

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
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Public Hearing
~ Minutes ~

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

Tuesday
April 26, 2022

7:00 PM

Council Chambers
206 E Third Street

Bazzoli called the meeting to order at 7:00 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Marshall Comstock, Tim Kinkeade, Cole Mize, Tim Thomson
MEMBERS ABSENT: Annette Bieghler, Steve Bush
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of April 26, 2022 Minutes (ACTION ITEM)

Bazzoli moved for approval of the minutes as presented, seconded by Thomson. Vote by Acclamation; Ayes: Bazzoli, Kinkeade, Mize, Thomson (4). Nays: None. Abstentions: Comstock (1). Motion carried.

2. Public Hearing: Conditional Use Permit located at 980 Hirschi Road in the Moderate Density, Single Family Residential (R-2) Zoning District per MCC 4-3-4. – LUP2022-0008 (ACTION ITEM)

Conditional Use Permit application to allow a Bed and Breakfast Inn located at 980 Hirschi Road in the Moderate Density, Single Family Residential Zone (R-2) Zoning District per MCC 4-3-4.

Hennrich presented the Conditional Use Permit (CUP) application as described above, and recommended approval with no conditions. A Bed and Breakfast is a conditionally permitted use. According to prior Zoning Code, on-site parking used to be required. Even though it is no longer required, the Applicant has provided a parking space.

The Public Hearing opened at 7:05 PM

Jennifer and Tim Ewers (applicants), Moscow, explained why they wanted to utilize part of their residence as an Airbnb. There is a separate entrance on the east side of the house with keypad access. They talked about the extensive review process for guests using Airbnb.

The Public Hearing closed at 7:09 PM

Comstock moved for approval of the Conditional Use Permit for 980 Hirschi Road and directed Staff to draft the Relevant Criteria and Standards with no conditions, as recommended. Motion seconded by Kinkeade. Vote by Acclamation; Ayes: Unanimous (5). Nays: None. Abstentions: None. Motion carried.

3. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)

Conditional Use Permit application to allow residential apartments on the ground floor of an existing Motel (Hillcrest Motel) located at 706 N Main Street in the Motor Business (MB) Zoning District per MCC 4-3-4.

Thomson moved for approval of the Reasoned Statement of Relevant Criteria and Standards, seconded by Mize. Vote by Acclamation; Ayes: Unanimous (5). Nays: None. Abstentions: None. Motion carried.

REPORTS

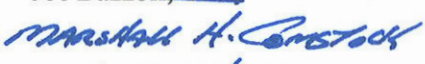
ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

Hearings will be scheduled for two applications in the coming weeks.

A Board of Adjustment Public Meeting has been tentatively scheduled for Monday, May 2nd at 5:30 PM.

The meeting adjourned at 7:18 PM


Joe Bazzoli, Chair

Marshall H. Crostok
Vice Chair


Date

**BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MOSCOW, COUNTY
OF LATAH, STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

**REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A
CONDITIONAL USE PERMIT APPLICATION TO ALLOW A BED AND BREAKFAST INN
WITHIN THE MODERATE DENSITY SINGLE FAMILY RESIDENTIAL (R-2) AND
SUBURBAN RESIDENTIAL (SR) ZONING DISTRICTS PER MOSCOW CITY CODE 4-3-4.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on February 25, 2022;
and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public
hearing on April 26, 2022; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered
the issues presented:

**THE MOSCOW BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO, AFTER
DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, Comprehensive Plan, Moscow City Code, and current adopted street standards.
2. The subject property is located within the Moderate Density Single Family Residential (R-2) Zoning District and the Suburban Residential (SR) Zoning District, where Bed and Breakfast Inns are a conditionally permitted use.
3. All surrounding properties are also located within the R-2 Zone, and surrounding uses are all single-family residences.
4. The subject property is an 11,493 square foot parcel located west of Orchard Avenue with approximately 110 feet of frontage on the Hirschi Road.
5. A Bed and Breakfast Inn is defined within Moscow City Code 4-1-6(D)(16), as "Establishments primarily engaged in providing short-term lodging (durations of less than twenty-one (21) consecutive days per guest) for compensation in private homes or accessory buildings where the owner resides upon the property and where breakfast may or may not be provided."
6. The applicant's bed and breakfast is accessed via a separate entrance on the east side of the home. Guests will stay for a maximum of seven nights. Guests will have access to one bedroom, one bathroom, a living area and a small kitchenet. The space to be rented will accommodate no more than 4 adults per stay.

7. The subject property has a two-car garage as well as a driveway that will provides two additional parking stalls.
8. There was no testimony given in opposition to or in favor of the proposed Bed and Breakfast.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed use (is/is not) a conditionally permitted use within the Zoning District.** The proposal to operate a Bed and Breakfast Inn within an existing single-family residence, for short-term stays is a conditionally permitted use.
2. **The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.** The proposed use of a Bed and Breakfast Inn, as presented by the applicant, will be in harmony with the area in which it is located. Guests accessing the property and the neighborhood for short-term stays will be similar to the typical use of the existing residential neighborhood and other single-family dwellings.
3. **The proposed use as approved, or as approved with conditions, (will/will not) generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).** The proposed use of a Bed and Breakfast Inn as presented by the applicant is not determined to generate nuisances that would be injurious or detrimental to adjoining properties or the neighborhood.
4. **The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.** The proposed use is determined to be a benefit to the public as it provides an alternative option for overnight accommodations for visiting professionals, parents, or alumni when local hotels do not have vacancies, or if guests desire more private and quiet accommodations.
5. **The proposed use (will/will not) endanger the public health or safety if located where proposed.** The proposed use of a Bed and Breakfast Inn will not endanger the public health or safety.
6. **Proposed use (meets/does not meet) all applicable development standards of the Zoning Code.** The proposed use meets all development standards.
7. **The proposed use will not be in conflict with the Comprehensive Plan:** The proposed use is not in conflict with the Comprehensive Plan.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment approves the application for a Conditional Use Permit for a Bed and Breakfast Inn at 980 Hirschi Street with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE 26TH DAY OF APRIL, 2022.



Marshall Comstock, Vice Chair
Board of Adjustment