



Cynda Herrick, AICP, CFM
VALLEY COUNTY
IDAHO

PO Box 1350
219 North Main Street
Cascade, Idaho 83611

Planning & Zoning Administrator
Floodplain Coordinator

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.

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 9-5H-11 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:

1. 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 9-5H-11 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.
 6. 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:

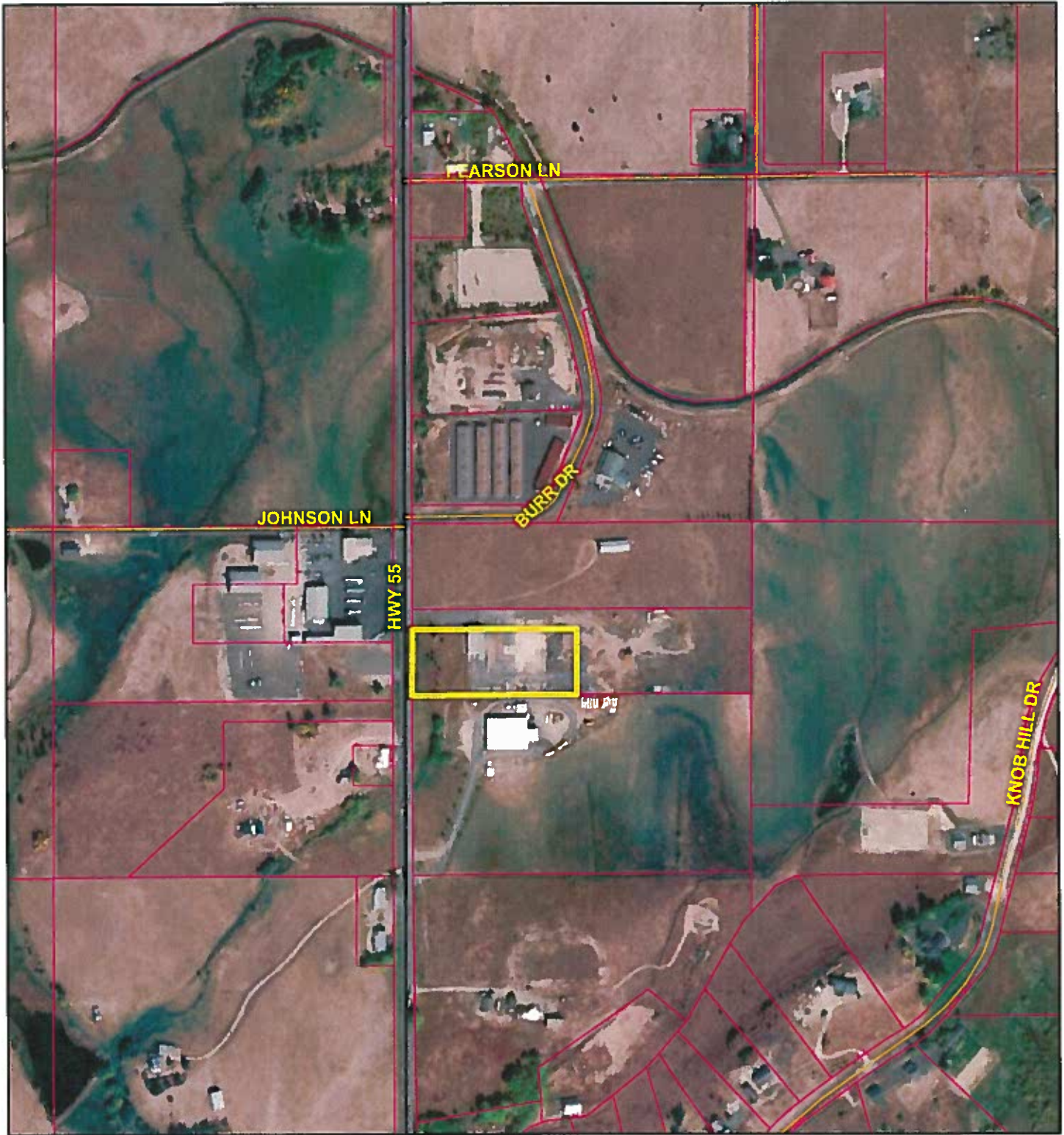
- What is the size of the flag?
- Will the flag be lit? Please describe any lighting.
- Does the 95' of height affect the McCall Airport?

ATTACHMENTS:

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

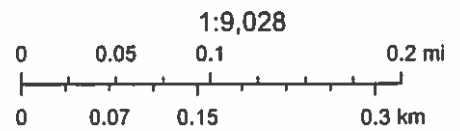
END OF STAFF REPORT

V-3-20 at 14032 Highway 55



9/28/2020, 10:45:40 AM

- Parcel Boundaries
- Roads
- All Road Labels
- MAJOR
- URBAN/RURAL



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



Highway 55



Highway 55

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Source: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS

User Community



Valley County Transmittal
Division of Community and Environmental Health

- Return to:
- Cascade
 - Donnelly
 - McCall
 - McCall Impact
 - Valley County

Rezone # V-3-20 Flagpole VARIANCE
 Conditional Use # _____
 Preliminary / Final / Short Plat _____
Sec 33
14032 Highway 55

- 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
 - bedrock from original grade
 - 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 water well
 - interim sewage
 - central water
 - individual sewage
 - individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - community sewage system
 - community water
 - 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 center
 - beverage establishment
 - grocery store
- 14. _____

Reviewed By: [Signature]
 Date: 10/13/20