

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 on .26 acre lot in Helmer

Description of application:

A request by Peter & Cherri Vitali for a variance to allow a 18-foot setback from the edge of the side right-of-way (Second Avenue) in lieu of the 20-foot setback from the edge of a public right-of-way and a 34-foot setback from the centerline of Helmer Lane in lieu of the 60-foot setback from the centerline of a public road that is required for structures in the Suburban Residential zone. The property is located at 1024 Helmer Ln., Deary, Idaho, in Section 21, Township 40 North, Range 01 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP01670005001BA.

The completed application was received by the Latah County Planning and Building Department on September 20, 2013. The applicants are seeking to build a garage. Their request would result in a reduction of the centerline setback from 60-ft to 34-ft on Helmer Lane and a reduction in the side setback from 20 feet to 18feet for the unimproved right-of-way.

Applicable Code:

Section 7.02.02 Variance Criteria

A variance may be granted if the Zoning 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.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: .26 acres
Floodplain: Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation: Industrial, Commercial, Residential
Existing Zoning: Suburban Residential
Existing Uses: Residential
Neighboring Zoning: Suburban Residential
Neighboring Uses: Public Right of Way, Residential

Infrastructure/Services:

Water:	Helmer Water & Sewer
Sewer:	Helmer Water & Sewer
Access:	1024 Helmer Lane
Schools:	White Pine School District
Fire Protection:	Deary 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:

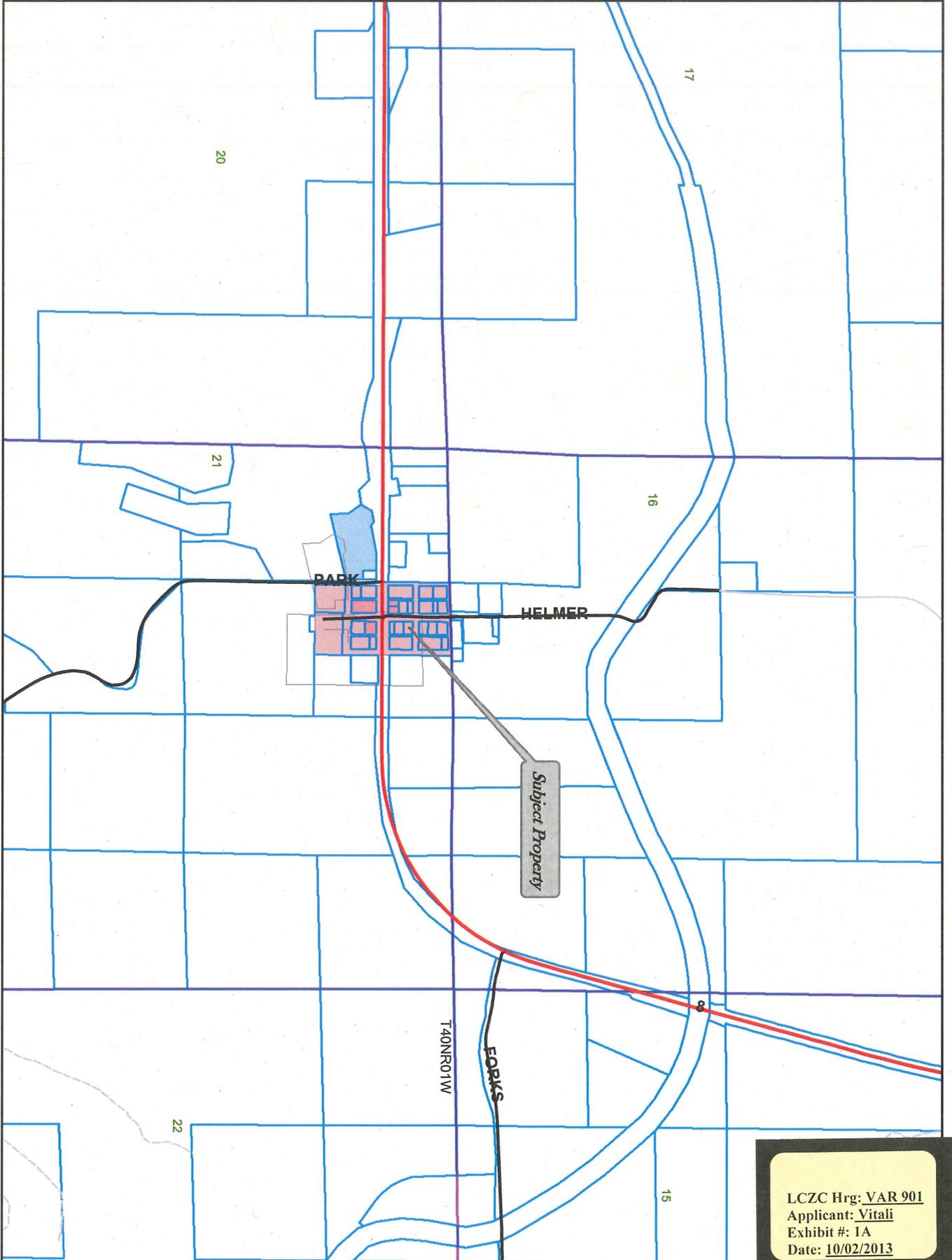
Section 3.03 Suburban Residential

Article 7 Variances

Latah County Comprehensive Plan



VAR #902 Zoning Map



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

*Created on 9/24/2013 by JB

0 550 1,100 2,200 Feet

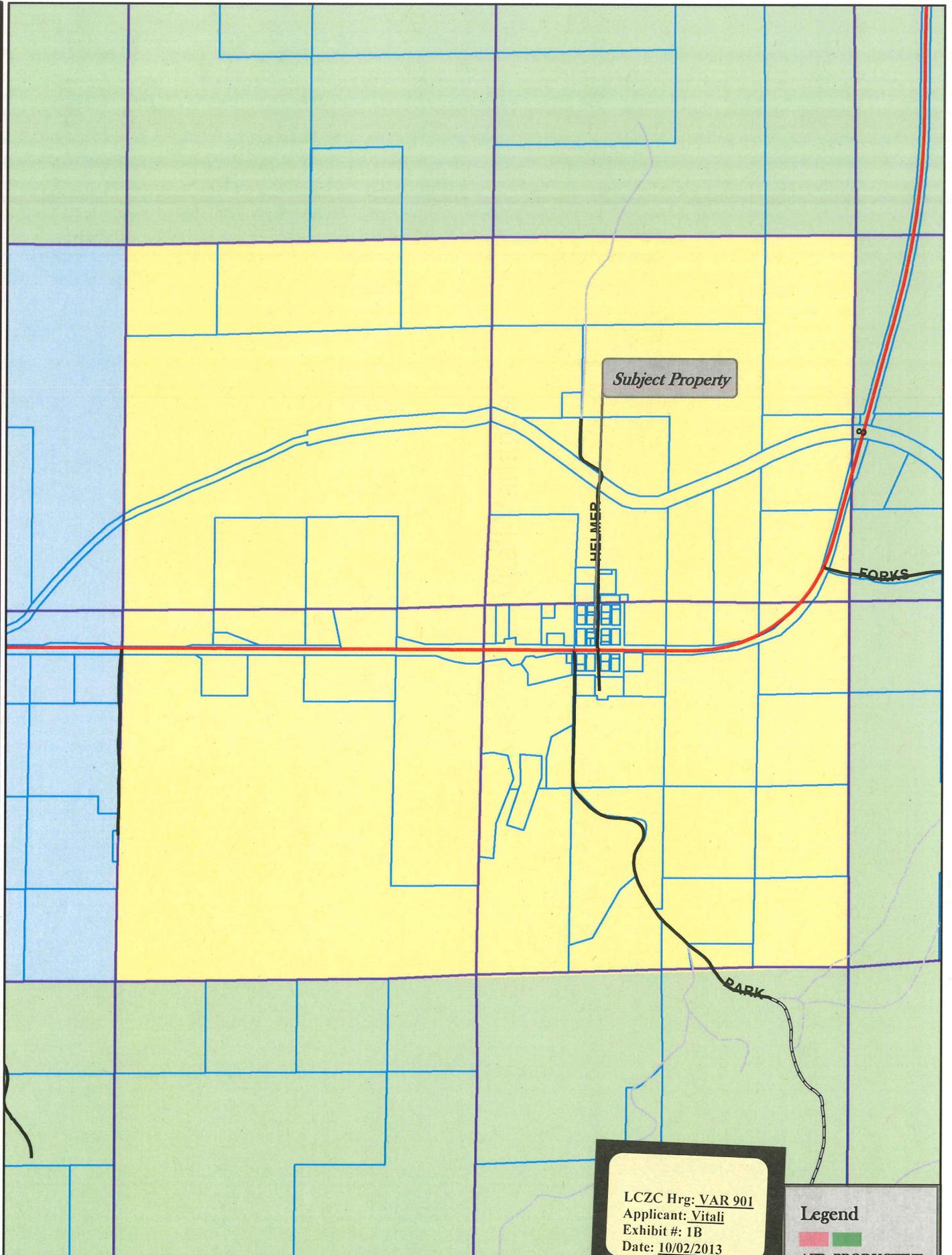


Legend

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

LCZC Hrg: VAR 901
Applicant: Vitali
Exhibit #: 1A
Date: 10/02/2013

VAR #902 Vitali Variance



LCZC Hrg: VAR 901
Applicant: Vitali
Exhibit #: 1B
Date: 10/02/2013

Legend

Green	AFR PRODUCTIVE
Light Blue	AOI RURAL
Yellow	ICR

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VAR #902 Vitali Variance



LCZC Hrg: VAR 901
 Applicant: Vitali
 Exhibit #: 1C
 Date: 10/02/2013

NOTE: This Document is a representation only.
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Legend



*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 Peter + Cherri Vitali	b. Home Phone 208 877 1021	c. Work Phone none	
d. Mailing Address 1021 Helmer Ln.	e. City Deary	f. State ID	g. Zip code 83823
h. Property Owner (if different than applicant) saa	i. Home Phone saa	j. Work Phone none	
k. Mailing Address saa	l. City saa	m. State saa	n. Zip code saa

2. General Site Information

a. Assessor's Parcel Number(s) lot #1 + #2 Helmer Lane	b. Site Address (if applicable) 1024 Helmer Ln	
c. Road Used to Access Site Hwy 8	d. Floodplain designation(s) unk	e. FEMA Panel # unk
f. Existing Uses 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) community well	b. Sewage Disposal (i.e. city, sewer district or private septic system) private septic managed by Helmer Water + Sewer
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4. Adjacent Properties Information

a. Zoning of Adjacent Properties residential / public	b. Existing Uses of Adjacent Properties South / residence North / 2nd St East / Ally West / Helmer Ln
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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.

In order to fit a 30'x30' shop w 2 1/2' open overhangs, one on North side of building causes us to request a 2' variance on the north side and a 26' variance on the west side.

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
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~~ ^{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.

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 shall have the authority to require any a feels is necessary to make a fair recom rezone request.

Office Use Only

Date Received by County 9/20/13	Fee Amount \$200.00	Receipt No. 995031	By SP
VAR # 902	Date Determined Technically Complete	By	
Hearing Date			

LCZC Hrg: VAR 901
Applicant: Vitali
Exhibit #: 2
Date: 10/02/2013



Application for Variance

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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 Peter + Cherry Vitali	b. Home Phone 208 877 1021	c. Work Phone None	
d. Mailing Address 1021 Helmer Ln.	e. City Deary	f. State ID	g. Zip code 83823
h. Property Owner (if different than applicant) Saa	i. Home Phone Saa	j. Work Phone None	
k. Mailing Address Saa	l. City Saa	m. State Saa	n. Zip code Saa

2. General Site Information			
a. Assessor's Parcel Number(s) lot #1 + *2 Helmer Lane		b. Site Address (if applicable) 1024 Helmer Ln	
c. Road Used to Access Site Hwy 8		d. Floodplain designation(s) unk	e. FEMA Panel # unk
f. Existing Uses 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 indicate on which to be removed or completed)			
a. Source of Potable Water (i.e. city, private well, water district) community well		b. Sewage Disposal (i.e. city, sewer district or private septic system) private septic managed by Helmer Water	

4. Adjacent Properties Information			
a. Zoning of Adjacent Properties residential / public		b. Existing Uses of Adjacent Properties South / residence North / 2nd St East / Alley West / Helmer Ln	

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a. Signature of Applicant 	b. Date 9/20/13
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:** (\$ ~~100.00~~ ^{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.
 - 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 it feels is necessary to make a fair recommendation on the rezone request.

Office Use Only			
Date Received by County	Fee Amount	Receipt No.	By
VAR #	Date Determined Technically Complete		By
Hearing Date			

2nd Street

community wall

(Z1 VARIANCE) 10'

open overhang

15' easement to septic

septic

septic

Helmer Ln

34'

(Z16 VARIANCE)

30'

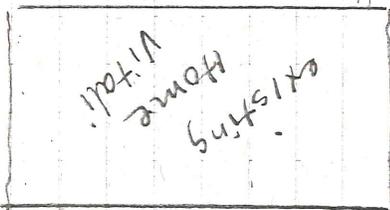
30'

30'

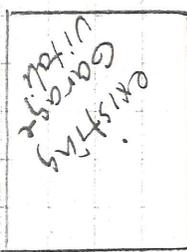
12'

open overhang

proposed shop 30x30' w/ 2 12' open overhangs for parking



Existing Home Vitali



Existing Garage Vitali



residence

residence

Helmer Cafe

Heavy B

to Boull

Ally

VITALI SHOP
1021 Helmer Ln
Helmer ID



NOT TO SCALE

P1

Existing Garage

Existing Home

Septic Syst.

40' x -

15' Easment

12' x 30' Lean To

12' OVER Proposed building

HANG Ridge Line

18'

30'

see D1 PG. 2

6" concrete wall

D1

12' 30'

34'

90'

Roadway

125'

VITALI SHOP
1021 Helmer Ln
Helmer ID

NOT TO SCALE

VAR #902 – Staff Introduction

A request by Peter & Cherri Vitali for a variance to allow a 18-foot setback from the edge of the side right-of-way (Second Avenue) in lieu of the 20-foot setback from the edge of a public right-of-way and a 34-foot setback from the centerline of Helmer Lane in lieu of the 60-foot setback from the centerline of a public road that is required for structures in the Suburban Residential zone. The property is located at 1024 Helmer Ln., Deary, Idaho, in Section 21, Township 40 North, Range 01 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP01670005001BA.

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 Cherri Vitali, to the Planning and Building Department on September 20, 2013.

2. Section 3.03.03 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 : 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.

That is all staff has unless the Commission has questions.