

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST

Public Hearing for Conditional Use Permit #965

Date: November 18, 2015 Time: 5:30 pm Applicant: Jesse Landis File #: CUP 965

EXHIBITS:

- | | |
|---------------------|--|
| Exhibit #1. | Criteria Worksheet |
| Exhibit #1A. | Zoning Map |
| Exhibit #1B. | Comprehensive Plan Map |
| Exhibit #1C. | Adjacent 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 CUP 965 on November 18, 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:

Conditional Use Permit for an accessory cottage in excess of 900 square feet on a 17.19-acre parcel in the Agriculture/Forest zone.

Description of application:

CUP #965 - A request by Jesse Landis for a conditional use permit for an accessory cottage house in excess of 900 square feet on approximately 17.19 acres in the Agriculture/Forest (A/F) zone. The property is located at 1755 Genesee-Troy Road, Moscow, Idaho in Section 29, of Township 39 North, Range 04 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP39N04W290812A.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 17.19 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 Forest

Infrastructure/Services:

Water: Private Well
Sewer: Private Septic
Access: Genesee-Troy Road
Fire Protection: Moscow Rural

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 Zone

Section 3.01.03.14 - The Latah County Land Use Ordinance, under section 3.01.03(14), lists "Accessory Cottage Housing Exceeding 900 Square Feet" as a conditionally permitted use in the Agriculture/Forest Zone.

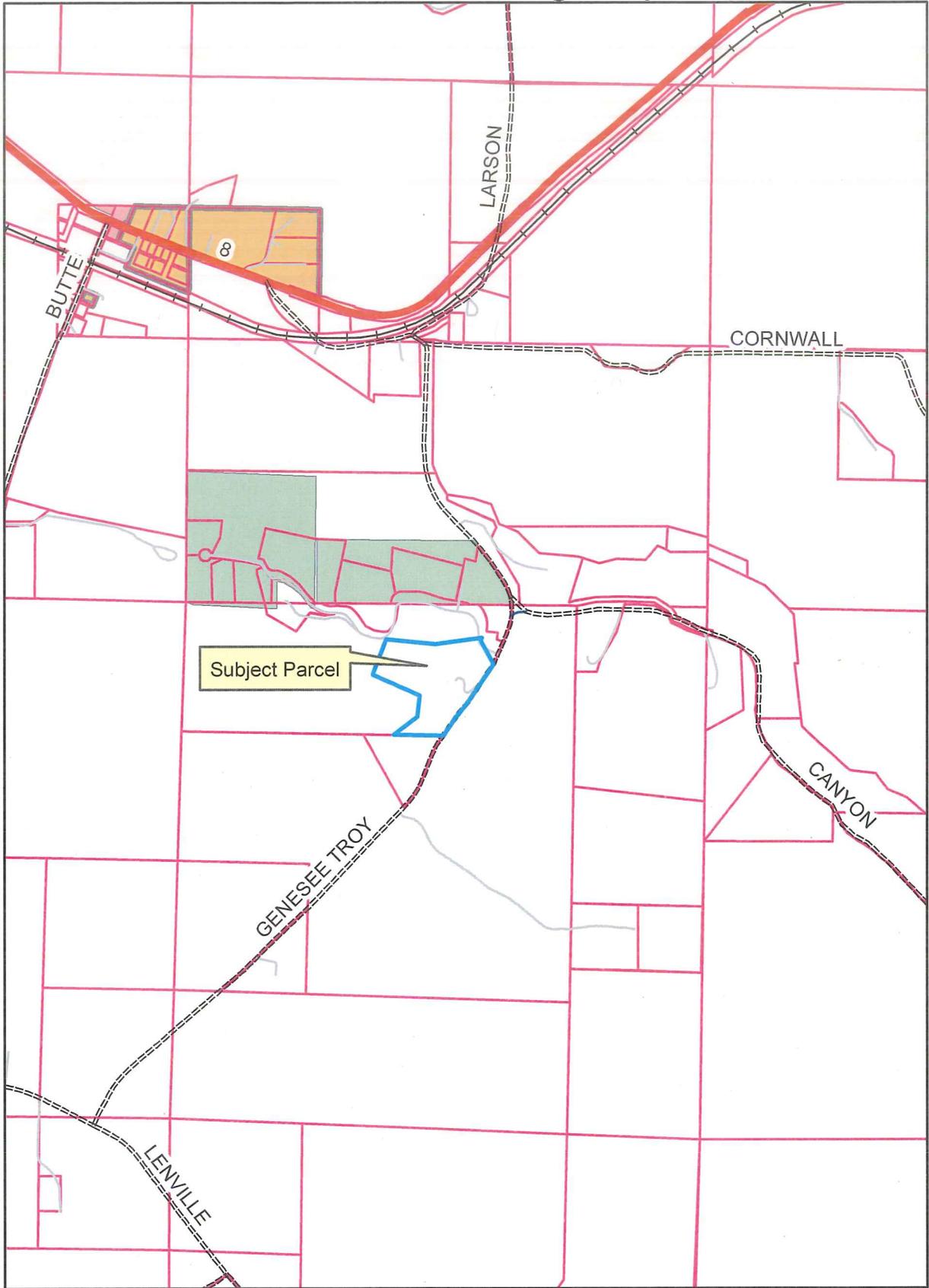
Article 7 Conditional Use Permits

Section 7.01.02 (see exhibit #3)

Latah County Comprehensive Plan

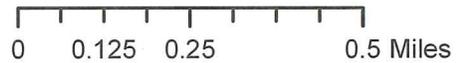
CUP 965 Zoning Map

Planning and Building Department



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

Created by: CAB

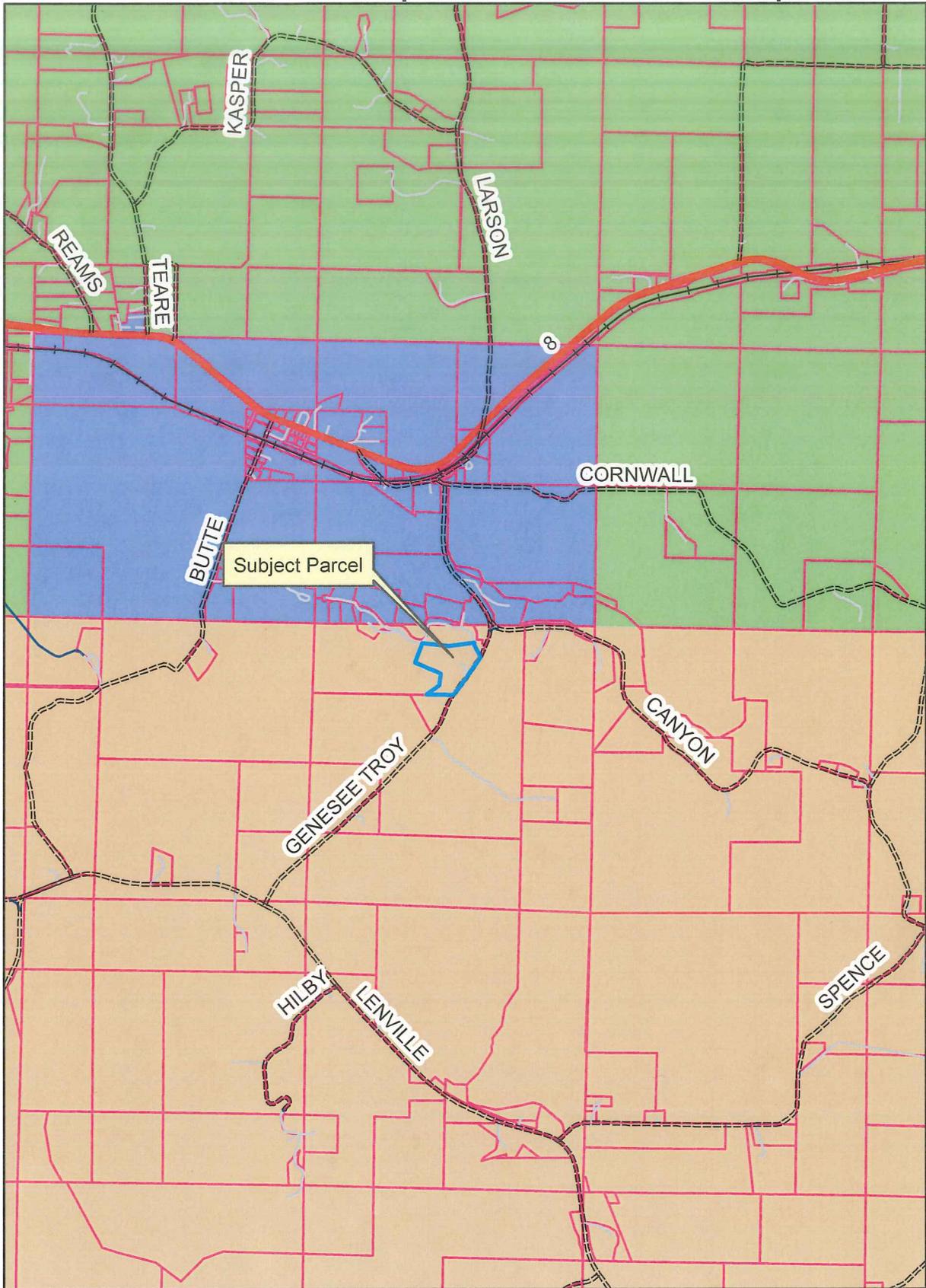


- | | | |
|----------------------|-----------------------------|---------------------------|
| Agriculture Forestry | Motor Business | Rural Residential |
| Commercial | Multiple Family Residential | Single-Family Residential |
| Industrial | Municipality | Suburban Residential |

LCZC Hrg: CUP 965
 Applicant: Landis
 Exhibit #: 1A
 Date: 11/18/2015

CUP 965 Comprehensive Plan Map

Planning and Building Department



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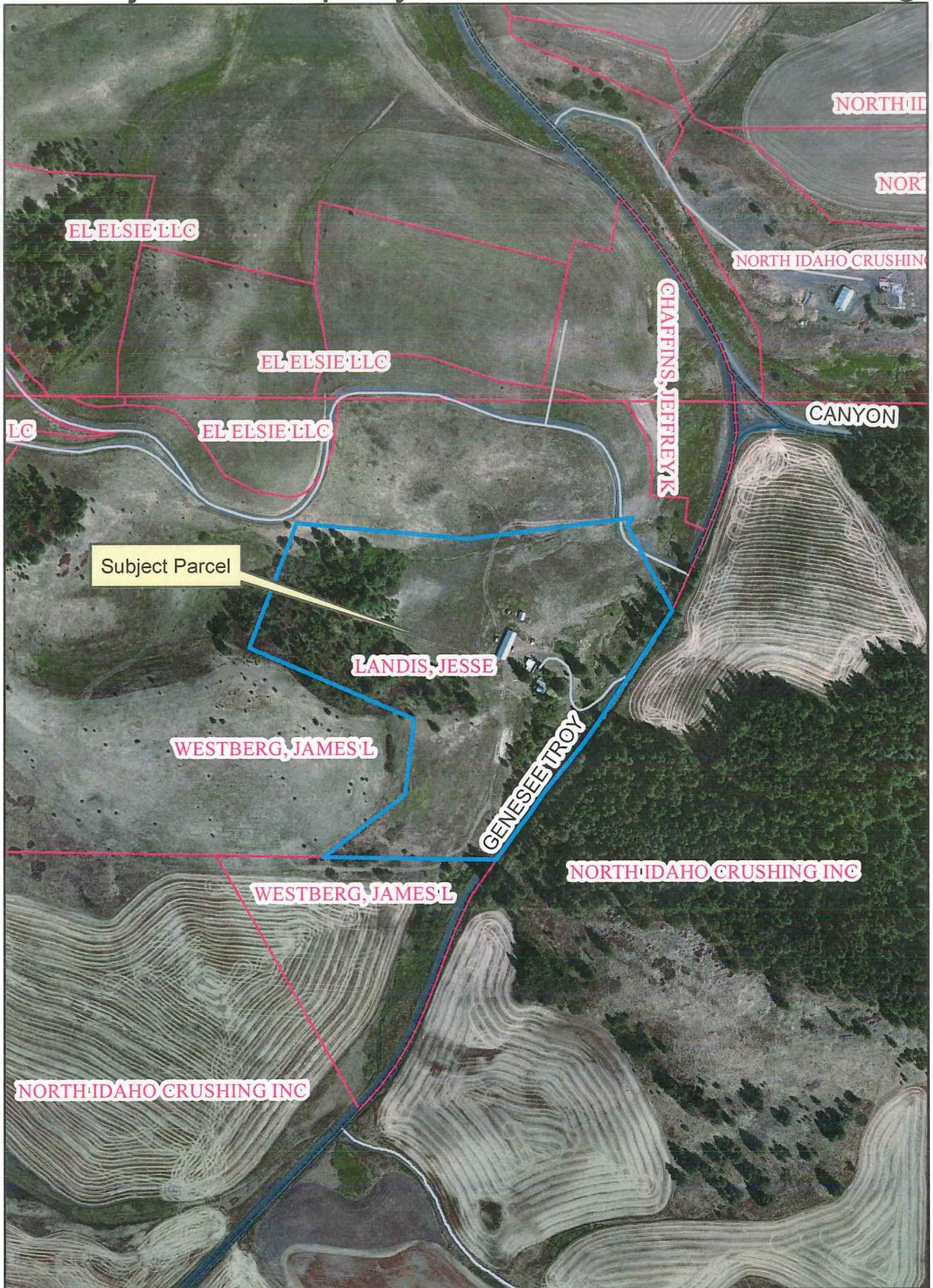


- Comprehensive Plan**
- ICR
 - AFR
 - AOI
 - PRODUCTIVE
 - RURAL

LCZC Hrg: CUP 965
 Applicant: Landis
 Exhibit #: 1B
 Date: 11/18/2015

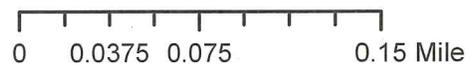
CUP 965 Ajacent Property Owners and Aerial Photograph

Planning and Building Department



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Created by: CAB



LCZC Hrg: CUP 965
Applicant: Landis
Exhibit #: 1C
Date: 11/18/2015



Please Save Document Before Filling It Out.
Application for Conditional Use Permit

Instructions

Please complete the application and required attachments. For certain uses, additional information may be necessary. 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 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>Jesse Landis</i>	b. Home Phone / Work Phone <i>509-592-7283</i>	c. Email <i>carltonelectric.jesse@gmail.com</i>	
d. Mailing Address <i>923 Harold St</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>RP39N04W290759</i>	b. Parcel Address (if applicable) <i>1755 Genessee-Troy Rd</i>		
c. Acreage of Existing Parcel <i>17 acres</i>	d. Zoning <i>Ag-Forest</i>	e. Comprehensive Plan Designation	f. Floodplain designation(s)
g. FEMA Panel#	j. Road Used to Access Site <i>Genessee-Troy Rd / Private drive</i>		
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City		

Note: Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

i. Existing Uses
Rural Residential

3. Service Provider Information (please attach additional information if requested)

a. Fire District	b. Road District <i>NLHD</i>	c. School District <i>MOSCOW</i>
d. Source of Potable Water (i.e. water district or private well) <i>private well</i>	e. Sewage Disposal (i.e. sewer district or private septic system) <i>private septic</i>	

4. Adjacent Properties Information

a. Zoning of Adjacent Properties	b. Existing Uses of Adjacent Properties
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5. Permit Information

a. Proposed Use
Accessory dwelling unit over 900 sq/ft

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located?
Land Use Ord. 3.01.03 sec. 14

Note: If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.

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>[Signature]</i>	b. Date <i>10/28/15</i>
c. Signature of Property Owner (if different than applicant)	d. Date

Office Use Only

Date Received <i>10/30/2015</i>	Amount <i>300</i>	Receipt No. <i>200</i>	By <i>CSB</i>
CUP # <i>965</i>	Date Determined Technically Complete		By
Hearing Date			

7. Attachments

All attachments should be reproducible in black and white at 8½" x 11"

- Fee:** (\$300.00) Make checks payable to Latah County.
- Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
- Site Plan:** The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision.
- Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
- Assessor's Plat Map:** Include a copy of that portion of the map that shows the subject parcel and adjoining parcels.
- Other Attachments:** Required by staff / Zoning Commission for certain proposed uses.



Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name

Jesse Landis

Phone Number

509-592-7283

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 ~~have~~ am currently seeking to build new residence on my property located at 1755 Geneva - Troy Rd. The existing residence exceeds 900 sq/ft limit for "Accessory Cottage Housing" eligible under an administrative zoning permit. The excess square footage is approx. 450/sq ft. Other than the excess sq ft footage the cottage will conform to all other requirements for "accessory cottage" under an administrative permit. Please allow me to maintain existing house as accessory cottage without any modifications to size.

Existing Uses of Property

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

One tentative new house, one existing house, one garage, one machine shed, and 2 storage sheds are on property. Property is suitable for private or small commercial agricultural use.

Consistency Requirements

Please respond to each of the three criteria listed in Section 7.01.02 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.

A. The use is not detrimental to the health or safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone.

The additional size of the house in question is insignificant.

B. The use will not require facilities or services with excessive costs to the public.

Same as above

g. Transportation Element

Existing driveways and access will be maintained. No changes to traffic flow or interruption. No intersection with highway.

h. Natural Resource Element

N/A

i. Special Areas Element

By maintaining this structure as it is, the cottage will be sustaining cultural and historical significance in our area.

j. Hazardous Areas Element

N/A

k. Recreation Element

N/A

l. Land Use Element

Maintaining the cottage on this property does will not intrude on the existing use of the land it is located on.

m. Property Rights Element

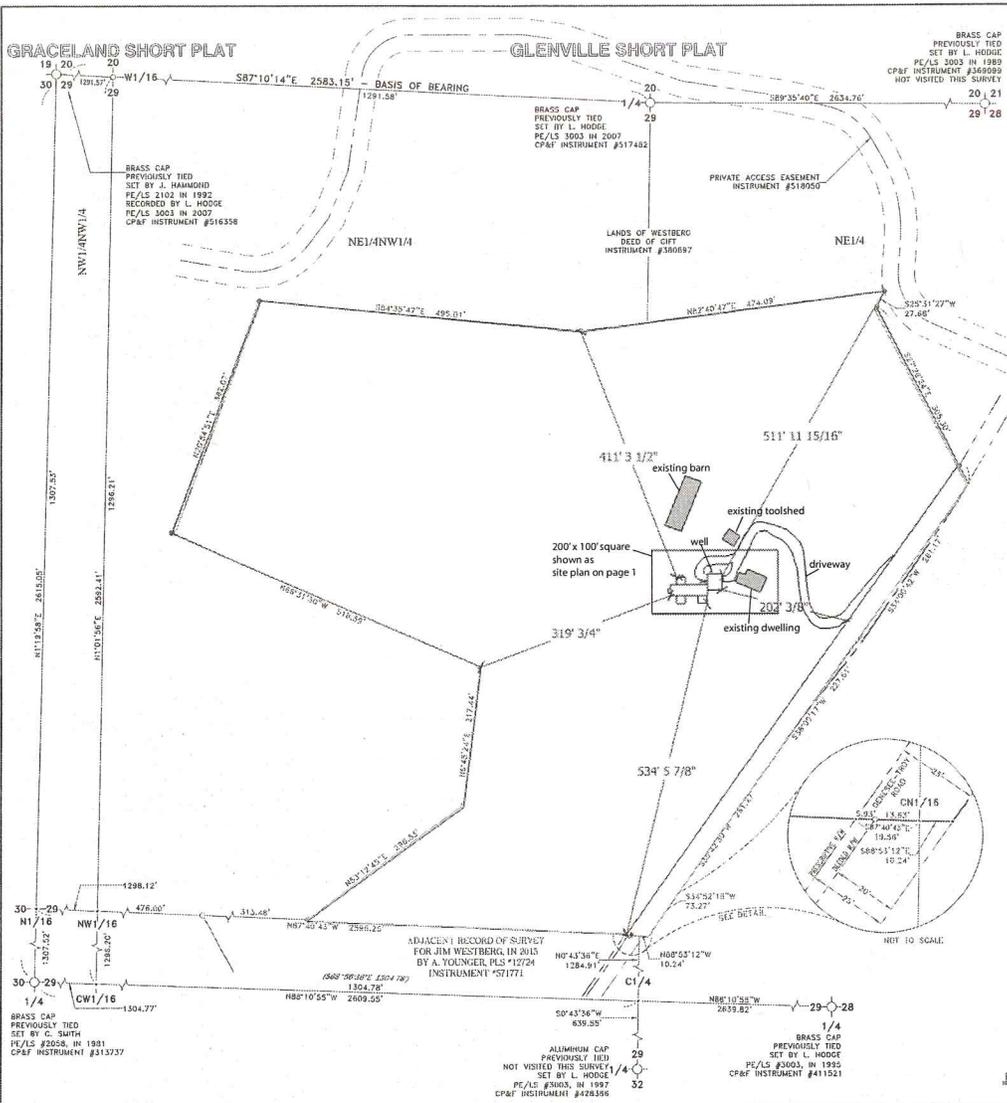
An intervention against this request would clearly devalue an existing component of my property.

n. Water Resources Element

The water resources on this property won't be significantly affected beyond what is allowed for under current land use ordinance 269-3.01.02

574330

Section 29, T39N, R4W, BM



Legal Description

A parcel of land located in a portion of the Northeast Quarter of the Northeast Quarter (NE1/4NW1/4) and the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section 29, Township 39 North, Range 4 West, of the Boise Meridian, Latah County, Idaho, being more particularly described as follows:

Commencing at the Northwest Corner of said Section 29, Township 39 North, Range 4 West, of the Boise Meridian, Latah County, Idaho, thence along the westerly line of NW1/4 of said Section 29, S1°19'58"W, 1307.53 feet, to the Southwest Corner of the North Half of the Northwest Quarter (N1/2NW1/4), thence departing said westerly line, along the southerly line of said N1/2NW1/4, S87°40'43"E, 2087.80 feet, to the POINT OF BEGINNING;

Thence departing said southerly line, N53°12'45"E, 295.53 feet; Thence N45°24"E, 217.44 feet; Thence N68°31'30"W, 518.59 feet; Thence N20°54'51"E, 382.07 feet; Thence S84°35'47"E, 465.01 feet; Thence N82°47'47"E, 474.09 feet, to the intersection with the southerly easement line of that certain easement as set forth in Easement Instrument Number 518050;

Thence S25°31'27"W 27.88 feet; Thence S27°28'24"E, 305.59 feet, to the intersection with the centerline of the Genesee - Troy Road;

Thence along said centerline, following the courses and distances: S30°02'43"W, 32.34 feet; Thence S28°00'42"W, 261.17 feet; Thence S38°09'17"W, 227.61 feet; Thence S35°42'30"W, 261.27 feet; Thence S34°52'18"W, 73.27 feet, to the intersection with the southerly line of said NW1/4NE1/4;

Thence departing said centerline, along said southerly line of the NW1/4NE1/4, N88°53'12"W, 10.24 feet, to the Southwest Corner of said NE1/4NW1/4;

Thence along the southerly line of said NE1/4NW1/4, N87°40'43"W, 5068.00 feet, to the POINT OF BEGINNING.

The above described parcel contains 17.19 acres, more or less. Subject to county road right-of-way for Genesee - Troy Road.

Basis of Bearing

The Basis of Bearing for this survey is the Northerly line of the NW1/4 of Section 29 above herein as SB7°10'14"E per Graceland Short Plat, Instrument #540416

Surveyor's Certificate

I, Allison K. Younger, PLS No. 12724 State of Idaho, do hereby certify that the survey represented by this map was performed by me or under my supervision in accordance with the laws of the State of Idaho and at the request of Jim Westberg in July 2015.

Purpose Of Survey

The purpose of this survey is to survey, monument and map a parcel of land from the Lands of Westberg described in Deed of Gift Instrument #340887.

Legend

- Found Monument as Described
- Set 5/8" x 24" Long Rebar w/Orange Plastic Cap Stamped "Younger 12724"
- Found 5/8" Iron Pin
- Calculated Position
- Boundary Line
- Section Line
- Centerline
- Right-of-Way
- Easement

NO. 574330
AT THE REQUEST OF:
Allison K. Younger
DATE & HOUR
08.28.15 1:33
REBEKAH WESTBERG
LATAH COUNTY RECORDER
SCALE: 1"=100'
FILED IN THIS OFFICE
FEE \$ 5.00 by Allison Younger

P.D. No. 8728
M.E. Younger, PLS
12724
12-15-15
(208) 852-3520



Record of Survey for:
Jim Westberg
Latah County, Idaho

Drafted by: SW
Checked by: AKY
File Name: 3707 005.dwg
Tab: Layout
Plot Style: OGE.ctb
Project#: 3707-06-15
Date: 8/5/15

1 of 1

LCZC Hrg: CUP 965
Applicant: Landis
Exhibit #: 2B
Date: 11/18/2015

CUP #965 – Staff Introduction

CUP #965 – A request by Jesse Landis for a conditional use permit for an accessory cottage house in excess of 900 square feet on approximately 17.19 acres in the Agriculture/Forest (A/F) zone. The property is located at 1755 Genesee-Troy Road, Moscow, Idaho in Section 29, of Township 39 North, Range 04 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP39N04W290812A.

The Latah County Land Use Ordinance, under section 3.01.03(14), lists "Accessory Cottage Housing Exceeding 900 Square Feet" as a conditionally permitted use in the Agriculture/Forest Zone.

Section 7.01.02 requires:

1. **A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**
 - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
 - B. The use will not require facilities or services with excessive costs to the public;
 - C. The use is not in conflict with the goals and policies of the Latah County Comprehensive Plan.
2. **If the Zoning Commission finds that a proposed use 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.**
3. **The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.**

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

EXHIBITS:

- | | |
|---------------------|---|
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