

NOTICE OF PUBLIC HEARING
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, May 15th, 2013, 5:30 pm

The Latah County Zoning Commission will hold public hearing on Wednesday, May 15th, 2013, in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

CUP #887 – A request by Bill Church for a conditional use permit for an accessory cottage house on approximately 15 acres in the Agriculture/Forest (A/F) zone. The property is located at 1029 Frink Road, Moscow, Idaho in Section 35 of Township 40 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N05W350155A.

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 proposal, is 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, Associate Planner

(This is a public service announcement only)

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST
Public Hearing for Conditional Use Permit #887

Date: May 15th, 2013 Time: 5:30 pm Applicant: Bill Church File #: CUP 887

EXHIBITS:

- | | |
|---------------------|---|
| Exhibit #1. | Criteria Worksheet and Application Summary |
| Exhibit #1A. | Latah County Comprehensive Plan and Vicinity Map |
| Exhibit #1B. | Zoning Map |
| Exhibit #1C. | Adjoining Property Owners and Aerial Photograph Map |
| Exhibit #2. | Application Form (Submitted by Applicant) |
| Exhibit #2A. | Applicant's Narrative (Submitted by Applicant) |
| Exhibit #2B. | Property Site Plan (Submitted by Applicant) |
| Exhibit #3. | Staff Introduction for Latah County Zoning Commission public hearing for CUP #887 for May 15 th , 2013 |

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 accessory cottage housing on a 15-acre parcel in the Agriculture/Forest zone.

Description of application:

CUP #887 – A request by Bill Church for a conditional use permit for an accessory cottage house on approximately 15 acres in the Agriculture/Forest (A/F) zone. The property is located at 1029 Frink Road, Moscow, Idaho in Section 35 of Township 40 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N05W350155A.

Applicable Code:

Section 7.01.02 (see exhibit #3) and *Sections 3.01.02.14*

Section 3.01.02.14 The Latah County Land Use Ordinance, under section 3.01.02(14), lists "Accessory Cottage Housing" as a conditionally permitted use in the Agriculture/Forest Zone.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 15 acres
Floodplain: Zone "A"

Land Use and Regulations:

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

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: Frink
Fire Protection: Moscow Fire District

Applicable Statute, Ordinance, and Comprehensive Plan Sections:

Local Planning Act: Idaho Code 67-6512

Latah County Land Use Ordinance # 269, as amended:

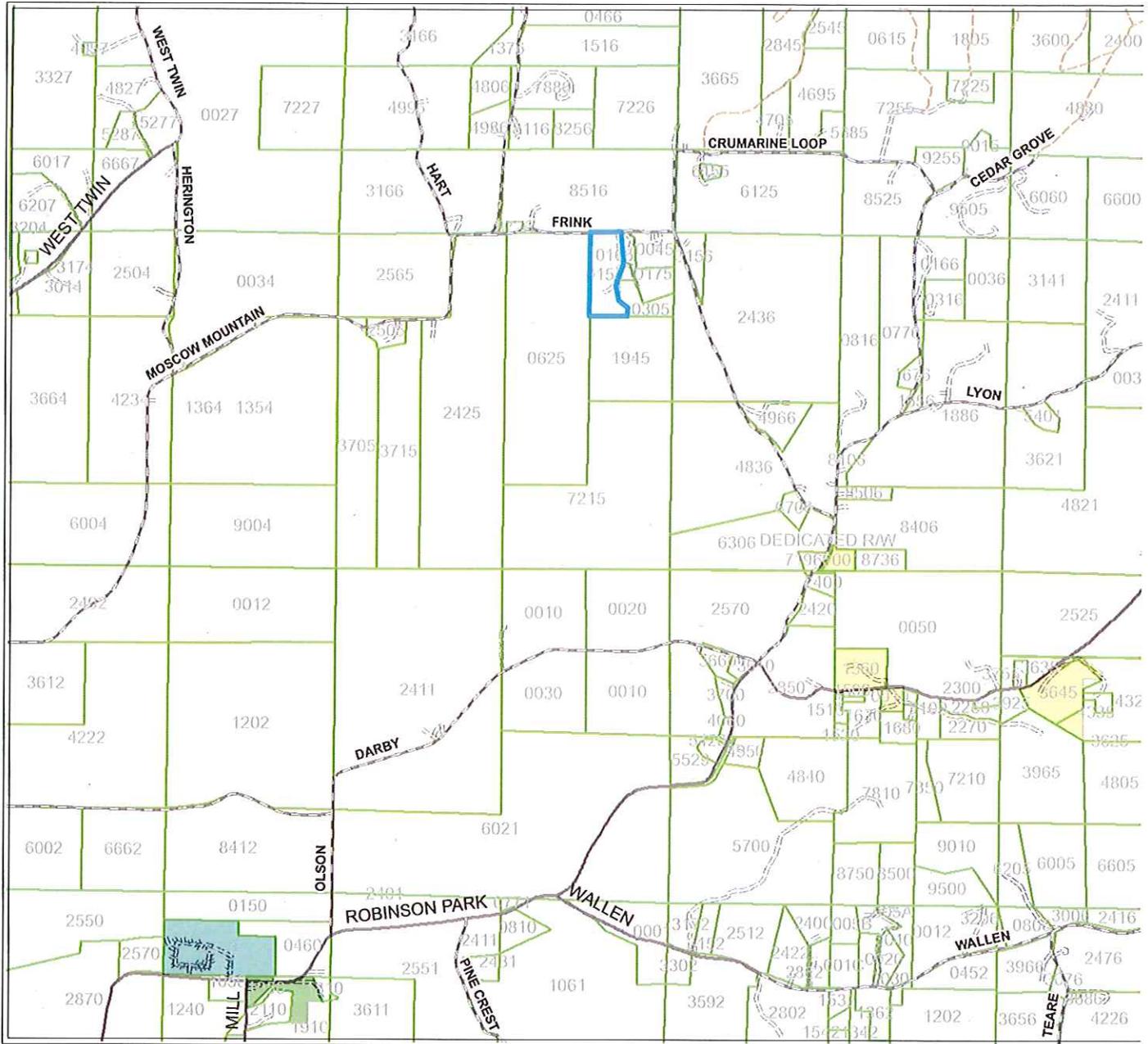
Section 3.01 Agriculture/Forest Zone

Article 7 Conditional Use Permits

Latah County Comprehensive Plan

CUP 887 Zoning

Latah County Planning and Building

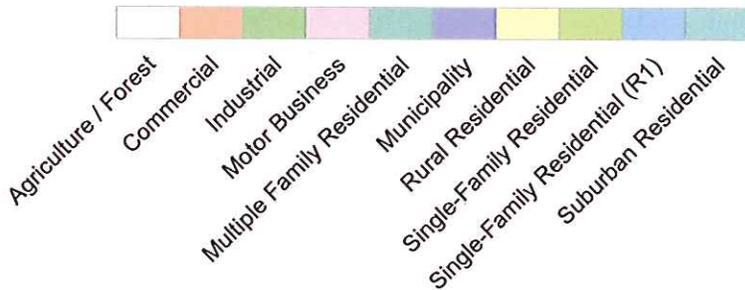


0 1,250 2,500 5,000 Feet



Legend

ZONE_TYPE



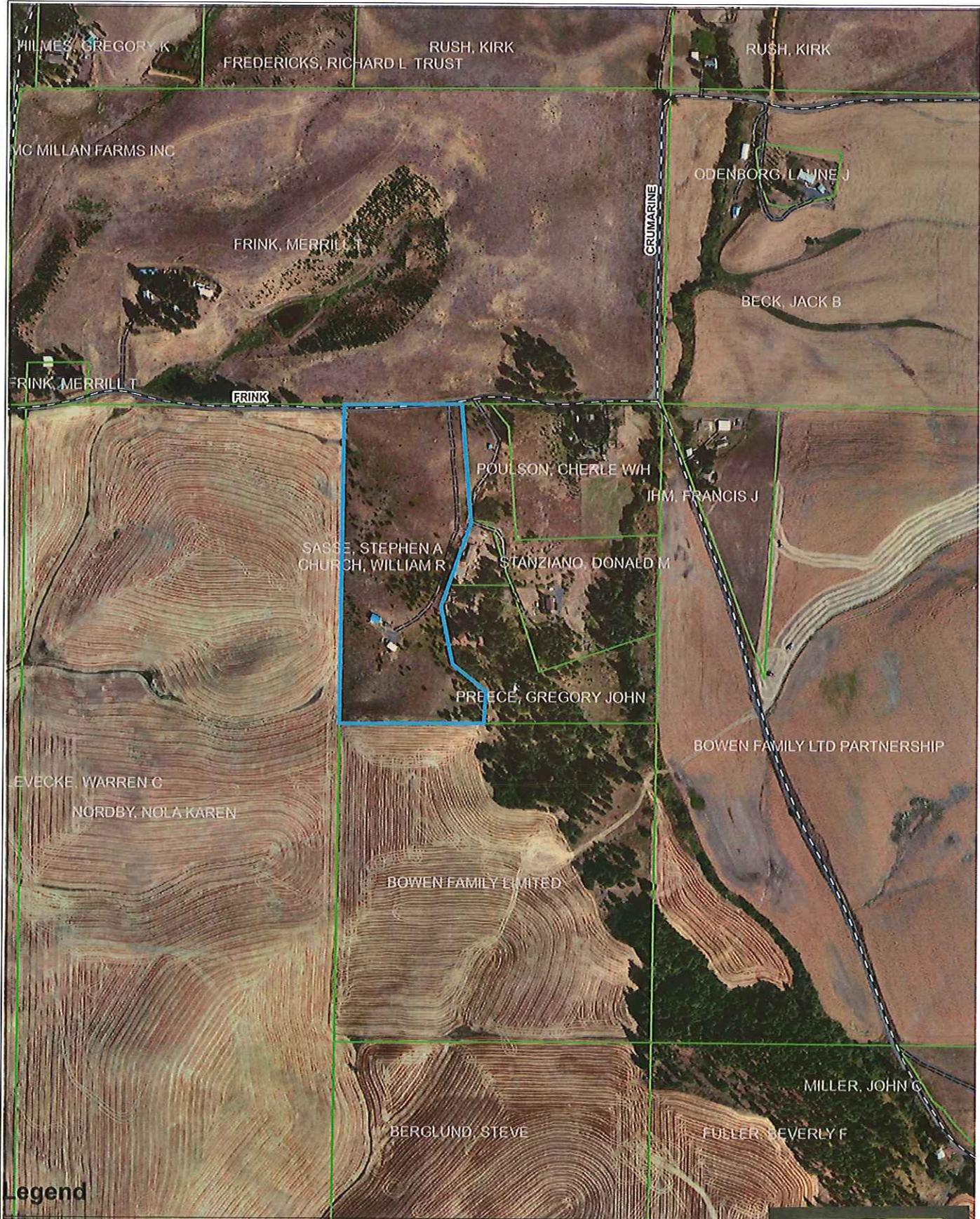
Created by MK 05/08/2013

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

LCZC Hrg: CUP 887
Applicant: Church
Exhibit #: 1B
Date: 05/15/2013

CUP 887 Aerial and Adjacent Property Owners

Latah County Planning and Building



Legend

0 255 500 1,180 Feet Created by MK 05/08/2013

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

LCZC Hrg: CUP 887
Applicant: Church
Exhibit #: IC
Date: 05/15/2013



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 BILL CHURCH		b. Home Phone 208-310-2767	c. Work Phone 208-883-7750
d. Mailing Address SAME		e. City MOSCOW	f. State ID
g. Zip code 83843		h. Property Owner (if different than applicant) 1029 FRANK RD	
i. Home Phone bill@palouse Realty.com		j. Work Phone	
k. Mailing Address MOSCOW, ID 83843		l. City	m. State
		n. Zip code	

2. General Site Information

a. Assessor's Parcel Number(s) RP40N05W350155A		b. Parcel Address (if applicable) 1029 FRANK ROAD	
c. Acreage of Existing Parcel 15 AC	d. Zoning A/F	e. Comprehensive Plan Designation Rural	f. Floodplain designation(s) N/A
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 FRANK ROAD	

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

cabin/PCS

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

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

4. Adjacent Properties Information

a. Zoning of Adjacent Properties A/F	b. Existing Uses of Adjacent Properties ag/PCS
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5. Permit Information

a. Proposed Use
BUILD NEW HOME & USE EXISTING DWELLING AS ACCESSORY COTTAGE

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?
ACCESSORY COTTAGE HOUSING

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 9/3/13
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: (\$200.00)** 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 shows the subject parcel and adjoining parcels.
- Other Attachments:** Required by staff / Z for certain proposed uses.

Office Use Only

Date Received 4/15/13	Amount 200.00	Receipt No. 137591	By MK
CUP # 887	Date Determined Technically Complete 4/15/13		By WR
Hearing Date 5/15/13			



Conditional Use Permit 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.

BUILD A NEW HOME ON EXISTING 15 AC PARCEL & RETAIN EXISTING DWELLING AS AN ACCESSORY COTTAGE

Existing Uses of Property

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

RESIDENTIAL 2 BEDROOM DWELLING & DETACHED GARAGE.

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.

CONTINUE SINGLE OWNER RESIDENTIAL OCCUPANCY ON EXISTING 15 AC PARCEL.

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

ALL PRIVATE USES WITH NO CHANGE TO OCCUPANCY

LCZC Hrg: CUP 887
Applicant: Church
Exhibit #: 2A
Date: 05/15/2013

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

1. Rural residential single family occupancy.
2. The existing 2 bedroom dwelling to become an accessory cottage.
3. The cottage will be within 100' of the main home & is 900 sqft.
4. The cottage will be less than 50% of the new main residence.

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

The use will be consistent with rural residential zoning & will not adversely impact adjacent uses.

b. Population Element

No increase in population as the cottage will be for guests & the property will remain single-family.

c. Housing Element

The cottage will be within 100' of the main house leaving most of the 15 acres as open space.

d. Economic Development Element

Provides continued use of an existing structure.

e. Public Services, Facilities, and Utilities Element

No change as the property remains a single family residential use.

f. School Facilities and Student Transportation Element

No change

g. Transportation Element

No change as it remains a single family property with a single driveway

h. Natural Resource Element

Retains open space, rural environment while providing space for guests.

i. Special Areas Element

N/A

j. Hazardous Areas Element

N/A

k. Recreation Element

N/A

l. Land Use Element

Remains low density rural residential use.

m. Implementation

N/A

n. Property Rights Element

Allows use of private property for single family use.

o. Water Resource Element

No change ~~as~~ as the existing well will be used by the cottage & main house.

Map

Church

1029 FRANK ROAD



LCZC Hrg: CUP 887
Applicant: Church
Exhibit #: 2B
Date: 05/15/2013

CUP #887 – Staff Introduction

CUP #887 – A request by Bill Church for a conditional use permit for an accessory cottage house on approximately 15 acres in the Agriculture/Forest (A/F) zone. The property is located at 1029 Frink Road, Moscow, Idaho in Section 35 of Township 40 North, Range 05 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N05W350155A.

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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