

RANDY CRAMER
VARIANCE PERMIT APPLICATION #844
STAFF REPORT

BASIC FACTS:

A request by Randy Cramer for a variance to allow a 19-foot setback from the rear property line in lieu of the 35-foot setback and a 55-foot setback from the center line of Robinson Park Road in lieu of the 60-foot setback from a public road that is required for structures in the Agriculture/Forest zone. The property is located at 5177 Robinson Park Rd., Moscow, Idaho, in Section 01, Township 39 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N05W011500A.

Site Characteristics:

Size of Parcel: .9 -acres
Soils: Spokane loam, 15-30% slopes, Crumarine silt loam, 0-3% slopes (Latah County Soil Survey Plate #32)
Floodplain: Zone "C" (FIRM Panel # 160086 0245B)

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Agriculture/Forest (A/F)
Existing Uses: Rural Residential
Neighboring Zoning: Agriculture/Forest (A/F), Rural Residential (RR)
Neighboring Uses: Rural Residential and Agriculture

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic System
Access: Robinson Park Road - North Latah County Highway District
Schools: Moscow School District
Fire Protection: Moscow Rural Fire District
Law Enforcement: Latah County Sheriff

EXHIBITS:

Exhibit #1 : Staff Report
Exhibit #1A : Criteria Worksheet
Exhibit #1B : Vicinity and Comprehensive Plan Land Use Map
Exhibit #1C : Zoning Map
Exhibit #1D : Aerial Photograph and Adjacent Property Owners Map
Exhibit #1E : Site/Lot Measurements
Exhibit #1F : Photos of Subject Property
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 December 7, 2011

NOTE: Exhibits not included in the staff packet are available for review in the Planning Office, and will be entered into the record during the public hearing.

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act:

Idaho Code 67-6516, Variance Ordinance

Latah County Land Use Ordinance:

Section 3.01 Agriculture/Forest Zone

Section 7.02 Variances

Latah County Comprehensive Plan

CRITERIA WORKSHEET

Note: This criteria worksheet 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:

Variance Application

Description of application:

A request by Randy Cramer for a variance to allow a 19-foot setback from the rear property line in lieu of the 35-foot setback and a 55-foot setback from the center line of Robinson Park Road in lieu of the 60-foot setback from a public road that is required for structures in the Agriculture/Forest zone. The property is located at 5177 Robinson Park Rd., Moscow, Idaho, in Section 01, Township 39 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N05W011500A.

Facts of application and the information submitted:

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 Randy Cramer, to the Planning and Building Department on November 10, 2011.

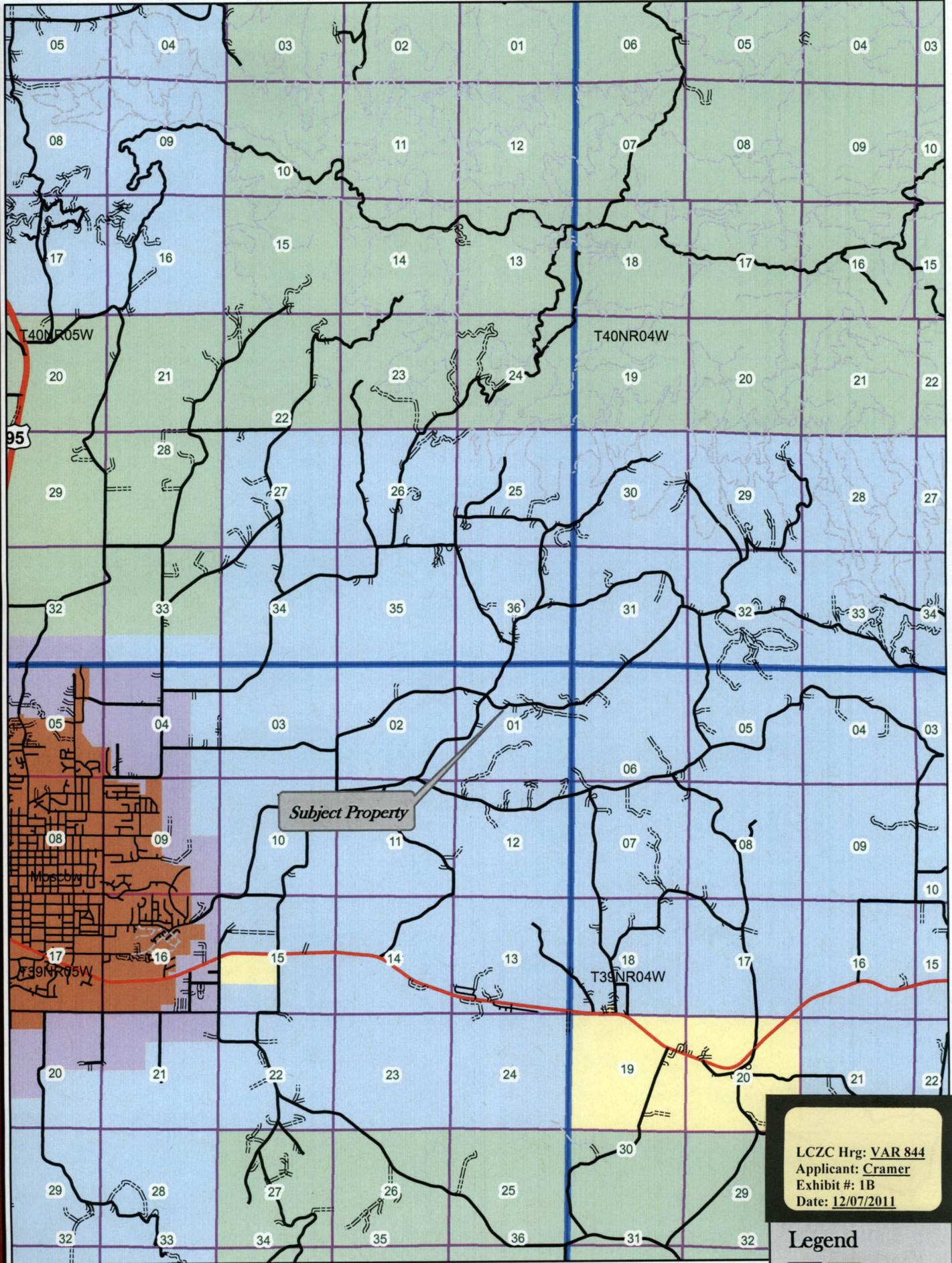
2. Section 3.01.03 of the Latah County Land Use Ordinance requires that all structures shall be a minimum of 20 feet from the boundaries of any public right-of-way or 60 feet from the center line of any road placed within the boundaries of a public right-of-way, whichever is greater.

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.

VAR #844 Cramer Setback Variance



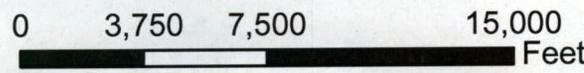
Subject Property

LCZC Hrg: VAR 844
 Applicant: Cramer
 Exhibit #: 1B
 Date: 12/07/2011

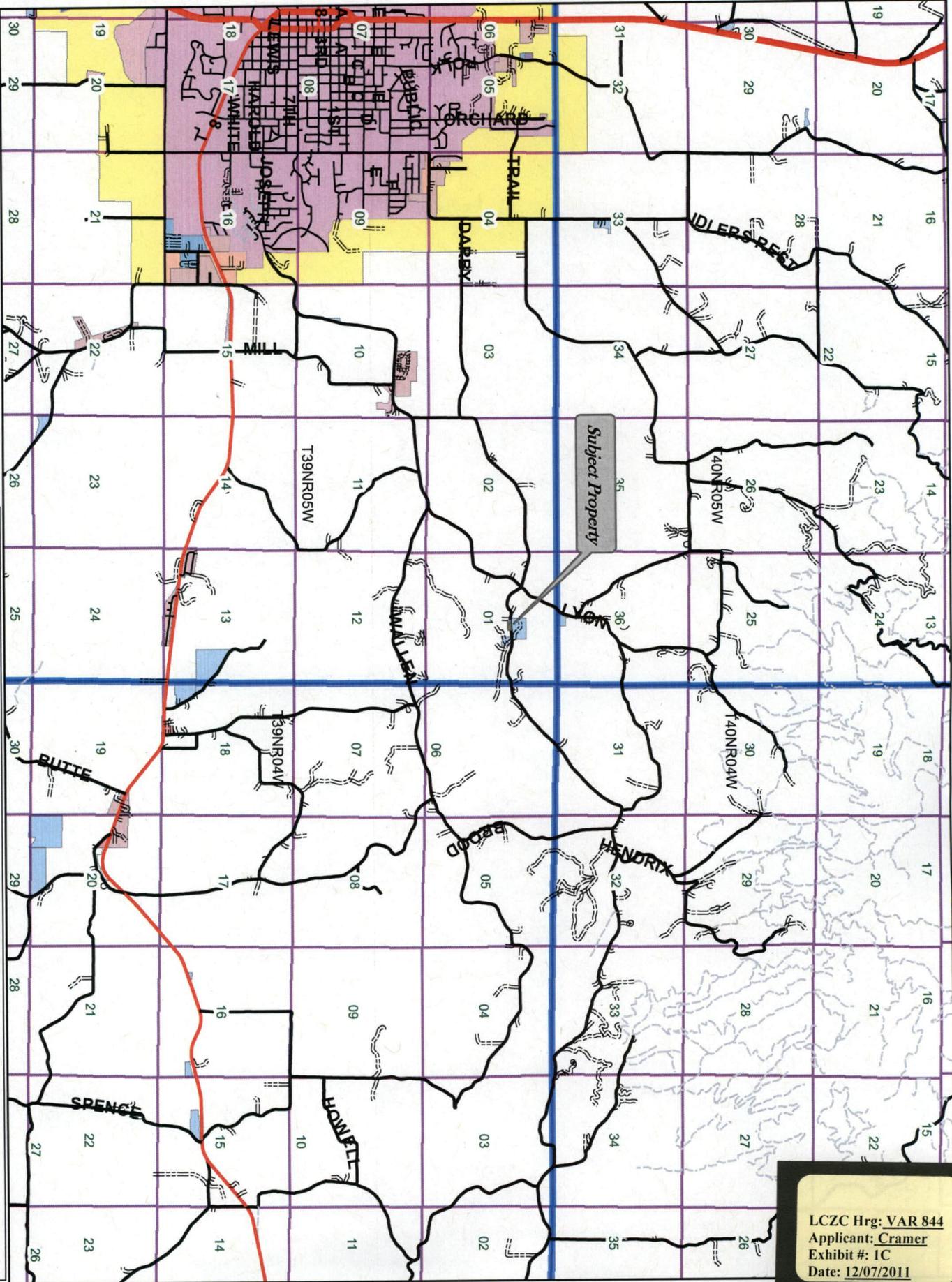
Legend

- AOI PRODUCTIVE
- ICR RURAL

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



VAR #844 Cramer Zoning Map



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

*Created on 11/15/2011 by JB

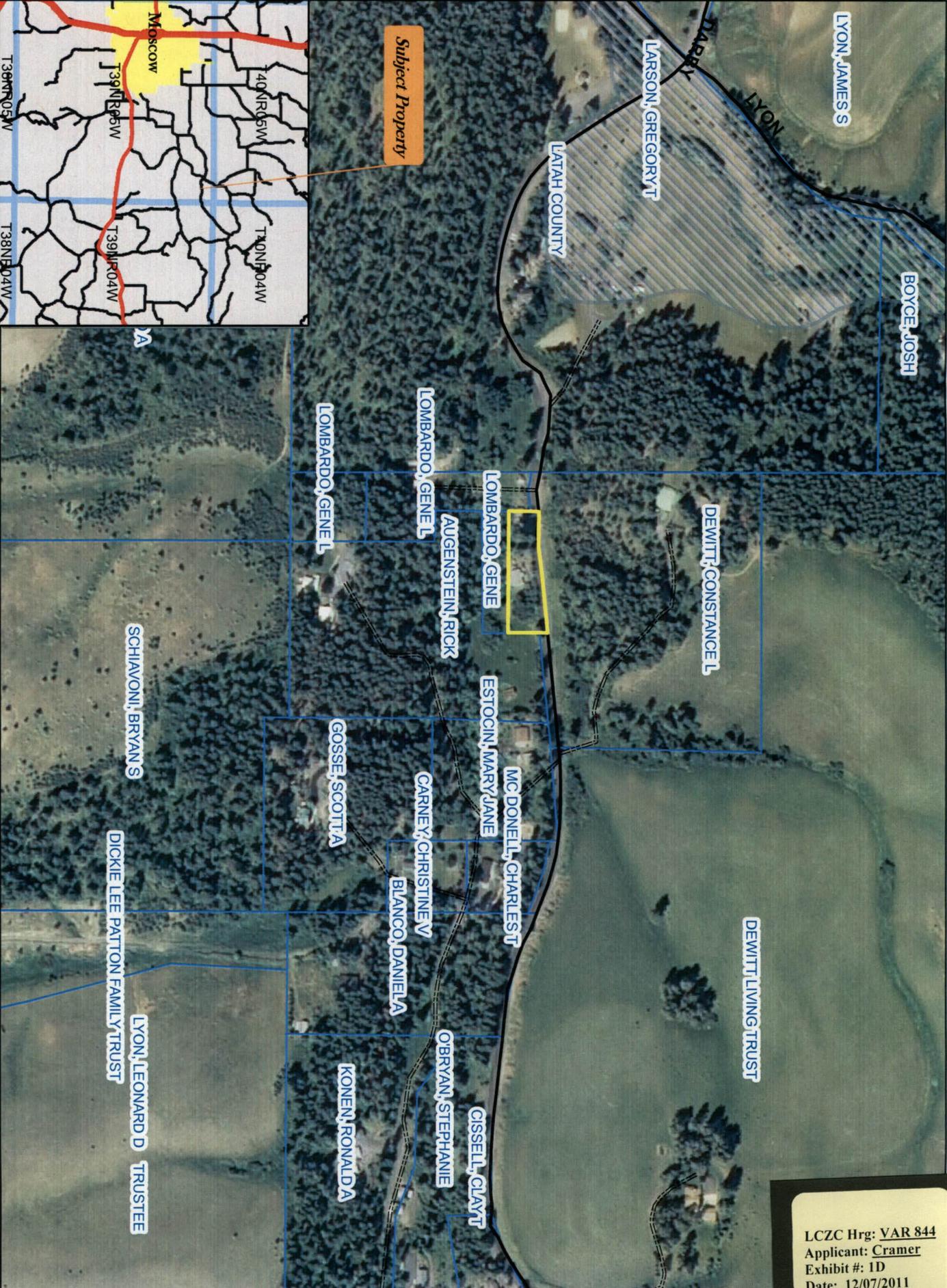
0 2,625 5,250 10,500 Feet



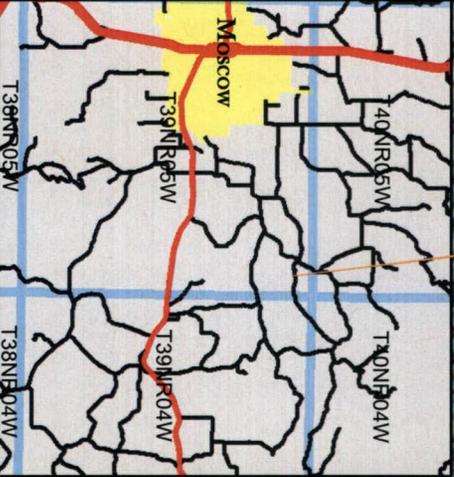
- Legend**
- Agriculture / Forest Industrial
 - Motor Business Municipality
 - Multiple Family Residential
 - Rural Residential
 - Single-Family Residential (R1)
 - Single-Family Residential Suburban Residential
 - Areas of City Impact

LCZC Hrg: VAR 844
 Applicant: Cramer
 Exhibit #: 1C
 Date: 12/07/2011

VAR #844 Cramer Setback Variance



Subject Property



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

*Created on 3/30/11 by JB

Legend

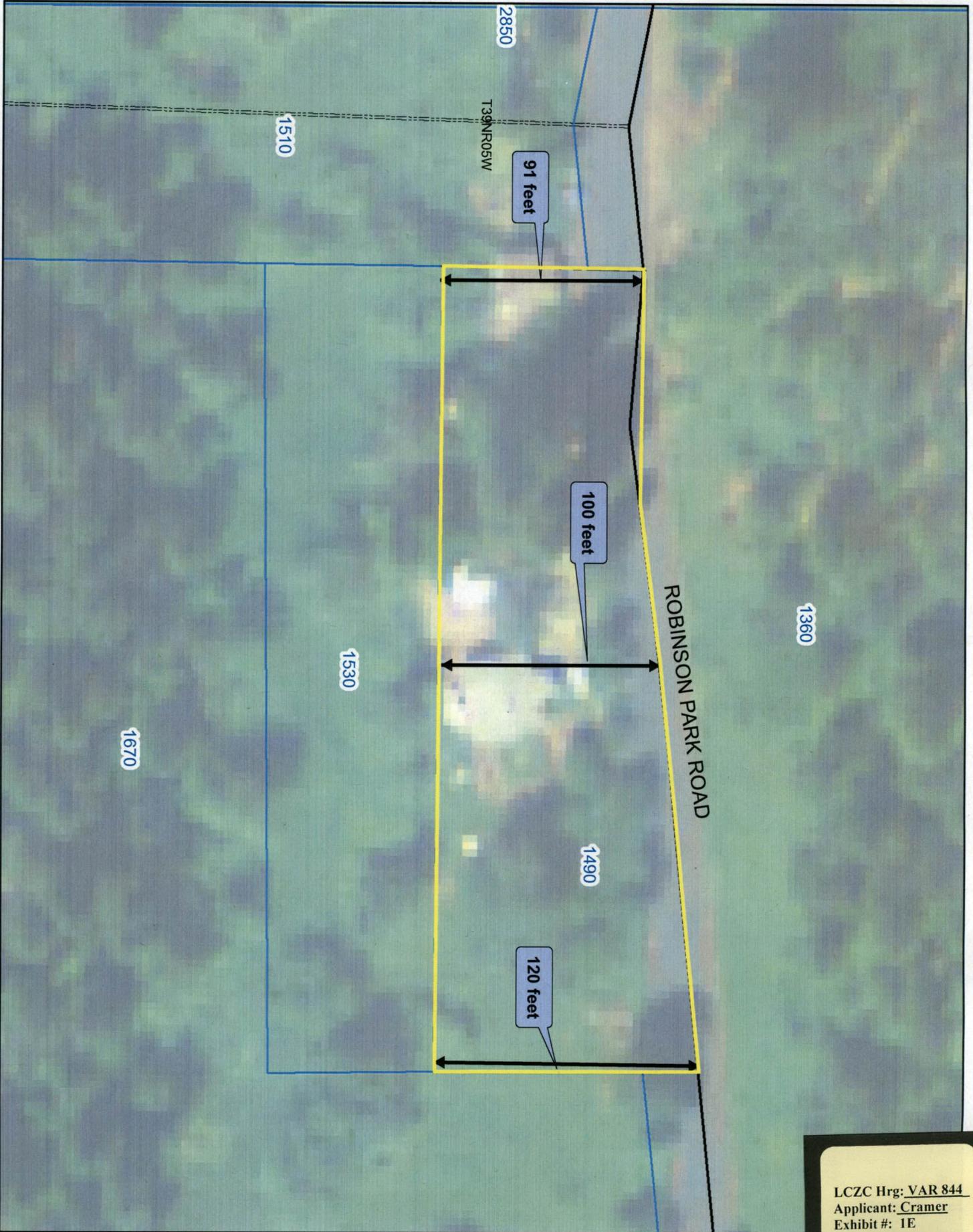
-  Parcels
-  Floodplain



LCZC Hrg: VAR 844
 Applicant: Cramer
 Exhibit #: 1D
 Date: 12/07/2011

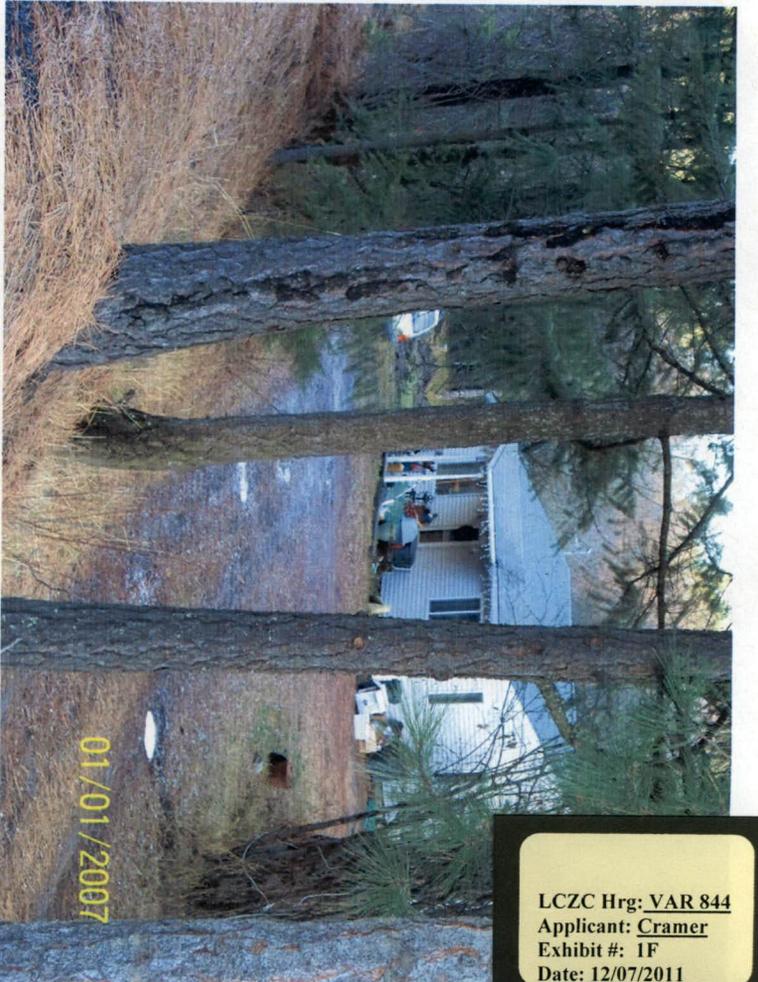
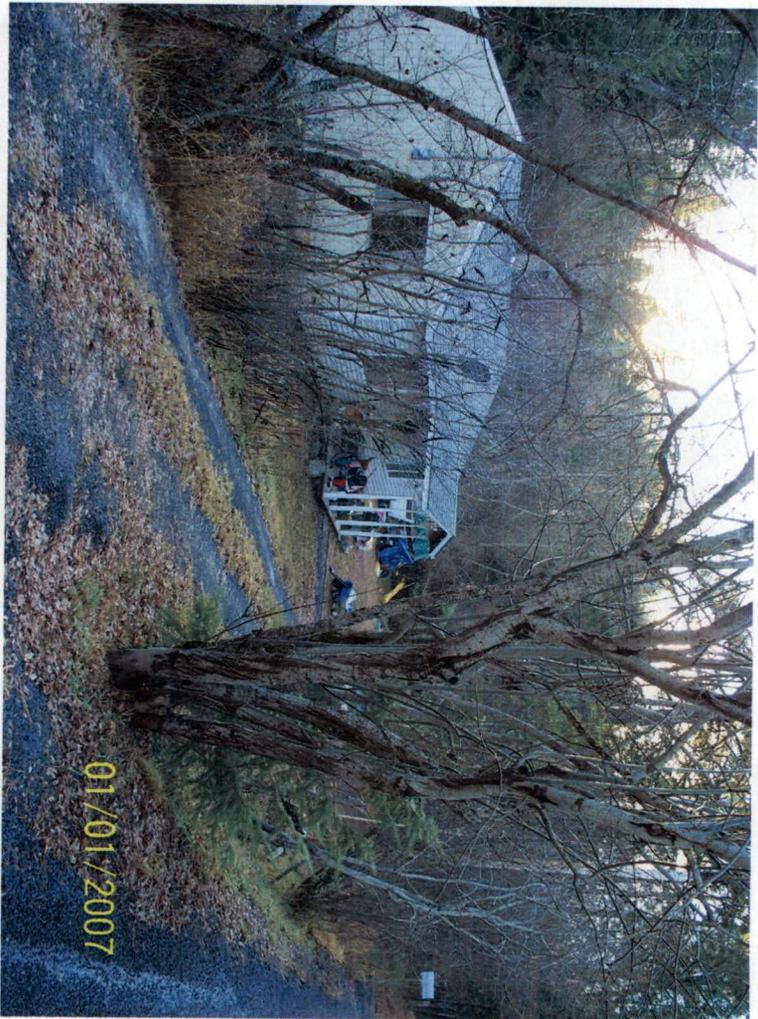


VAR #844 Cramer Setback Variance Site Map

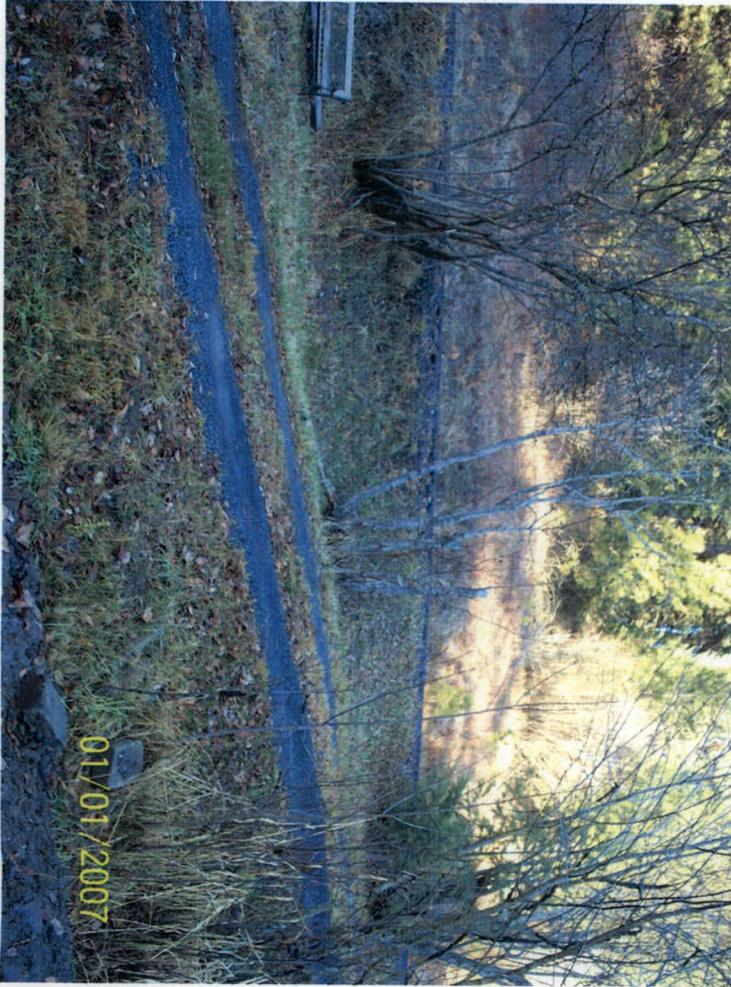


NOTE: This Document is a representation only.
Latah County bears no responsibility for errors or omissions.

LCZC Hrg: VAR 844
Applicant: Cramer
Exhibit #: 1E
Date: 12/07/2011



LCZC Hrg: VAR 844
Applicant: Cramer
Exhibit #: 1F
Date: 12/07/2011





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 RANDY CRAMER	b. Home Phone 208-310-1897	c. Work Phone	
d. Mailing Address 5177 ROBINSON PARK RD	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) RP39N05W011500A	b. Site Address (if applicable) SAME
c. Road Used to Access Site	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) PRIVATE WELL	b. Sewage Disposal (i.e. city, sewer district or private septic system) PRIVATE SEPTIC SYSTEM
---	---

4. Adjacent Properties Information

a. Zoning of Adjacent Properties	b. Existing Uses of Adjacent Properties
----------------------------------	---

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.

VARIANCE BEING SOUGHT IS FOR SETBACKS; CIRCUMSTANCE IS BECAUSE EXISTING HOUSE IS CLOSE TO COUNTY ROAD & NEIGHBORS PROPERTY.

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 11/10/11
c. Signature of Property Owner (if different than applicant)	d. Date

7. Attachments

All attachments should be reproducible in black and white at 8½" 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 / Staff shall have the authority to require any additional information if it feels is necessary to make a fair rezoning request.

Office Use Only

Date Received by County 11/10/11	Fee Amount \$150	Receipt No. 085662	By
VAR # VAR 844	Date Determined Technically Complete 11/15/11	By 	
Hearing Date 12/7/11			



Variance Narrative Worksheet

Application Information

Applicant's Name

RANDY CRAMER

Phone Number

208-310-1897

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 PROPOSE TO BUILD AN ADDITION (28X29) ONTO MY EXISTING HOUSE (28X36)
A VARIANCE IS NEEDED BECAUSE OF THE PROXIMITY OF THE EXISTING
HOUSE TO THE COUNTY ROAD ON THE NORTH & THE NEIGHBORS
PROPERTY ON THE SOUTH. NEAREST PART OF THE ADDITION WOULD
NOT BE ANY CLOSER TO COUNTY RD. THAN THE FRONT PORCH.

Existing Uses of Property

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

CURRENT STRUCTURE IS A 28X36 HOUSE ON A PERMANENT
FOUNDATION

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.

PROPERTY IS NOT NEAR ANY OTHER HOUSES

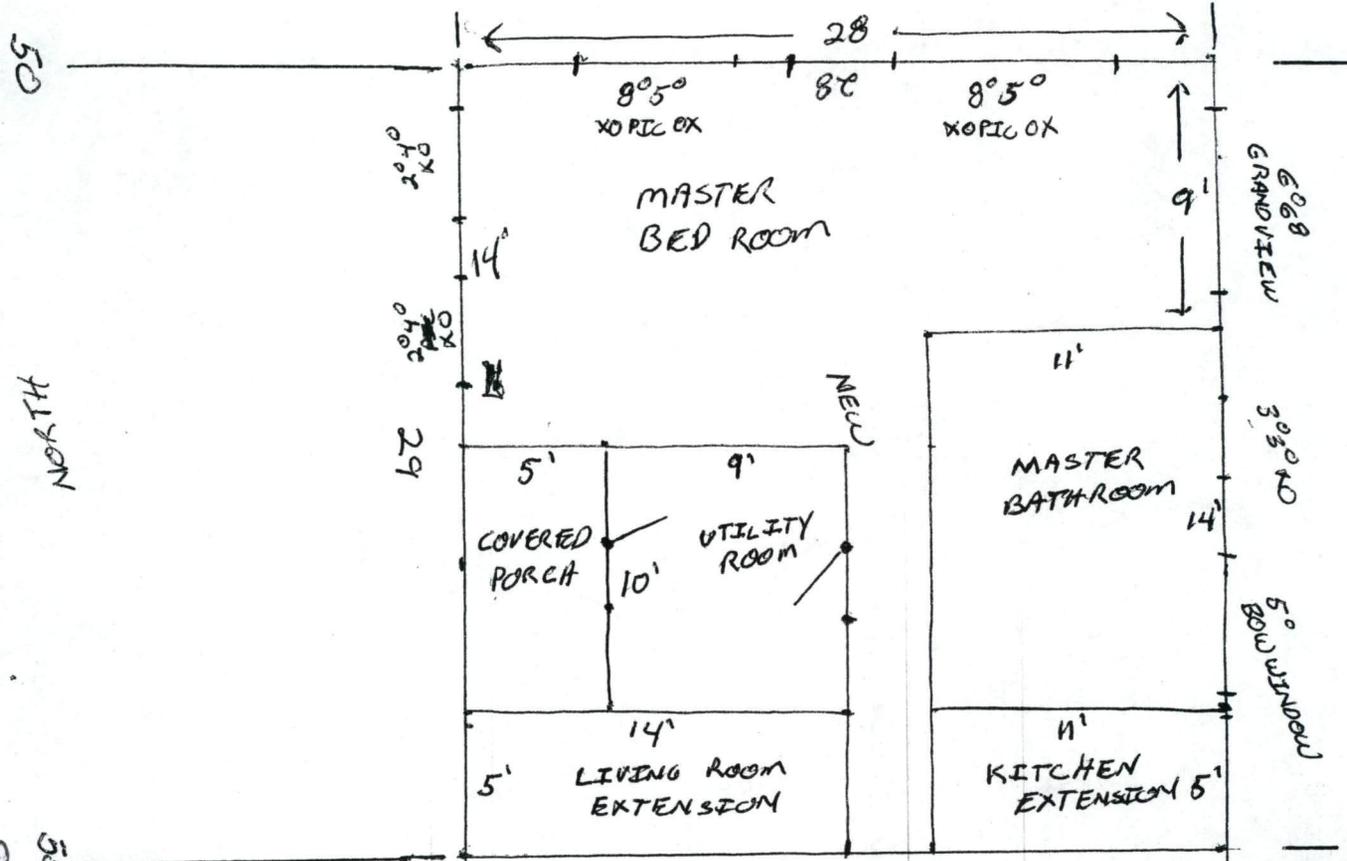
Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

EAST

SETBACK 25

HILMOS

19 SETBACK



HILMOS

55' CENTER RD

5177 REARUSON RD

Existing House 36

011

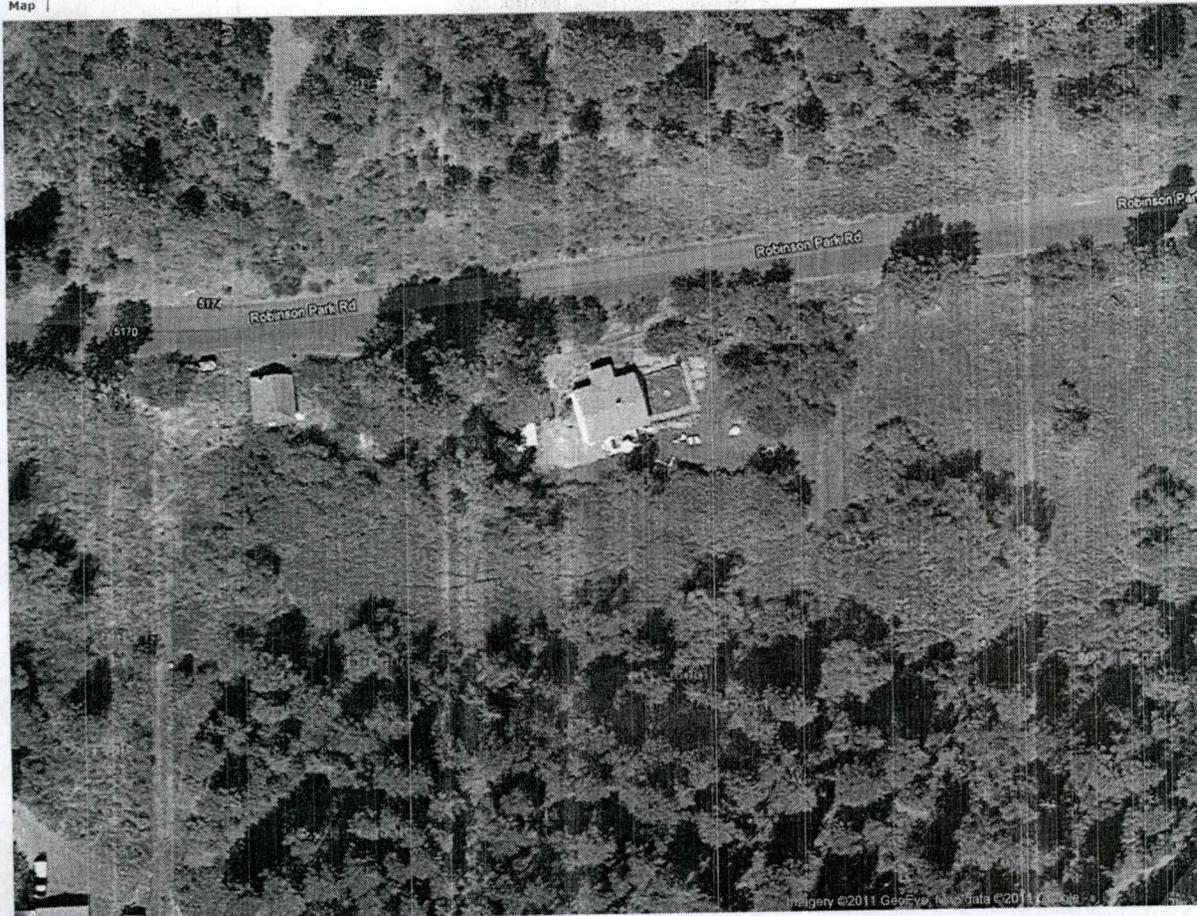
WEST

RAYDY CRAMER 208-310-1897

LCZC Hrg: VAR 844
 Applicant: Cramer
 Exhibit #: 2B
 Date: 12/07/2011

Map |

All



VAR #844 – STAFF INTRODUCTION

A request by Randy Cramer for a variance to allow a 19-foot setback from the rear property line in lieu of the 35-foot setback and a 55-foot setback from the center line of Robinson Park Road in lieu of the 60-foot setback from a public road that is required for structures in the Agriculture/Forest zone. The property is located at 5177 Robinson Park Rd., Moscow, Idaho, in Section 01, Township 39 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N05W011500A.

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 Randy Cramer, to the Planning and Building Department on November 10, 2011.

2. Section 3.01.03 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:

EXHIBITS:

Exhibit #1	:	Staff Report
Exhibit #1A	:	Criteria Worksheet
Exhibit #1B	:	Vicinity and Comprehensive Plan Land Use Map
Exhibit #1C	:	Zoning Map
Exhibit #1D	:	Aerial Photograph and Adjacent Property Owners Map
Exhibit #1E	:	Site/Lot Measurements
Exhibit #1F	:	Photos of Subject Property
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 December 7, 2011

That is all staff has unless the Commission has questions.