

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:

A variance to allow a second access on a state highway for a lot created via a land division.

Description of application:

A request by Mike Fredrickson for a variance to allow a second access on a state highway for a lot created via a land division. The property is located on State Highway 99 south of the city of Troy, in Section 19, Township 39 North, Range 03 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP39N03W197442A.

Applicable Code:

Section 7.02 Variances

Section 8.01.05(7)

...To limit access points onto roadways, shared easements (shared driveways) are required when feasible. The applicant shall work with the Planning Department and the appropriate jurisdiction owning or maintaining the public road to determine the location of shared driveways. No division may include driveways entering directly onto state highways maintained by the Idaho Transportation Department unless there is no other option. When there is no other option, the applicant shall use a single access point and obtain multi-use access approval from ITD. If there is no feasible way to use a single access point, the applicant may apply for one or more additional access points onto the State highway, but must first obtain a variance from the Zoning Commission to do so following the procedures set forth in section 8.02.01.5.A through 8.02.01.5.C of this ordinance. Written approval for each access point, either direct or by easement, from the jurisdiction owning or maintaining the public road is required. In addition to meeting the requirements of Section 9.01.02.4, all shared private driveways shall have a graveled surface of at least 20 feet wide. A driveway map must be submitted to the Planning Department and approved prior to approval of the division; 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.

The completed application was received by the Latah County Planning and Building Department on September 11, 2013. The applicant's request would result in a second residential access on Highway 99. There is an existing access with an existing house south of this proposed access.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 74.64 acres
Floodplain: Zone "C"

Land Use and Regulations:

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

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: State Highway 99
Schools: Troy School District
Fire Protection: Troy 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:

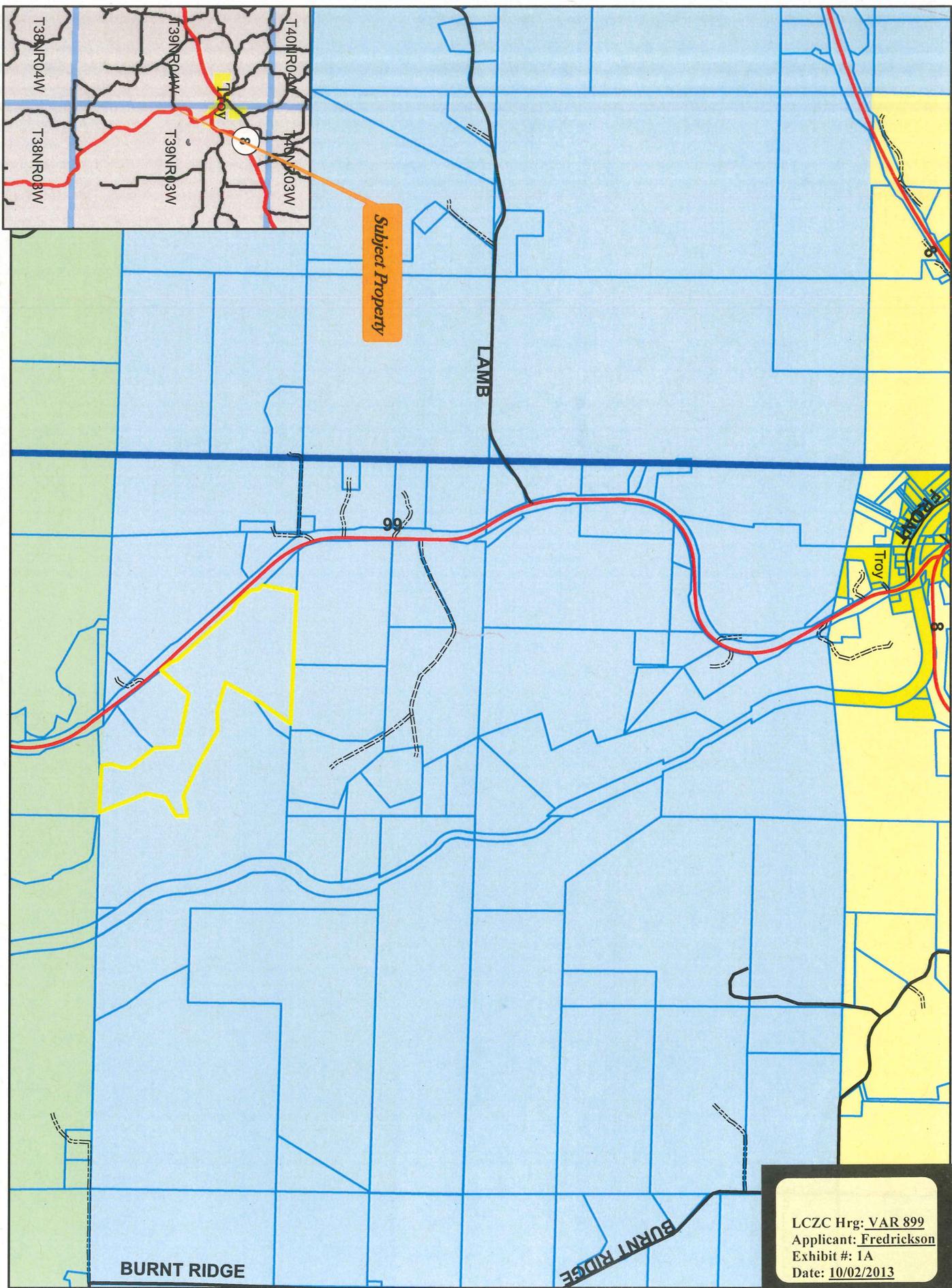
Article 7 Variances

Article 8.01 Land Divisions

Latah County Comprehensive Plan



VAR #899 Fredrickson Variance



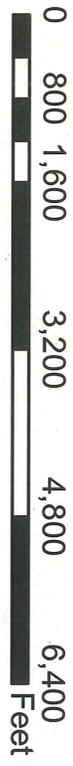
NOTE: This Document is a representation only. Latah County bears no responsibility for errors or omissions.

*Created on 09/24/2013 by JB

Legend

Parcels

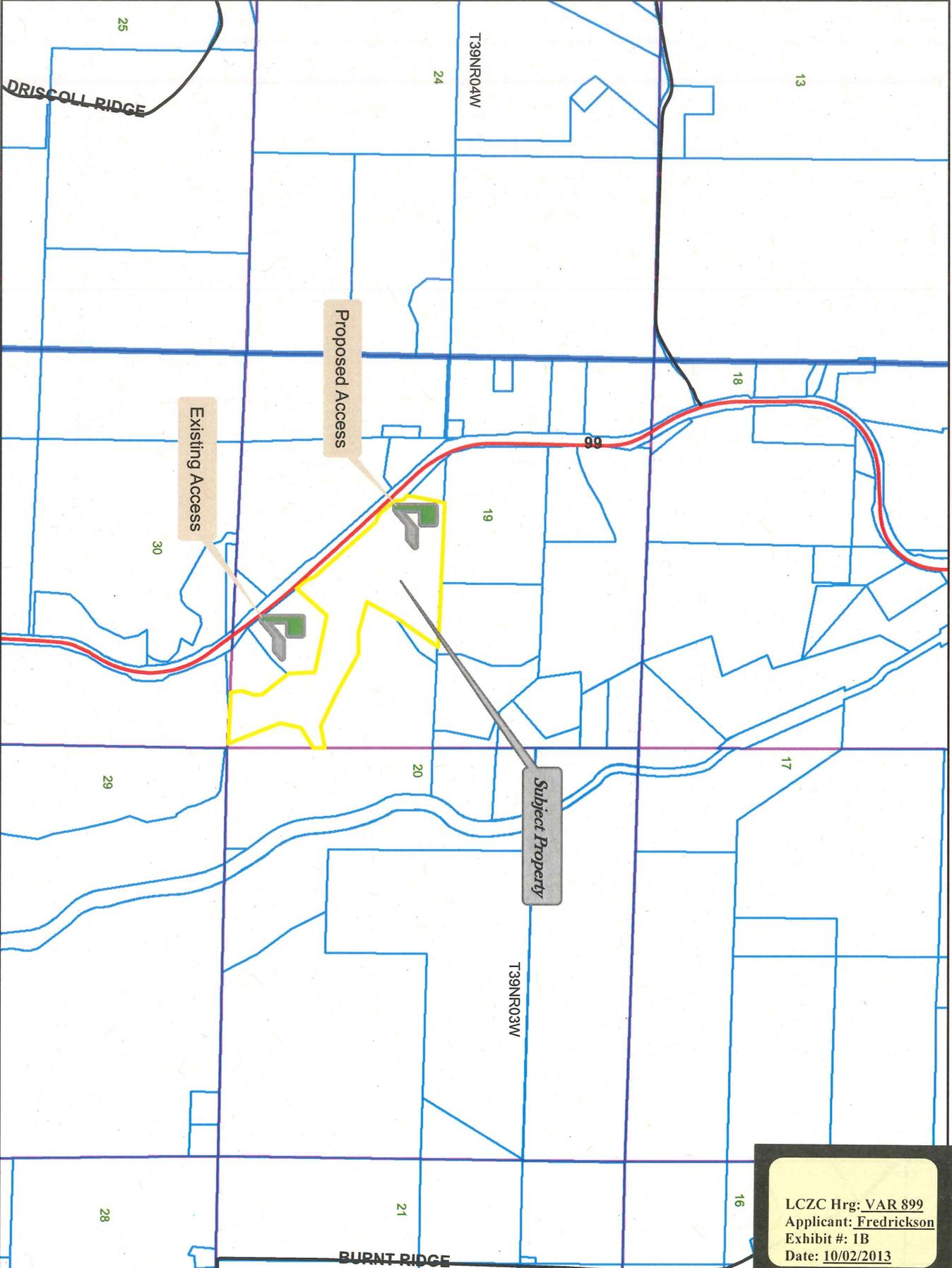
Floodplain



LCZC Hrg: VAR 899
 Applicant: Fredrickson
 Exhibit #: 1A
 Date: 10/02/2013



VAR #899 Zoning Map



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

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0 750 1,500 3,000 Feet

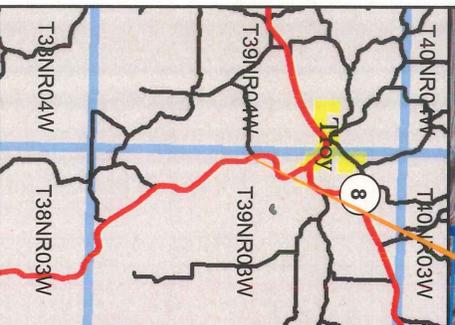
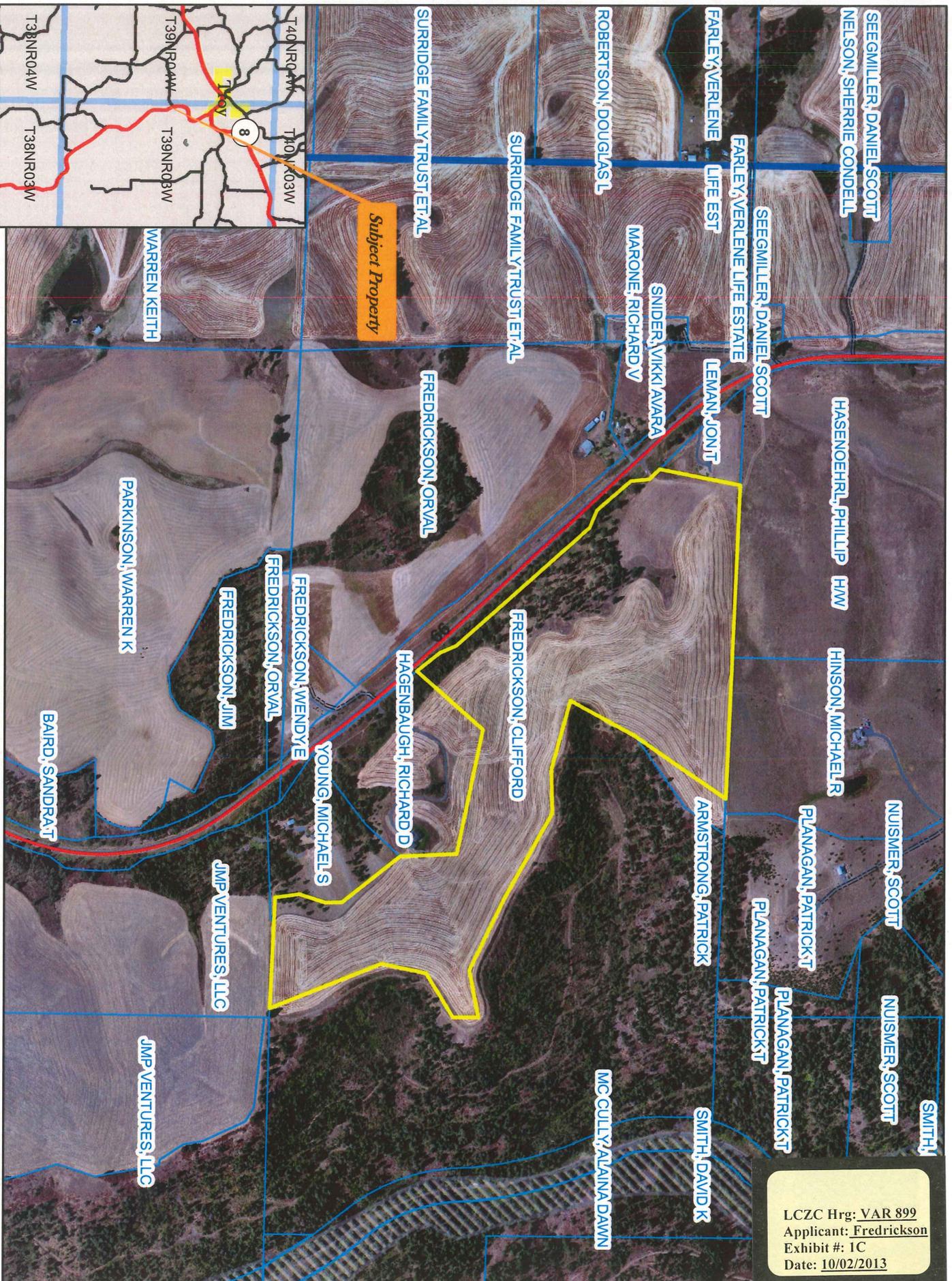


- Legend**
- Agriculture / Forest Industrial
 - Multiple Family Residential
 - Rural Residential
 - Single-Family Residential (R1)
 - Areas of City Impact
 - Commercial
 - Motor Business Municipality
 - Single-Family Residential Suburban Residential

LCZC Hrg: VAR 899
 Applicant: Fredrickson
 Exhibit #: 1B
 Date: 10/02/2013



VAR #899 Fredrickson Variance



LCZC Hrg: VAR 899
 Applicant: Fredrickson
 Exhibit #: 1C
 Date: 10/02/2013

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

Legend

Parcels

Floodplain



*Created on 09/24/2013 by JB



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>Clifford M.W. Fredrickson</i>	b. Home Phone <i>208 835 4212</i>	c. Work Phone	
d. Mailing Address <i>1000 Orchard Loop</i>	e. City <i>Tracy</i>	f. State <i>IO</i>	g. Zip code <i>83571</i>
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) <i>R139N03W197142</i>	b. Site Address (if applicable)
c. Road Used to Access Site <i>Hwy 99</i>	d. Floodplain designation(s)
e. FEMA Panel #	

f. Existing Uses
Ag / Forest / 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) <i>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 / Residential</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.

2 ACRES off of State Hwy 99

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>Clifford M.W. Fredrickson</i>	b. Date
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 relate to the City of Moscow, outlying highways and roads, and natural features.

Other Attachments: The Zoning Commission shall have the authority to require any other attachments if it feels it is necessary to make a fair and equitable rezoning request.

LCZC Hrg: VAR 899
Applicant: Fredrickson
Exhibit #: 2
Date: 10/02/2013

Office Use Only

Date Received by County <i>9/11/13</i>	Fee Amount <i>150</i>	Receipt No. <i>995023</i>	By <i>[Signature]</i>
VAR # <i>899</i>	Date Determined Technically Complete <i>9/11/13</i>	By <i>[Signature]</i>	
Hearing Date <i>10/02/13</i>			



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 Latah County bears no responsibility for errors or omissions.

LCZC Hrg: VAR 899
 Applicant: Fredrickson
 Exhibit #: 2A
 Date: 10/02/2013

VAR #899 – Staff Introduction

A request by Mike Fredrickson for a variance to allow a second access on a state highway for a lot created via a land division. The property is located on State Highway 99 south of the city of Troy, in Section 19, Township 39 North, Range 03 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP39N03W197442A.

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, Mike Fredrickson, to the Planning and Building Department on September 11, 2013.

2. Section 8.01.05(7) requires that:

To limit access points onto roadways, shared easements (shared driveways) are required when feasible. The applicant shall work with the Planning Department and the appropriate jurisdiction owning or maintaining the public road to determine the location of shared driveways. No division may include driveways entering directly onto state highways maintained by the Idaho Transportation Department unless there is no other option. When there is no other option, the applicant shall use a single access point and obtain multi-use access approval from ITD. If there is no feasible way to use a single access point, the applicant may apply for one or more additional access points onto the State highway, but must first obtain a variance from the Zoning Commission to do so following the procedures set forth in section 8.02.01.5.A through 8.02.01.5.C of this ordinance. Written approval for each access point, either direct or by easement, from the jurisdiction owning or maintaining the public road is required. In addition to meeting the requirements of Section 9.01.02.4, all shared private driveways shall have a graveled surface of at least 20 feet wide. A driveway map must be submitted to the Planning Department and approved prior to approval of the division; 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.

3. Unless the following requirements are met, no land division may include driveways entering directly onto state highways maintained by the Idaho Transportation Department. All new lots created via a land division which will ask for an additional access, must be designed to meet this requirement.

8.02.01.5(A.)-An applicant for a short plat may request a hearing before the Zoning Commission, applying the general procedures set forth in Section 7.02 of this ordinance, excepting 7.02.02 and using the criteria set below, to ask for permission to use an existing residential access approach (existing residential access approach defined as approval from Idaho Transportation Department for a residential access approach given prior to the adoption of this section) to a state highway maintained by the Idaho Transportation Department if no reasonable lot configuration can meet the requirement and one of the following applies:

1. The original parcel from which a rezone was created does not touch any other public roadway.
2. An area rezoned prior to the adoption of this provision does not touch any other public roadway.
3. It is physically impractical for the new or existing parcel to gain access to a public roadway that is not a state highway maintained by the Idaho Transportation Department that touches that parcel. The Zoning Commission may also approve

LCZC Hrg: VAR 899
Applicant: Fredrickson
Exhibit #: 3
Date: 10/02/2013

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

(B.) The Zoning Commission shall use the following criteria in making its decision:

1. The proposed access is not detrimental to the health or safety of those in the surrounding area or the safety of the public at large.

(C.) If the existing residential access approach is approved by the Zoning Commission, the applicant shall be required to:

1. Gain approval from the Idaho Transportation Department for access for each new residential lot prior to the short plat being approved by the Planning Department.

2. Make any additional improvements as required by the Idaho Transportation Department to the driveway or approach prior to issuance of any building permit for said short plat, in addition to the requirements listed under section 8.02.01.5 of this ordinance. 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 #2 :** Application Form (Submitted by Applicant)
- Exhibit #2A :** Site Plan (Submitted by Applicant)
- Exhibit #3 :** Staff Introduction for Latah County Zoning Commission hearing on October 2, 2013.
- Exhibit #4 :** Email from Shane Niemela with ITD
- Exhibit #5 :**
- Exhibit #6 :**

That is all staff has unless the Commission has questions.

jboal@latah.id.us

From: Shane Niemela <Shane.Niemela@itd.idaho.gov>
Sent: Wednesday, September 25, 2013 12:38 PM
To: 'jboal@latah.id.us'
Subject: RE: Fredrickson Access

Jason,

Just a verbal at this point. Sent him the paperwork and he was going to meet with our foreman to see what it would take to make the approach a little better for residential use.

Shane

-----Original Message-----

From: jboal@latah.id.us [<mailto:jboal@latah.id.us>]
Sent: Wednesday, September 25, 2013 12:00 PM
To: Shane Niemela
Subject: Fredrickson Access

Shane, is it possible to get a copy of Fredrickson's approval to convert the access from farm to residential? Sorry, I forgot to ask yesterday on the phone.

Thanks,

Jason Boal, AICP
Latah County Planning & Building
Phone:(208) 883-7220
Fax:(208) 883-7225

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