Kathy Spitzer, Prosecuting Attorney
Teton County Courthouse
[address redacted] Suite 125 [address redacted]
(208) 354-2990 phone
[phone redacted]
kspitzer@co.teton.id.us

January 7, 2015

PEI Construction
Attn: Aaron Powers
[address redacted] 33
[address redacted]

Re: Illegal Uses

Dear Mr. Powers,
We have received numerous complaints regarding your property located at the corner of [address redacted] [address redacted] 33. The purpose of this letter is to notify you that you are in violation of Teton County Land Use Code and request you remedy the violations immediately. Below is a list of violations that County has identified.

1) Expanded area of "Non-Conforming Use" onto neighboring property-
   8-7-1-C.- Nonconforming uses may expand, but only on the lot occupied by the land use on the effective date of the zoning ordinance in effect on March 11, 1996. It appears you have placed the storage of equipment and materials on the neighboring property (Property to the north and east), as the attached photos show.

   Please cease using the neighboring property for storage (of material, equipment and other items) and processing, and return it to its natural state. If you would like to use the neighboring property moving forward, you must obtain a Conditional Use Permit for a Landscaping Contractor Business.

2) The original "Non-Conforming Use" of material storage has expanded to include processing and selling materials.

   a. On August 9, 2010 you received a letter of determination from Teton County regarding a request to temporarily screen topsoil in order to level the site. The determination concluded that temporary screening for this limited purpose may be permissible with certain conditions. You were given two consecutive days in 2010 in which to screen topsoil and clean up the property. Your use of the property as it is operating today would be considered a Landscaping Contractor Business (8-4-2) and requires a Conditional Use Permit (8-4-1, Land Use Matrix). The processing of material does not qualify as a non-conforming use on your property.
   b. Teton County Planning department received an inquiry from your business wanting a sign to highlight the prices of materials you were selling, so the public could see your prices. From this inquiry we assume that you are either selling

materials or have a desire to sell material to the general public. No onsite sales are permitted.

Please cease any material processing activities at this location. If you would like to obtain the right to process material you must apply for a Conditional Use Permit for a Landscaping Contractor Business. No onsite sales are permitted as an outright use or as a conditional use.

3) The two RV's located next to the shop cannot be used for habitation, long or short term. Any property containing two or more RV's is considered a campground (8-4-2) and requires a Conditional Use Permit approval. If only one RV is inhabited, there is a 6 month limit.

   Please remove the RVs or obtain a Conditional Use Permit for a Campground.

4) You appear to be accessing 5000 S. in two locations on the eastern parcel (RP04N45E238000) (see attached pictures). Any access to a county road requires a permit.

   Please work with Teton County Road and Bridge Department to obtain proper permits to access 5000 South. Until such permit is received you must refrain form using those accesses.

If you have any questions or concerns about the violations and the resolution options please feel free to contact me or the Teton County Planning Department.

Sincerely,



Kathy Spitzer