102
Moscow, ID 83843

(208) 883-7220 • E-mail pb@latahcountyid.gov • Online www.latah.id.us

10/16/2025

HEATHER STETTLER


Re: LUA25-057 Conditional Use Permit

Dear HEATHER STETTLER,

Enclosed is a copy of the Latah County Zoning Commission's written Findings of Fact and Reasoned Statement approving your conditional use permit application LUA25-057 subject to the conditions stated therein. Please carefully review the document, especially the conditions of approval.

Pursuant to §9-1-12, of the Latah County Land Use Regulations, Ordinance #395 this permit is effective fourteen days after the date of this letter if no reconsideration is received before that time. If you have any questions, don't hesitate to contact me at the number above or via email.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Blankenship".

Chris Blankenship
Associate Planner

**BEFORE THE ZONING COMMISSION
COUNTY OF LATAH, STATE OF IDAHO**

**REASONED STATEMENT AND FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

REGARDING A REQUEST FOR A CONDITIONAL USE PERMIT APPLICATION BY HEATHER SHIPPY FOR A CUP TO ALLOW FOR A SINGLE FAMILY RESIDENCE IN THE COMMERCIAL ZONE ON RP01670002008CA AT 5588 HIGHWAY 8, DEARY, IN THE COMMERCIAL ZONE.

WHEREAS, Heather Shippy made application for a conditional use permit LUA2025-057 on August 21, 2025 and

WHEREAS, a duly noticed public hearing was held on Wednesday, September 17, 2025, before the Zoning Commission to take testimony and consider the conditional use permit application; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant on September 17, 2025.

THE LATAH COUNTY ZONING COMMISSION, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY MAKES THE FOLLOWING:

I. FINDINGS OF FACT and REASONED STATEMENT

The Zoning Commission finds that the following are relevant criteria and facts to the application and the applications compliance with the Latah County Land Use Ordinance:

1. The subject parcel is approximately 7,221.7 square feet. The subject parcel is zoned Commercial (C), and the neighboring parcels are zoned Commercial (C) and Suburban Residential (SR).
2. No written or oral testimony was received other than that of the applicant's representative.
3. The applicant's representative testified the structure on the parcel, the former Helmer Store, has been vacant for 2 years. This was un rebutted. The Zoning Commission finds that based on this testimony allowing a residence on the parcel is beneficial and this use is consistent with the intensity of permitted uses in this zone and is therefore not detrimental to the health or safety of those in the surrounding area or region.
4. The applicant's representative testified that allowing a residence at this location in the commercial zone bring opportunity for mix of residential and commercial use on the parcel. The Zoning Commission finds that allowing a residence at this location in the Commercial zone would allow the owner(s) to have a mixed use of residential and commercial in an area that does not have any commercial activities and has a potential benefit to the public.

5. The applicant's representative testified that a residence uses less water than a commercial use would and that allowing a residence at this location in the Commercial Zone would have less impact on the public water supply. The Zoning Commission discussed water issues in the area and finds that use as proposed will have less impact on the public water supply than a commercial use would.

BASED UPON THE FOREGOING FINDINGS, THE LATAH COUNTY ZONING COMMISSION HEREBY MAKES THE FOLLOWING CONCLUSIONS:

II. REASONED STATEMENT

1. Single family residences are conditionally permitted uses in the Commercial Zone.
2. The proposed use, as presented, is in accordance with the provisions of Section 9-7A-3 of the Latah County Land Use Ordinance.
3. The proposed use, as located and conditioned, is not detrimental to the health or safety of those in the surrounding area or region.
4. The proposed use, as presented, will not adversely affect surrounding properties to a greater extent than would a permitted use in the Commercial Zone.
5. The proposed use, as presented, will not require facilities or services with excessive costs to the public.

III. DECISION

Based on the Findings of Fact and Reasoned Statement of Relevant Criteria as set forth in this document, the Latah County Zoning Commission hereby approves the request by Heather Shippy for Conditional Use Permit LUA2025-057, for a residence on the commercial zone:

1. Compliance with the application as submitted
2. Compliance with all local, state and federal regulations.

PASSED BY THE ZONING COMMISSION OF LATAH COUNTY THIS __ DAY OF _____, 2025.

IV. REQUIRED LEGAL NOTICES

NOTICE OF EFFECTIVE DATE AND NOTICE OF RIGHT FOR RECONSIDERATION

All final decisions of the Latah County Zoning Commission may be reconsidered, as set forth in Section 9-1-12 of the Latah County Land Use Ordinance #395.

A reconsideration period of fourteen (14) days shall begin upon the day of the mailing, or if hand delivery the day of delivery, of the Zoning Commission's or Land Use Board of Appeals' signed findings of fact and conclusions of law. An applicant or affected person must submit a written request for reconsideration and fee to the Planning Department within 14 days after the service date of the underlying decision. A written request for reconsideration must identify and explain the specific deficiencies in the decision for which reconsideration is sought. Once a written request for reconsideration is timely submitted, any other affected person may submit a written statement in regards to the request for reconsideration. Such written statement must be submitted to the Planning Department within 14 days after a request for reconsideration is submitted.

If approved, no conditional use permit shall become effective nor shall any buildings or installation permit be issued until the reconsideration period has elapsed or until the Board has made a decision upon appeal.

Pursuant to Idaho Code §67-6535, a decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

NOTICE OF RIGHT TO REQUEST REGULATORY TAKINGS ANALYSIS

The owner of the property that is the subject of this decision may make a written request to the Latah County Planning and Building Department for a Regulatory Takings Analysis within twenty-eight (28) days from the date of this decision as provided by Chapter 80, Title 67, Idaho Code.