

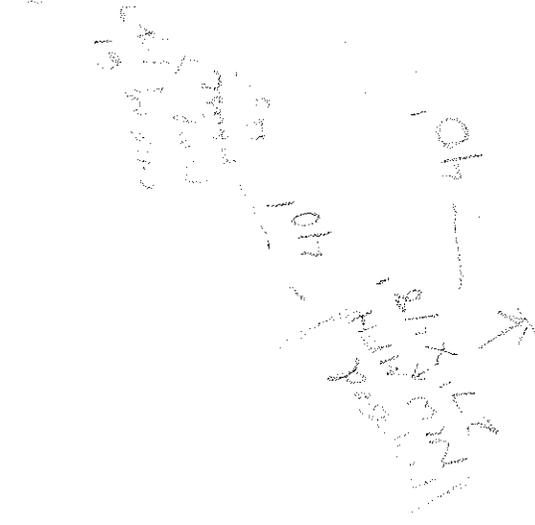
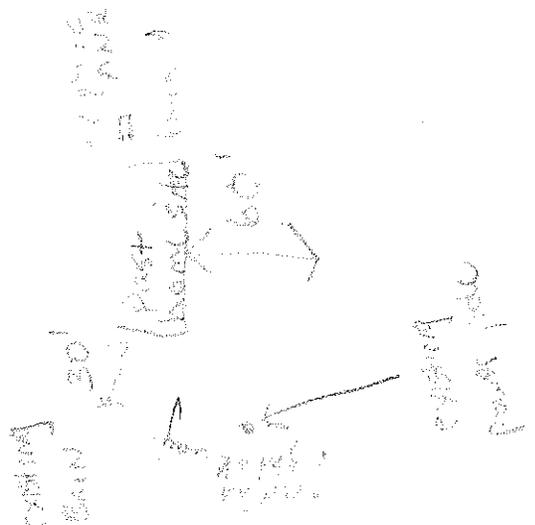
HT 1122 HENDRIX RD.

5

DAVID FORD

HENDRIX RD

E



11222 HENDRIX RD

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing: VAR #917 **Date:** May 7th, 2014 **Time:** 5:30 p.m.

Applicant: Nancy Lindhorst

- 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 #1D :** Topography Map
- Exhibit #2 :** Application Form (Submitted by Applicant)
- Exhibit #2A :** Narrative (Submitted by Applicant)
- Exhibit #2B :** Site Plan (Submitted by Applicant)
- Exhibit #3 :** Staff Introduction for Latah County Zoning Commission hearing on May 7th, 2014.
- Exhibit #4 :** Email received from the North Latah Highway District April 19, 2014
- Exhibit #5 :** Letter received from Sharon Jeffers on April 29, 2014

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 40 feet for public right-of-way

Description of application:

VAR #917 – A request by Nancy Lindhorst for a variance to allow a 40-foot setback from an center line of a public-right of way in lieu of the 60-foot setback that is required for residential structures in the Agriculture Forest zone. The property is located at 1122 Hendrix Road, Moscow, Idaho, in Section 29, Township 40 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP40N04W295429A.

The completed application was received by the Latah County Planning and Building Department on April 17th, 2014. The request would result in a reduction of the public right-of-way setback from 60-ft to 40-ft on Hendrix Road. The application was signed by the applicant Nancy Lindhorst, as well as the property owners John and Nathan Lyon

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: 39 acres
Floodplain: Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Agriculture/Forest
Existing Uses: Forestry, Agriculture, and recently burned residence to be replaced
Neighboring Zoning: Agriculture Forest
Neighboring Uses: Forestry, Agriculture, Residential
Soils: Vassar Silt Loam 25-35%
Tany Silt Loam 7-25%
Uvi Loam 20-35%
Vassar Silt Loam 35-65%

Infrastructure/Services:

Water:	Private Well
Sewer:	Private Septic
Access:	1122 Hendrix Road
Schools:	Moscow School District
Fire Protection:	Moscow 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:

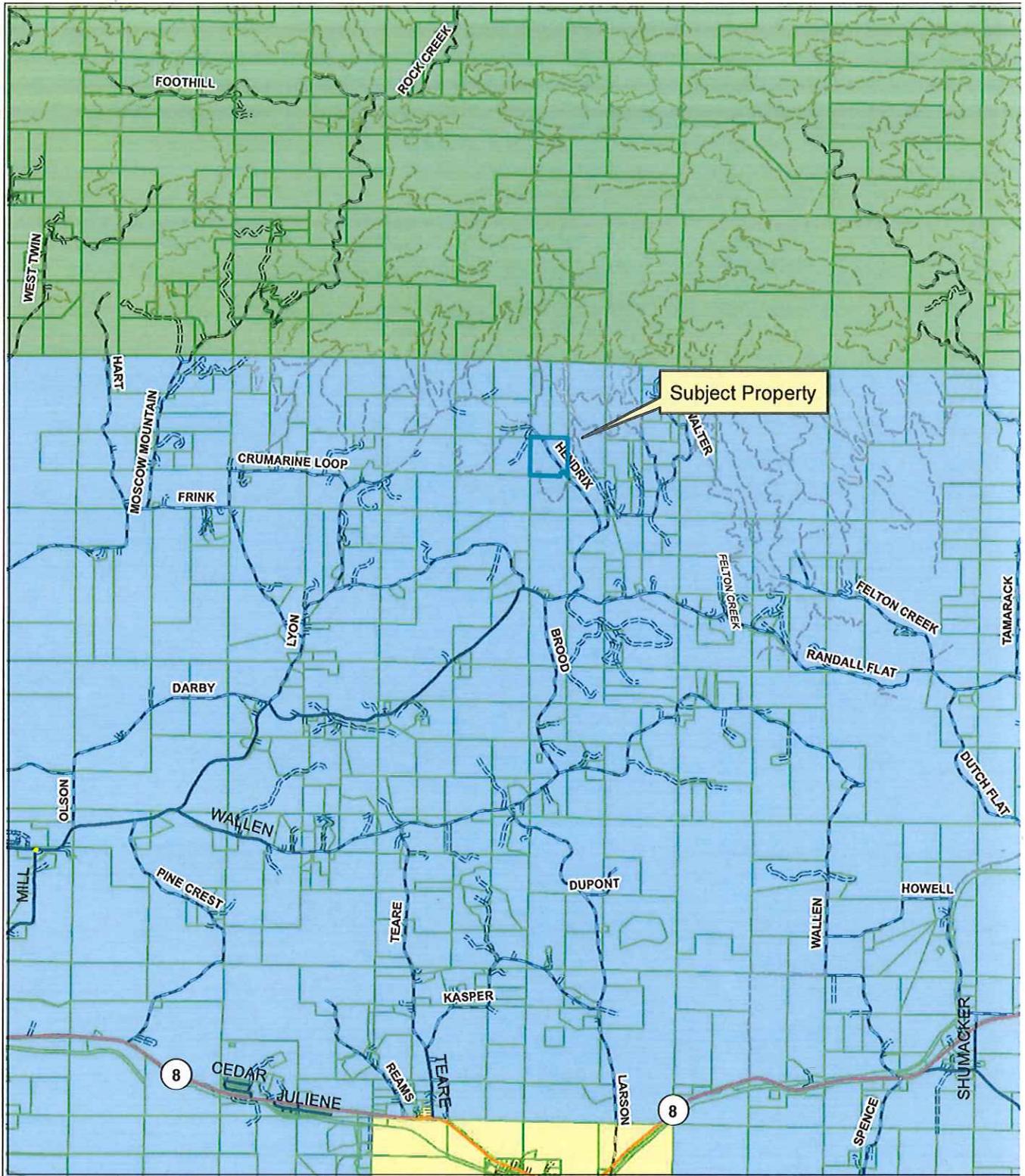
Section 3.01 Agriculture/Forest

Article 7 Variances

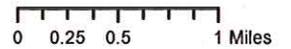
Latah County Comprehensive Plan

VAR #917 Comprehensive and Vicinity Map

Latah County Planning and Building



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



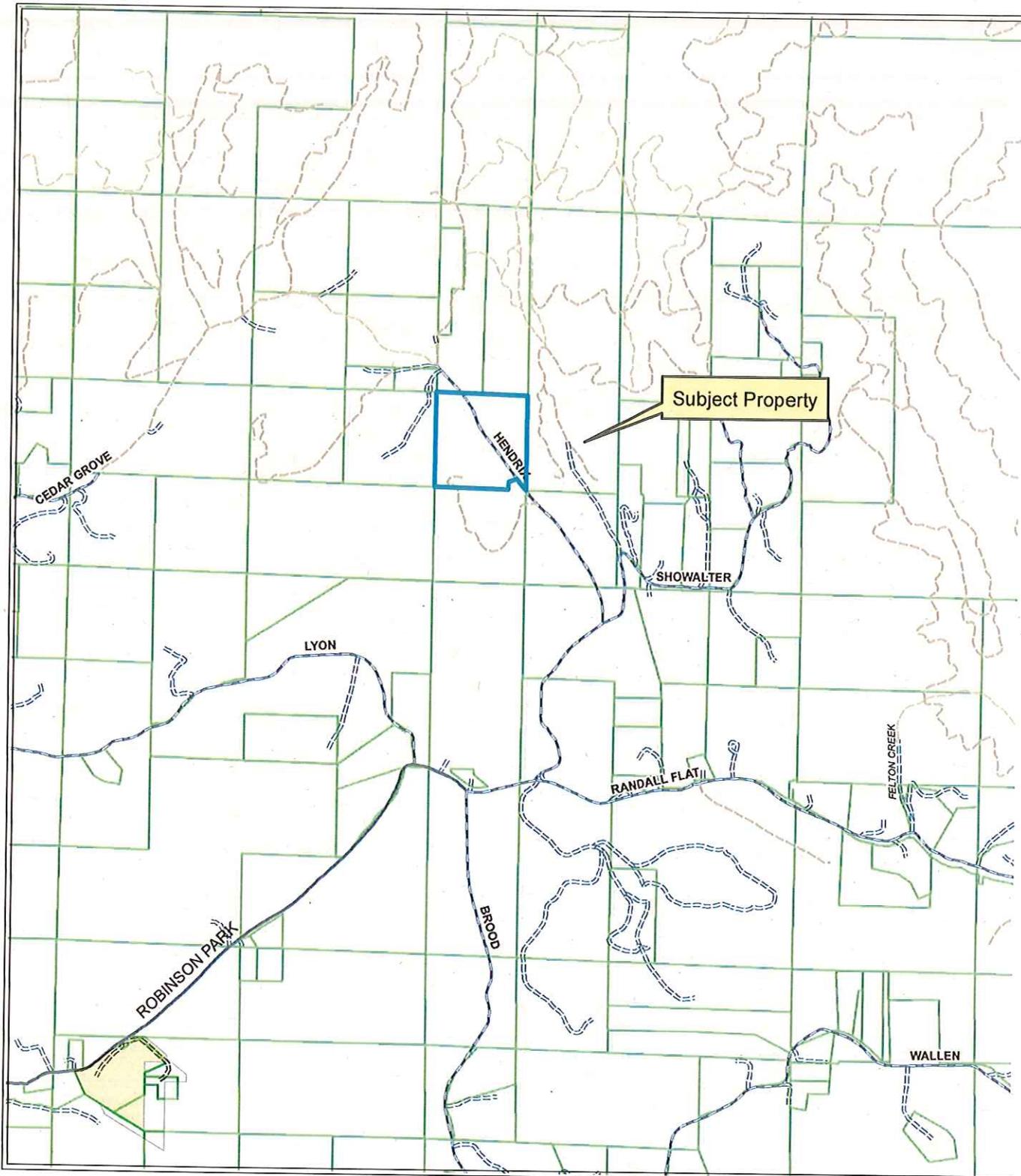
Legend

Comprehensive Plan	AOI
ZONE	ICR
AFR	PRODUCTIVE
AOI	RURAL

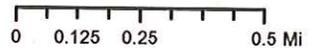
LCZC Hrg: VAR 917
Applicant: Lindhorst
Exhibit #: 1A
Date: 05/07/2014

VAR #917 Zoning Map

Latah County Planning and Building



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



Legend

Zoning Districts

ZONE_TYPE

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

LCZC Hrg: VAR 917
Applicant: Lindhorst
Exhibit #: 1B
Date: 05/07/2014

VAR #917 Aerial Photograph and Adjacent Property Owner

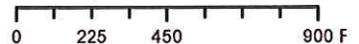
Latah County Planning and Building



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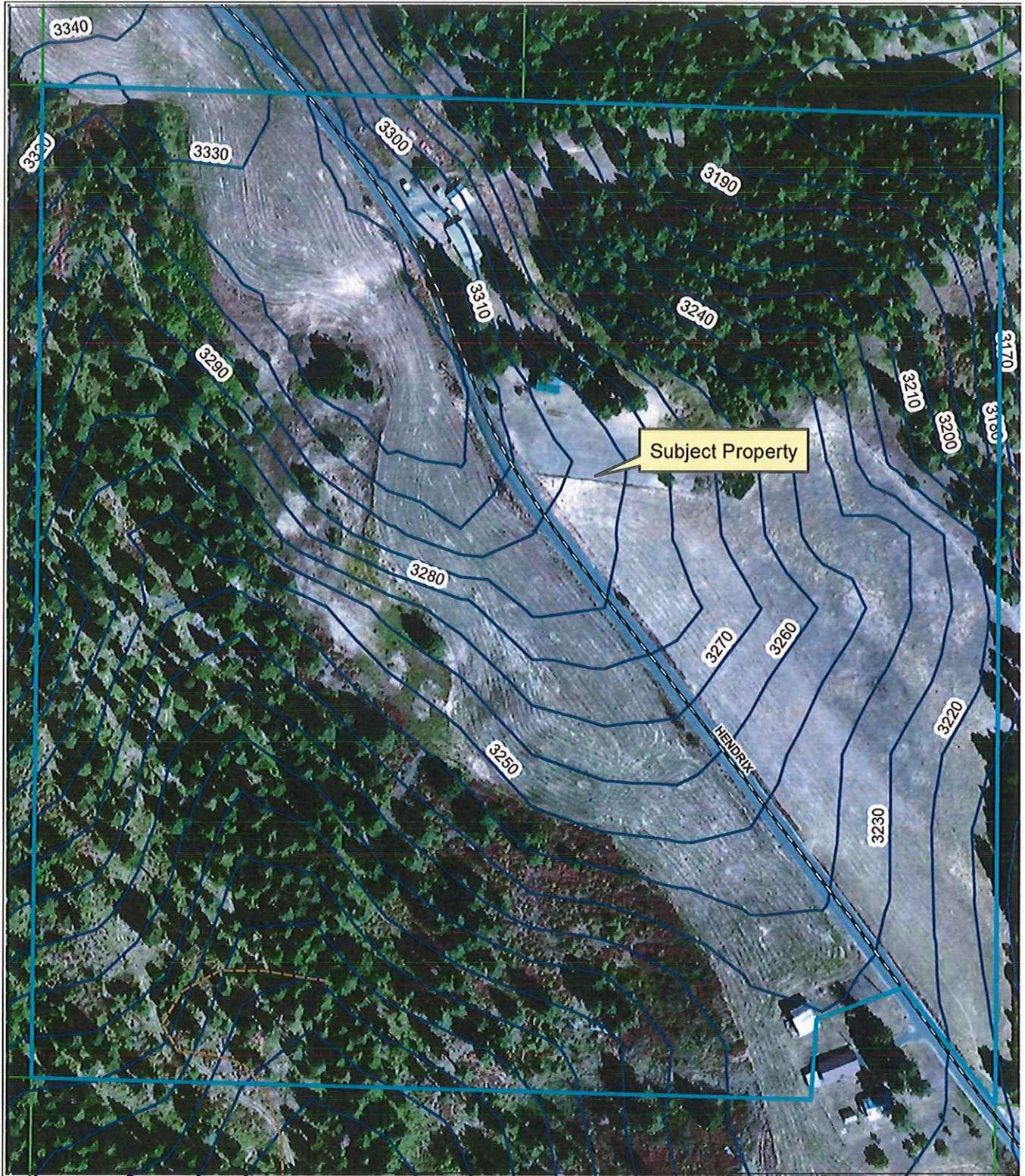
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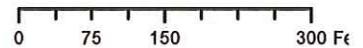
LCZC Hrg: VAR 917
Applicant: Lindhorst
Exhibit #: 1C
Date: 05/07/2014

VAR #917 Topography Map

Latah County Planning and Building



NOTE: This Document is a representation only.
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Legend

— 10ft Contour

LCZC Hrg: VAR 917
Applicant: Lindhorst
Exhibit #: 1D
Date: 05/07/2014

1208 East E



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 NANCY LINDHORST		b. Home Phone / Work Phone (208) 882-4294	c. Email	
d. Mailing Address 1122 HENDRIX RD.		e. City MOSCOW	f. State ID.	g. Zip code 83843
h. Property Owner (if different than applicant) NATHAN LYON		i. Home Phone 541-938-8068	j. Work Phone	
k. Mailing Address 216 SE 19th Ave		l. City MILTON-FREewater DR.	m. State	n. Zip code

2. General Site Information

a. Assessor's Parcel Number(s) RP 40N04W29S429 A	b. Site Address (if applicable) 1122 HENDRIX RD.
c. Road Used to Access Site HENDRIX RD.	d. Floodplain designation(s) N/A
e. FEMA Panel #	
f. Existing Uses PRIMARY RESIDENCE	

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
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4. Adjacent Properties Information

a. Zoning of Adjacent Properties AG / FOREST	b. Existing Uses of Adjacent Properties HAY CROP
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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.

AS PER CODE DEFENDING SETBACK FOR RESIDENCE FROM RURAL ROADWAY, TO BE LESS THAN 60' SETBACK, TO 40' DUE TO TOPOGRAPHY OF PROPOSED HOMESITE.

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>Nancy Lindhorst</i>	b. Date 4-17-14
c. Signature of Property Owner (if different than applicant) <i>Nathan Lyon</i>	d. Date 4/28/14
Office Use Only	
Date Received by County 7/17/14	Fee Amount 700.00
Receipt No. 985251	By WCR
VAR # VAR 917	Date Determined Technically Complete 4/17/14
Hearing Date 5/17/14	

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 if feels is necessary to make a fair recommendation on the rezone request.

LCZC Hrg: VAR 917
Applicant: Lindhorst
Exhibit #: 2
Date: 05/07/2014



Variance Narrative Worksheet

Application Information

Applicant's Name

NANCY LINDHORST

Phone Number

208-882-4274

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.

REPLACE SINGLE FAMILY DWELLING PREVIOUSLY ON EXISTING LAND PARCEL WITH NEW M.F.H., AS PER L.C.B.C. ASKING FOR VARIANCE DUE TO TOPOGRAPHY OF PROPOSED BUILDING SITE, REQUIRING ENCROACHMENT OF STANDARD 60' SETBACK FROM CENTER OF ROADWAY, REQUESTING SETBACK OF APPROX. 40', PLUS OR MINUS NO MORE THAN 5' DEPENDING ON FINAL ELEVATION OF PROPOSED HOME SITE.

Existing Uses of Property

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

AS OF 4/16/2014, LAND PARCEL HAS EXISTING WELL PUMP HOUSE, AND A BARN USED FOR STORAGE.

Relevant Criteria and Standards

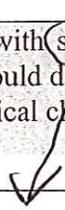
Please respond to each of the criteria listed in Section 7.02.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.

7.02.02-1, BECAUSE LAND PARCEL PREVIOUSLY SUPPORTED SINGLE FAMILY DWELLING, HOMEOWNER REQUESTS PERMISSION TO REPLACE HOME WHICH WAS DESTROYED BY FIRE ON 2/14/14.

7.02.02-2, DUE TO PARCELS STEEP TOPOGRAPHY, HOMEOWNER ASKS TO ENCROACH UPON SETBACK STANDARDS.

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.



ONLY SETBACK RESTRICTIONS NEED TO BE CONSIDERED.

VAR #917 – Staff Introduction

VAR #917 – A request by A request by Nancy Lindhorst for a variance to allow a 40-foot setback from an center line of a public-right of way in lieu of the 60-foot setback that is required for residential structures in the Agriculture Forest zone. The property is located at 1122 Hendrix Road, Moscow, Idaho, in Section 29, Township 40 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP40N04W295429A. The applicant had a previous single-wide manufactured home on the parcel that burnt. The applicant is looking to replace her previous residence with a double-wide manufactured home. Based on the USDA soil survey, this parcel has significant sloping soils ranging from 7% to 65%.

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 by the property owners Nathan and John Lyon and submitted by the applicant Nancy Lindhorst, to the Planning and Building Department on April 17th, 2014.

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:

- | | | |
|--------------------|---|--|
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| Exhibit #5 | : | Letter received from Sharon Jeffers on April 29, 2014 |

That is all staff has unless the Commission has questions.

msknott

From: Dan Carscallen <Dan.Carscallen@nlchd.com>
Sent: Thursday, April 10, 2014 3:20 PM
To: MKnott
Subject: Lindhorst variance

Mauri,

Road Foreman Tim Sturman met with Britt Lindhorst out on Showalter Road to inspect the future placement of his mother's home. They discussed the situation and Tim decided that he was okay with the Planning and Building Department granting the variance as Britt had discussed with you.

Thank you

Dan Carscallen, clerk
North Latah County Highway District

April 28, 2014

RECEIVED
APR 29 2014
LATAH COUNTY

Latah County Zoning Commission
Planning & Building
Latah County
P.O. Box 8068
Moscow, ID 83843-0568

I have received your notice of a public hearing regarding
VAR #917 by Nancy Lindhorst and I have no objection to
the granting of this variance.

Sharon A. Jeffers
Sharon A. Jeffers

Landowner of property located at 1101 Hendrix Road.

LCZC Hrg: VAR 917
Applicant: Lindhorst
Exhibit #: 5
Date: 05/07/2014