



9/6/2024

To the Teton County Idaho Planning and Building Department,

I would like to present the following documents for proof of a requested variance for the Fraiz Residence at RP04N45E290050 in conjunction with Permit #5314.

The property has an established building envelope developed by the Land Trust. The development site was established to avoid and minimize impacts on the 40 acre site. The property has 33 acres of wetlands and streams with 7 acres of uplands that are mostly inaccessible. The proposed development area uses the largest upland patch next to W 5000 S plus a nearby 0.2 acres upland patch for the driveway entrance, parking, utilities, and reserve septic drainfield. The part of the development site in wetlands is some of the lowest quality wetlands on the property on higher ground with marginal wetland hydrology, outside the 100 year/ 1% AEP floodplain that has been degraded by decades of livestock grazing.

The owner has worked with Intermountain Aquatics to obtain permits by FEMA and the Army Corp of Engineers for the site. FEMA LOMA case# 24-10-0148A was granted on January 8th, 2024 determining the portion of the site to be disturbed was not in the Special Flood Hazard Area. The Army Corp of Engineers granted the NWP Permit, NWW-2023-00298-I04 on December 5, 2023. This permitted the construction of a residence, driveway, associated buildings, landscaping and utility/sanitary infrastructure and install a power line on the 0.5 acres in the existing PEM wetlands.

Consideration of Approval:

- A literal interpretation of the provisions of the LDC would deprive the owner of the right to build their home on their purchased piece of property enjoyed by other properties of the Zoning District. The owner has insured the legality of the location of the build by other government agencies.
- The granting of the requested variance is not giving special privileges to the property owner. Simply allowing the owner to build a home on their purchased property, which has been permitted by FEMA and the Army Corp of Engineers.
- The requested variance will be in harmony with the intent of the LDC. Building the home on the least invasive portion of the property and repairing the land that has been damaged from long term grazing.
- The wetland circumstances are not a result of the property owner. Owner is following the directive of the Land Trust as to the established building envelope and best area to build their home.

-The variance requested is the minimum variance possible for the property, utilizing the best area to construct the home on the site.

-The variance does not permit a use which is not permitted by the LDC. All building shall comply to the LDC, permits have been granted to verify wetland compliance.

-The granting of the variance does not conflict with public interest, the property will be brought to a state that is better than when purchased. Therefore, adding benefit to the public in habitat.

-The variance does not reduce the lot size of the property in any way.

Please find attached a Vicinity Map and Site Plan of the property. The owner appreciates Teton County's attention in this variance application. The owner wishes to better the piece of property from what it was as purchased and be a steward of the land for Teton County, Idaho.

Please feel free to call with any questions and once again thanks for the time in this matter.

Timothy B. Grimes (applicant)



houseplantdesign@gmail.com

1.307.690.6064