

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing: CUP 959 **Date:** October 21, 2015 **Time:** 5:30 pm

Applicant: Gresham and Wendy Bouma **File #:** CUP 959

EXHIBITS:

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

- | | |
|---------------------|---|
| Exhibit #1. | Criteria Worksheet and Staff Report |
| Exhibit #1A. | Vicinity and Comprehensive Plan Land Use Map |
| Exhibit #1B. | Zoning Map |
| Exhibit #1C. | Aerial Photograph and Adjacent Property Owners Map |
| Exhibit #2. | Application Form (Submitted by Applicant) |
| Exhibit #2A. | Applicant's Narrative (Submitted by Applicant) |
| Exhibit 2B. | Pictures of Accessory Cottage (Submitted by Applicant) |
| Exhibit #3. | Staff Introduction for Latah County Zoning Commission hearing for CUP #959 held on October 21, 2015 |

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:

Conditional Use Permit for an accessory cottage in excess of 900 square feet on a 90-acre parcel in the Agriculture/Forest zone.

Description of application:

CUP #959 - A request by Gresham and Wendy Bouma for a conditional use permit for an accessory cottage house in excess of 900 square feet on approximately 90 acres in the Agriculture/Forest (A/F) zone. The property is located at 4914 N Highway 95, Moscow, Idaho in Section 31 of Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W316631A.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 90 acres
Floodplain: Zone "C"

Land Use and Regulations:

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

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: Highway 95
Fire Protection: Moscow Rural

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 Zone
Section 3.01.03.14 - The Latah County Land Use Ordinance, under section 3.01.03(14), lists "Accessory Cottage Housing Exceeding 900 Square Feet" as a conditionally permitted use in the Agriculture/Forest Zone.

Article 7 Conditional Use Permits

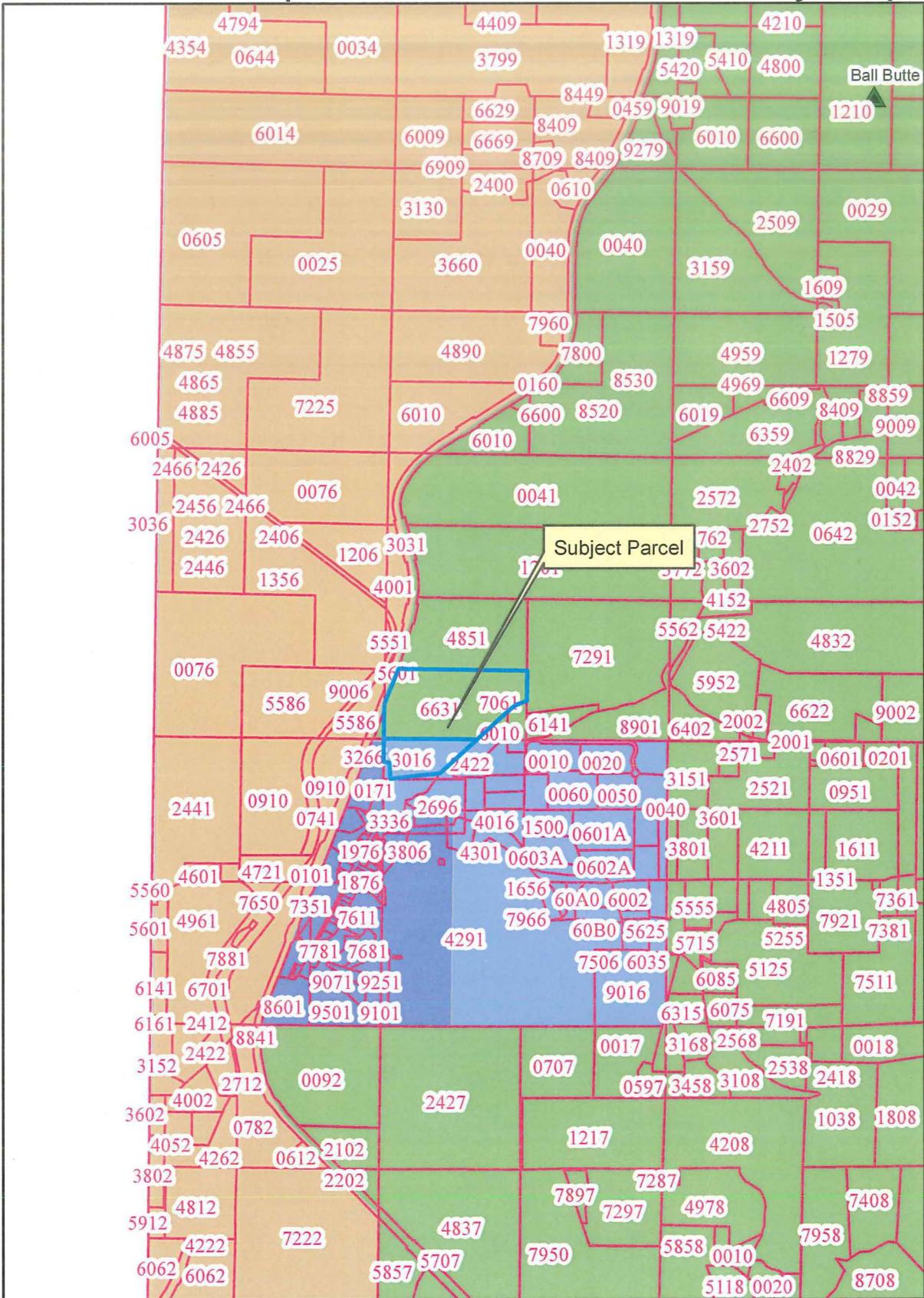
Section 7.01.02 (see exhibit #3)

Latah County Comprehensive Plan

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Bouma
#1
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CUP 959 Comprehensive Plan and Vicinity Map

Planning and Building Department

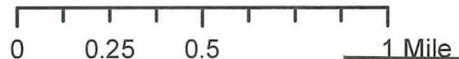


Note: This document is a representation only. Latah County bears no responsibility for errors or omissions.

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Comprehensive Plan ZONE

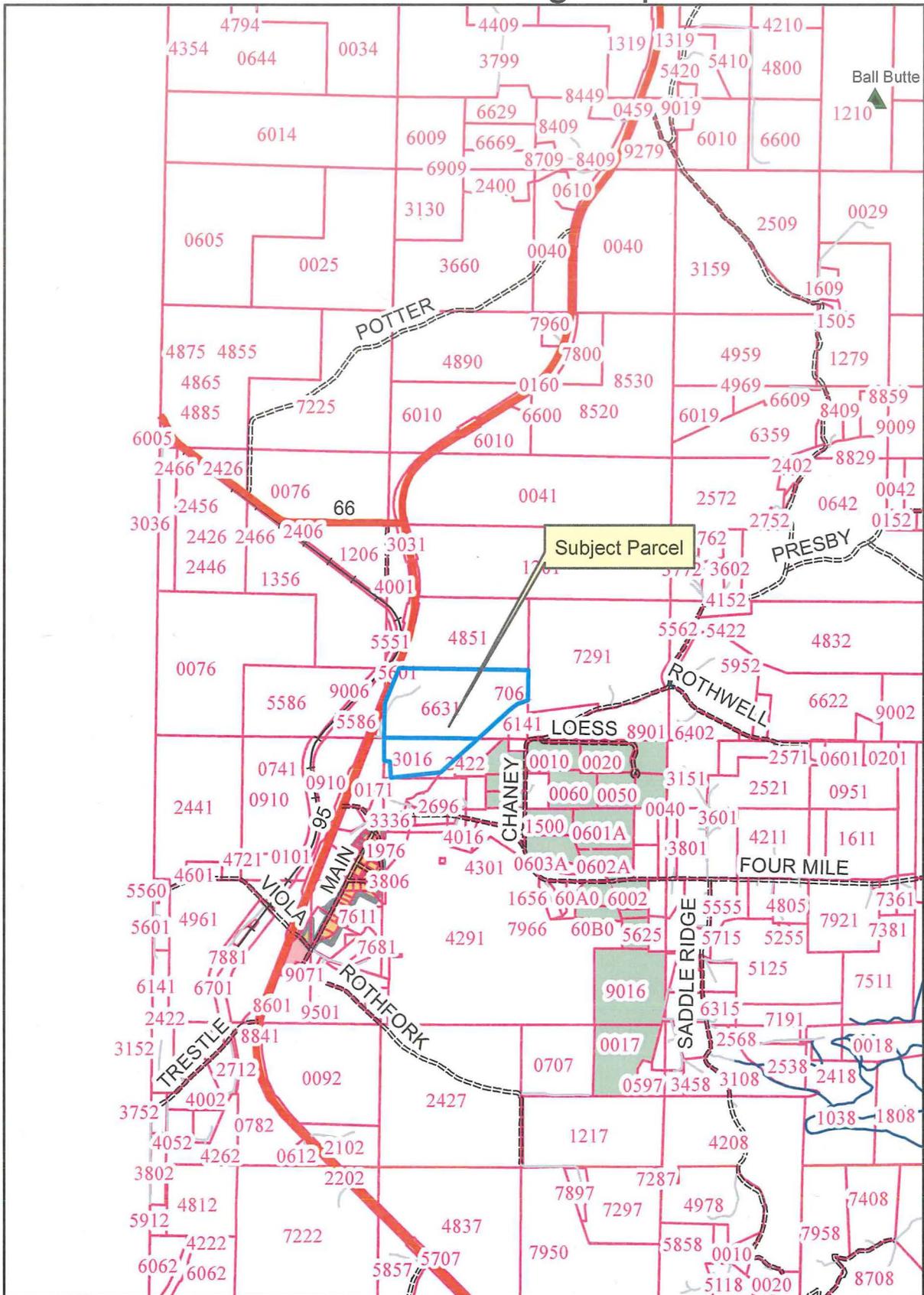
- ICR
- AFR
- AOI
- PRODUCTIVE
- RURAL



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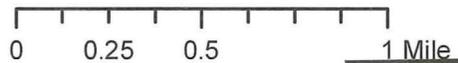
CUP 959 Zoning Map

Planning and Building Department



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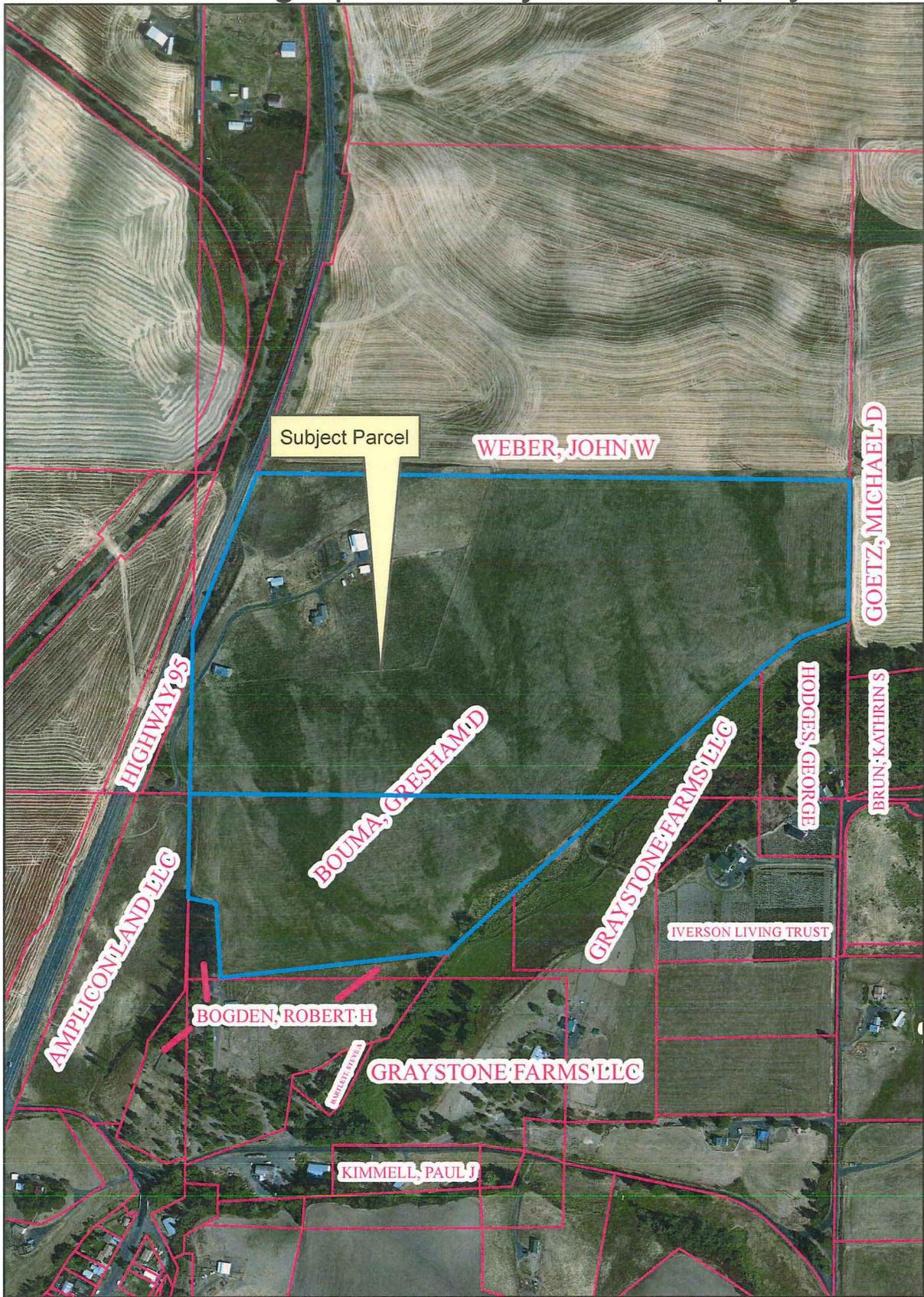


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|----------------------|-----------------------------|---------------------------|
| Agriculture Forestry | Motor Business | Rural Residential |
| Commercial | Multiple Family Residential | Single-Family Residential |
| Industrial | Municipality | Suburban Residential |

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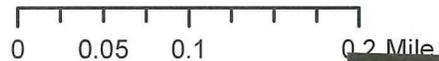
CUP 959 Aerial Photograph and Adjacent Property Owners Map

Planning and Building Department



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Application for Conditional Use Permit

Instructions

Please complete the application and required attachments. For certain uses, additional information may be necessary. 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 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 Gary M. Tribble		b. Home Phone / Work Phone 509-336-3357/208-883-1525		c. Email Gtribble@LatahRealty.com	
d. Mailing Address 128 East Third Street		e. City Moscow		f. State ID	g. Zip code 83843
h. Property Owner (if different than applicant) Gresham and Wendy Bouma		i. Home Phone 208-883-9544		j. Work Phone 208-596-0000	
k. Mailing Address 4914 Hwy 95 N - PO Box 105		l. City Viola		m. State ID	n. Zip code 83872

2. General Site Information

a. Assessor's Parcel Number(s) RP41N05W316631			b. Parcel Address (if applicable) 4914 Hwy 95 N, Viola, ID 83872		
c. Acreage of Existing Parcel 90 +/-	d. Zoning AgFor	e. Comprehensive Plan Designation		f. Floodplain designation(s)	g. FEMA Panel #
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City			j. Road Used to Access Site Highway 95 N	

Note: Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

i. Existing Uses

Residential and Agricultural

3. Service Provider Information (please attach additional information if requested)

a. Fire District Moscow Rural	b. Road District State of Idaho	c. School District Moscow
d. Source of Potable Water (i.e. water district or private well) Private Well		e. Sewage Disposal (i.e. sewer district or private septic system) Private Septic

4. Adjacent Properties Information

a. Zoning of Adjacent Properties Ag-Forest	b. Existing Uses of Adjacent Properties Ranchettes and Farming
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5. Permit Information

a. Proposed Use
Designate the 2nd dwelling on the property as an Accessory Cottage. This 2nd dwelling has been in use since 2002.

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located? **Sec. 7.01.02 & 3.01.02.14**

Note: If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.

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 	b. Date 9/22/15
c. Signature of Property Owner (if different than applicant) 	d. Date 9/22/15

Office Use Only

Date Received 9/22/15	Amount 300.00	Receipt No. 116	By
CUP # 959	Date Determined Technically Complete		By
Hearing Date 10/21/15			

7. Attachments

All attachments should be reproducible in black and white at 8½" x 11"

- Fee:** (\$300.00) Make checks payable to Latah County.
- Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
- Site Plan:** The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision.
- Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
- Assessor's Plat Map:** Include a copy of that portion of the map that shows the subject parcel and adjoining parcels.
- Other Attachments:** Required by staff / Zoning certain proposed uses.

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Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name
Gary M. Tribble

Phone Number
509-336-3357

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.

On this property there is a beautiful 3,600 sq. ft primary residence plus a nice smaller dwelling. The 2nd dwelling has 1,453 sq. ft., three bedrooms and one bathroom. The owner of the property wishes to have this 2nd dwelling classified as an Accessory Cottage under the existing Conditional Use Permit Ordinance.

Existing Uses of Property

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

This is a smaller size farm with cattle and crop ground. There is the principal residence, barn, shop and the cottage.

Also, there is a temporary manufactured home that is used by the owner's elderly mother. This manufactured home will be removed when the mother no longer resides in it (Conditional Use Structure)

Consistency Requirements

Please respond to each of the three criteria listed in Section 7.01.02 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.

A. The use is not detrimental to the health or safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone.

The cottage has no adverse affect on the surrounding area.

B. The use will not require facilities or services with excessive costs to the public.

The cottage has its own septic system and shares the 20 gpm well with the primary residence.

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C. The use is not in conflict with the goals and policies of the Comprehensive Plan.

This is not in conflict with the comprehensive plan.

In addition to your response above, please explain your proposal's consistency with the proceeding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.

a. Community Design Element

Having these two residences, the principle and cottage, in close proximity helps with cluster housing in the county.

b. Population Element

This really doesn't have a negative effect on the population.

c. Housing Element

The cottage provides additional rental income for the homeowner.

d. Economic Development Element

Helps increase the tax base for the county

e. Public Services, Facilities, and Utilities Element

Doesn't require any new public services, facilities or utilities. This cottage has been used as a residence for 13 years with no problem.

f. School Facilities and Student Transportation Element

No negative effect.

g. Transportation Element

Has a shared driveway with the principle residence with one access to Highway 95.

h. Natural Resource Element

N/A

i. Special Areas Element

N/A

j. Hazardous Areas Element

N/A

k. Recreation Element

Plenty of room around both residences for children and adults to recreate.

l. Land Use Element

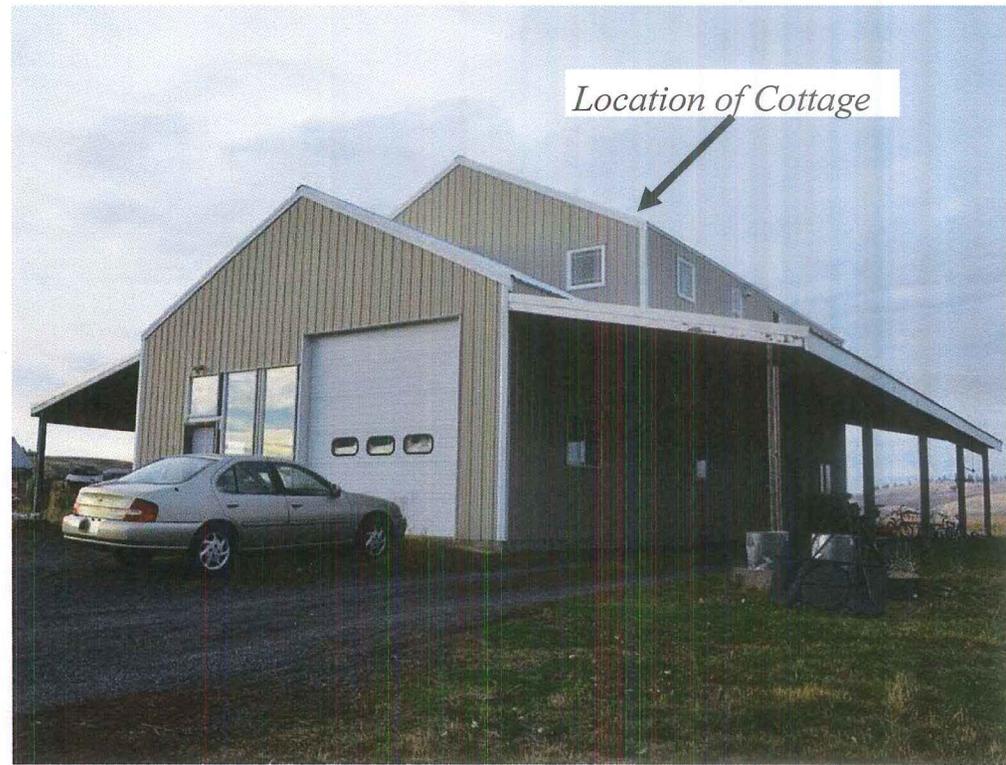
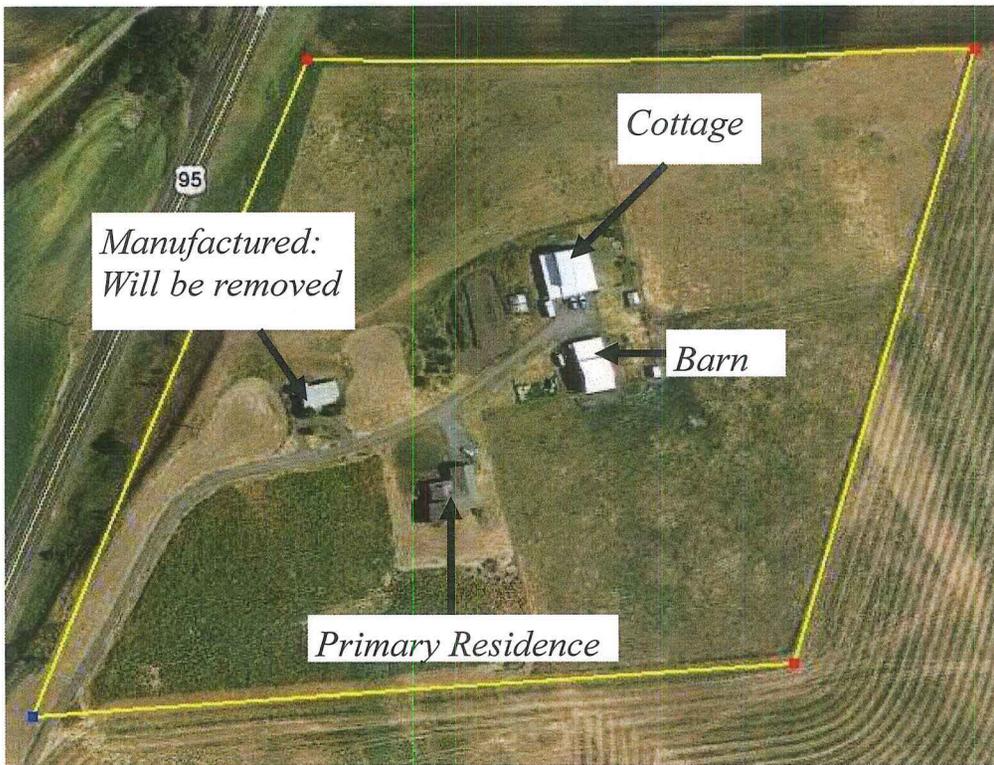
Clustering of residences allows for more open space for farming.

m. Property Rights Element

Allows the owner to realize additional income from rent. The cottage could be used by a family member(s) while attending college or getting started out in the work force.

n. Water Resources Element

The two residences are sharing an excellent 20 gpm well.



CUP #959 – Staff Introduction

CUP #959 – A request by Gresham and Wendy Bouma for a conditional use permit for an accessory cottage house in excess of 900 square feet on approximately 90 acres in the Agriculture/Forest (A/F) zone. The property is located at 4914 N Highway 95, Moscow, Idaho in Section 31 of Township 41 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP41N05W316631A.

The Latah County Land Use Ordinance, under section 3.01.03(14), lists "Accessory Cottage Housing Exceeding 900 Square Feet" as a conditionally permitted use in the Agriculture/Forest Zone.

Section 7.01.02 requires:

1. **A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**
 - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
 - B. The use will not require facilities or services with excessive costs to the public;
 - C. The use is not in conflict with the goals and policies of the Latah County Comprehensive Plan.
2. **If the Zoning Commission finds that a proposed use 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. **The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.**

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

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- | | |
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