

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing for Variance #947

Date: May 20th, 2015 Time: 5:35 pm Applicant: Cory Dickey File #: VAR 947

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.** Site Plan (Submitted by Applicant)
- Exhibit #2C.** Area Outside of Floodplain via ELOMA (Submitted by Applicant)
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for VAR #947 on May 20th, 2015

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 35 feet from the centerline of a public right of way and 15 feet from the edge of a public right of way.

Description of application:

VAR #947 – A request by Cory Dickey for a variance to allow a 35-foot setback in lieu of the 60-foot setback from the center line of a public right-of-way and a 15-foot setback in lieu of the 20-foot setback from the edge of a public right-of-way that is required to place a home in the original plat of Joel, ID, in Section 19, Township 39 North, Range 04 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP01700008010BA.

The completed application was received by the Latah County Planning and Building Department on April 25th, 2015. The request would result in a reduction of the residential setback from the center of a public right-of-way from 60-ft to 35-ft and a reduction of the residential setback from the edge of a public right-of-way from 20-ft to 15-ft in order to allow a single family residence on the property to be located out of the designated floodplain. The application was signed by the applicant, Cory Dickey.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 0.574 acres
Floodplain: Zone "A"

Land Use and Regulations:

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

Infrastructure/Services:

Water: Private Well
Sewer: Septic
Access: Highway 8
Schools: Moscow School District
Fire Protection: Moscow Rural Fire District
Law Enforcement: Latah County Sheriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

Local Planning Act: Idaho Code 67-6516

Latah County Land Use Ordinance # 269, as amended:

Section 3.03 Suburban Residential
Article 7 Variances

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:

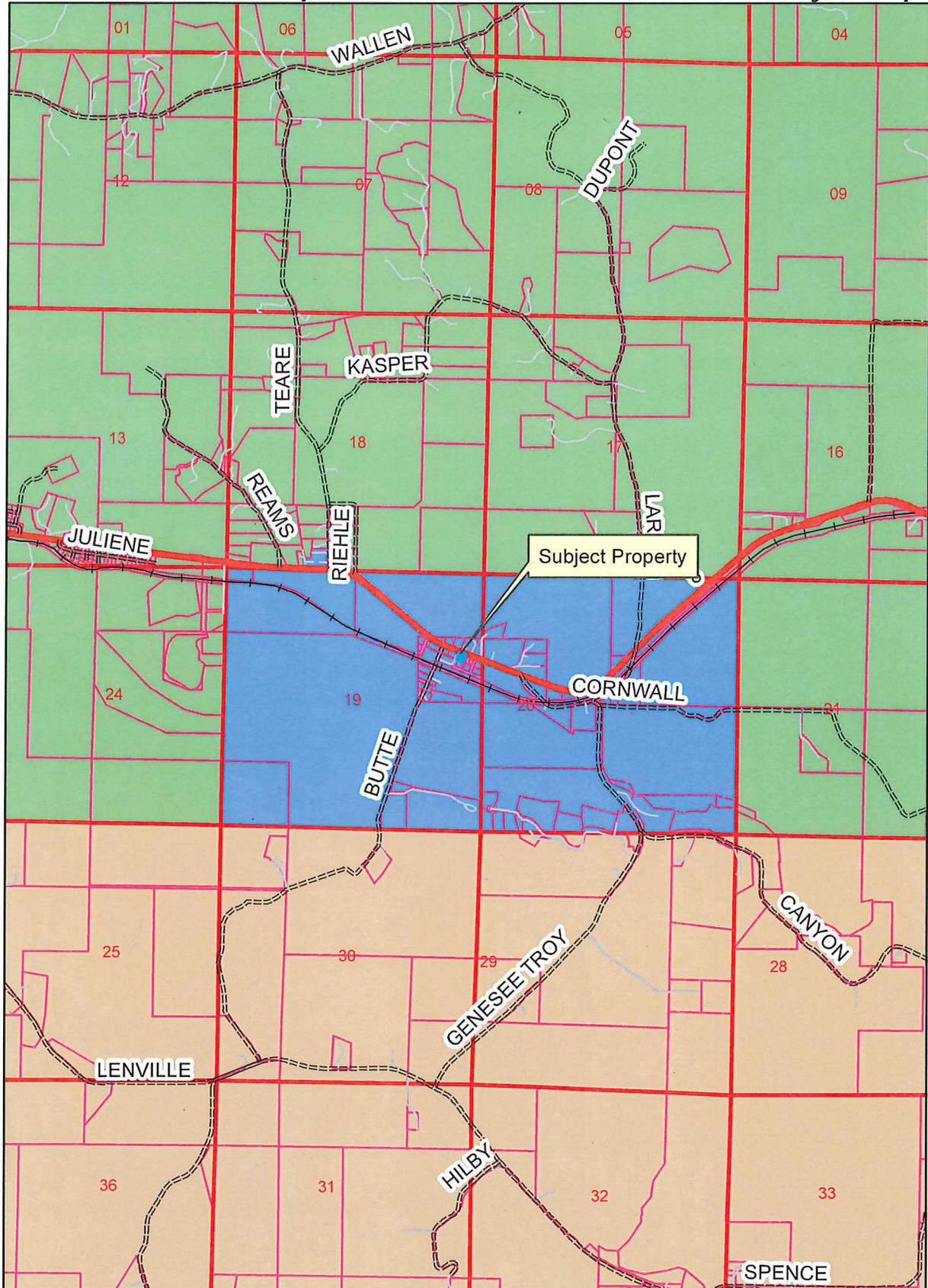
1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
2. Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property 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.

Latah County Comprehensive Plan

VAR #947 Comprehensive Plan and Vicinity Map

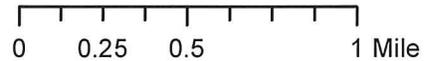
Planning and Building Department



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

Created by: CAB

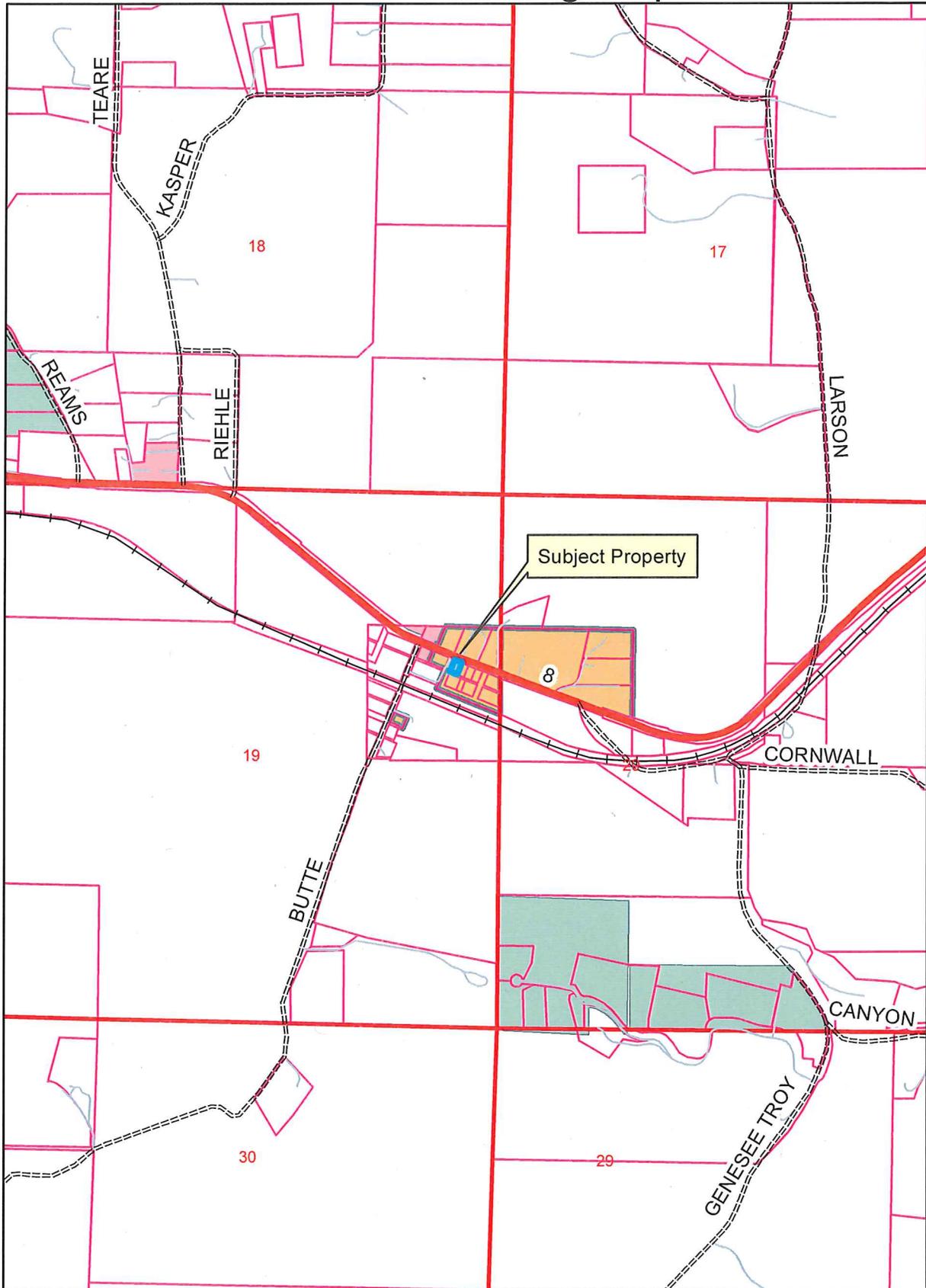
- Comprehensive Plan**
- ICR
 - AFR
 - AOI
 - PRODUCTIVE
 - RURAL



LCZC Hrg: VAR 947
 Applicant: Dickey
 Exhibit #: 1A
 Date: 05/20/2015

VAR #947 Zoning Map

Planning and Building Department



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

Created by: CAB

0 0.125 0.25 0.5 Miles

- | | | |
|----------------------|-----------------------------|---------------------------|
| Agriculture Forestry | Motor Business | Rural Residential |
| Commercial | Multiple Family Residential | Single-Family Residential |
| Industrial | Municipality | Suburban Residential |

LCZC Hrg: VAR 947
Applicant: Dickey
Exhibit #: 1B
Date: 05/20/2015

VAR #947 Aerial Photograph and Adjacent Property Owners

Planning and Building Department



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

Created by: CAB

0 55 110 220 Feet

LCZC Hrg: VAR 947
Applicant: Dickey
Exhibit #: 1C
Date: 05/20/2015



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 <i>Cory Dickey</i>	b. Home Phone / Work Phone <i>208-310-1812</i>	c. Email <i>elkhuntercory@gmail.com</i>	
d. Mailing Address <i>3395 Hwy 8 E</i>	e. City <i>Moscow</i>	f. State <i>ID</i>	g. Zip code <i>83843</i>
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) <i>RPO1700008010BA</i>	b. Site Address (if applicable)		
c. Road Used to Access Site <i>Hwy</i>	d. Floodplain designation(s) <i>A</i>	e. FEMA Panel #	
f. Existing Uses <i>Previous trailers</i>			

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) <i>Private well</i>	b. Sewage Disposal (i.e. city, sewer district or private septic system) <i>Septic</i>
---	--

4. Adjacent Properties Information

a. Zoning of Adjacent Properties <i>SR</i>	b. Existing Uses of Adjacent Properties <i>Residential Public Right of way</i>
---	---

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.

3.03.03 Public Right-of-way on 3 side and zone A Floodplain

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>Cory Dickey</i>	b. Date <i>05/07/2015</i>
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 <i>4/25/2015</i>	Fee Amount <i>\$200</i>	Receipt No. <i>742529</i>	By <i>CB</i>
VAR # <i>947</i>	Date Determined Technically Complete		By
Hearing Date <i>May 20, 2015</i>			

Description of Proposal

The applicant would like to place an MH on his buildable lot within the plat of Joel. The property is hindered by public right-of-way on three sides.

Existing Uses of Property

The property is zoned Suburban Residential, there are no structures on the lot.

This variance will not be detrimental to the public interest or other property in the vicinity.

Placing an MH on this property will not have an impact on the public interest or other property in the vicinity. Granting the variance will keep the MH out of the floodplain which will benefit the public.

Compliance with setbacks, building height, year 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.

Without a setback variance the property cannot be used for a single family residence due to the parcel's peculiar physical characteristics, adjacent public right-of-way, and floodplain designation.

VAR #947 Site Plan



Aerial image only
 No accuracy implied

size of a 14' x 70' mobile home

- Lot Line
- Set Back for Suburban Residential Zone
- Area above Elevation 2596.00'

Preliminary

1 OF 1	Drafted By: AKY	Exhibit For Variance Request for Setbacks FOR COREY DICKEY 3395 E. HIGHWAY 8 MOSCOW, ID 83843 208-310-1812	
	Checked By: AKY/MT		
	Project No. 3672-03-15		
	Date: 4/23/2015		

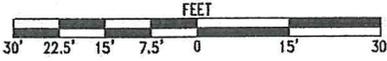
LCZC Hrg: VAR 947
 Applicant: Dickey
 Exhibit #: 1B
 Date: 05/20/2015

VAR #947 Area Outside of Floodplain via ELOMA

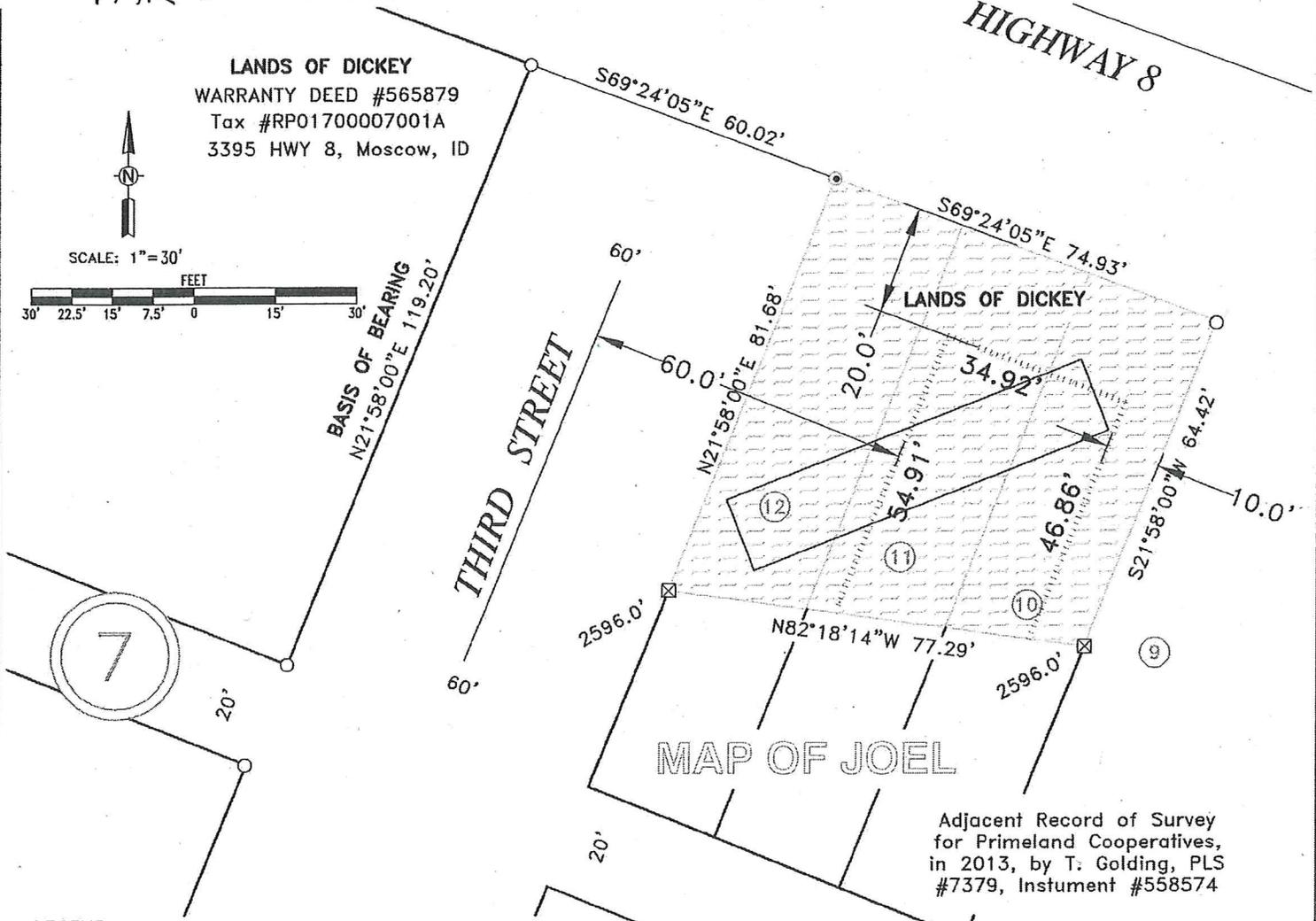
LANDS OF DICKEY
 WARRANTY DEED #565879
 Tax #RP01700007001A
 3395 HWY 8, Moscow, ID



SCALE: 1"=30'



HIGHWAY 8



Adjacent Record of Survey
 for Primeland Cooperatives,
 in 2013, by T. Golding, PLS
 #7379, Instrument #558574

LEGEND

- Found Iron Pin per record
- ⊙ Calculated Point
- ⊗ Set Wood Hub Flush with Ground at Elevation 2596.0'
- 2596.00' Elevation. Datum = NGVD29 Established from FEMA Benchmark RM12
- ⑫ Lot Number
- ⑦ Block Number
- Lot Line
- Set Back for Suburban Residential Zone
- [Hatched Box] Area above Elevation 2596.00'

size of a 14' x 70' mobile home

Preliminary

1 OF 1	Drafted By: AKY
	Checked By: AKY/MT
	Project No. 3672-03-15
	File Name: 3672 Exhibit.dwg
	Date: 4/23/2015

**Exhibit For Variance Request for Setbacks
 FOR COREY DICKEY**
 3395 E. HIGHWAY 8
 MOSCOW, ID 83843
 208-310-1812

W. J. Associates, Inc.
 Engineers • Planners • Landscape Architects
 P.O. Box 8728

LCZC Hrg: VAR 947
Applicant: Dickey
Exhibit #: JC
Date: 05/20/2015

VAR #947 – Staff Introduction

VAR #947 – A request by Cory Dickey for a variance to allow a 35-foot setback in lieu of the 60-foot setback from the center line of a public right-of-way and a 15-foot setback in lieu of the 20-foot setback from the edge of a public right-of-way that is required to place a home outside of the designated floodplain in the original plat of Joel, ID, in Section 19, Township 39 North, Range 04 West, B.M., in Latah County and referenced as Assessor’s Parcel Number RP01700008010BA.

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, Cory Dickey, to the Planning and Building Department.

2. Section 3.01.04 of the Latah County Land Use Ordinance requires that all structures shall be a minimum of 20 feet from any property line and 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.

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.

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

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.** Site Plan (Submitted by Applicant)
- Exhibit #2C.** Area Outside of Floodplain via ELOMA (Submitted by Applicant)
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for VAR #947 on May 20th, 2015

That is all staff has unless the Commission has questions.

