

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing for Variance #951

Date: July 15th, 2015 Time: 5:30 pm Applicant: John Byers File #: VAR 951

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.** Site Photographs (Submitted by Applicant)
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for VAR #951 on July 15th, 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 50 feet from the centerline of a public right of way.

Description of application:

A request by John Byers for a variance to allow a 50-foot setback in lieu of the 60-foot setback from the center line of a public right-of-way at 2480 Blaine Road, in Section 27, Township 39 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N05W278423A.

The completed application was received by the Latah County Planning and Building Department on July 1st, 2015. The application was signed by the applicant, John Byers.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 4.3 acres
Floodplain: Zone "A"

Land Use and Regulations:

Comprehensive Plan Designation: Productive
Existing Zoning: Agriculture Forest
Existing Uses: Residential
Neighboring Zoning: Agriculture Forest
Neighboring Uses: Agriculture/Forestry/Public Right-of-Way

Infrastructure/Services:

Water: Private Well
Sewer: Septic
Access: Blaine Road
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

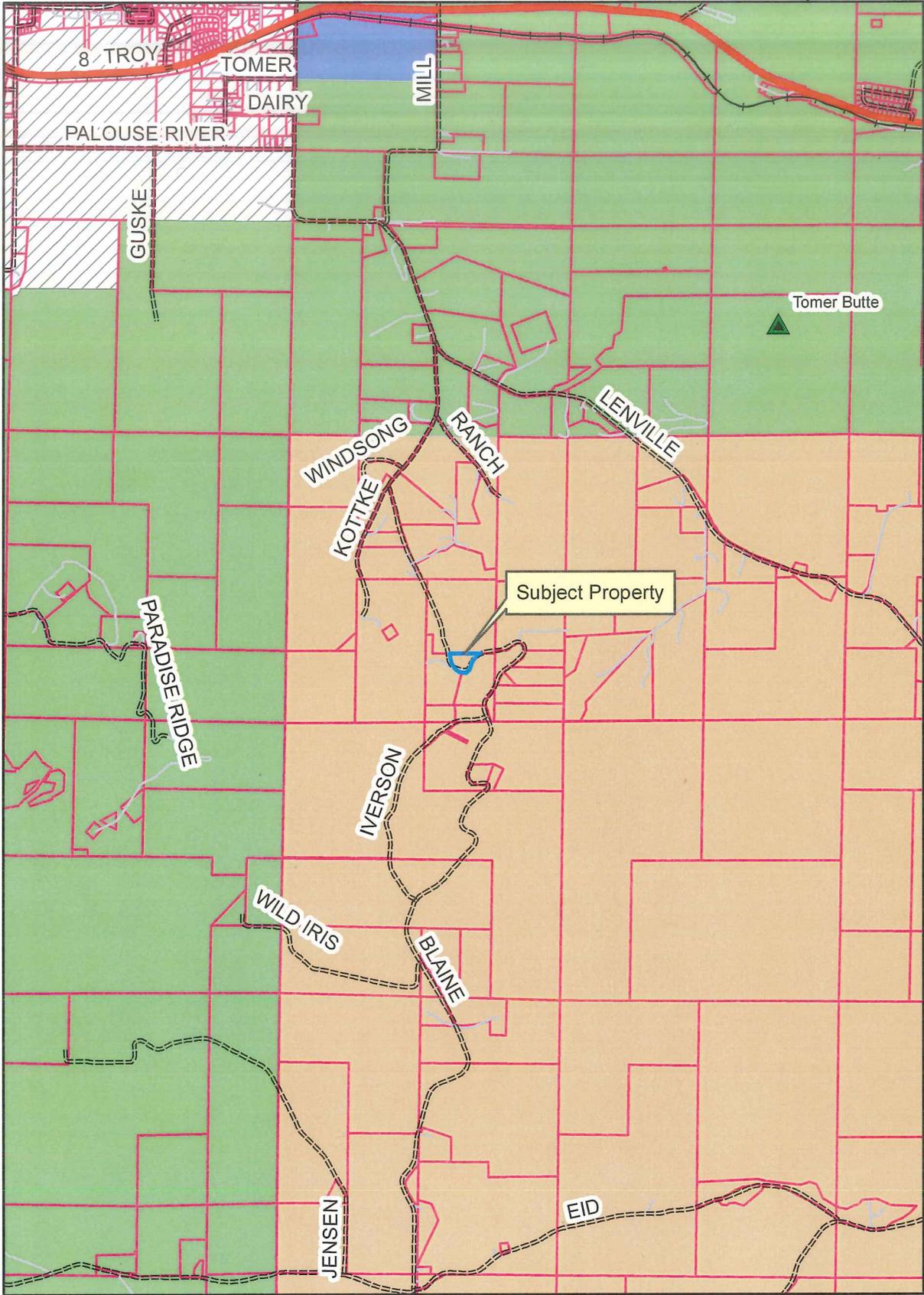
Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture Forest
Article 7 Variances

Latah County Comprehensive Plan

VAR #951 Comprehensive Plan and Vicinity Map

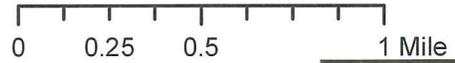
Planning and Building Department



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

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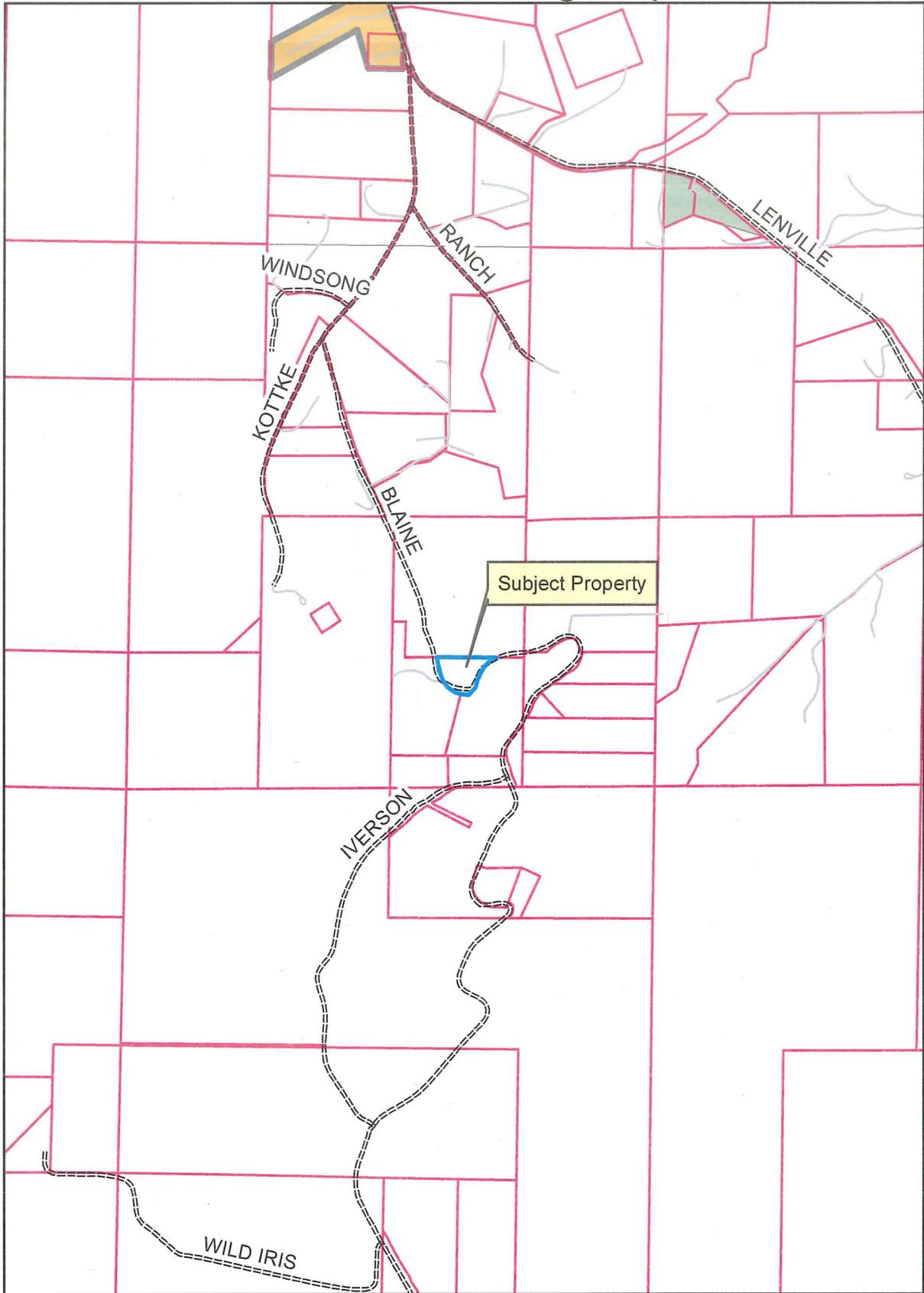
Comprehensive Plan		ICR
		AFR
		AOI
		PRODUCTIVE
		RURAL



LCZC Hrg: VAR 951
 Applicant: BYERS
 Exhibit #: 1A
 Date: 07/15/2015

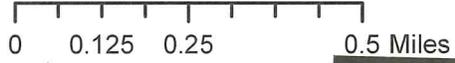
VAR #951 Zoning Map

Planning and Building Department



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

LCZC Hrg: VAR 951
 Applicant: BYERS
 Exhibit #: 1B
 Date: 07/15/2015

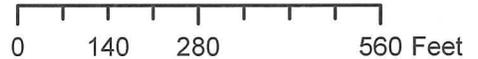
VAR #951 Aerial Photograph and Adjacent Property Owners

Planning and Building Department



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

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LCZC Hrg: VAR 951
Applicant: BYERS
Exhibit #: 1C
Date: 07/15/2015



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 John Byers	b. Home Phone / Work Phone 208 230 0643	c. Email jbyers@uidaho.edu	
d. Mailing Address 2480 Blaine Road	e. City Moscow	f. State ID	g. Zip code 83843
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) RP39N05W278423A	b. Site Address (if applicable)		
c. Road Used to Access Site Blaine Road	d. Floodplain designation(s)	e. FEMA Panel #	
f. Existing Uses None			

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) n/a	b. Sewage Disposal (i.e. city, sewer district or private septic system) n/a
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4. Adjacent Properties Information

a. Zoning of Adjacent Properties Ag/Forest	b. Existing Uses of Adjacent Properties Ag/Forest
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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.

Section 3.01.03 - Ag/Forest Size and Setback Requirements

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 1 July 2015
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 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 7/1/15	Fee Amount 200.00	Receipt No. 146023	By mk
VAR # 951	Date Determined Technically Complete 7/1/15	By mk	
Hearing Date 7/14/15			

09/19/2013

LCZC Hrg: **VAR 951**
 Applicant: **BYERS**
 Exhibit #: **2**
 Date: **07/15/2015**



Variance Narrative Worksheet

Application Information

Applicant's Name
John Byers

Phone Number
208 230 0643

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.

Construct 24' x 30' pole barn (set on 4" concrete slab) on vacant space east of our residence.
Construction by Mike's Pole Barns. Length of the building oriented approximately East-West.
This structure would replace the barn that was present when we bought the property.
The original barn collapsed in winter 2008 and we paid to complete demolition and removal.
Given the topography of the site (steep to the North and South), it is not possible to comply with setback requirements.
The variance that we request is that the 30' side of the new building is permitted to be 50' from the center line of Blaine road.

Existing Uses of Property

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

cleared, vacant space

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.

Just north of the edge of Blaine road, there is a steep (15' vertical) bank down to the proposed barn site.
If the variance is approved, then the edge of the barn would be approximately 30' north of the bottom edge of that bank.
This allows ample space for drainage between the barn and the bank, and does not disturb the steep slope adjacent to Blaine road.

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.

Given that we are building a pole barn on flat space that is set into otherwise steep terrain, the only way to build while preserving and the integrity of the slopes above and below is to encroach slightly on the 60' setback requirement.

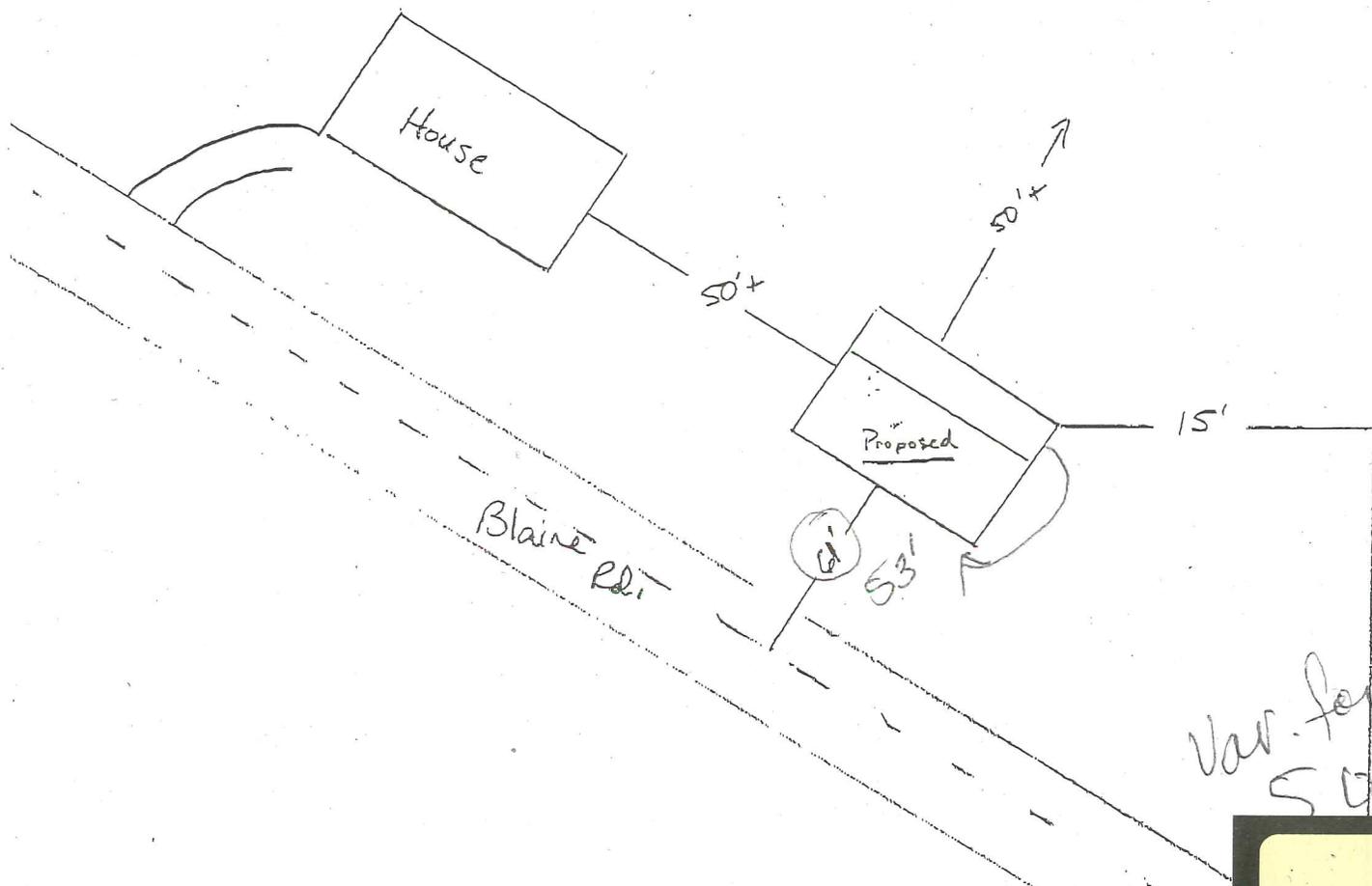
LCZC Hrg: VAR 951
Applicant: BYERS
Exhibit #: 2A
Date: 07/15/2015

N ↗

Revised
Plot Plan
top view map

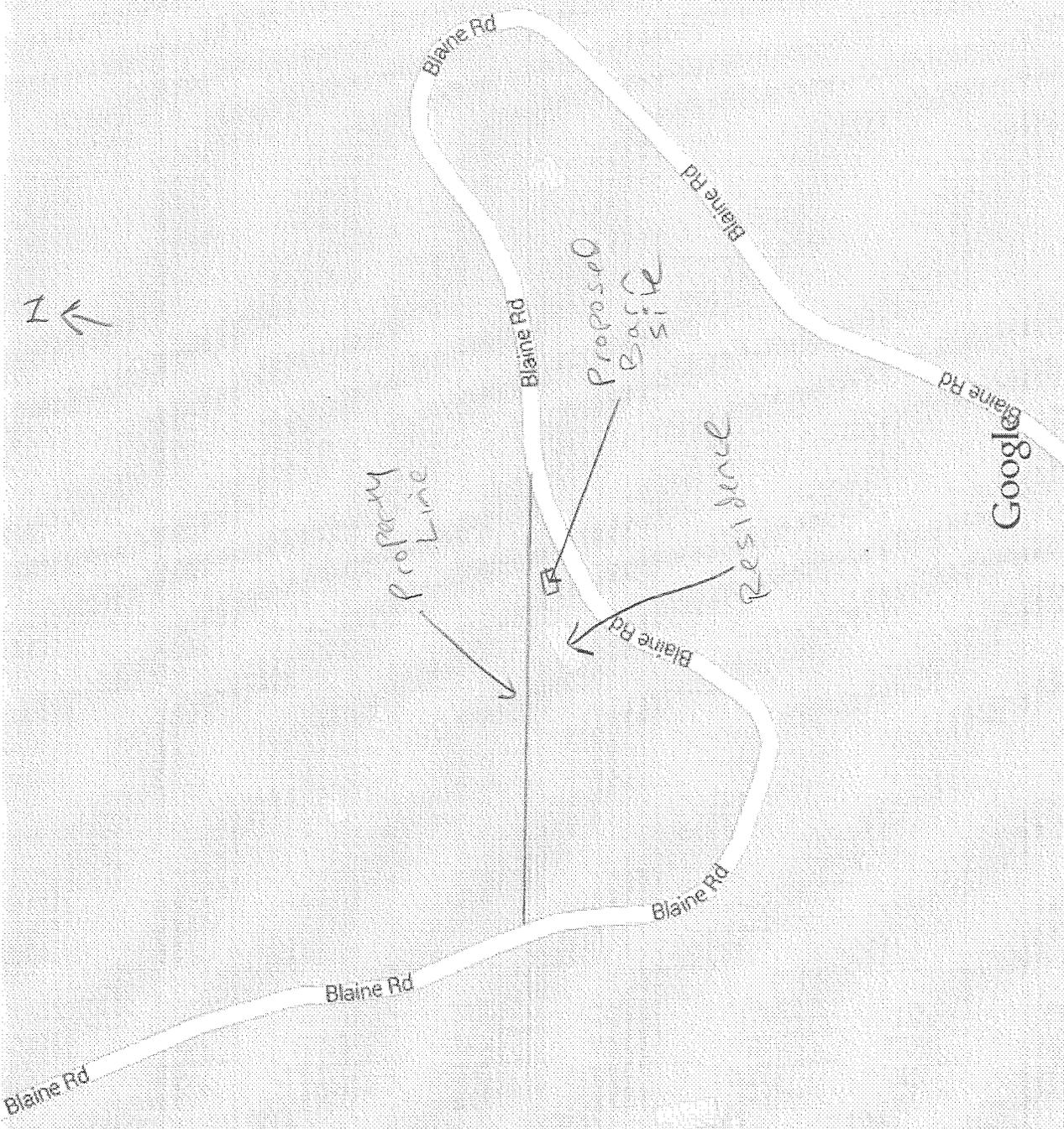
Byers

2480 Blaine Rd.
Moscow Id.



Var. for
50'

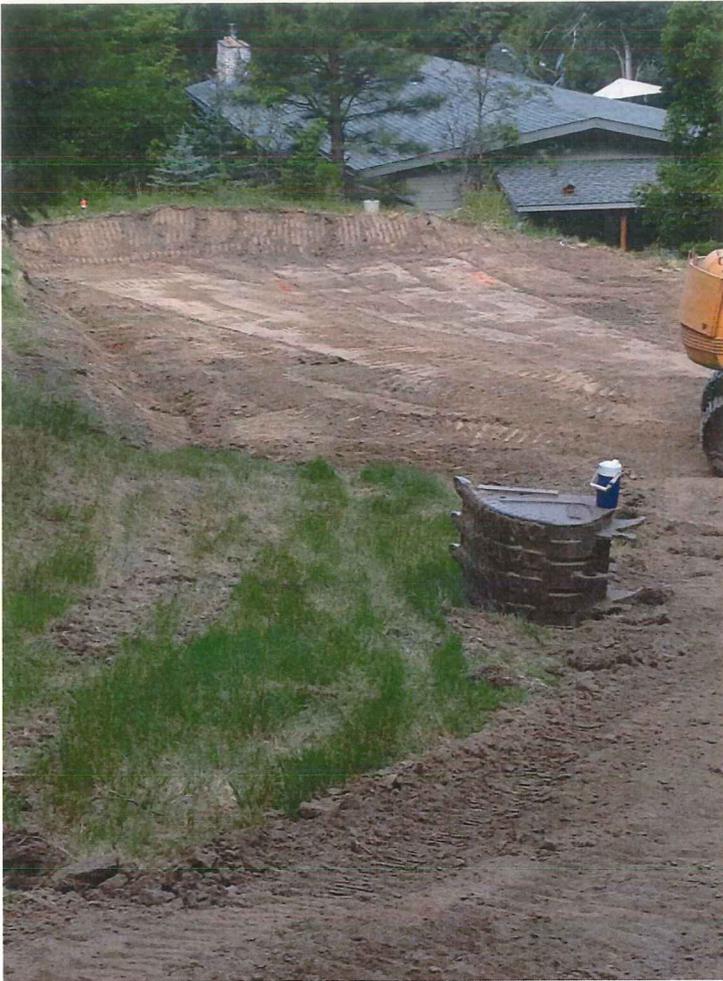
LCZC Hrg: VAR 951
Applicant: BYERS
Exhibit #: 25
Date: 07/15/2015



Byers Property, 2480 Blaine Road
Barn site for which variance is requested



Byers barn site – looking North from Blaine Road: closer mark shows 50' from the center of the road. Second mark shows 60'.



Byers barn site - looking west: left hand mark shows 50' from the center of Blaine Road, and the right hand mark shows 60'.



Byers barn site – looking East: mark shows 50' from the center of Blaine Road – this distance leaves sufficient space for drain tile between the barn wall and the bank below the road.

VAR #951 – Staff Introduction

VAR #951 – A request by John Byers for a variance to allow a 50-foot setback in lieu of the 60-foot setback from the center line of a public right-of-way at 2480 Blaine Road, in Section 27, Township 39 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP39N05W278423A.

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 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:

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- | | |
|---------------------|---|
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That is all staff has unless the Commission has questions.