

NOTICE OF PUBLIC HEARINGS
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, July 6th, 2016, 5:30 pm

The Latah County Zoning Commission will hold public hearings on Wednesday, July 6th, 2016, in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

CUP #996 and VAR #997 – Proposed CUP for an Agriculture/Forestry/Construction retail business and a Variance of 25' in lieu of a 50' setback from a public right-of-way in an Industrial zone located at 4809 Robinson Park Road, Moscow, parcel #RP39N05W101950.

Interested parties are encouraged to attend. Accommodations for individuals who qualify under the ADA are available upon request. Notice to acquire accommodations must be made 3 working days prior to the hearings to the Planning Dept. These hearings will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Land Use Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. The Latah County Zoning Commission reserves the right to limit length of testimony.

Additional information, including copies of the proposals, are available from the Planning Dept., Latah County Courthouse, Moscow, Idaho, (208) 883-7220. Written comments will be accepted at the above office prior to the hearing.

Mauri Knott, Senior Planner

(This is a public service announcement only)

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST
Public Hearing for Variance #997

Date: July 06, 2016 **Time:** 5:30 pm **Applicant:** Kardanick **File #:** VAR 997

EXHIBITS:

- | | |
|---------------------|--|
| Exhibit #1. | Criteria Worksheet |
| Exhibit #1A. | Zoning Map |
| Exhibit #1B. | Comprehensive Plan Map |
| Exhibit #1C. | Adjacent Property Owners and Aerial Photograph 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 public hearing for VAR 997 on July 06, 2016. |

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 of approximately 25 feet from the edge of a public right-of-way in lieu of 50 feet from the edge in and Industrial Zone.

Description of application:

A request by Kardanick for a variance from the edge of a public right-of-way in and Industrial Zone. The property is located in Section 10, Township 39N, Range 05 West, and is referenced as Latah County Assessor's parcel number RP39N05W101950.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 3.6 acres
Floodplain: Zone "B"

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Industrial
Existing Uses: Residential / Warehousing
Neighboring Zoning: Agriculture/Forest / Suburban Residential / Industrial
Neighboring Uses: Mobile Home Park, Sewage Lagoons, Public Right of Way, Creek, Junk Yard, SFR

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic System
Access: Mill and Robinson Park Road
Schools: N/A
Fire Protection: Moscow Fire District
Law Enforcement: Latah County Sherriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6516

Latah County Land Use Ordinance # 269, as amended:

Section 3.05 Ag/Forest
Article 7.02 Variances

Latah County Comprehensive Plan

Relevant Criteria:

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:

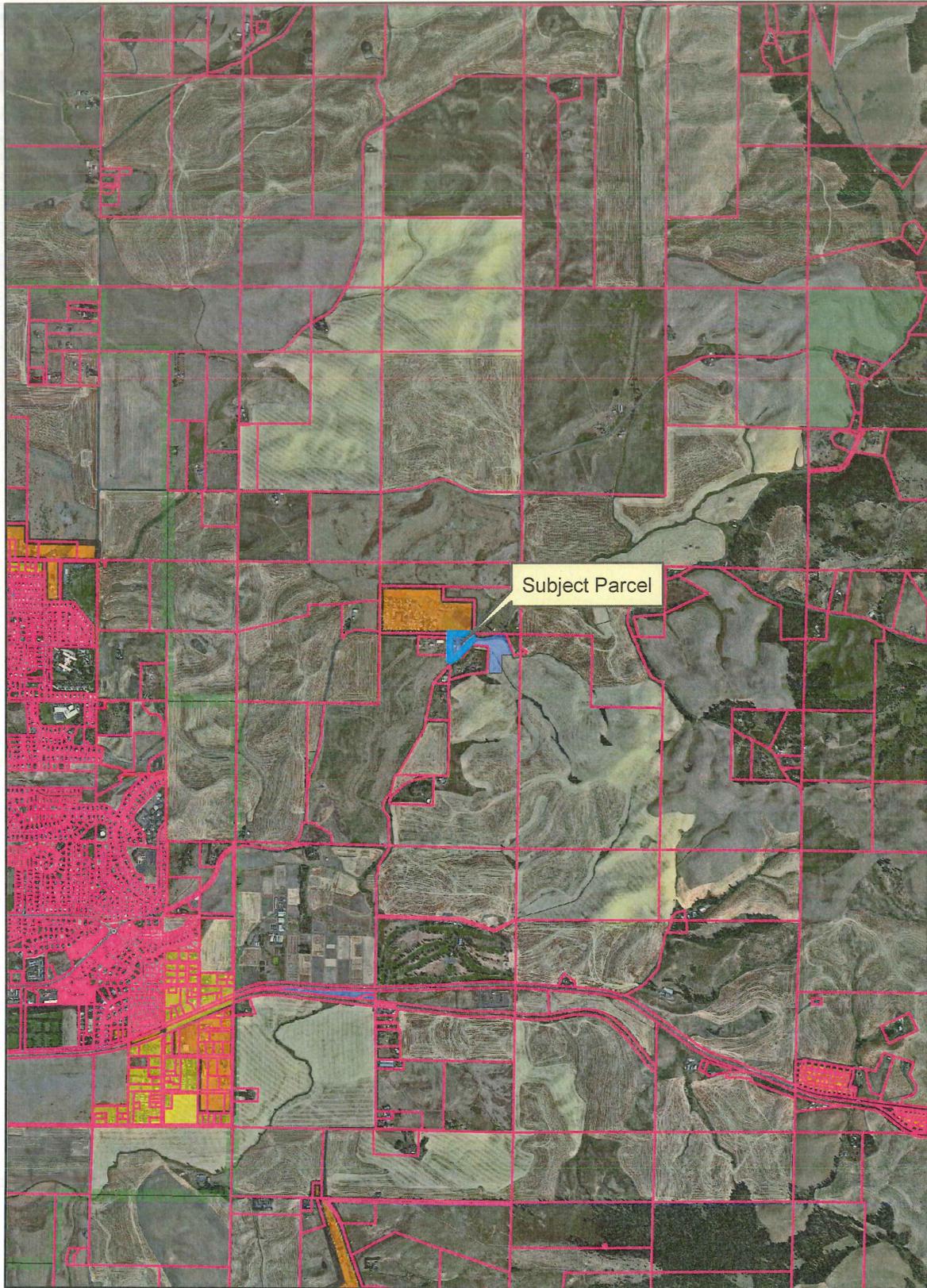
1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
 - The Latah County Highway District has jurisdictions of Mill Road and Robinson Park Road. The 25' setback. This setback is similar to the building located at 4701 Robinson Park Road, which is 26' from the edge of the public right of way

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 triangular shaped parcel is encumbered by two (2) public-right of-way's and a perennial stream.

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.

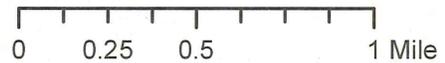
CUP 996/VAR 997 Zoning Map

Planning and Building Department



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

Created by: CAB

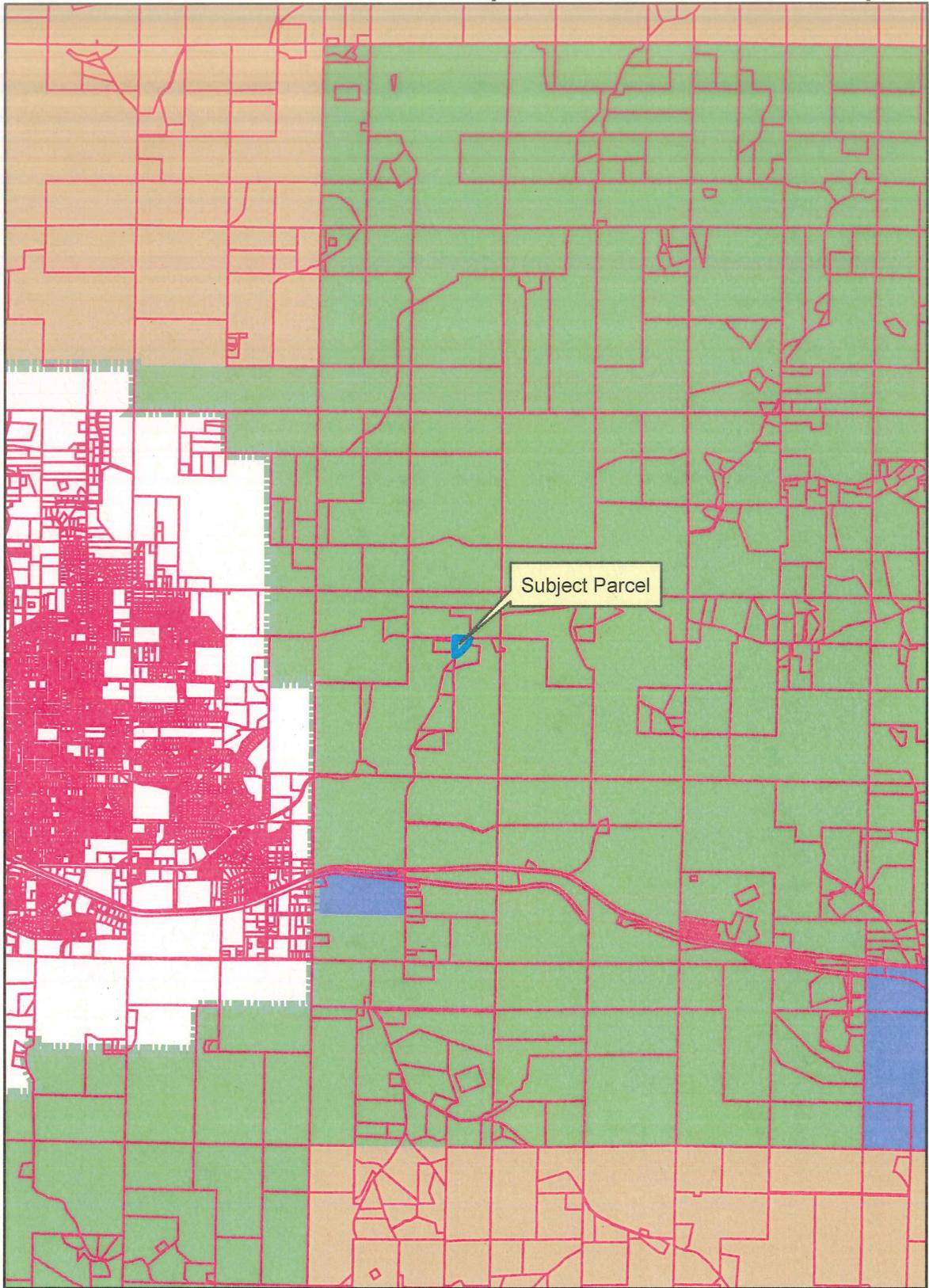


- | | | |
|----------------------|-----------------------------|---------------------------|
| Agriculture Forestry | Motor Business | Rural Residential |
| Commercial | Multiple Family Residential | Single-Family Residential |
| Industrial | Municipality | Suburban Residential |

LCZC Hrg: VAR 997
 Applicant: Kardanick
 Exhibit #: 1A
 Date: 07/06/2016

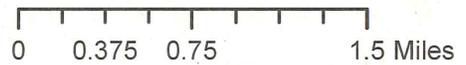
CUP 996/VAR 997 Comprehensive Plan Map

Planning and Building Department



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Comprehensive Plan		ICR
	AFR	 PRODUCTIVE
	AOI	 RURAL

LCZC Hrg: VAR 997
 Applicant: Kardanick
 Exhibit #: 1B
 Date: 07/06/2016

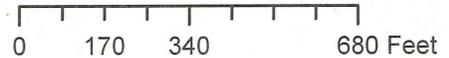
CUP 996/VAR 997 Adjacent Property Owners and Aerial Photo Map

Planning and Building Department



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

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LCZC Hrg: VAR 997
Applicant: Kardanick
Exhibit #: 1C
Date: 07/06/2016



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 Kardanick LLC	b. Home Phone / Work Phone 208-669-1517	c. Email kardanick@gmail.com	
d. Mailing Address 723 Hathaway St	e. City Moscow	f. State ID	g. Zip code 83843
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) RP39N05W101950	b. Site Address (if applicable) 4809 Robinson Park Road
c. Road Used to Access Site Robinson Park Road/Mill Road	d. Floodplain designation(s) Zone B
e. FEMA Panel #	
f. Existing Uses SFR/Industrial Storage	

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) Private Well	b. Sewage Disposal (i.e. city, sewer district or private septic system) Private Septic System
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4. Adjacent Properties Information

a. Zoning of Adjacent Properties AF//SR	b. Existing Uses of Adjacent Properties SFR/Junkyard/Trailer Park/Lagoons
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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.

3.05.04 Size & Setback Requirements. We are requesting the setback for proposed building be changed from 50' to 25' from public right-of-way, and changed from 100' to 50' on Eastern edge of property next to the South Fork of the Palouse River.

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>Kardanick LLC by [Signature]</i>	b. Date 06/15/2016
c. Signature of Property Owner (if different than applicant)	d. Date

Office Use Only

Date Received by County 6/15/2016	Fee Amount \$200	Receipt No. 542	By MK
VAR # 997	Date Determined Technically Complete	By	
Hearing Date 7/6/16			

09/19/2013

7. Attachments

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

- Fee:** (\$200.00) 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.
- Other Attachments:** The Zoning Commission / Staff shall have the authority to require any additional information it feels is necessary to make a fair recommendation on the rezone request.

LCZC Hrg: VAR 997
 Applicant: Kardanick
 Exhibit #: 2
 Date: 07/06/2016



Variance Narrative Worksheet

Application Information

Applicant's Name
Kardanick LLC

Phone Number
208-669-1517

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.

This parcel of property is zoned industrial. It is a unique, 3.6 acre, triangle shape of property bound on the West by Mill Road, on the East by the South Fork of the Palouse River & on the North by Robinson Park Road. The industrial zone has a setback requirement which requires a 50' setback from the public right-of-way & 100' from the Palouse River. We are planning on constructing a warehouse & sales office for one of our businesses. We have removed a double wide mobile home to accommodate the new construction. Commercial zone setback requirements are 10' from the public right-of-way. Because the use of the building will be commercial, and we are applying for a conditional use permit for commercial use, we are proposing a 25' setback from the public right-of-way and 50' setback from the Palouse River.

Existing Uses of Property

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

The property currently has a double wide manufactured home and a shop building. Shop is rented out to an outside business that utilizes it for warehousing. One double wide mobile home has been removed to allow for proposed future building of warehouse/sales office on property.

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 variance for the setbacks would not be detrimental to the public interest or any other property owner adjacent to the subject property. There are examples of other buildings adjacent to the property which are much closer to Robinson Park Road & Mill Road. Proposed setback is 150% further from public right-of-way than what is required in the commercial zone. Proposed setback would not impact safety or line of sight on either Robinson Park Road or Mill Road, including the intersection of Mill Road/Robinson Park Road.

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 unique shape of this property, being bound on all sides by either public roads or the Palouse River, creates a very limited use of the property if we comply with the 50' setback requirement from Robinson Park Road to the North, and 100' setback from the Palouse River on the East. In addition, on the South side of the proposed building, we have an existing septic tank and drain field, which limits shifting the building to the South. Our intention is to use the building, through a conditional use permit, as a commercial retail location. The industrial zoning setbacks are significantly more limiting than the commercial zoning setbacks. The proposed use would still have setbacks which are more than the commercial zone, but less than the industrial zone.

LCZC Hrg: VAR 997
Applicant: Kardanick
Exhibit #2A
Date: 07/06/2016

Google Maps 4805 Robinson Park Rd



Imagery ©2016 Google, Map data ©2016 Google 50 ft
Proposed Building - 4805 Robinson Park Rd
60' x 100-120'

LCZC Hrg: VAR 997
Applicant: Kardanick
Exhibit #: 2B
Date: 07/06/2016

VAR #997 – Staff Introduction

VAR #997 – A request by Kardanick for a variance from the edge of a public right-of-way in and Industrial Zone. The property is located in Section 10, Township 39N, Range 05 West, and is referenced as Latah County Assessor's parcel number RP39N05W101950.

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.

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.

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

EXHIBITS:

Exhibit #1.	Criteria Worksheet and Application Summary
Exhibit #1A.	Latah County Comprehensive Plan and Vicinity Map
Exhibit #1B.	Zoning Map
Exhibit #1C.	Adjacent Property Owners and Aerial Photograph 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 public hearing for VAR #997 on July 6 th , 2016

That is all staff has unless the Commission has questions.