

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing: VAR 860 Date: July 18, 2012 Time: 5:30 pm

Applicant: Ryan and Stacy Poler File #:VAR 860

EXHIBITS:

- Exhibit #1 : Criteria Worksheet Application Summary
- Exhibit #1A : Latah County Comprehensive Plan and Vicinity Map
- Exhibit #1B : Zoning Map
- Exhibit #1C : Aerial Photograph and Adjacent Property Owners Map
- Exhibit #1D : Contour Map
- Exhibit #2 : Application Form (Submitted by Applicant)
- Exhibit #2A : Applicant's Narrative (Submitted by Applicant)
- Exhibit #2B : Site Plan (Submitted by Applicant)
- Exhibit #3 : Staff Introduction for Latah County Zoning Commission hearing on July 18th, 2012
- Exhibit #4 : Letter received from North Latah Highway District on July 10th, 2012

CRITERIA WORKSHEET & APPLICATION SUMMARY

Note: This exhibit does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

Type of request:

Setback Variance on a 5 acre parcel on Davis Road, Viola, Idaho

Description of application:

A request by Ryan and Stacy Poler for a variance to allow a 45-foot setback from the centerline of Davis Road in lieu of the 60-foot setback from the center-line of a public right-of-way that is required for structures in the Agriculture/Forest zone. The property is located at 1150 Davis Rd., Viola, Idaho, in Section 35, Township 41 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP41N05W357210A.

Applicable Code:

Section 7.02.02 Variance Criteria

A variance may be granted if the Zoning Commission finds that the proposed variance meets each of the following criteria:

1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
2. Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

If the Zoning Commission finds that a variance is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 5 acres
Soils: Uvi-Spokane Association Very Steep
Taney silt loam, 3 to 7% slopes, Porrett silt loam 0-3%
(Latah County Soil Survey Sheet #19)
Floodplain: Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Agriculture Forest
Existing Uses: Residential
Neighboring Zoning: Agriculture Forest
Neighboring Uses: Public Right of Way, Agriculture, Forestry, Residential

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: 1150 Davis Road
Schools: Moscow School District
Fire Protection: Moscow Rural Fire District
Law Enforcement: Latah County Sheriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6512

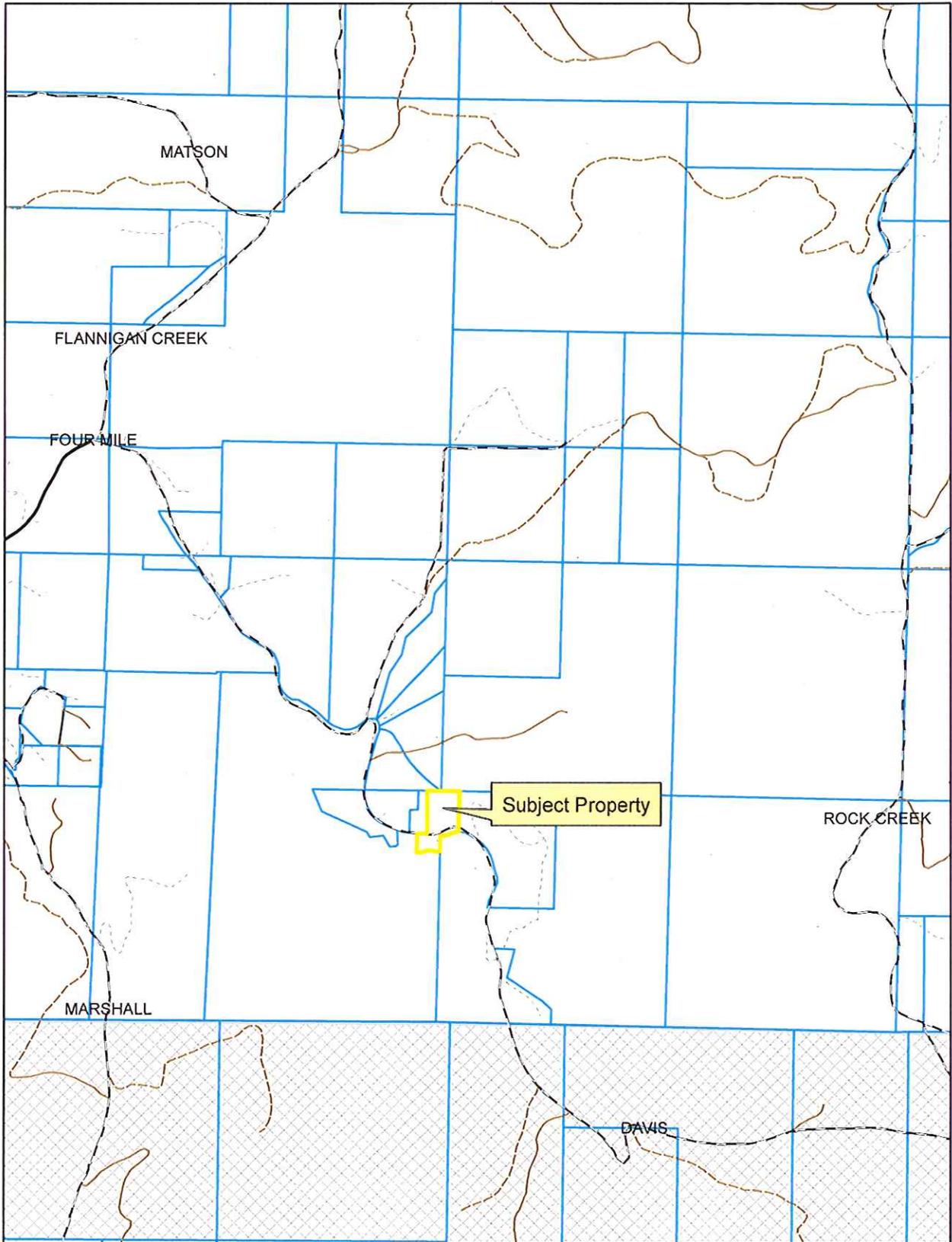
Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture Forestry
Article 7 Variances

Latah County Comprehensive Plan

VAR 860 Comprehensive and Vicinity Map

Planning & Building Department



- Legend**
- Comprehensive Plan
ZONE
- AFR
 - AOI
 - ICR
 - PRODUCTIVE
 - RURAL

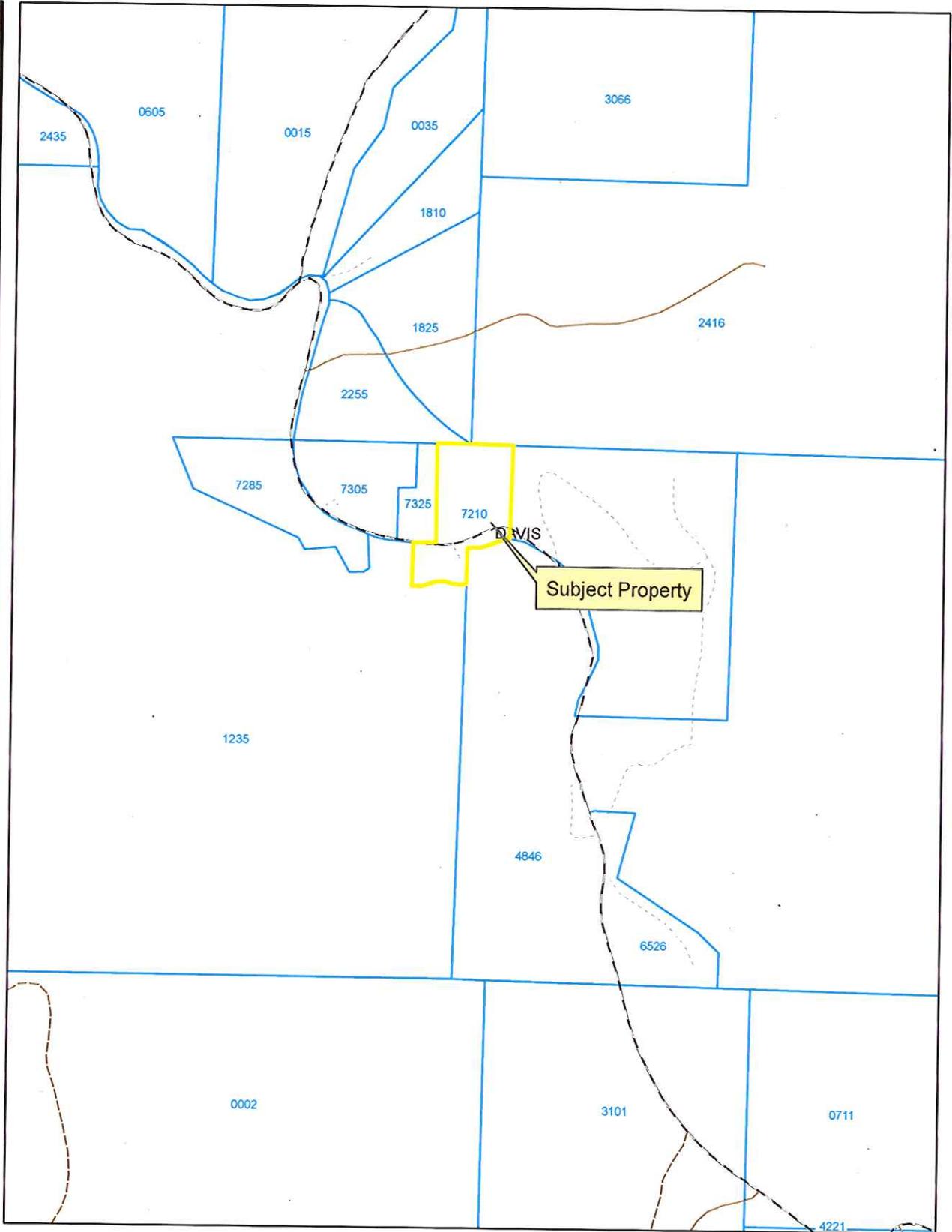
0 0.125 0.25 0.5
Miles

*Created on 07/05/2012 by MK

LCZC Hrg: VAR 860
Applicant: Poler
Exhibit #: 1A
Date: 07/20/2012

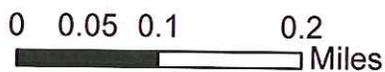
VAR 860 Zoning

Planning & Building Department



Legend *Created on 07/05/2012 by MK

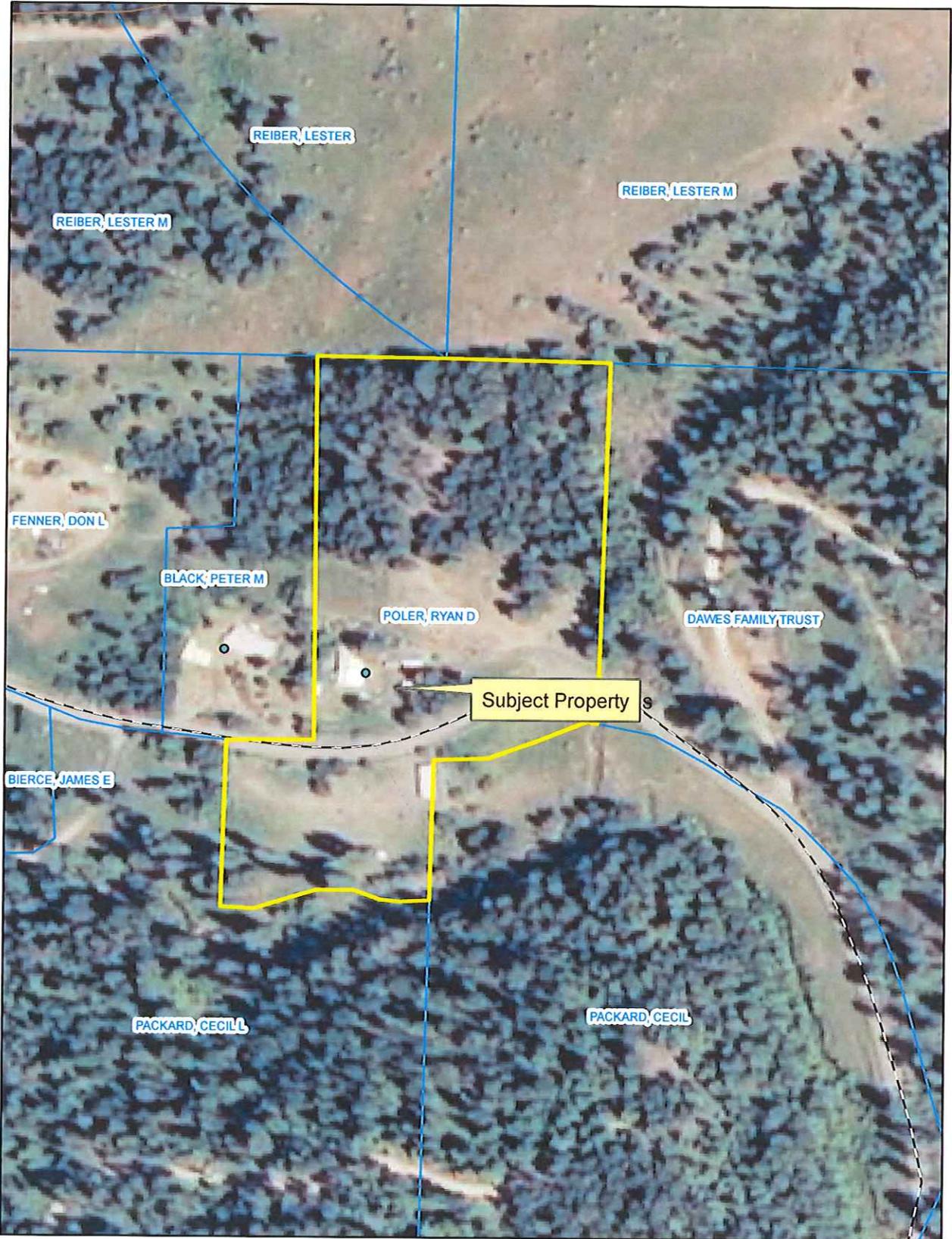
Zoning_Districts_2009	Area of Impact - Genesee	Multiple Family Residential	Single-Family Residential (R1)
Commercial	Industrial	Municipality	Suburban Residential
Agriculture / Forest	Motor Business	Rural Residential	Single-Family Residential



LCZC Hrg: VAR 860
 Applicant: Poler
 Exhibit #: 1B
 Date: 07/20/2012

VAR 860 Aerial and Adjacent Property Owners

Planning & Building Department



*Created on 07/05/2012 by MK

0 50 100 200
Feet

Legend

- Addresses

LCZC Hrg: VAR 860
Applicant: Poler
Exhibit #: 1C
Date: 07/20/2012

VAR 860 Contour Map

Planning & Building Department



*Created on 07/05/2012 by MK

0 30 60 120
Feet

Legend

- Addresses

LCZC Hrg: VAR 860
Applicant: Poler
Exhibit #: 1D
Date: 07/20/2012



Application for Variance

Instructions

Please complete the application and required attachments. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete. Please type or print plainly with dark ink.

Please submit to: **Latah County Department of Planning & Building**

Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow, ID, 83843 (208) 883-7220

1. Applicant Information			
a. Applicant Name	b. Home Phone	c. Work Phone	
RYAN & STACEY POLER	208 882-1909		
d. Mailing Address	e. City	f. State	g. Zip code
1150 DAVIS RD.	VIOLA	ID	83872
h. Property Owner (if different than applicant)	i. Home Phone	j. Work Phone	
k. Mailing Address	l. City	m. State	n. Zip code

2. General Site Information		
a. Assessor's Parcel Number(s)	b. Site Address (if applicable)	
PP41N05W357210	1150 DAVIS RD.	
c. Road Used to Access Site	d. Floodplain designation(s)	e. FEMA Panel #
Davis Rd		
f. Existing Uses		
Rural Residential		

Note: Sites within an Area of City Impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

3. Service Provider Information (please attach additional information if requested)	
a. Source of Potable Water (i.e. city, private well, water district)	b. Sewage Disposal (i.e. city, sewer district or private septic system)
PRIVATE WELL	SEPTIC

4. Adjacent Properties Information	
a. Zoning of Adjacent Properties	b. Existing Uses of Adjacent Properties
RESIDENTIAL / TIMBER	SAME

5. Variance Information
Please indicate the section(s) of the Zoning Code for which the variance is sought and explain the circumstances that require the variance. Section 7.02 of the Latah County Land Use Ordinance states a variance shall only be used to modify setbacks, building height, yard or frontage requirements, and parking requirements on a lot or parcel of land prescribed by this ordinance.
MODIFY SETBACKS

6. Authorization	7. Attachments
The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false.	All attachments should be reproducible in black and white at 8 1/2" x 11"
a. Signature of Applicant	<input checked="" type="checkbox"/> Fee: (\$150.00) Make checks payable to Latah County.
b. Date	<input type="checkbox"/> Completed Narrative Worksheet: See instructions on the Rezone Narrative Worksheet.
c. Signature of Property Owner (if different than applicant)	<input type="checkbox"/> Site Plan: The site plan should include a north arrow, location of roads and rights-of-way, and existing buildings; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Planning and Zoning Commission or Board of Adjustment to make a decision.
d. Date	<input type="checkbox"/> Vicinity Map: The map should show the site location in relation to the City of Moscow, outlying neighborhoods, highways and roads, and natural features.
	<input type="checkbox"/> Other Attachments: The Zoning Commission shall have the authority to require any attachments if it feels is necessary to make a fair and equitable rezoning request.

Office Use Only			
Date Received by County	Fee Amount	Receipt No.	By
6/27/12	\$150.00	890548	TS
VAR #	Date Determined Technically Complete	By	
VAR 860860	6/27/2012	MSR	
Hearing Date			
7/18/2012			

LCZC Hrg: VAR 860
 Applicant: Poler
 Exhibit #2
 Date: 07/20/2012



Variance Narrative Worksheet

Application Information

Applicant's Name

RYAN POLER

Phone Number

208 882 1909

Purpose: To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance

Instructions: Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

Description of Proposal

Describe your proposal in detail. Include all aspects of your proposal.

I WOULD LIKE TO BUILD A GARAGE. IT WOULD REPLACE A CARPORT BUT WOULD BE SLIGHTLY LARGER ENCROACHING ON DAVIN RD. SETBACKS.

Existing Uses of Property

Please describe what uses, structures and features currently occupy the property.

MY HOME IS ON THE PROPERTY, A CARPORT, SOME SMALL OUT BUILDINGS, AND A BARN.

Relevant Criteria and Standards

Please respond to each of the criteria listed in Section 7.02.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.

N/A

Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use of the property due to the parcels peculiar physical characteristics.

N/A

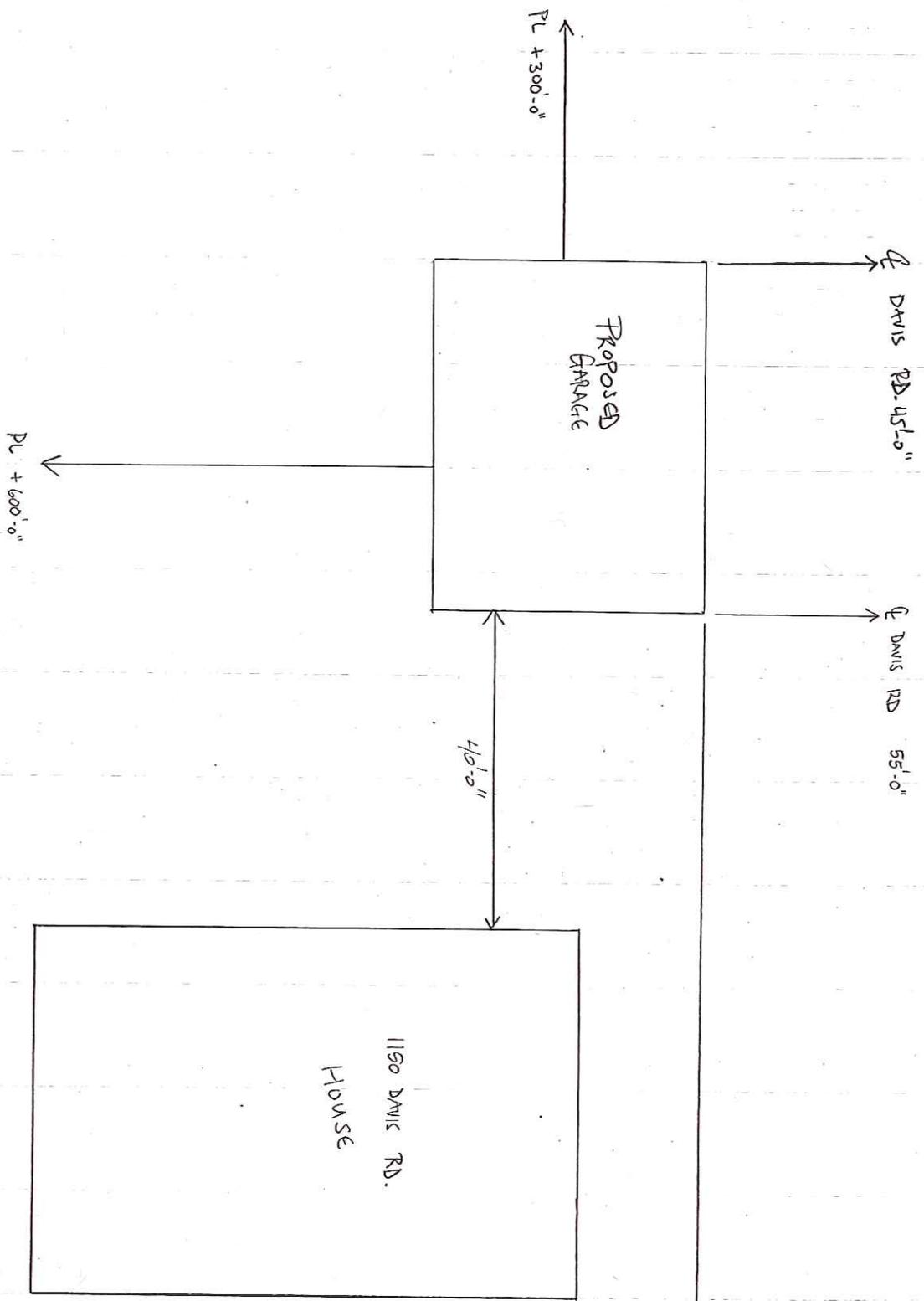
LCZC Hrg: VAR 860
Applicant: Poler
Exhibit #: 2A
Date: 07/20/2012

If the Zoning Commission finds that a variance is essential to the public health, safety or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.

MY PROPERTY HAS ROUGHLY 4.5 ACRES ON THE NORTH SIDE OF DAVIS RD. AND 1 ACRE ON THE SOUTH SIDE OF DAVIS RD. THE 1 ACRE ON THE SOUTH SIDE OF THE RD. IS PASTURE AND CURRENTLY HAS A BARN. MY HOUSE IS ON THE NORTH SIDE WITH THE CARPORT AND SOME SMALL OUT BUILDING. MY DRIVEWAY IS A LOOPED DRIVEWAY AND IN THE LOCATION OF MY CARPORT / PROPOSED GARAGE SITE, IS ROUGHLY 12'-0" ABOVE THE HEIGHT OF DAVIS RD. BEYOND MY DRIVE TO THE NORTH IS HILLSIDE THAT IS COMPOSED BASICALLY OF GRANITE AND TIMBER. I WOULD LIKE TO PUT MY GARAGE WHICH WILL BE 28'-00" WIDE AND 38'-0" LONG (PARALLEL TO DAVIS RD.) WHERE MY CARPORT IS CURRENTLY. THE GARAGE WILL ENCROACH TO THE NORTH INTO MY DRIVEWAY AS WELL.

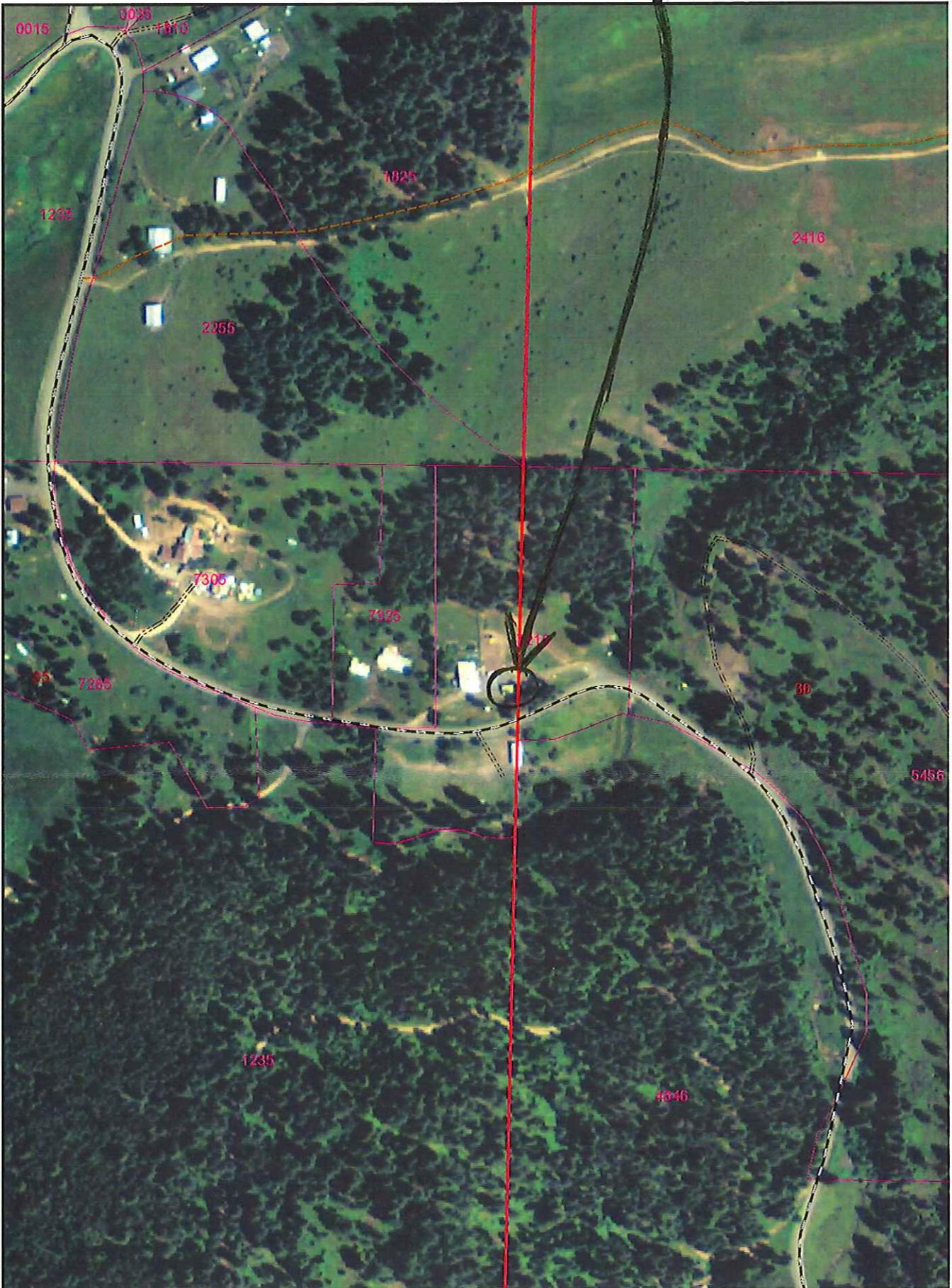
I WOULD LIKE TO ENCROACH 15'-0" TOTAL OFF THE SOUTH EAST CORNER OF THE GARAGE TO THE CENTER OFF DAVIS RD.

THANK YOU FOR THE CONSIDERATION.



LCZC Hrg: VAR 860
Applicant: Poler
Exhibit #: 2B
Date: 07/20/2012

PROPOSED GARAGE



VAR #860 – Staff Introduction

A request by Ryan and Stacy Poler for a variance to allow a 45-foot setback from the centerline of Davis Road in lieu of the 60-foot setback from the center-line of a public right-of-way that is required for structures in the Agriculture/Forest zone. The property is located at 1150 Davis Rd., Viola, Idaho, in Section 35, Township 41 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP41N05W357210A.

1. Section 7.02.01 requires that an application for a variance shall be made by the owner of the affected property

The application was signed and submitted by the property owners Ryan and Stacy Poler, to the Planning and Building Department on June 27th, 2012.

2. Section 3.03.03 of the Latah County Land Use Ordinance requires that all structures shall be a minimum of 20 feet from the boundaries of any public right-of-way or 60 feet from the center line of any road placed within the boundaries of a public right-of-way, whichever is greater.

3. Section 7.02.02 states that the Zoning Commission may grant a variance if the Commission finds that the proposed variance meets each of the following criteria:

1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
2. Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

The Zoning Commission may also approve applications not meeting the criteria listed above if the Commission finds that the variance is essential to the public health, safety, or welfare.

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

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That is all staff has unless the Commission has questions.

msknott@latah.id.us

From: Troy Sprenke [tsprenke@latah.id.us]
Sent: Tuesday, July 10, 2012 4:41 PM
To: msknott@latah.id.us
Subject: FW: Variance for Ryan Poler

From: Dan Carscallen [mailto:Dan.Carscallen@nlchd.com]
Sent: Tuesday, July 10, 2012 11:20 AM
To: pb@latah.id.us
Subject: Variance for Ryan Poler

Ryan Poler asked for a variance from the setback requirements for a shed they are building at 1150 Davis Road.

Road Foreman Tim Sturman visited the site and approved of the variance as it would not hinder our road maintenance operations.

If you have any questions, please contact us at nlchd@nlchd.com or 882-7490

Thank you

Dan Carscallen, Clerk
North Latah County Highway District

7/10/2012

LCZC Hrg: VAR 860
Applicant: Poler
Exhibit #: 4
Date: 07/20/2012