

BOARD of ADJUSTMENT



Jerry Schutz
Board Chair
BOA@ci.moscow.id.us

Public Hearing
~ Agenda~

Michael Ray
Staff Liaison
208.883.7008

<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

Tuesday
June 17, 2025

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of Minutes from June 4, 2025 (ACTION ITEM)**

PROPOSED ACTIONS: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. **Public Comment**

Time limit 15 minutes. Members of the Public may speak to the Board regarding matters NOT on the Agenda nor currently pending before the Board of Adjustment. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

3. **Public Hearing: Proposal for a Conditional Use Permit at 1638 Christopher Lane. Permit Application LUP2025-0014 (ACTION ITEM)**

Conditional Use Permit application for a proposed accessory structure between 1,001 and 1,500 square feet in size, located at 1638 Christopher Lane within the Suburban Residential (SR) Zoning District, per Moscow City Code 4-3-4.

PROPOSED ACTIONS: Conduct the Public Hearing for the Conditional Use Permit (CUP) request, and upon consideration of any testimony received: approve the CUP and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or approve the CUP with conditions and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or deny the CUP and direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards; or take other action as deemed appropriate.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Board of Adjustment meeting is scheduled for 5:30 PM on June 24, 2025.

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

BOARD of ADJUSTMENT



Jerry Schutz
Board Chair
BOA@ci.moscow.id.us

Public Meeting
~ Minutes~

Michael Ray
Staff Liaison
208.883.7008

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

Wednesday
June 4, 2025

5:30 PM

Council Chambers
206 E Third Street

Schutz called the meeting to order at 5:31 PM

MEMBERS PRESENT: Jerry Schutz, Chair; Steve Bush, Ivy Dickinson, Tim Thomson
MEMBERS ABSENT: Marshall Comstock, Tim Kinkeade
STAFF: Jennifer Fleischman, Michael Ray

REGULAR AGENDA

1. Approval of Minutes from May 29, 2025 (ACTION ITEM)

Thomson moved for approval of the minutes as written, seconded by Bush. Roll Call Vote; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

2. Public Comment

Time limit 15 minutes. Members of the Public may speak to the Board regarding matters NOT on the Agenda nor currently pending before the Board of Adjustment. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

None.

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

Conditional Use Permit for a Type II Accessory Home Occupation consisting of an in-house bakery with on-site customer service located at 943 Mabelle St within the Moderate Density Residential (R-2) Zoning District, per Moscow City Code 4-3-4.

Bush moved for approval of the Reasoned Statement of Relevant Criteria and Standards for the Conditional Use Permit as written, seconded by Dickinson. Roll Call Vote; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Board of Adjustment meeting is scheduled for 7:00 PM on June 17, 2025.

The meeting adjourned at 5:33 PM

Jerry Schutz, Chair

Date

**CITY OF MOSCOW
COMMUNITY DEVELOPMENT
STAFF REPORT**

HEARING DATE: Tuesday, June 17, 2025

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: LUP2025-0014 - Conditional Use Permit application for a detached private garage not to exceed 1,500 sf located at 1638 Christopher Lane within the Suburban Residential (SR) Zoning District per Moscow City Code 4-3-4(C).

Attachments:

- A. Public Hearing Notice – published in the Moscow-Pullman Daily News on Saturday, May 31, 2025
- B. Conditional Use Permit Application
- C. Site Plan and Elevations

Prepared by: Lucy Falcy

STAFF REVIEW

Proposal:

The applicant, Edward Coulter, has submitted an application for a Conditional Use Permit (CUP) for a detached private garage, which exceeds 1,000 sf in size located at 1638 Christopher Lane. The applicant is proposing to construct a detached, 1,408 sf private garage, 32' wide by 44' deep to be located 11.5' off the northern property line. The proposed garage height is 26.5' tall with a 14' tall wall face. The subject property is within the Suburban Residential (SR) Zoning District that requires that garages over 1,000 sf and up to 1,500 sf to be reviewed as conditional uses.



Vicinity Map



Subject Property

Comprehensive Plan:

Chapter 2, Land Use and Community Character, designates the subject property as Suburban Residential as both an Existing (Map 2.1.) and Future (Map 2.2) Land Use. The Suburban Residential designation is for areas appropriate for larger lots and fringe area development at gross densities ranging from 0.85- 1.55 dwelling units per acre. They are generally located where utilities are limited, and topography is challenging. The Suburban Residential (SR) Zoning District is the only zoning district within this designation.

Chapter 3, Community Mobility, identifies Pheasant Run Lane, Hirschi Road and Christopher Lane as Neighborhood Streets.

Zoning:

The subject property is located within the Suburban Residential (SR) Zoning District. Adjacent properties to the north, south, east, and west are also in the SR Zone. Zones and uses further out reflect the gradually developing nature of this area. Approximately 280' to the west and separated from the subject property by two single-family lots, property is zoned Multiple Family Residential (R-4) Zoning District. This area is a combination of vacant agricultural land and mobile home parks. Approximately 320' to the north is a large lot in agricultural production designated Agriculture-Forestry (AF) Zoning District. Approximately 200' to the south is the NW corner of Affinity Farm, a property in agricultural use zoned AF. Approximately 320' to the SE is a neighborhood of single-family homes in the Moderate Density, Single Family (R-2) Zoning District.

Moscow Zoning Code 4-2-4(C), states the purpose of the SR Zoning District is to “*create and protect a permanent single family residential neighborhood at a very low density.*” The district intends to allow development in areas that are difficult to develop due to physical and infrastructure constraints. Key considerations in implementing this District are:

- Restricted access and development of local streets;
- Lower residential densities;
- 10 acre minimum for nodes of SR Zoning to be located in areas that will not conflict with future higher density/intensity development; and
- Coordinating future infrastructure development.

Within the SR Zoning District, private garages and workshops exceeding 1,000 sf are listed as a conditionally permitted use, but may not exceed 1,500 square feet in size (MCC 4-3-4 Land Use Table) and are subject to the following development standards (MCC 4-4-2):

- Detached accessory structures over 200 square feet in area must meet the following relevant setbacks: rear-5'; side-17'.
- The structure may be no more than 35' in total height with a maximum 14' face wall height.

The proposed garage meets these conditional use standards.



Zoning Map

Site and Area Land Use:

The subject property is 1.05 acres in size and is located at the end of the Christopher Lane cul-de-sac. At its widest, the lot is approximately 193 feet long and 275 feet deep. The front half of the site is relatively flat but then drops approximately 30 feet to the north end of the property. The residence on the property sits at the top of the elevation change and faces south. The subject property was originally used for agrarian purposes prior to being subdivided in 2000 as part of the Christopher Crossing subdivision. The applicant is proposing to place the accessory structure near the north end of the lot, below the house. A utility easement bisects the property from east to west south of the proposed structure location.

Streets and Access:

Primary residential access to the subject property is from Christopher Lane, which heads north from the current terminus of Hirschi Drive which heads west from Orchard Avenue. The lot has approximately 112 feet of frontage within the Christopher Lane terminal cul-de-sac.

The proposed detached garage will take access from a private easement entering the north side of the property. This easement was granted in 2025 as a part of the Lot Line Adjustment Application LUP2025-001. The easement is approximately 145' in length and 10-18' wide. It comprises a portion of the residential driveway of 815 Pheasant Run Lane and gains public access on the terminal cul-de-sac of Pheasant Run Lane.

The Pheasant Run Lane cul-de-sac right-of-way is 90 feet wide with a 50-foot paved, non-curbed street with on-street parking on both sides.



Site Topography

Input from other Departments/Agencies:

A building permit will be required for construction of the new building and all minimum requirements of the Building, Plumbing, Fire, and Electrical Codes as adopted by the City of Moscow shall be satisfied. No other departments within the city had comments.

RELEVANT CRITERIA AND STANDARDS

The following statements may be used for the Relevant Criteria and Standards or changed to include or remove any statement deemed necessary or appropriate by the Board.

- 1. The proposed use (is/is not) a conditionally permitted use within the Zoning District.**
- 2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.**
- 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).**
- 4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.**

5. The proposed use (will/will not) endanger the public health or safety if located where proposed?

6. Proposed use (meets/does not meet) all applicable development standards of the Zoning Code.

7. The propose use (will/will not) be in conflict with the Comprehensive Plan.

RECOMMENDATION FOR CONDITIONAL USE PERMIT APPLICATION

The Board has the option to approve, approve with conditions, or deny the application subject to the Relevant Criteria and Standards and any public testimony provided at the public hearing. The Board may also table the decision for the application in order to request more information, including studies of social, economic, fiscal and environmental effects of the proposed Conditional Use Permit.

The Board of Adjustment may impose conditions including, but not limited to those 1) minimizing adverse impact on other development; 2) controlling the sequence and timing of development; 3) controlling the duration of development; 4) assuring that development is maintained properly; 5) designating the exact location and nature of development; 6) requiring the provision for on- or off-site public facilities or services; 7) requiring more restrictive standards than those generally required in an ordinance; and/or 8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

Staff recommends **approval** of the proposed Conditional Use Permit application for the 1,408-sf detached private garage located at 1638 Christopher Lane with no conditions.

The Board of Adjustment's actions are to conduct the public hearing and upon consideration of testimony received:

1. Approve the Conditional Use Permit application; or
2. Approve the Conditional Use Permit application with conditions; or
3. Deny the Conditional Use Permit application; or
4. Take other such action as deemed appropriate.

In accordance with the Board's decision, direct staff to prepare the Relevant Criteria and Standards document.

NOTICE OF PUBLIC HEARING

Proposal for a Conditional Use Permit at 1638 Christopher Lane.
Permit Application LUP2025-0014

A public hearing at which you may be present and speak will be conducted before the Board of Adjustment of the City of Moscow at which time the following proposal will be considered:

Conditional Use Permit application for an accessory structure between 1,001 and 1,500 square feet in size located at 1638 Christopher Lane within the Suburban Residential (SR) Zoning District per MCC 4-3-4.

HEARING DATE: Tuesday, June 17, 2025

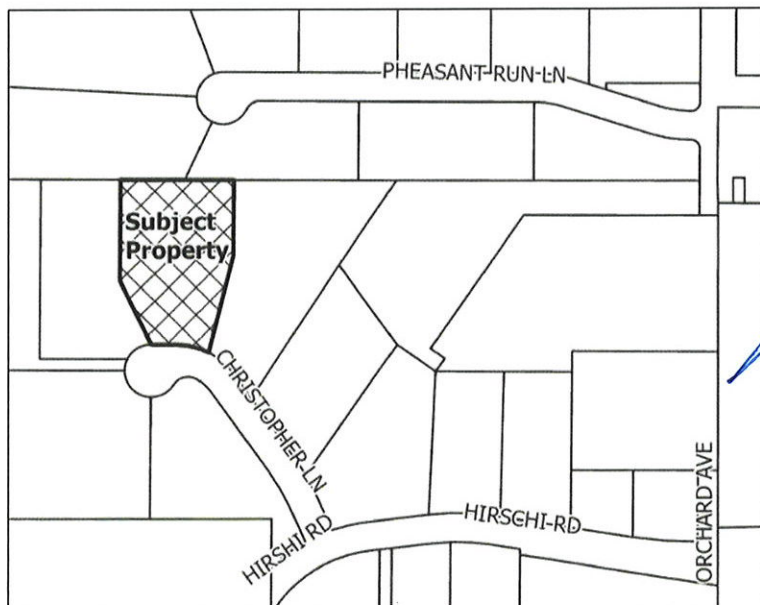
HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00pm


Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting.

The file containing information on this matter is available for public review at the Community Development Department located in the Haddock Building at 504 S Washington Street, Moscow, Idaho. Call 883-7035 for a meeting agenda or further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Public participants desiring to submit textual materials to the decision-making board shall make that submission at least five (5) calendar working days in advance of the scheduled meeting. Materials provided tardy may be admitted for consideration subject to the discretion of the decision-making Board. You may obtain further information about the public hearing process and procedures on the City's Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>



Laurie M. Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Published: Saturday, May 31, 2025



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph: 208-883-7035
504 S. Washington Street
jfleischman@ci.moscow.id.us
ahenrich@ci.moscow.id.us

For City Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
CDV	Application Fee	\$583.00	
Receipt Number			

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION

1. Applicant

Name: Edward Coulter Phone: (208) 301-2566

Address: 1638 Christopher Ln. Moscow, ID 83843 Email: ed@coulter.us

Relationship to affected property (please check one):

Owner Purchaser Lessee Other (explain below)

2. Owner of Affected Property (if other than applicant)

Name: _____ Phone: _____

Address: _____ Email: _____

3. Location of Affected Property: 1638 Christopher Ln. Moscow, ID 83843

If described by Metes and Bounds, please attach deed on a separate sheet.

Legal Description: Christopher Crossing A 11
(Subdivision) (Block) (Lot)

INFORMATION ON REQUESTED CONDITIONAL USE

4. Proposal: The applicant proposes the following use and/or construction for the above-described property:

Construction of an accessory building of up to 1500sq ft. for RV/boat storage.

The proposed activities and use shall be shown on an attached site plan drawn to a standard engineer's or architect's scale. The site plan shall show, label and dimension all property lines and easements, existing and proposed buildings, parking lot, driveway(s), fencing, and landscaping. A site topography map shall be provided when appropriate.

- 5. **Authorization:** Section 3-4 of the Moscow Zoning Ordinance authorizes the proposed use, subject to a Conditional Use Permit.
- 6. **Operating Characteristics:** Detail the operating characteristics of the proposed use. In other words, provide specific information which describes and defines how the proposed use will be conducted and what will be involved in the day-to-day operations of the proposed use. Applicable information may include hours of operation, number of people (employees, customers, students, etc.) involved, traffic and/or delivery information, services provided, equipment or machinery which may be involved, or any other information which helps describe and define the proposed use and impacts the proposed use may have.
The accessory structure will be an RV storage building. Minimal traffic. No dwelling or commercial use.

- 7. Before the Board of Adjustment may issue a Conditional Use Permit, the Board of Adjustment must first make findings of compliance with the following seven **Relevant Criteria and Standards**. Please describe in the spaces provided below how your requested Conditional Use is in compliance with each of the relevant criteria and standards.

Criteria #1. THE PROPOSED USE IS A CONDITIONALLY PERMITTED USE WITHIN THE ZONING DISTRICT.

Yes, permitted per Land Use Table in section 3-4

Criteria #2. THE CHARACTER OF THE PROPOSED USE WILL BE IN HARMONY WITH THE NEIGHBORHOOD AND SURROUNDING LAND USES.

Fits in with neighborhood character and other surrounding houses have similar accessory structures.

Criteria #3. THE PROPOSED USE AS APPROVED, OR AS APPROVED WITH CONDITIONS, WILL NOT GENERATE NUISANCES THAT WOULD BE INJURIOUS OR DETRIMENTAL TO ADJOINING PROPERTIES OR THE NEIGHBORHOOD (INCLUDING BUT NOT LIMITED TO NOISE, DUST, GLARE, VIBRATIONS, ODORS AND THE LIKE).

Structure will be designed to match the house and provide no detriments to adjoining properties.

Criteria #4. THE LOCATION, DESIGN, AND SIZE OF THE PROPOSED USE WILL BE ADEQUATELY SERVED BY EXISTING STREETS, PUBLIC FACILITIES AND SERVICES.

Yes.

Criteria #5. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY IF LOCATED WHERE PROPOSED.

Correct

Criteria #6. THE PROPOSED USE MEETS ALL APPLICABLE DEVELOPMENT STANDARDS OF THE ZONING CODE.

Yes

Criteria #7. THE PROPOSED USE WILL NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN.

Correct

CONDITIONS OF APPROVAL

The Board of Adjustment, pursuant to Moscow City Code Title 4, Chapter 8, Sec. 8-4.D., may impose conditions including, but not limited to, those (1) minimizing adverse impact on other development; (2) controlling the sequence and timing of development; (3) controlling the duration of development; (4) assuring that development is maintained properly; (5) designating the exact location and nature of development; (6) requiring the provision for onsite or offsite public facilities or services; (7) requiring more restrictive standards than those generally required in an ordinance; and/or (8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

COMPLIANCE

1. In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, the permit shall be immediately revoked and shall be automatically null and void.
2. Where plans are submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be required by the Board of Adjustment as a condition of approval.
3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be submitted to and determined by City staff to be in substantial conformance with the plans approved by the Board of Adjustment. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board of Adjustment for an additional public hearing as an amendment to the Conditional Use Permit application.

REVOCATIONS

If a Building Permit and/or Certificate of Occupancy pertaining to the Conditional Use Permit is not obtained for the subject property within one (1) year from the date of the Board of Adjustment’s final decision, the Conditional Use Permit shall be immediately revoked and shall be automatically null and void. If the use and/or occupancy for which the Conditional Use Permit is approved ceases for a period of twelve consecutive months, unless otherwise provided for in the Conditional Use Permit, then the Conditional Use Permit shall be immediately revoked and shall be automatically null and void.

Application Submittal:

This application must be completed and submitted with the below described items to the Community Development Department at least twenty-one (21) days prior to the hearing at which the application is to be considered by the Board of Adjustment. Applicant will be notified by the City Planner I as to the time, date, and place of the hearing pertaining to this application.

The following items must be submitted with this application before it will be processed:

1. Application Fee
2. Site Plan, drawn to scale
3. Floor Plans, drawn to scale
4. Elevation Drawings, drawn to scale (for new construction only)

I understand this information is a public record and may be posted to a public website. I declare and certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct and that I have legal authority to submit this Application.

Edward Coulter

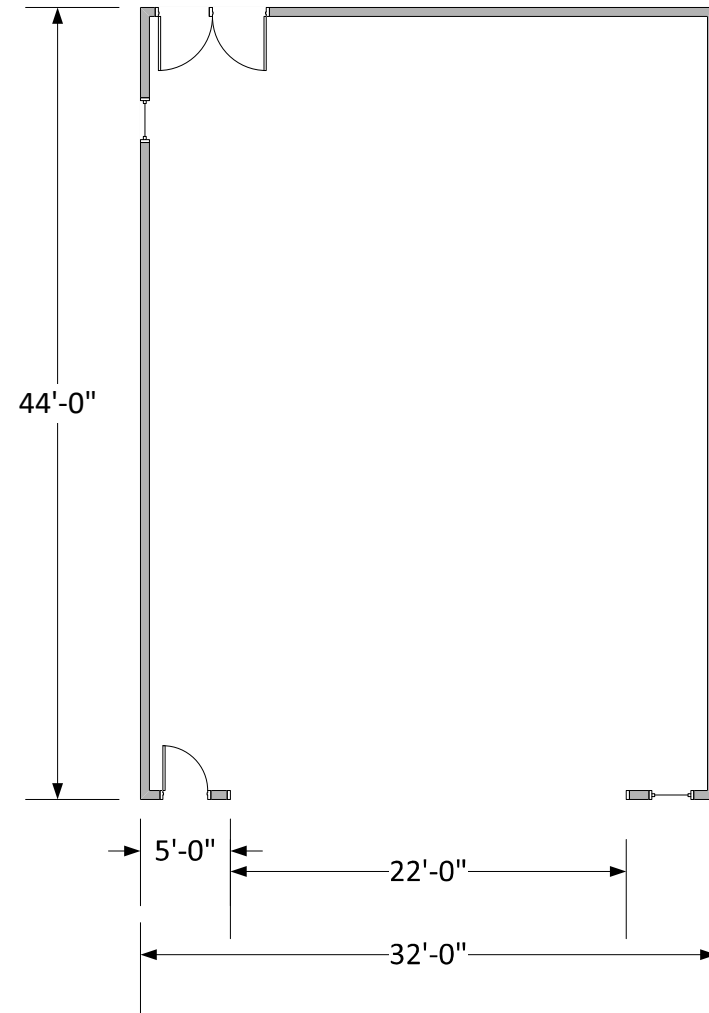
Signature of Applicant

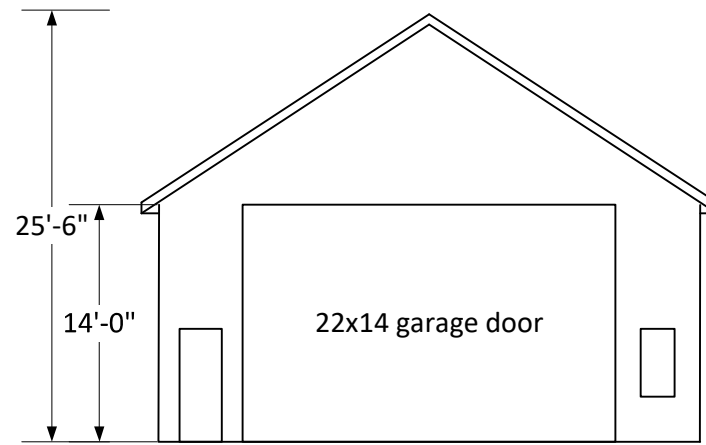
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Date

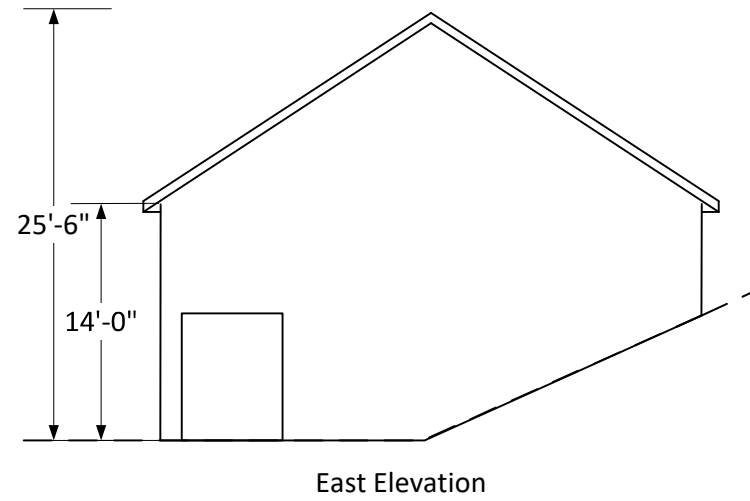
Signature of Property Owner (if different)

Date





West Elevation

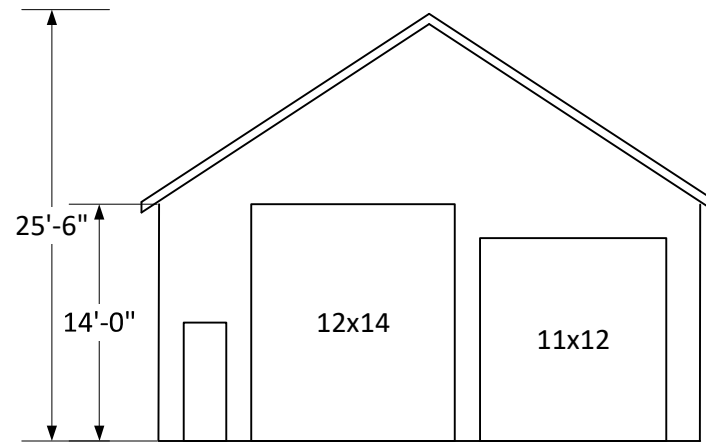




North Elevation



South Elevation



Alternate West Elevation

