

BOARD of ADJUSTMENT



Jerry Schutz
Board Chair
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Public Hearing
~ Minutes~

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

Monday
February 9, 2026

7:00 PM

Council Chambers
206 E Third Street

Thomson called the meeting to order at 6:59 PM

MEMBERS PRESENT: Tim Thomson, Vice Chair; Steve Bush, Marshall Comstock, Ivy Dickinson, Laura Weldon
MEMBERS ABSENT: Tim Kinkeade, Jerry Schutz
STAFF: Lucy Falcy, Jennifer Fleischman

REGULAR AGENDA

1. Approval of Minutes from January 20, 2026 (ACTION ITEM)

Bush moved for approval of the minutes as written, seconded by Dickinson. Vote by Acclamation; Ayes: Bush, Dickinson, Thomson, Weldon (4) 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 offered.

3. Public Hearing: Proposal for a Conditional Use Permit at 1882 Sunnyside Avenue. Permit Application LUP2025-0037 (ACTION ITEM)

Conditional Use Permit application for a Type II Accessory Home Occupation to conduct a Personal Care Service (hair salon) located at 1882 Sunnyside Ave within the Low-Density Single-Family Residential (R-1) Zoning District, per Moscow City Code 4-3-4.

Weldon declared a conflict of interest and abstained from discussion and vote for Agenda Item No.3.

Falcy presented the Conditional Use Permit (CUP) request as described above and recommended approval with no conditions. The Board did not have any questions for Staff.

The Public Hearing opened at 7:07 PM

Badriah Storey (applicant), Moscow, thanked the Board for considering her application and approved of the presentation that Staff provided.

Barbara Wells, Moscow, spoke in support of the proposed project, stating that the applicant is well respected in the community.

Alayna Weldon, Moscow, was in favor of the project and did not think it would be a nuisance to the neighborhood. Commented on how the applicant takes pride in her work.

The Public Hearing closed at 7:10 PM

The Board talked about how the proposed project would have minimal impact on the neighborhood and no neighbors spoke against it. There would not be any parking concerns with the extensive driveway.

Comstock moved to approve the CUP at 1882 Sunnyside Ave with no conditions and directed Staff to prepare the draft Relevant Criteria and Standards document. The motion was seconded by Bush. Roll Call Vote; Ayes: Bush, Comstock, Dickinson, Thomson (4). Nays: None. Abstentions: Weldon (1). Motion carried.

REPORTS

ANNOUNCEMENTS


UPCOMING EVENTS/MEETINGS

The next Board of Adjustment meeting is scheduled for 5:30 PM on February 17, 2026.

Another application has been submitted and will be scheduled.

The meeting adjourned at 7:13 PM


Jerry Schutz, 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 FOR A TYPE II HOME OCCUPATION TO CONDUCT A PERSONAL CARE SERVICE (HAIR SALON) WITHIN THE LOW-DENSITY SINGLE FAMILY RESIDENTIAL (R-1) ZONING DISTRICT PER MOSCOW CITY CODE 4-3-4.

WHEREAS, the applicant filed an application for a Conditional Use Permit on December 30, 2025; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on February 9, 2026; and

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

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

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 to the City of Moscow Zoning Code, 2019 Comprehensive Plan, and Moscow City Code.
2. The applicant, Badriah Storey Ytreberg, is applying for a Conditional Use Permit (CUP) for a Type II Accessory Home Occupation located at 1882 Sunnyside Avenue. The applicant is proposing to operate a hair salon business out of her home, with no additional employees. The personal care facility hours of operation will be Monday through Thursday from 9AM to 4PM and expect 3-6 clients per day. The proposed personal care facility will operate out of an existing bedroom located at the front of the house and be approximately 143 square feet in size.
3. Chapter 2, Land Use and Community Character, Future Land Use, designates the subject property as Auto-Urban Residential.

4. Chapter 3, Community Mobility, identifies Sunnyside Avenue as a local residential street.
5. A goal of chapter 6, Economic Development, is to, “Enhance and strengthen the regional economy utilizing the strengths and assets of the region.”
6. The subject property is approximately 13,441 square feet in size and hosts a single-story single-family home with three bedrooms. The surrounding properties to the north, west, and south are single-family residential. To the east there is a steep undeveloped parcel.
7. Access to the subject property is via Sunnyside Avenue. The lot has approximately 100 feet of frontage along Sunnyside Avenue with one (1) approved approach. The site has a conventional driveway plus an additional gravel parking pad within the northern side yard. There is a total of approximately six (6) off-street parking spaces available. The existing house plus the proposed business would require a total of three (3) parking spaces.
8. The subject property, as well as property to the north, west, and south is located within the Low-Density Single-Family (R-1) Zoning District.
9. MCC 4-3-4 lists Type II Accessory Home Occupation as a conditionally permitted use within the R-1 zone.
10. MCC 4-3-5-B-2-b describes a Type II Accessory Home Occupation as “a non-residential use conducted by the inhabitants of the dwelling with up to one (1) additional on-site employee, and/or with on-site customer service provided upon the subject property, and where the conduct of the use does not change the character or nature of the dwelling or surrounding area” As the proposed use (hair salon) will include on-site customer service, it is considered a Type 2 Accessory Home Occupation.
11. MCC 4-3-5-B-4 outlines Accessory Home Occupation Performance Standards. The proposed use meets all the required standards.
12. No comments were received from other agencies or City departments.
13. Two public comments in support of the application were provided during the public hearing.

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.

Type II Accessory Home Occupations are a conditionally permitted use within the R-1 Zone.

2. The character of the proposed use will be in harmony with the neighborhood and surrounding land uses.

The proposed use will be in harmony with the neighborhood and surrounding land uses and will meet all of the Accessory Home Occupation Performance Standards. There is ample

parking, no more than one client will be at the site at a time, the hours are limited, and no modifications, including signage, are proposed for the exterior of the existing home.

3. The proposed use as approved, or 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 proposed use will not generate nuisances that would be injurious to the neighborhood or adjoining properties. The business is to be conducted wholly inside the existing dwelling and within normal business hours.

4. The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services.

The existing use of the site is adequately served by existing street, public facilities, and services. The additional burden anticipated by the proposed salon is nominal. No additional utilities or services are requested or required.

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

The proposed salon will not endanger public health or safety.

6. Proposed use meets all applicable development standards of the Zoning Code.

The proposed salon meets all applicable development standards of the Zoning Code, including the additional provisions of the Accessory Home Occupation Performance Standards. A note will be put in the file of the plumbing permit for the proposed sink requiring that the sink be removed upon termination of the space as a salon.

7. The proposed use will not be in conflict with the Comprehensive Plan.

The proposed use will not be in conflict with the Comprehensive Plan. Accessory Home Occupations in residential area are an avenue in which the City works towards the goals of Chapter 6 to “enhance and strengthen the regional economy utilizing the strengths and assets of the region.”

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 the operation of a Type II Home Occupation (hair salon) at 1882 Sunnyside Avenue with no conditions.

PASSED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THIS 17th
DAY OF FEBRUARY, 2026.



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.