

Cynda Herrick, AICP, CFM VALLEY COUNTY **IDAHO**

Planning & Zoning Administrator Floodplain Coordinator

PO Box 1350 219 North Main Street Cascade, Idaho 83611

Phone: 208.382.7115 Fax: 208.382.7119

Email: cherrick@co.valley.id.us Web: www.co.valley.id.us

STAFF REPORT

Variance Application V-3-20 RMC Flagpole Variance

MEETING DATE:

November 12, 2020

TO:

Planning and Zoning Commission

STAFF:

Cynda Herrick, AICP, CFM

APPLICANT/OWNER: Dusty Bitton

Rocky Mountain Crane

P.O. Box 2888 McCall, ID 83638

LOCATION/SIZE:

14032 Highway 55

Karsyn Business Park Lot 1

NENE Section 33, T.18N, R.3E, Boise Meridian, Valley County, Idaho.

3.58-acre lot

REQUEST:

Setback and Height Variance

EXISTING LAND USE: C.U.P. 18-06 and C.U.P. 20-14

Rocky Mountain Crane is requesting a variance in order to erect a 95' high flag pole within 50' of State Highway 55. The variance request will be for the following:

Setback Variance - Valley County requires a 100-foot setback from the property line along State Highway 55. The applicant is requesting a variance to allow a 50-foot setback.

Height Variance - Building heights are 35' for commercial uses and 45' for industrial uses. The applicant is requesting a variance to allow a 95-foot high flagpole

The 3.58-acre parcel is addressed at 14032 Highway 55. The site recently received approval of CUP 20-14 RMC / Pinetop Office.

FINDINGS:

1. The application was submitted on September 16, 2020.

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- 2. Legal notice was posted in the *Star News* on October 22 and October 29, 2020. Potentially affected agencies were notified on October 13, 2020. Neighbors within 300 feet of the property line were notified by fact sheet sent October 14, 2020. The site was posted on October 22, 2020. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on October 13, 2020
- 3. Agency comment received: None
- 4. Valley County Code:

9-5H-10: VARIANCES:

A. Conditions: Pursuant to Idaho Code section 67-6516, the commission shall be empowered to grant variances relaxing or modifying the requirements of this title with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this title affecting the size or shape of a structure upon lots, and other land use requirements of this title. In the case of a PUD involving variations from the requirements of this title, it shall not be necessary for the applicant to file a separate application for such variances. Variances may also be heard simultaneously with conditional use permit applications.

B. Application:

- 1. A variance may be granted to an applicant only upon a showing of undue hardship as a result of characteristics of the site.
- 2. A written application for a variance shall be submitted to the administrator or staff containing:
 - a. Description of the nature of the variance requested. (Ord. 10-06, 8-23-2010)
 - b. A narrative statement and graphic material demonstrating:
 - (1) That special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
 - (2) That granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.
 - c. A site plan showing the location of the variance and the special characteristics of the site.
 - d. A list of adjoining property owners within three hundred feet (300') of the site.
 - e. The fee set by resolution of the board shall accompany the application for a variance. (Ord. 10-06, 8-23-2010; amd. Ord. 11-5, 6-6-2011)
- C. Procedure: An application for a variance shall be reviewed by the administrator or staff and the commission in accordance with section <u>9-5H-11</u> of this article. The administrator shall post notice

of the public hearing to the applicant, adjoining property owners, on site, and the public in accordance with subsection 9-5H-6B of this article.

D. Granting Of Variance:

- A variance may be granted if the commission makes specific findings of fact based directly on the particular evidence in the application which supports the conclusion that the above conditions have been met by the applicant.
- 2. Within ten (10) days after a decision has been rendered, the administrator or staff shall provide the applicant with written notice of the action by regular mail if so requested by the applicant.
- 3. The commission's decision shall be a recommendation to the board.
- 4. The clerk, upon receipt of a recommendation from the commission, shall set the item on the agenda of the board at the earliest possible regular meeting of the board.
- 5. The board shall consider and act upon the commission's recommendations by following the procedures outlined in section <u>9-5H-11</u> of this article. However, if the commission's recommendation is unanimous and there is no opposition to approval of the variance, then the board need not hold a public hearing, but may make a decision as a regular agenda item. Only the applicant must be notified as to the time on the agenda of the public meeting.
- A permit for the variance may be issued by the administrator or staff only after approval by the board.
- 7. The variance approval is valid for five (5) years, unless a more specific date is specified. (Ord. 10-06, 8-23-2010)

STAFF COMMENTS:

- What is the size of the flag?
- Will the flag be lit? Please describe any lighting.
- Does the 95' of height affect the McCall Airport?

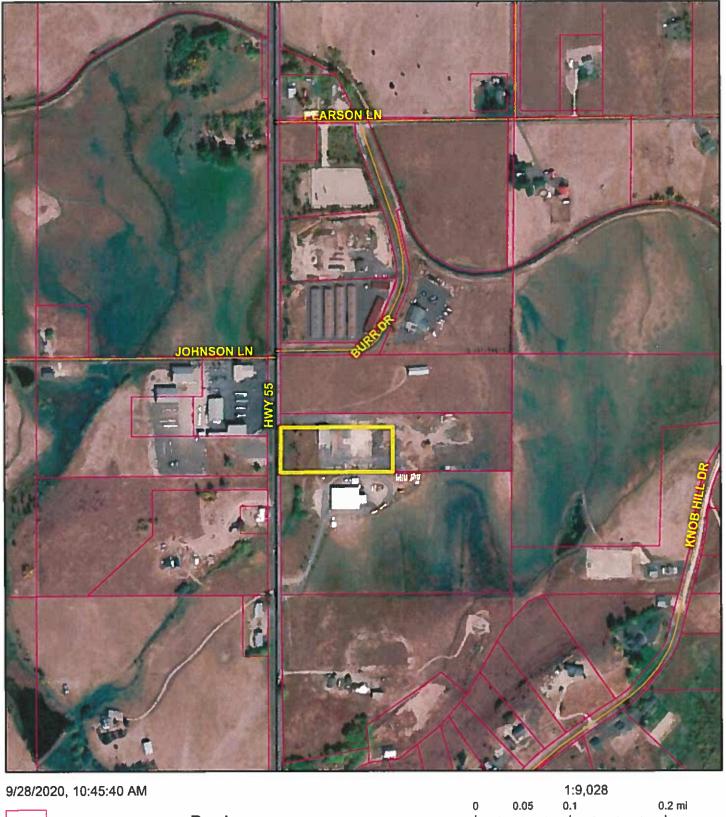
ATTACHMENTS:

- Vicinity Map
- Site Plan
- Karsyn Business Park, Book 13, Page 48
- Responses

END OF STAFF REPORT

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V-3-20 at 14032 Highway 55





Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



PHONE: (208) 634-6896 WWW.DUNNEANDSURVEYS.COM dunn 25 CONDITE TRAIL CASCADE, ID \$3611 Page 48 SHEET I OF 2 \$28.0 \$27 round BRUSS CAP \$5 N CONCRETE \$33 \$ \$34 CPLF NST. NO.238231 1/4 ST W CONCRETE
ST W CONCRETE
ST39 S34 CP&F NST. NO.234232 PONT OF BECHANG FOUND 1/2" AEBAR "T. AEBR" LS. 996 PESET FOLMO 1/7" REBAN 7. KENN" LS 198 RESET 14217 200.48,18,M 1888 52. EDSTRIC 140 FT.
MAN TOUNCE AND
REPAR LASTMONT.
SEE R.O.S.
MST. NO. 194296 ■ SET 3/8" X 24" BYON PHI WITH PLASTIC CAP LST4217 CALCLEATED POINT NO MONEMENT SET OF FOUND TOUND BRASS CAP RICHT-OF-WAY MONIMENT EASEMENT FOR EXISTING DRAWFELD: AT SUCH THE SAID DRAWFELD FALS IT SHALL BE RELOCATED WITHW 107 I. A COMPLUNCE WITH THE DISCLOSINE RECOMPLIENTS OF JUMPO CODE 11-JUDGES, MINGENTON WATER HAS NOT BEEN MOVINGO FOR BY THE DWIPS, MAY THE LOTS SHOWN OF THE PLAT SHALL BE SUBJECT TO ASSESSMENTS BY LANT RINGHALD DISTINCT. UTLITY AND DRAMLICE CASTAINTS SULL BE 10 FEET WCE ON THE WIENDS SOE OF ALL LOT LINES. EASTACHT FOR EXSTRIC BUILDING FOOTPRINT: AT SUCH THE SAD BUILDING IS REVOKED OR DESTROYED FUTLING CONSTRUCTION SHALL MET VALLET COUNTY BUILDING STRACKS. A THENE BULL BE NO FURTHER BUSSON OF ANY LOT SKOW ON THIS PLAT. THE SUBDINISOR IS SUBLECT TO THE PROTECURE CONDUMING FOR KARSTM BUSINESS PARK RECORDED AS WISTRANDIN NO. ZOWING DIRECTIONS AT THE TIME OF SSLANCE OF ANY BUILDING PERMET. 2. ALL LOTS IN THIS SUBDIVISION ARE APPROVED FOR LIGHT MOUSTRALL O FIXIND S/8" REBAR AS NOTED S POST FOLMO SECTION MONIMENT SUBDIVISION BOUNDARY BOXT-OF-BAY UNC HICHTRAY CONTERENC ---- EASTMONT LINE LOT 2 684 93 PARK N.E. 1/4 OF THE N.E. 1/4, SECTION 33, T.18N., R.3E., B.M., VALLEY COUNTY, IDAHO, LEGEND A SUBDIVISION LOCATED IN THE KARSYN BUSINESS NOTES A COCO 20METS: 20ME X AND SHOWN TO SHOWN TOO 20MES AND SHOWN TO COUNCE BY FEAL & ALL LAND WHINN A FLOCATION OF RECORDING TO THE BY ALL LAND WHINN A FLOCATION OF RECORDING TO THE SHOWN TO THE BY AND THE ETTERNE BARTS). PRELAMARY 8/26/7018 \$29.56.14"W 1296.90" N8935'42'E 1294.10' \$6951'49"W 1291.25" FLOOD PLAIN NOTE TELLA FIRM PANEL(S): 1608SC1002C SABATAY RESTRUCTORS AS REQUEND BY DANG CODE, TITLE AS CHANTER IS HAND BEEN SATISFIED TO BE CONTINUED WITH SECURIOUS WITH SECURIOR SAFER RESERVED BY A CESTIFICATE OF SECURIOR SECURIOR SECURIOR SAFER SECURIOR SEC Gen Min 2545 4/5/33 \$8836 W 165888 2 NO ADDITIONAL DOMESTIC WATER SUPPLIES SMALL BE INSTALLED BETOND THE WATER SYSTEM APPROVED IN SAMETARY RESTRICTION RELEASE. CENTRAL DISTRICT HEALTH NOTES LOTS SAULL NOT BE REDUCTO IN SIZE WINGLIT PROOF APPROVAL FROM THE MEALTH AUTHORITY. A REPRENCE IS MADE TO PUBLIC MEALTH LETTER ON THE REGARDING ADDITIONAL RESTRICTIONS. ACCESS & UTILITY EASTHENT 1.079 ACRES 42157 BEAINNES SHOWN HEIDEN ANE 'DROS', DAVIO STATE PAUR (MEST DRAS) STANDEST PRIDA A PROSE NETTRENED DO MAD 83 (2011) PROSE STORT TO MEST BEANNES SHOWN HERDEN TO TRUET, ADD (4) ADDIVIT'S AT THE MOTHER ST CARNED OF SECTION 33. LOT I BASIS OF BEARING 6/22/17 FOUND 1/2" REBAN EXSTING ACKESS EASTMONT NO CAD 0.72" SEE MIST. NO. 218948 HORIZONTAL SCALE IN FEET 17 SET MORES 7 & 8 -COUNT 1/2" REBAR NO CAP O 71" SOUTH OF SECTION LINE FOLMO 1/2" REBAR "T. KERY" LS. 898 REST! 8 VE 30' THIS GILD OF TILLS WISETFOOD Þ 58954747 7 1361.92 FOUND BRASS C ROW MONEMENT STA 215+64.5 D.25' MEST OF P DIE LINE (DAMEADARE) (DAMEADARE) 533 September 500 September 50

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(Con	CENTRAL DISTRICT Division of Community and Environmental Health One # V-3-20 Flag pule Variance ditional Use #	Return to: Cascade Donnelly McCall McCall Impact Valley County	
X	_1.	We have No Objections to this Proposal.		
	2.	We recommend Denial of this Proposal.		
	3.	. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.		
	4.	We will require more data concerning soil conditions on this Proposal before we can comment.		
	5.	Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of: high seasonal ground water waste flow characteristics other other		
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.		
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.		
	8.	After written approvals from appropriate entities are submitted, we can approve this proposal for central sewage community sewage system community interim sewage central water individual sewage individual water		
	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environme central sewage community sewage system community sewage dry lines central water	•	
	10.	Run-off is not to create a mosquito breeding problem		
	11.	This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.		
	12.	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.		
	13.	We will require plans be submitted for a plan review for any: food establishment swimming pools or spas child care grocery store	e center	

Date: 10/13/20

Reviewed By:

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