



REQUEST FOR RAVALLI COUNTY COMMISSION ACTION

OG-13-02-30

Commission Meeting: Thursday, March 15th, 2018, 9:00 AM
Request: Approval of Variance for non-conforming parcel to be relocated, but still non-conforming in Alvista- Bowman Zoning District.

I. Action Requested

This is a request approve a variance in the Alvista-Bowman Zoning District.

II. Background

On February 5th, 2018, the Planning Department received a request for a relocation of boundary Subdivision Exemption Application. Upon review, it was determined that the parcels to be relocated were located within the Alvista-Bowman Road Zoning District as per Permanent File 7560.

The applicants, Daniel & Linda Turner, have a 5 acre parcel and would like to increase the acreage to 6.5 acres. The adjoining parcel, owned by Ronald, Edna & Roberta Gearhart, is currently approximately 74 acres and would be reduced to approximately 72 acres.

The Alvista- Bowman Road zoning district states that ***“Except for non-conforming land parcels existing at the time of adoption of these regulations, no land parcel shall have an area less than ten (10) acres.”***

While the proposed new parcel for the Turners would be less non-conforming, it still would not meet the zoning requirement of 10 acres.

The zoning has a variance procedure as follows:

Any person seeking a variance from the provisions of this zoning district must submit a request to the BOARD OF COUNTY COMMISSIONERS describing the variance being sought in detail and the property affected by the variance. The request must be accompanied by a payment to cover the mailing of a certified letter to all the property owners in the district informing them of the request in addition to a standard fee of \$100 to cover the staff time needed to identify the property owners and process the mailing. This letter will describe the variance request and invite written comment during a specific time period and notify the owners of a scheduled hearing to take comment on the request.

The BOARD OF COUNTY COMMISSIONERS will consider the variance request in relation to the comments received by the property owners in the district and the intent of the resolution which created the district and will grant the variance request only if it will not violate said intent and must be supported by a 60% majority of the property owners in the district.

There are 108 parcels within the zoning district with Certified letters sent to the 70 different owner(s) of the properties. Planning has received 2 comments by phone. Mr. Robert Muller has indicated his support for the variance. Mr. Chris Hockman has also indicated his support for the variance but was interested to see if 60% of landowners would sign for support.

III. Planning Department Recommendation

- The planning department recommends that the BCC APPROVE the variance within the Alvista-Bowman Road Zoning District with a condition that at least 60% of the owner sign for their support.

Staff: Terry Nelson
Date: March 9th, 2018
Cc: File, OG file