

BOARD of ADJUSTMENT



Joe Bazzoli
Commission Chair

~Meeting Minutes~
June 18, 2019

Leah Carlson
Staff Liaison

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<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

The meeting was called to order at 7:00 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Annette Bieghler, Steve Bush, Marshall Comstock, Mark Monson, Laurene Sorensen

MEMBERS ABSENT: Tim Thomson

STAFF IN ATTENDANCE: Leah Carlson, Anne Peterson

1. Approval of Minutes from May 22, 2019.

Monson moved approval of the minutes as presented.

RESULT:	ACCEPTED BY ACCLAMATION
MOVER:	Monson
SECONDER:	Bazzoli
AYES:	Bazzoli, Monson
ABSTENTIONS:	Bieghler, Bush, Comstock, Sorensen

2. Public Hearing: Proposal for a Variance at 1021 Harold Street – LUP2019-0018

Proposal for a Variance to construct a six-foot chain-link fence located at the Latah County Fairgrounds property at 1021 Harold Street within the Medium Density Residential (R-3) Zoning District per Moscow City Code 4-6-8 (A)(2)(a).

Carlson presented the application described above and provided images showing the location of the proposed fencing. She explained that typically in the R-3 zoning district, fences within the front yard setback are limited to 4.5 feet in height. In this case, the fence would provide security and crowd control for private events, and livestock control during public events. Subject property uses include the Fairgrounds Exhibit halls, barns, parking, the Ice Rink, a ball field, and Lion's Park. There is existing chain link fence along Blaine Street. Staff recommended approval with no conditions. Bazzoli stated for the record that the chain link will not have barbed wire at the top.

The public hearing opened at 7:05 p.m.

Jim Logan, director of Latah County Fairgrounds at 1021 Harold Street said during fair time they use every square foot of the property and for other events year-round. The property is unique within Moscow, and is the only indoor/outdoor event space within the city limits. Without security fencing they have missed out on the revenue from numerous ticketed events. There has been vandalism on the eastern portion of the property which is currently open to the street on three sides. The variance is required only for the Harold Street side because a 4.5-foot fence isn't tall enough to retain livestock. Pedestrian gates will be open at all times except during ticketed events. At least three 16-foot gates and three 4-foot gates are planned, and perhaps more. The location of the fence on Harold Street will not interfere with the future expansion of the sidewalk, and the current tree line will be maintained.

Comstock asked if the fencing would interfere with the RV Dump Station and Logan replied “no.” Bush asked about large carnival equipment access and Logan said the 16-foot gates will coincide with existing curb cuts.

The public hearing closed at 7:15 p.m.

Comstock said this was a unique situation because the Fairgrounds existed first before the City expanded around it. He thought a fence was a good idea and moved approval of the application with no conditions. Sorensen agreed it would be good for the neighborhood and participant safety.

RESULT:	APPROVED BY ROLL CALL [UNANIMOUS]
MOVER:	Comstock
SECONDER:	Sorensen

Comstock moved to direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards. Bazzoli said the use and existence of the fairgrounds creates a special condition or circumstance. He added the fence would not be a nuisance to the public, but rather helpful to the adjacent properties.

RESULT:	APPROVED BY ROLL CALL [UNANIMOUS]
MOVER:	Comstock
SECONDER:	Monson

3. Public Hearing: Proposal for a Conditional Use Permit to enlarge an existing non-conforming garage at 206 N Van Buren Street – LUP2019-0019

Proposal for a Conditional Use Permit to enlarge an existing non-conforming garage located at 206 N Van Buren Street within the Medium Density Residential (R-3) Zoning District per Moscow City Code 4-1-7 (D)(4).

Carlson explained the code requirement for a Conditional Use Permit to modify an existing non-conforming structure, and illustrated the proposed garage expansion. The lot is nonconforming in size, and the existing garage has non-conforming setbacks of 2.5 feet rather than 5. That setback will remain the same. Staff recommended approval with no conditions.

Monson asked how the revision will change the street view of the garage. Carlson said it will be closer to the street but not any taller or wider, so the nonconformities will not change. Bazzoli asked if the garage wall next to the property line would be required to be a fire wall. Comstock said only if it was within five feet of another structure. Carlson added that if the Fire Department has any concern that would be addressed at the building permit stage. Comstock asked what the distance was between the garage and the house; Carlson replied 6.5 feet.

The public hearing opened at 7:24 p.m.

Tom O'Malley, 206 Van Buren, and his architect, John Paul, 615 Ekes Rd, introduced themselves. Paul said the current garage is an existing nonconformity that is similar in aesthetics to the house's Craftsman style architecture. The expansion will maintain the architectural scale and aesthetic, while providing better coverage for vehicles. The current garage slab is a low point which collects water, so that will also be addressed. Board members asked if any city services extended to the structure and O'Malley said only electric. Paul surmised it was originally a carriage house, based on the age of the buildings.

Tom Brainerd, 210 N Van Buren, testified that he lives immediately to the north of the applicant and would be the most impacted by this expansion, but he fully supports the application. He and his wife appreciate all the improvements the applicants have already made to the property.

Jean Brainerd, 210 N Van Buren, said she has no concerns with the proposal, nor concerns that the construction would disturb her plantings.

Bill Woolston, 220 N Van Buren, has lived nearby for 33 years. He commended the changes the applicants have made to the property and the improvement to the neighborhood. His only question pertained to the north wall which is proposed to be completely blank. He suggested a window would be a nice visual break.

The public hearing closed at 7:29 p.m.

Comstock thought this type of issue occurs often in the Fort Russell neighborhood. Bazzoli added that getting one more car off the street would be an enhancement. Monson moved approval of the application as presented.

RESULT:	APPROVED BY ROLL CALL [UNANIMOUS]
MOVER:	Monson
SECONDER:	Sorensen

Monson moved to direct staff to prepare the Reasoned Statement of Relevant Criteria and Standards.

RESULT:	APPROVED BY ROLL CALL [UNANIMOUS]
MOVER:	Monson
SECONDER:	Comstock

4. Board Communications

Meeting for approval of the Relevant Criteria was scheduled for Tuesday, June 25, at 5:30pm in Council Chambers.

Adjournment

The meeting adjourned at 7:32 pm.


Joe Bazzoli, Chair

6/25/2019
Date