

# LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing for Variance #963

Date: November 4<sup>th</sup>, 2015 Time: 5:30 pm Applicant: Richard Potter File #: VAR 963

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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.** Site Plan (Submitted by Applicant)
- Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for VAR #963 on November 4<sup>th</sup>, 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 20 feet from the centerline of a public right of way.

## Description of application:

A request by Richard Potter for a variance to allow a 20-foot setback in lieu of the 60-foot setback from the centerline of a public right-of-way that is required to construct an attached carport in the suburban residential zone at 1004 Christine Ct, Moscow in Section 13, Township 39 North, Range 05 West, B.M., in Latah County and reference as Assessor's Parcel Numbers RP01630003001A. The completed application was received by the Latah County Planning and Building Department on October 26<sup>th</sup>, 2015. The application was signed by the applicant, Richard Potter.

## Facts of application and the information submitted

### Site Characteristics:

Size of Parcel: 11,465 sq. feet  
Floodplain: Zone "C"

### Land Use and Regulations:

Comprehensive Plan Designation: Rural  
Existing Zoning: Suburban Residential  
Existing Uses: Single Family Residence  
Neighboring Zoning: Suburban Residential  
Neighboring Uses: Single Family Residence

### Infrastructure/Services:

Water: North Tomer Butte Water and Sewer  
Sewer: North Tomer Butte Water and Sewer  
Access: Christine Court  
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

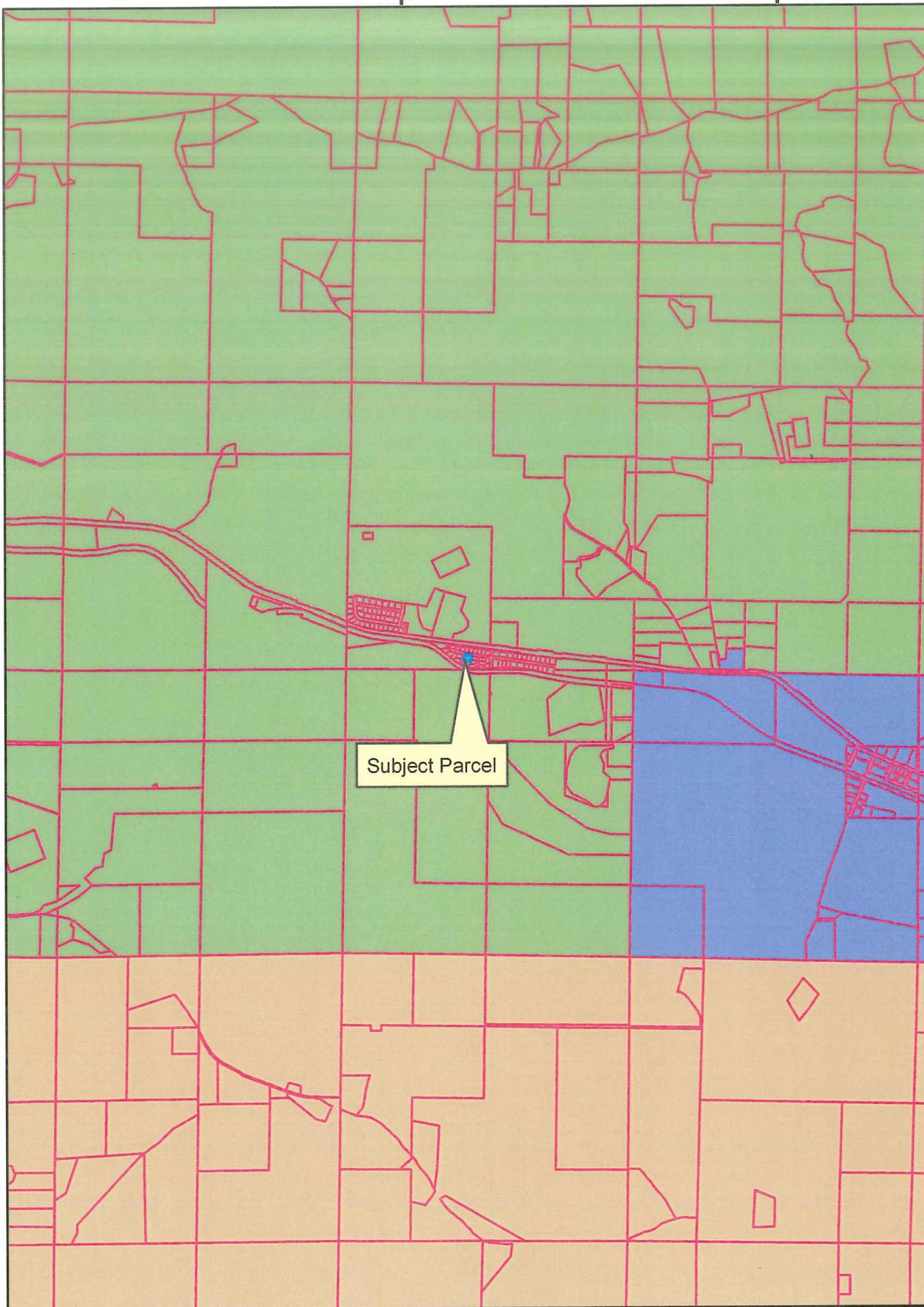
Latah County Land Use Ordinance # 269, as amended:

Section 3.03 Suburban Residential  
Article 7 Variances

Latah County Comprehensive Plan

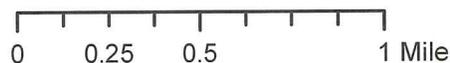
# VAR 963 Comprehensive Plan Map

Planning and Building Department



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

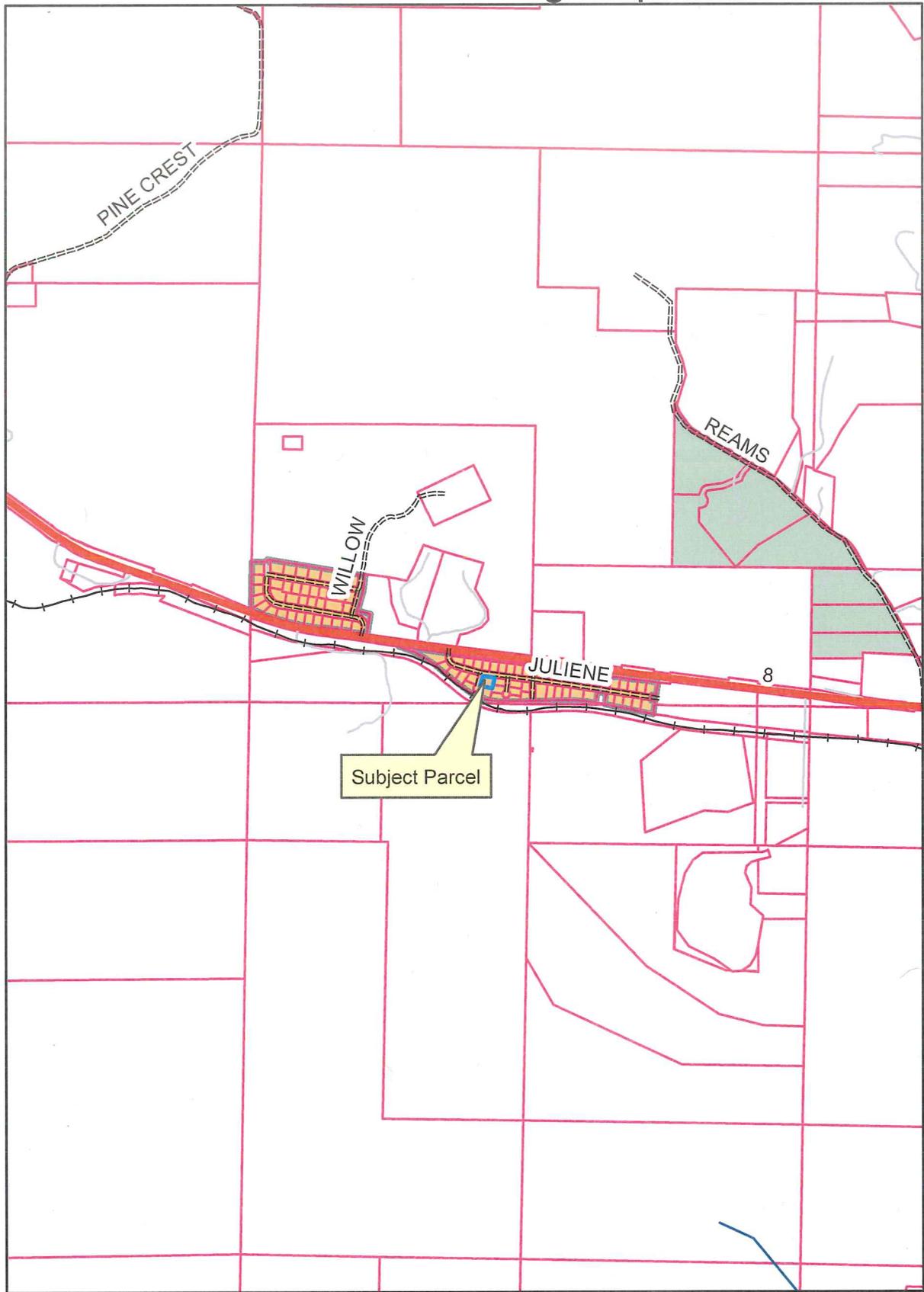
Created by: CAB



LCZC Hrg: VAR 963  
Applicant: Potter  
Exhibit #: 1A  
Date: 11/04/2015

# VAR 963 Zoning Map

Planning and Building Department



Note: This document is a representation only.  
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Created by: CAB



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

0 0.125 0.25 0.5 Miles

LCZC Hrg: VAR 963  
Applicant: Potter  
Exhibit #: 1B  
Date: 11/04/2015

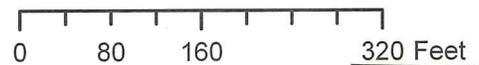
# VAR 963 Adjacent Property Owners and Aerial Map

Planning and Building Department



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

Created by: CAB



LCZC Hrg: VAR 963  
Applicant: Potter  
Exhibit #: 1C  
Date: 11/04/2015



# 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>Richard J. Potter</i>	b. Home Phone / Work Phone <i>208-301-2088 8110</i>	c. Email <i>rkj@moscow.com</i>	
d. Mailing Address <i>1004 Christine Court</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>R101630003001A</i>	b. Site Address (if applicable) <i>1004 Christine Court</i>		
c. Road Used to Access Site <i>Christine Court</i>	d. Floodplain designation(s) <i>NA</i>	e. FEMA Panel # <i>NA</i>	
f. Existing Uses <i>Residential</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>North Tower Butte Water &amp; Sewer</i>	b. Sewage Disposal (i.e. city, sewer district or private septic system) <i>North Tower Butte Water &amp; Sewer</i>
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### 4. Adjacent Properties Information

a. Zoning of Adjacent Properties <i>SR</i>	b. Existing Uses of Adjacent Properties <i>Residential</i>
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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.

*The home is situated such that an adequate carport would extend beyond setback limits.*

### 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>Richard J. Potter</i>	b. Date <i>26 October 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>10/26/15</i>	Fee Amount <i>2000</i>	Receipt No. <i>181</i>	By <i>TM</i>
VAR # <i>963</i>	Date Determined Technically Complete		By
Hearing Date			

09/19/2013

LCZC Hrg: VAR 963  
 Applicant: Potter  
 Exhibit #: 2  
 Date: 11/04/2015



# Variance Narrative Worksheet

## Application Information

Applicant's Name

Richard J. Potter

Phone Number

882-2288

**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.

I propose building a carport on the west end of the house. The carport would be the width of the house & extend 22-24 feet. The inside height to the bottom of the trusses 8-9 feet. The roof would be 4-5/12 pitch. The construction will be pole building type - The roof will be Metal.

## Existing Uses of Property

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

1-2 level home, 2400 FE<sup>2</sup>, 1-8 X 16 metal woodshed, 1-10 X 14 storage shed - Small garden plot, driveway/parking area on west end of house -

## 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.

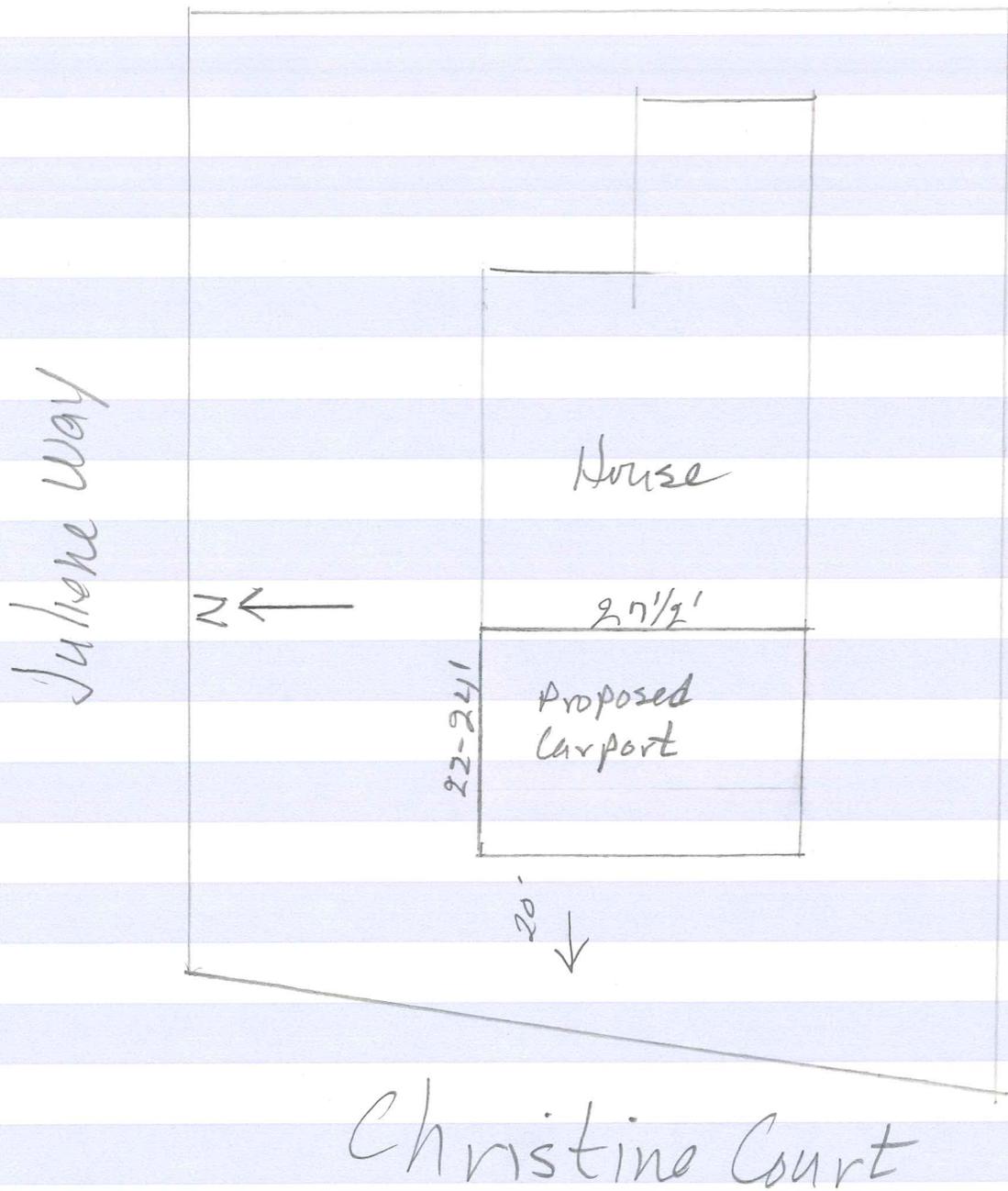
The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.

Construction of Carport will not interfere with Maintenance of Christine Court. The street is not maintained by Latah County Road Dept. Discussed matter with Road Commission Clerk.

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 size of the proposed ~~carport~~ Carport would exceed the Minimum Set Back

# Proposed Carport for 1004 Christine Court



Proposed Carport for 1004 Christine Court

House

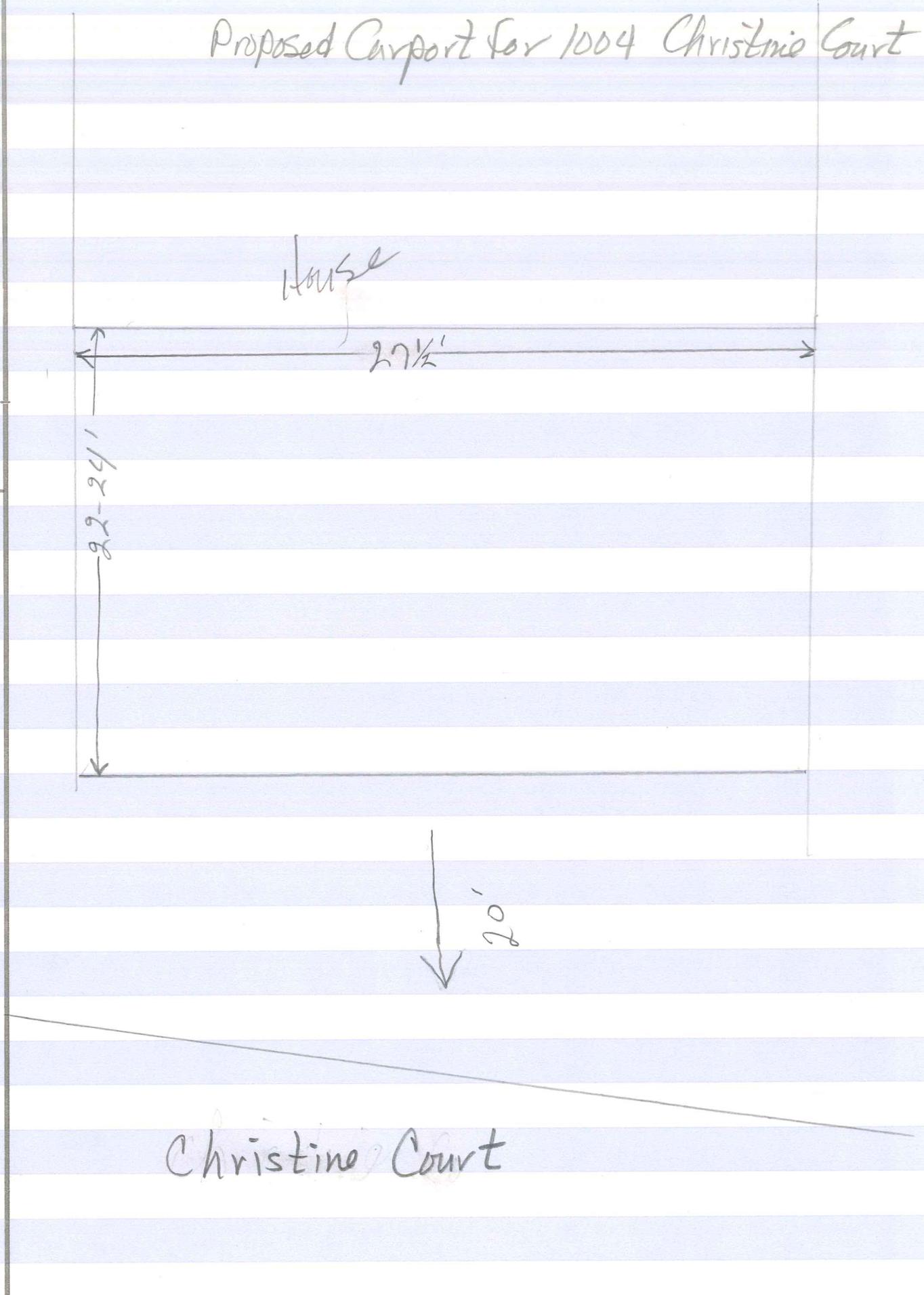
27½'

22-24'

Julienne Way

20'

Christine Court



## VAR #963 – Staff Introduction

VAR #963 – A request by Richard Potter for a variance to allow a 20-foot setback in lieu of the 60-foot setback from the centerline of a public right-of-way that is required to construct an attached carport in the suburban residential zone at 1004 Christine Ct, Moscow in Section 13, Township 39 North, Range 05 West, B.M., in Latah County and reference as Assessor's Parcel Numbers RP01630003001A.

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, Richard Potter, to the Planning and Building Department.

2. Section 3.03.04 of the Latah County Land Use Ordinance requires that all structures shall be a minimum of 60 feet from the centerline of any public right-of-way.

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:

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**That is all staff has unless the Commission has questions.**