

**LATAH COUNTY ZONING COMMISSION EXHIBIT LIST**  
Public Hearing for Variance #928

**Date:** August 6<sup>th</sup>, 2014    **Time:** 5:30 pm    **Applicant:** Bill Bonner    **File #:** VAR 928

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**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 #2C.** Aerial Photograph Map (Submitted by Applicant)
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for VAR #928 on August 6<sup>th</sup>, 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 for an adjacent property line.

## **Description of application:**

VAR #928 – A request by Bill Bonner for a variance to allow approximately a 25-foot setback for an attached deck from the property line in lieu of the 35-foot setback from the property line that is required for residence in the Suburban Residential zone. The property is located at 1023 Davis Road, Viola, Idaho, in Section 35, Township 41 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP41N05W352405A.

## **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:** 2 acres  
**Floodplain:** Zone "C"

### **Land Use and Regulations:**

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

### **Infrastructure/Services:**

**Water:** Private Well  
**Sewer:** Private Septic  
**Access:** Davis Road  
**Schools:** Moscow School District  
**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:**

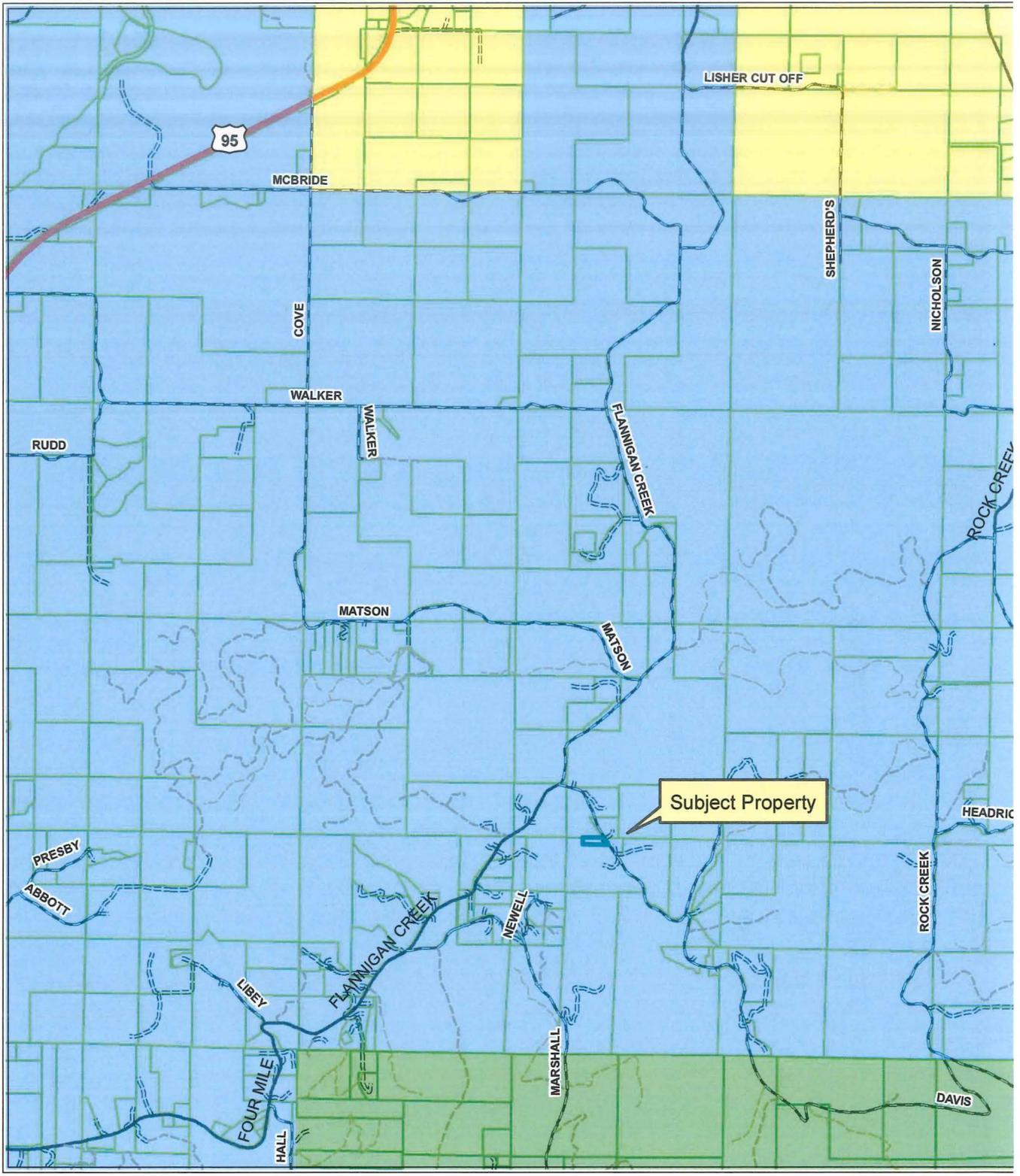
Section 3.01            Agriculture/Forest

Article 7                Variances

**Latah County Comprehensive Plan**

# VAR #928 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.



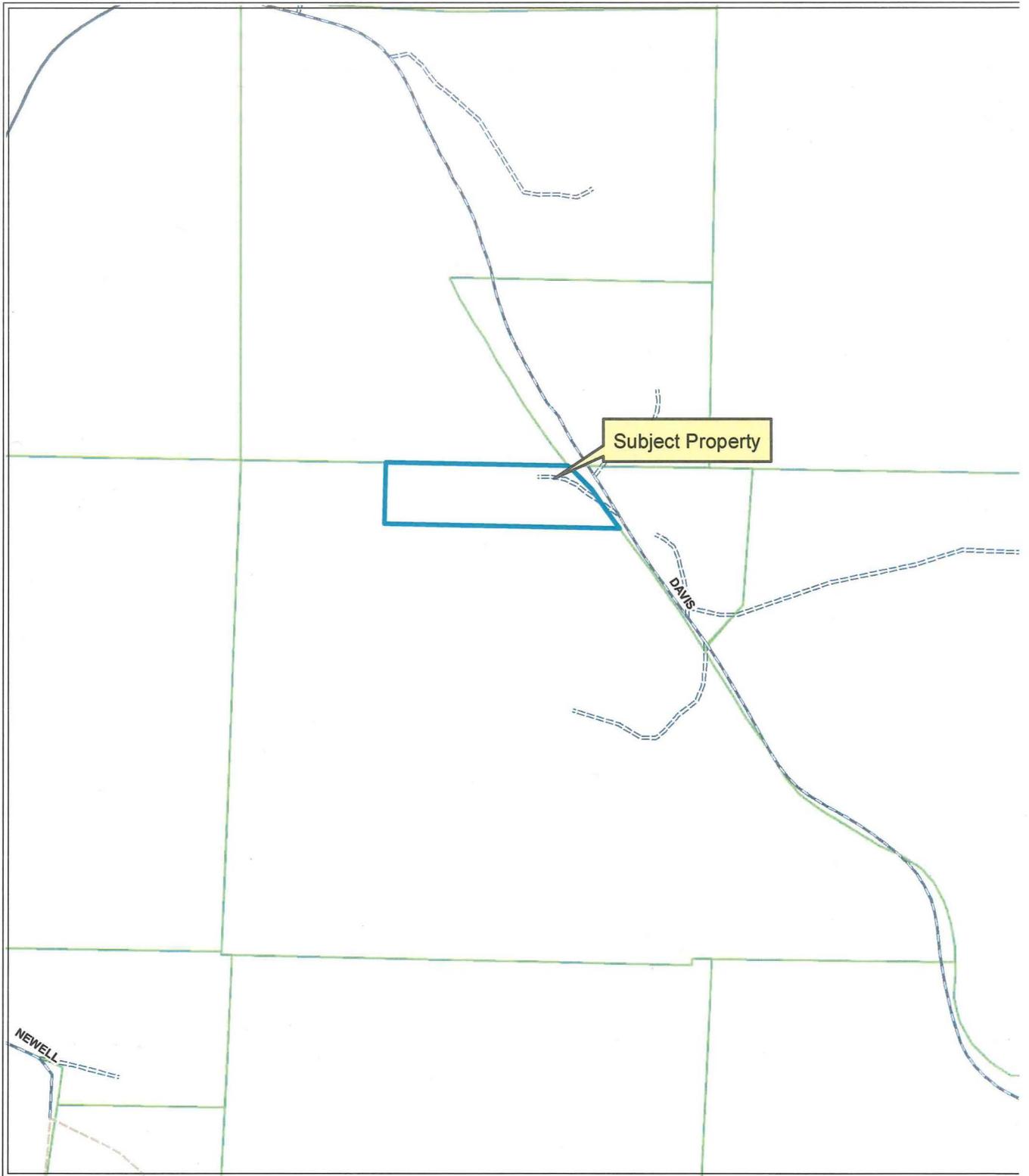
## Legend

<b>Comprehensive Plan</b>		AOI
<b>ZONE</b>		ICR
		AFR
		PRODUCTIVE
		AOI
		RURAL

LCZC Hrg: VAR 928  
Applicant: Bonner  
Exhibit #: 1A  
Date: 09/06/2014

# VAR #928 Zoning Map

Latah County Planning and Building



NOTE: This Document is a representation only.  
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## Legend

### Zoning Districts

#### ZONE\_TYPE

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

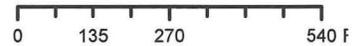
LCZC Hrg: VAR 928  
Applicant: Bonner  
Exhibit #: 1B  
Date: 09/06/2014

VAR #928 Aerial Photograph and Adjacent Property Owner

Latah County Planning and Building



NOTE: This Document is a representation only.  
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LCZC Hrg: VAR 928  
Applicant: Bonner  
Exhibit #: 1C  
Date: 09/06/2014



# 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 <b>Bill Bonner</b>	b. Home Phone / Work Phone <b>208-301-1998</b>	c. Email <b>bk.bonner@live.com</b>	
d. Mailing Address <b>1023 Davis Rd</b>	e. City <b>Viola</b>	f. State <b>ID</b>	g. Zip code <b>83872</b>
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) <b>RP41N05W352405 A</b>	b. Site Address (if applicable) <b>1023 Davis Rd</b>		
c. Road Used to Access Site	d. Floodplain designation(s)	e. FEMA Panel #	
f. Existing Uses <b>home</b>			

*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) <b>well</b>	b. Sewage Disposal (i.e. city, sewer district or private septic system) <b>private septic</b>
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### 4. Adjacent Properties Information

a. Zoning of Adjacent Properties <b>ag/timber</b>	b. Existing Uses of Adjacent Properties <b>homes</b>
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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.

**Zoning code-Land Use Ordinance #269. Proposed deck is 25 feet from property line.**

### 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 <b>7-23-14</b>
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:** (\$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.

### Office Use Only

Date Received by County <b>7/24/14</b>	Fee Amount <b>200.00</b>	Receipt No. <b>921745</b>	By 
VAR # <b>VAR 928</b>	Date Determined Technically Complete	By	
Hearing Date <b>8/6/14</b>			

09/19/2013

LCZC Hrg: VAR 928  
 Applicant: Bonner  
 Exhibit #: 2  
 Date: 09/06/2014



## Variance Narrative Worksheet

### Application Information

Applicant's Name  
Bill Bonner

Phone Number  
208-301-1999

**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.

We propose to build a new deck/porch that would connect two existing decks. The proposed deck would be 25 ft from the property line. There are no buildings close by and the deck/porch would not interfere with any views. The new deck/porch will tie together the two existing decks/porches to form one larger, seamless deck/porch.

### Existing Uses of Property

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

The property features a house, two sheds, a well house, and chicken coop. This is a primary residence. There is also a garden, a raspberry patch and approximately one timbered acre.

### 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.

There are no buildings in sight on adjacent properties. The adjacent properties are unmanaged timberland.

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 house was built in 1947 and is already within 25 ft of the property line.

LCZC Hrg: VAR 928  
Applicant: Bonner  
Exhibit #: 2A  
Date: 09/06/2014



## **VAR #928 – Staff Introduction**

VAR #928 – A request by Bill Bonner for a variance to allow an approximately 25-foot setback for an attached deck from the property line in lieu of the 35-foot setback from the property line that is required for residence in the Suburban Residential zone. The property is located at 1023 Davis Road, Viola, Idaho, in Section 35, Township 41 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP41N05W352405A.

**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 Bill Bonner, to the Planning and Building Department on July 24<sup>th</sup>, 2014.

**2. Section 3.01.03 of the Latah County Land Use Ordinance requires that all residential structures shall be a minimum of 35 feet from any property line.**

**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.

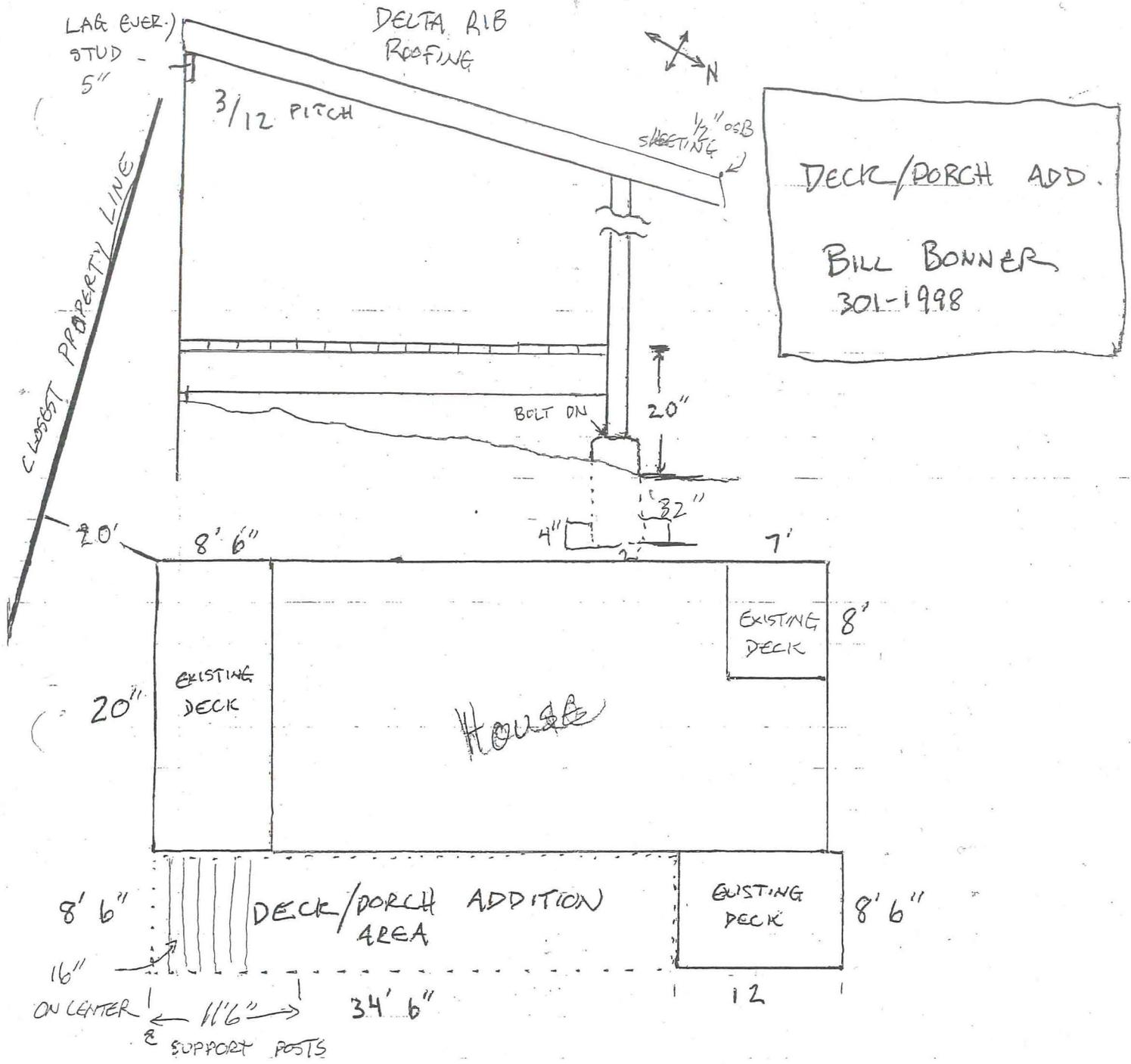
The Zoning Commission may also approve applications not meeting the criteria listed above if the Commission finds that the variance is essential to the public health, safety, or welfare.

### **Exhibits will now be entered into the record.**

The following exhibits were submitted with the staff packet:

#### **EXHIBITS:**

- |                     |  |
|---------------------|--|
| <b>Exhibit #1.</b>  | Criteria Worksheet and Application Summary   |
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DECK/PORCH ADD.  
 BILL BONNER  
 301-1998

- (DECK)
- LEDGER WALL HAS 1"x12" BOARD 3/4" THICK
  - - 1/2" SHEETING ON 6"x6" FLOOR BEAM
  - (PORCH ROOF)
  - HEADER WALL HAS 1"x12" BOARD 3/4" THICK
  - 1/2" SHEETING ON 2"x4" STUD WALL

# Map



23

LCZC Hrg: VAR 928  
Applicant: Bonner  
Exhibit #: 2C  
Date: 09/06/2014