

BOARD of ADJUSTMENT



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

Public Hearing
~ Minutes~

Michael Ray
Staff Liaison
208.883.7008

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

Tuesday
June 17, 2025

7:00 PM

Council Chambers
206 E Third Street

Schutz called the meeting to order at 7:00 PM

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

REGULAR AGENDA

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

Thomson moved for approval of the minutes as written, seconded by Bush. Roll Call Vote; Ayes: Bush, Schutz, Thomson (3) Nays: None. Abstentions: Comstock (1). 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. 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.

Ray presented the Conditional Use Permit (CUP) request as described above, and recommended approval with no conditions. A Conditional Use Permit would still be required even if the proposed private garage was attached to the house, because it would be considered an attached accessory structure and subject to the same regulations of maximum size. If the proposed garage was less than 1,000 sq feet, it would be permitted by right.

The Public Hearing opened at 7:08 PM

Edward Coulter (applicant), Moscow, described his request to build a large shop for additional space and parking for his RV. The Board commented that because it is at the bottom of a hill, the new shop would not block any neighboring resident's view.

The Public Hearing closed at 7:10 PM

The Board agreed that the size of the lot made the property conducive for building a large shop.

Comstock moved to approve the CUP for a 1,408-sf detached shop located at 1638 Christopher Lane and directed Staff to prepare the draft Relevant Criteria and Standards document. The motion was seconded by Thomson. Roll Call Vote; Ayes: Unanimous (4). Nays: None. Abstentions: None. Motion carried.

REPORTS

ANNOUNCEMENTS

The new Planner 1 and Staff Liaison for Board of Adjustment, Lucy Falcy, was introduced.

UPCOMING EVENTS/MEETINGS

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

The meeting adjourned at 7:14 PM



Jerry Schutz, Chair

24 June 2025

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 FOR A 1,408 S.F. PRIVATE DETACHED GARAGE LOCATED AT 1638 CHRISTOPHER LANE IN THE CITY OF MOSCOW, IDAHO WITHIN THE SUBURBAN RESIDENTIAL (SR) ZONING DISTRICT PER MCC 4-3-4.

WHEREAS, the applicant filed an application for a conditional use permit on May 12, 2025; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on June 17, 2025; and

WHEREAS, during the public hearing and having considered the matter including all testimony presented, the Moscow Zoning Board of Adjustment approved the proposed Conditional Use Permit and instructed Staff to prepare the Reasoned Statement of Relevant Criteria for the Board's review and approval; and

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

THE 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 City of Moscow Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The applicant, Edward Coulter, submitted a Conditional Use Application for the property currently addressed as 1638 Christopher Lane to build a detached, 1,408 sf garage roughly 32' wide by x 44' deep to be located 11.5' south of the northern property line.
3. The subject property was subdivided in 2000 as part of the Christopher Crossing Subdivision. It further underwent a property line adjustment with the property to the north and west under

the Lot Line Adjustment Application LUP2025-001. 1638 Christopher Lane was granted an access easement across 815 Pheasant Run Lane as part of the same application.

4. 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.
5. Primary residential access to the subject property is from Christopher Lane. 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 which gains public access on the terminal cul-de-sac of Pheasant Run Lane.
6. The City's Comprehensive Plan designates the subject property as Suburban Residential. 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.
7. Chapter 3, Community Mobility, identifies Pheasant Run Lane, Hirschi Road and Christopher Lane as Neighborhood Streets.
8. 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. A detached accessory structure between 1,001 and 1,500 square feet is a conditionally permitted use in the SR Zone.
9. The proposed dimensions and setbacks of the proposed structure meet the standards of the SR Zone.
10. The minimum lot size for the SR Zone is one acre in size and the minimum lot width is 100 feet. 1638 Christopher Lane meets these standards.
11. The proposed structure is to have an exterior finish that matches the primary residential dwelling.
12. The proposed garage is slated to be used for RV storage.

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 a conditionally permitted use within the Zoning District:** Garages and workshops up to 1,500 sf in size are conditional uses within Suburban Residential (SR) Zone. The Board determines that the application before the Board of Adjustment is for a detached, 1,408 sf garage which is a conditionally permitted use within the SR Zone.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The Board finds that architectural character and scale of the proposed structure will be in harmony with the area and consistent with the surrounding uses. The proposed garage will not cause nuisances nor detract from adjacent properties. The size of the proposed structure will be in scale with the property's large, 1.05-acre, size. The exterior of the proposed structure will be finished to match the primary residence on the property.
3. **The proposed use, as approved with conditions, 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 Board finds that the proposed use as a RV storage facility is not anticipated to generate nuisances detrimental to the neighborhood.
4. **The location, design, and size of the proposed use is adequately served by existing streets, public facilities and services:** Specific consideration has been given to traffic, parking, safety and nuisance issues. Based on the assessment of the potential impacts, the Board finds that the proposed use is adequately served by existing streets, public and private parking, and infrastructure.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The Board finds that the proposed use will not endanger the public health or safety.
6. **Proposed use meets all applicable development standards of the Zoning Code:** The Board finds that proposed use meets all applicable development standards for the City Code, including setbacks, building height, and size limitations. The proposed use is a conditionally permitted use within the Suburban Residential Zone.
7. **The proposed use will not be in conflict with the Comprehensive Plan:** The Board finds that the proposed use is consistent with the Comprehensive Plan as it relates to Chapter 2, Land Use and Community Character, designating the subject property as Suburban Residential.

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 1,408 sf private detached garage located at 1638 Christopher Lane with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE 24th DAY
OF June, 2025.



Jerry Schutz, Chair
Board of Adjustment

* In accordance with Moscow City Code Section 4-6-5, any applicant, City representative or affected person, may appeal a final decision of the Board of Adjustment or of the Planning and Zoning Commission to the Council within ten (10) calendar days following a final decision of such Board or Commission regarding an interpretation of or administration of the Zoning Code by the Zoning Administrator, which includes: a variance application, conditional use permit, or PUD, by filing written notice of appeal specifying the grounds therefor with the City Clerk, or their designee. Grounds upon which an appeal to the City Council may be made following a final decision of the Board of Adjustment or of the Planning and Zoning Commission includes the following:

1. Decision violates statutory or constitutional provisions;
2. Decision exceeds statutory authority;
3. Decision was made upon unlawful procedure;
4. Decision was unsupported by substantial evidence in the records or as a whole; or
5. Decision was arbitrary, capricious, or an abuse of discretion.