

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 .87 acre lot in Latah County

Description of application:

A request by Greg & Mindy Vance for a variance to allow a 5-foot setback from the edge of the property line in lieu of the 10-foot setback from the edge of a property line that is required for structures in the Agriculture Forest zone. The property is located at 3205 West Twin Rd., Moscow, Idaho, in Section 27, Township 40 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP40N05W272777.

The completed application was received by the Latah County Planning and Building Department on January 22, 2013. The applicant's request would result in a rear setback from 10-ft to 5-ft.

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:	.87 acres
Soils:	Latahco-Thatuna silt loams 0-5% slopes (Latah County Soil Survey Sheet #21)
Floodplain:	Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation:	Rural
Existing Zoning:	Agriculture Forest
Existing Uses:	Residential
Neighboring Zoning:	Agriculture Forest
Neighboring Uses:	Agriculture

Infrastructure/Services:

Water:	Private Well
Sewer:	Private Septic
Access:	3205 West Twin
Schools:	Moscow School District
Fire Protection:	Moscow Rural Fire District
Law Enforcement:	Latah County Sheriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

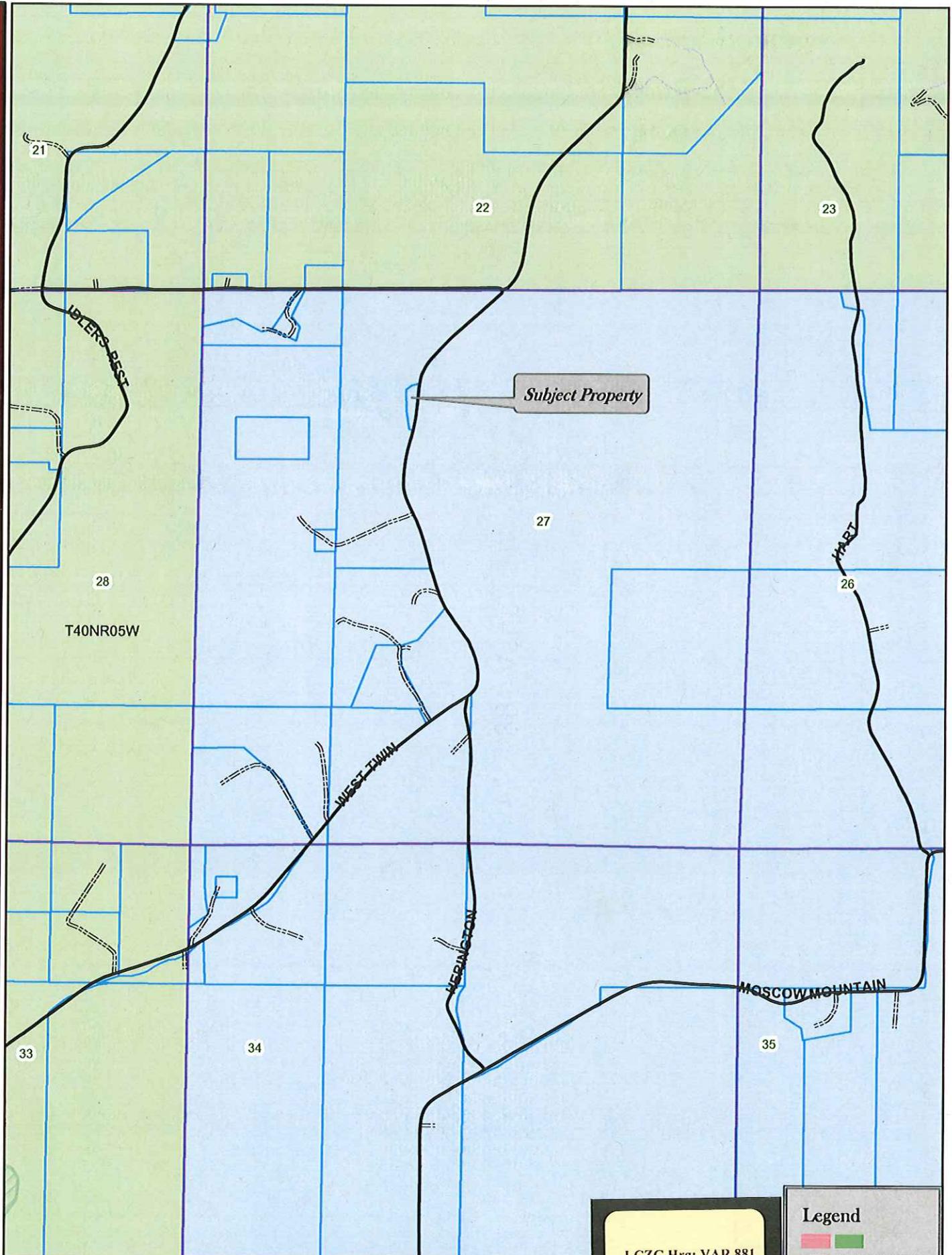
Local Planning Act: Idaho Code 67-6512

Latah County Land Use Ordinance # 269, as amended:

Section 3.01	Agriculture Forest
Article 7	Variances

Latah County Comprehensive Plan

VAR #881 Vance Setback Variance



NOTE: This Document is a representation only.
Latah County bears no responsibility for errors or omissions.

LCZC Hrg: VAR 881
Applicant: Vance
Exhibit #: 1A
Date: 2/06/2013

Legend

- AFR PRODUCTIVE
- AOI RURAL
- ICR

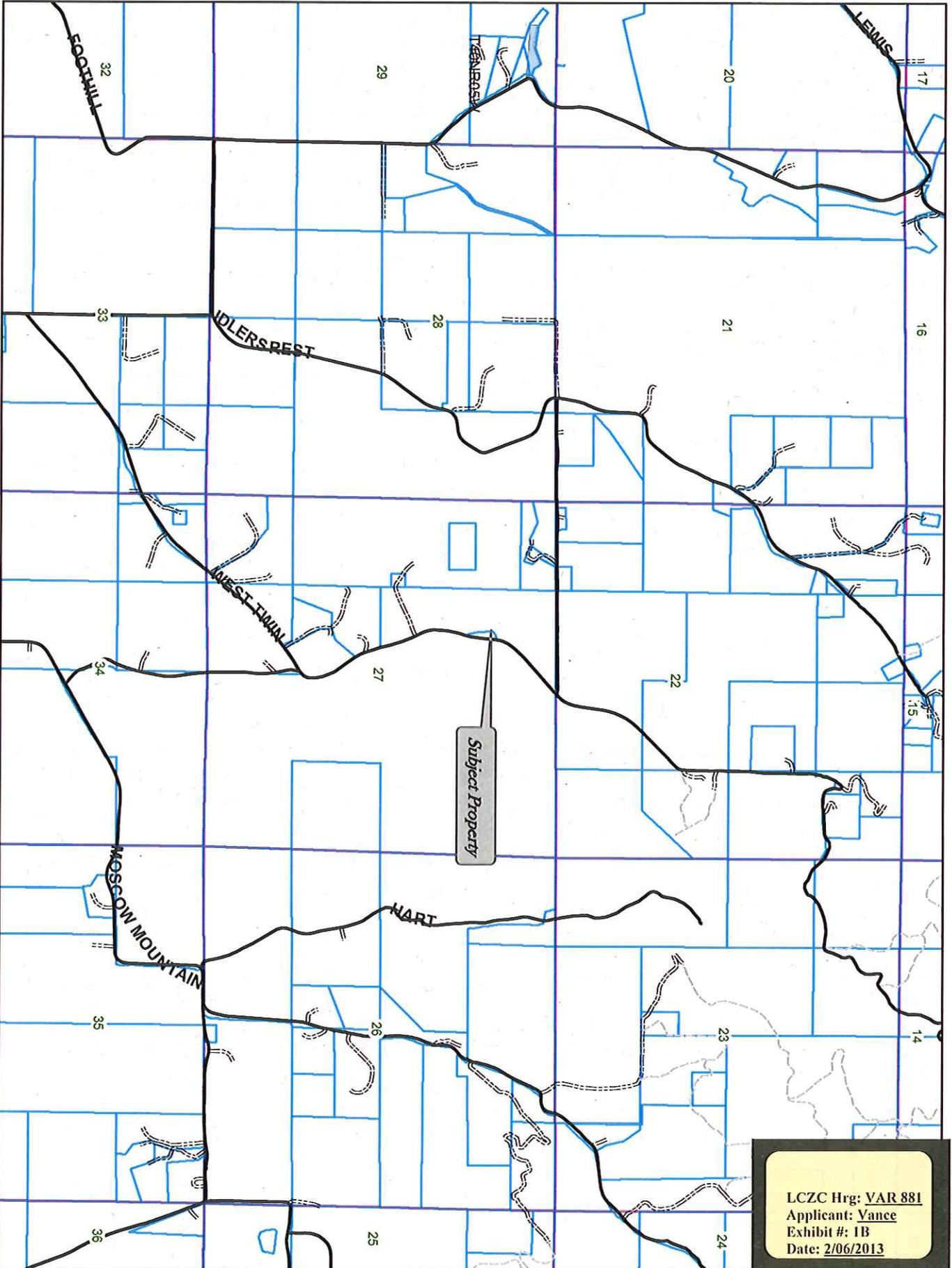


*Created on 1/29/2013 by JB





VAR #881 Vance Zoning Map



NOTE: This Document is a representation only.
Latah County bears no responsibility for errors or omissions.

*Created on 4/1/29/2013 by JB

0 1,000 2,000 4,000 Feet

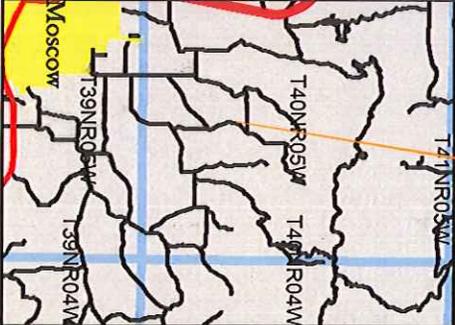


- Legend**
- Agriculture / Forest Industrial
 - Commercial
 - Motor Business Municipality
 - Multiple Family Residential Rural Residential
 - Single-Family Residential (RI)
 - Single-Family Residential Suburban Residential
 - Areas of City Impact

LCZC Hrg: VAR 881
Applicant: Vance
Exhibit #: 1B
Date: 2/06/2013



VAR #881 Vance Setback Variance

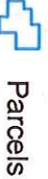


LCZC Hrg: VAR 881
Applicant: Vance
Exhibit #: IC
Date: 2/06/2013

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*Created on 1/29/2013 by JB

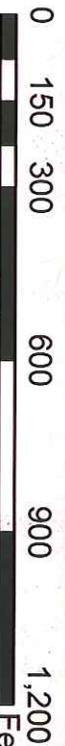
Legend



Parcels

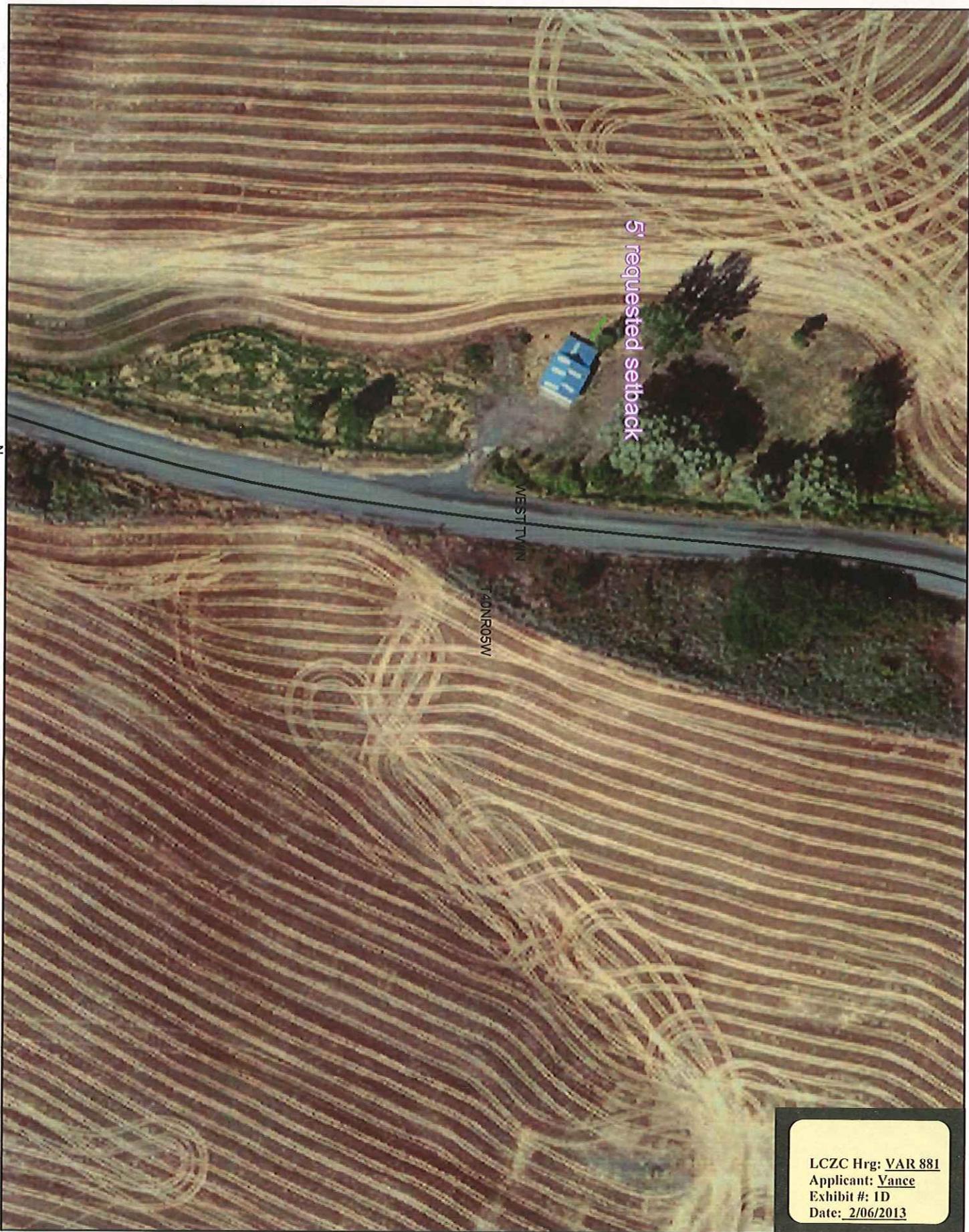


Floodplain





VAR #881 Vance Setback Variance Site Map





LCZC Hrg: VAR 881
Applicant: Vance
Exhibit #: 1E
Date: 2/06/2013



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 <i>Gress Vance & Mindy Vance</i>		b. Home Phone <i>208-882-0885</i>	c. Work Phone	
d. Mailing Address <i>1045 Schultz Rd</i>		e. City <i>Moscow</i>	f. State <i>ID</i>	g. Zip code <i>83843</i>
h. Property Owner (if different than applicant) <i>Moscow ID 83843</i>		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) <i>RP40N05W272777</i>		b. Site Address (if applicable)	
c. Road Used to Access Site <i>W. Twin Rd</i>		d. Floodplain designation(s)	e. FEMA Panel #
f. Existing Uses			

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) <i>private well</i>	b. Sewage Disposal (i.e. city, sewer district or private septic system) <i>septic</i>
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4. Adjacent Properties Information

a. Zoning of Adjacent Properties <i>Ag forest</i>	b. Existing Uses of Adjacent Properties <i>Ag</i>
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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.

*sect 3.01.03 require 10ft setback for accessory bldg
 This building is an existing bldg*

6. Authorization

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.

a. Signature of Applicant <i>Mindy Vance</i>	b. Date <i>1/22/13</i>
c. Signature of Property Owner (if different than applicant)	d. Date

7. Attachments

All attachments should be reproducible in black and white at 8 1/2" x 11"

Fee: (\$150.00) Make checks payable to Latah County.

Completed Narrative Worksheet: See instructions on the Rezone Narrative Worksheet.

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.

Vicinity Map: The map should show the site location in relation to the City of Moscow, outlying neighborhoods, highways and roads, and natural features.

Other Attachments: The Zoning Commission shall have the authority to require any attachments that it feels is necessary to make a fair recommendation on a rezoning request.

Office Use Only

Date Received by County <i>1/22/13</i>	Fee Amount <i>\$50</i>	Receipt No. <i>157503</i>	By <i>[Signature]</i>
VAR # <i>881</i>	Date Determined Technically Complete <i>1/22/13</i>		By
Hearing Date <i>Feb 6th 2012</i>			

10/10/2006

J:\P&B\PERMIT TECH\Permit Tech Forms\Applications\Planning&Zoning\1 Var

LCZC Hrg: VAR 881
Applicant: Vance
Exhibit #: 2
Date: 2/06/2013



Variance Narrative Worksheet

Application Information

Applicant's Name

Phone Number

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.

Existing deck was replaced with deck landing and does not exceed the existing foot print and uses the existing piers. The new landing is for the purpose to access storage above the garage.

Existing Uses of Property

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

Residential. Bldg in question is an accessory building garage.

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.

The landing deck will not affect public interest in anyway. The footprint has been unchanged in regards to vicinity property owners. Due to the size and shape of this parcel, moving the building that has been existing for 40 yrs was not a viable option.

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 parcel's peculiar physical characteristics.

VAR #881 – Staff Introduction

A request by Greg & Mindy Vance for a variance to allow a 5-foot setback from the edge of the property line in lieu of the 10-foot setback from the edge of a property line that is required for structures in the Agriculture Forest zone. The property is located at 3205 West Twin Rd., Moscow, Idaho, in Section 27, Township 40 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP40N05W272777.

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 owner Mindy Vance, to the Planning and Building Department on January 22, 2013.

2. Section 3.01.03 of the Latah County Land Use Ordinance requires that all accessory structures shall be a minimum of 10 feet from any property line.

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:

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 : Site/Lot Measurements
Exhibit #1E : Photos of Subject Property
Exhibit #2 : Application Form (Submitted by Applicant)
Exhibit #3 : Staff Introduction for Latah County Zoning Commission hearing on February 6, 2013.

That is all staff has unless the Commission has questions.