



TO: BOARD OF ADA COUNTY COMMISSIONERS

HEARING DATE: September 14, 2016

STAFF: Diana Sanders, Associated Planner

PROJECT NO.: 201600928 AC-V

APPLICANT: Action Steel Builders, INC

INTRODUCTION

An accessory use for an existing 1,680 sq. ft. accessory structure that connected two approved accessory structures together and a variance for relief from the development standards for the accessory structure. The property is located at 3622 N. Fry Homestead Lane, T.5N, R.1W, Section 35.

EXECUTIVE SUMMARY

The variance will allow for relief from development standards for the accessory structure. Specifically, the standard that requires accessory structures in the front yard shall not exceed fifty percent (50%) of the square footage of the footprint of the principal permitted dwelling or one thousand five hundred (1,500) square feet, whichever is less.

RECOMMENDATION

Based upon Staff's review of the application, staff concludes that this application complies with the Ada County Code and recommends approval to the Board/Commission as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

The Commission should consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application.

EXHIBIT LIST – PROJECT NO.: 201301351 ZOA

1. Master Application and checklists (5 pages)
2. Applicant's Letter of Intent (2 pages)
3. Site Plan (1 page)
4. Pictures of residence and structure (4 pages)

5. Preapp notes (4 pages)
6. Vicinity map (1 page)
7. Comment from Ada County Building Official received July 11, 2016 (1 page)
8. Comment from Eagle Fire Department received July 12, 2016 (1 page)



MASTER APPLICATION/PETITION REQUEST

ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, Idaho 83702 www.adaweb.net phone: (208) 287-7900 fax: (208) 287-7909

TYPE OF ADMINISTRATIVE APPLICATION:

- ACCESSORY USE*
- FARM DEVELOPMENT RIGHT
- FLOODPLAIN PERMIT
- HILLSIDE DEVELOPMENT*
- HIDDEN SPRINGS ADMINISTRATIVE
- HIDDEN SPRINGS SPECIAL EVENT
- LIGHTING PLAN
- LANDSCAPE PLAN
- DRAINAGE PLAN
- MASTER SITE PLAN*
- EXPANSION NONCONFORMING USE
- ONE TIME DIVISION
- PRIVATE ROAD
- PROPERTY BOUNDARY ADJUSTMENT
- PLANNED UNIT DEVELOPMENT (PUD)
- SIGN PLAN
- TEMPORARY USE*

TYPE OF HEARING LEVEL APPLICATION:

- CONDITIONAL USE
- DEVELOPMENT AGREEMENT
- SUBDIVISION, PRELIMINARY*
- PLANNED COMMUNITIES*
- SUBDIVISION, SKETCH PLAT*
- VACATION
- VARIANCE
- ZONING MAP AMENDMENT
- ZONING TEXT AMENDMENT

TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

TYPE OF ADDENDA:

- APPEAL
- ADMINISTRATIVE MODIFICATION
- DEVELOPMENT AGREEMENT MODIFICATION
- FINAL PLAT
- TIME EXTENSION

REQUIRED SUBMITTALS:

- CHECKLIST for applicable application(s). If multiple applications, do not duplicate submittals.
- *SUPPLEMENTAL WORKSHEET REQUIRED

SITE INFORMATION:

Section: 35 Township: 5N Range: 1W Total Acres: 10
 Subdivision Name: 5N 1W 35 Lot: _____ Block: _____
 Site Address: 3622 N Fry Homestead LN City: Boise
 Tax Parcel Number(s): 50335417500
 Existing Zoning: RVT Proposed Zoning: _____ Area of City Impact: _____ Overlay
 District(s) _____

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OFFICE USE ONLY

Project #: <u>201600928-AC-V</u>	Planning Fees/GIS:	Engineering Fees:
Received By: _____ Date: _____ Stamped <input type="checkbox"/>	<u>280.00 AC</u>	<u>+</u>

Olson
 VERSION 2013-09

-1- 550.00 V
\$830.00

EXHIBIT 1
 201600928 AC-V
 ACTION STEEL BUILDERS

APPLICANT/AGENT: (Please print)	ADDITIONAL CONTACT if applicable: (Please Print)
Name: <u>ACTION STEEL BUILDERS, INC</u>	Name: _____
Address: <u>P.O. BOX 2604</u>	Address: _____
City: <u>EAGLE</u> State: <u>ID</u> Zip: <u>83616</u>	City: _____ State: _____ Zip: _____
Telephone: <u>322-1333</u> Fax: _____	Telephone: _____ Fax: _____
Email: <u>actionsteel@earthlink.net</u>	Email: _____
I certify this information is correct to the best of my knowledge.	ENGINEER/SURVEYOR if applicable: (Please Print)
_____	Name: _____
_____	Address: _____
_____	City: _____ State: _____ Zip: _____
_____	Telephone: _____ Fax: _____
_____	Email: _____
<u>Action Steel Builders, Inc</u> <u>10-14-2016</u>	
Signature: (Applicant) _____ Date _____	

OWNER (S) OF RECORD: (Please Print)	OWNER (S) OF RECORD: (Please Print)
Name: <u>JASON FRY</u>	Name: <u>RENEE NEW</u>
Address: <u>3622 N FRY HOMESTEAD LN</u>	Address: <u>3622 N FRY HOMESTEAD LN</u>
City: <u>EAGLE</u> State: <u>ID</u> Zip: <u>83616</u>	City: <u>EAGLE</u> State: <u>ID</u> Zip: <u>83616</u>
Telephone: <u>(208) 890-1493</u>	Telephone: <u>(208) 869-7280</u>
Fax: _____	Fax: _____
Email: _____	Email: _____
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.	I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.
<u>[Signature]</u> <u>6/14/2016</u>	<u>[Signature]</u> <u>6/14/2016</u>
Signature: All Owner (s) of Record _____ Date _____	Signature: All Owner (s) of Record _____ Date _____

ALL OWNER(S) OF RECORD (ON THE CURRENT DEED) MUST SIGN (Additional Sheets are Available Online)

If the property owner(s) are a business entity, please include business entity documents, including those that indicate the person(s) who are eligible to sign documents.



ADA COUNTY DEVELOPMENT SERVICES



200 W. Front Street, Boise, ID 83702. adacounty.id.gov phone: (208)287-7900 fax: (208)287-7909

ACCESSORY USE CHECKLIST (ACC 8-5A)

An Accessory Use request is a staff level application.

GENERAL INFORMATION:

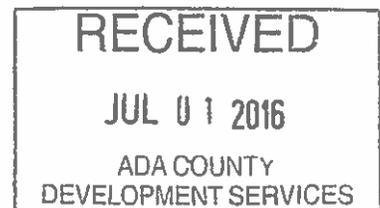
Check all boxes that apply

Applicant	DESCRIPTION	Staff
✓	One paper copy and one electronic copy of all required submittals. (if applicable)	
✓	Completed and signed Master Application	
	Completed Supplemental Information	
✓	DEED or evidence of proprietary interest.	
✓	SITE PLAN showing all existing and proposed easements, property lines, setbacks, and proposed and existing structures (including sq. ft.) drawn to scale on 8 1/2" X 11" paper.	
✓	DETAILED LETTER by the applicant fully describing the request or project and addressing specific uses in ACC 8-5 and the following:	
	Proposed Use(s). <i>Personal storage</i>	
	Total square feet of proposed use: <i>1680</i>	
	Outdoor speaker system? YES () NO (x)	
	Outdoor storage? YES () NO (x)	
	Check appropriate accessory use:	
✓	ACCESSORY STRUCTURE >1,500 SQ. FT. (ACC 8-5-3-1)	
<i>N/A</i>	DISTRIBUTED POWER FACILITY, WIND ROOFTOP (ACC 8-5-3-83)	
	DWELLING, CARETAKER (ACC 8-5-3-39)	
	DWELLING, ADDITIONAL FARM (ACC 8-5-3-38)	
	DWELLING, SECONDARY ATTACHED OR DETACHED (ACC 8-5-3-40)	
	GROUP DAYCARE FACILITY (ACC 8-5-3-33)	
	HOME OCCUPATION (ACC 8-5-3-54)	
	KENNEL, HOBBY (ACC 8-5-3-59)	
	PIT, MINE, OR QUARRY (ACC 8-5-3-81, 8-4L-4I, 8-5B, 8-7-2 A5)	
	PORTABLE CLASSROOM (ACC 8-5-3-82)	
	PRODUCE STANDS, ROADSIDE & AGRICULTURAL (ACC 8-5-3-98)	
	SIGN, ADMINISTRATIVE APPROVAL	
	TOWER OR ANTENNA STRUCTURE, PRIVATE (ACC 8-5-3-115)	
APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net		

Supplementary information at the discretion of the Director or County Engineer may be required to sufficiently detail the proposed development within any special development area, including but not limited to hillside, planned unit development, floodplain, southwest, WUFI, Boise River Greenway, airport influence, and/or hazardous or unique areas of development.

Application will not be accepted unless all applicable items on the form are submitted. This application shall not be considered complete until staff has received all required information.

2,50



ACCESSORY USE SUPPLEMENTAL INFORMATION (to be completed by the applicant)	
ACCESSORY STRUCTURE ≥1,500 SQ. FT. (ACC 8-5-3-1)	
✓	Square footage of structure: 1680
✓	Height of structure: 16'9"
✓	Submit picture of the principal permitted dwelling.
✓	Submit an elevation drawing of the proposed accessory structure.
DISTRIBUTED POWER FACILITY, WIND ROOFTOP (ACC 8-5-3-83)	
N/A	Elevation drawing showing the maximum height of the rooftop wind facility including blades.
	Maximum Blade Diameter.
	The Maximum decibels emitted from the facility.
DWELLING, ADDITIONAL FARM (ACC 8-5-3-38)	
N/A	Is this the only permanent additional dwelling?
	Provide documentation that the dwelling is occupied by an individual receiving not less than 75% of their annual income from the work on the farm.
	Demonstrate the need for the additional farm dwelling based on characteristics of the farm and/or farm operation. (8-5-3-38 E)
DWELLING, CARETAKER (ACC 8-5-3-39)	
N/A	Explain how the caretaker dwelling is needed to house the employee. Provide documentation that this is the only permanent additional dwelling.
DWELLING, SECONDARY ATTACHED OR DETACHED (ACC 8-5-3-40)	
N/A	Provide the square footage of the footprint of the principal permitted dwelling and the secondary dwelling.
	Describe how proposed parking complies with ACC8-4G-6.
	Indicate who will occupy the secondary dwelling: Property owner, member of owner's immediate family, or Owner's employee.
	Indicate how the proposed secondary dwelling will be architecturally compatible with the principal permitted dwelling.
	Indicate if the detached dwelling is two stories.
GROUP DAYCARE FACILITY (ACC 8-5-3-33)	
N/A	Property fenced: YES () NO ()
	Type of fencing:
	# of Staff: # of Children:
	Ages of Children: 18 months and under () 18 months and older + ()
	Net interior floor area regularly used by clients, excluding halls, bathrooms, and kitchens:
	Area in sq. ft. of outdoor play area:
	Outdoor Lighting YES () NO ()
	Days of Operation:
	Hours of operation:
	Height and location of proposed play equipment for group daycare:
HOME OCCUPATION (ACC 8-5-3-54)	
N/A	Sq. Ft. of proposed area of Home Occ.
	Total Floor area of the principal permitted dwelling.
	# of Non-resident Employees:

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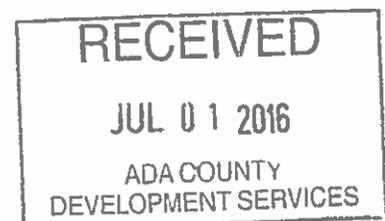
VARIANCE CHECKLIST (ACC 8-7-4)

A Variance request requires a public hearing.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
✓	One paper copy and one electronic copy of all required submittals.	
✓	Completed and signed Master Application	
✓	DETAILED LETTER by the applicant fully describing the request or project and address the following:	
✓	Reason for the variance. Be specific.	
✓	Explain how the variance does not grant a right or special privilege that is not otherwise allowed in the base district.	
✓	Explain how the variance relieves an undue hardship due to the characteristics of the site.	
✓	Explain how the variance is not detrimental to the public health, safety, and welfare.	
✓	What is the hardship if the variance is denied?	
✓	Are there characteristics of the property that are unusual and make it necessary to obtain the variance?	
✓	Were you aware of this hardship prior to purchasing or developing your property?	
✓	How does the request comply with Idaho Code 67-6516?	
✓	CURRENT SITE PLAN One reduced copy to 8 1/2 X 11.	
✓	DEED or evidence of proprietary interest.	✓
	NEIGHBORHOOD MEETING CERTIFICATION	✓
	PRE-APPLICATION CONFERENCE NOTES	✓
	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
	APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net	550 ⁰⁰

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORM ARE SUBMITTED.



June 20, 2016

Ada County Development Services
200 W. Front Street
Boise, ID 83702

Subject: Variance Request

Dear Sir or Madam:

The reason for this variance is because I have an existing 1680 square foot structure in front of my principal dwelling. In February 2005, I built two permitted structures (0500247 and 0500248) on my property. In late 2007, not knowing I needed a permit, I connected the structures making them one.

The existing structure meets all the required setbacks and height code requirements. The variance will not grant any special privileges for there are many frontal structures in the surrounding area. Furthermore, this structure was built in 2005 and there have not been any public complaints.

This structure is a personal workshop and contains tools that do not fit in my smaller principal dwelling garage. If this variance were denied I would have no where for these belongings.

Should you need additional information regarding this structure, please contact me at the number below.

Sincerely,



Jason Fry
3622 N. Fry Homestead
Eagle, ID 83616
(208) 890-1493



June 20, 2016

Ada County Development Services
200 W. Front Street
Boise, ID 83702

Subject: Accessory Permit for Existing Building

Dear Sir or Madam:

I am requesting an accessory permit for an existing building on my property located at:

3622 N. Fry Homestead
Eagle, Idaho 83616

In February 2005 I built two permitted structures (0500247 & 0500248) on my property. In late 2007, not knowing I needed a permit, I connected the the structures making them one.

I am seeking this accessory to legally permit this existing structure.

Should you need additional information regarding this structure, please contact me at the number below.

Sincerely,

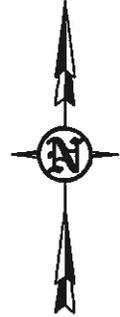
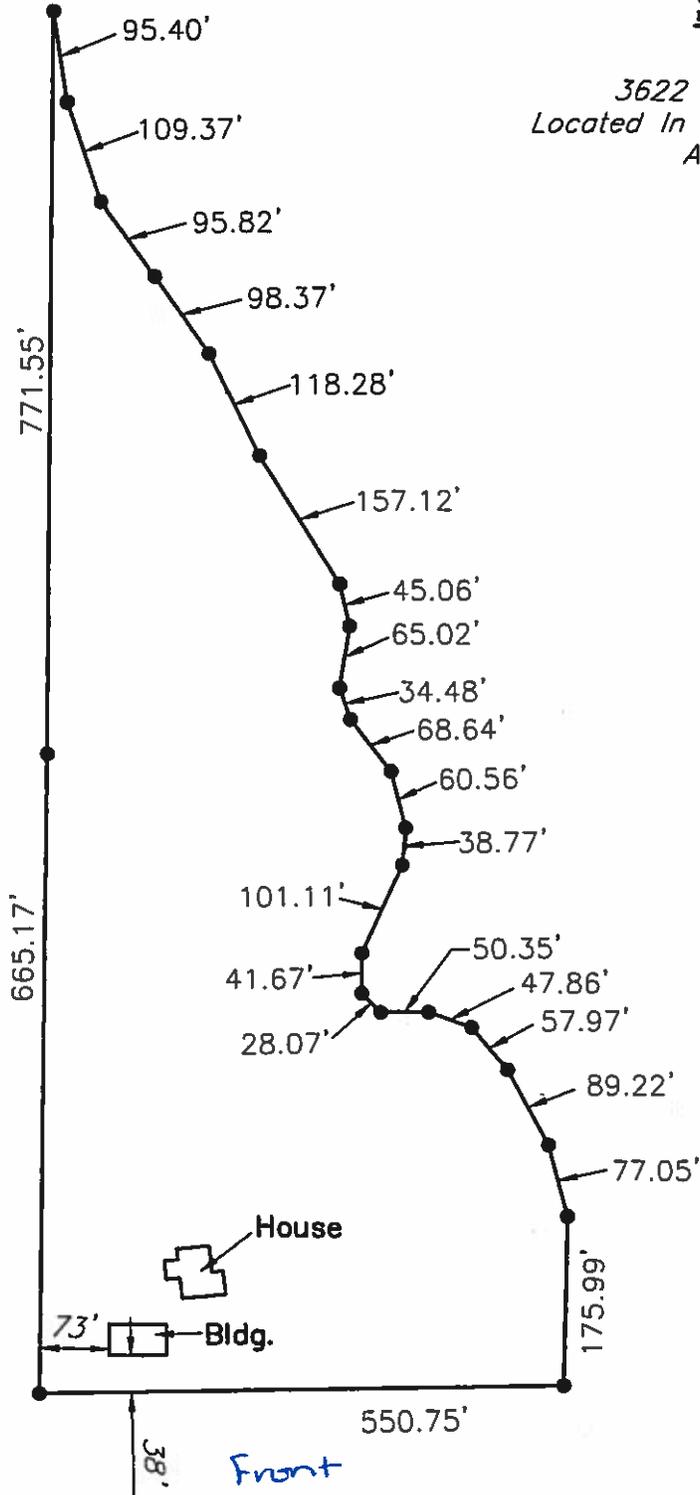


Jason Fry
(208) 890-1493

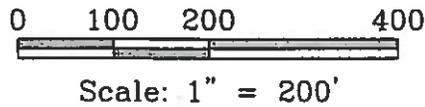


SITE PLAN

3622 N Fry Homestead Ln.
Located In Section 35, T5N R1W, B.M.
Ada County, Idaho



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JUL 01 2015

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06/19/2016

PRIMARY RESIDENCE

EXHIBIT 4
201600928 AC-V
ACTION STEEL BUILDERS



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04/02/2016

PRIMARY RESIDENCE

RECEIVED

JUL 01 2015

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PRIMARY RESIDENCE



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06/15/2016

THE EXISTING BUILDING



ADA COUNTY
DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201600089 - PREAP - A

Status: Active

Date Received: 6/9/2016

Date Closed:

Meeting Date: 6/21/2016 Date Assigned: 6/9/2016

Project Description:

Applicant's Name:

ACTION STEEL BUILDERS INC

Would like to meet to discuss a variance to allow- two detached structures built with permits and then joined as one without a permit- they are located in the front plane of the dwelling.

Development Services Staff Assigned To Meeting:

Staff Name:	Attended Meeting?
BRENT DANIELSON	<input checked="" type="checkbox"/>
DIANA SANDERS	<input checked="" type="checkbox"/>

No. of Lots/Units: 0 Total Acres: 10.000

Unique Features:

Sewer/Septic:

Water/Well:

General Property Location:

Parcel Info:

Parcel Num:	Street Address:	City/State/Zip:
S0335417500	3622 N FRY HOMESTEAD LN	Eagle, ID 83616-0000

Zone Info:

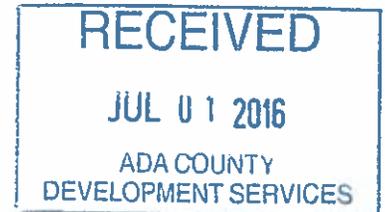
Zone Type:	Zone:
Existing Zone	RUT

TwN / Rng / Sec Info:

TwN:	Rng:	Sec:	Qtr:
5N	1W	35	

Overlay Areas Info:

Overlay Area:	Overlay Value:	Code Ref:	Comments:
Impact Area	Eagle		
WUFI	Yes	Article 8-3B	



Comp Plan:

Eagle

Agencies To Contact:

Agency Name:	Contact Person:
ADA COUNTY HIGHWAY DISTRICT/ PLANNING DEPT - (208)-387-6170 Comments:	LITTLE CHRISTY
CENTRAL DISTRICT HEALTH DEPARTMENT - (208)-327-8517 Comments:	RENO MIKE
IDAHO POWER COMPANY - (208)-388-2699 Comments:	HORNSBY COURTNEY

Proposed Allowed Uses:

Accessory structure



ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

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Required Applications:

App Type:	Descriptive Name:
AC	ACCESSORY USE
V	VARIANCE

Notes:

An application for a variance seeking relief from the following dimensional standard for an accessory structure: "Accessory structures in the front yard shall not exceed fifty percent (50%) of the square footage of the footprint of the principal permitted dwelling or one thousand five hundred (1,500) square feet, whichever is less.

The property is zoned Rural-Urban Transition (RUT). See Article 8-2B of the Ada County Code for information on the RUT District.

The existing accessory structure in the front yard will require an accessory use application. The accessory use application can be processed concurrently with the variance application.

Does the height of the existing accessory structure exceed the height of the principal permitted dwelling?

See Section 8-5-3-1 of the Ada County Code for information on Accessory Structures.

A. General Standards:

1. A principal permitted dwelling with a valid certificate of occupancy, or a principal permitted dwelling under construction with a valid building permit, shall be present on the subject property.
2. The structure shall not be used as an additional dwelling, except as provided for secondary dwellings.
3. The structure shall not be used for commercial or industrial purposes.
4. The accessory structure shall not be used to store commercial vehicles, except as provided in subsection 8-4G-4A2 of this title.

5. All accessory structures shall be included in the coverage calculations for a particular property.

B. Location Standards: The location of accessory structures shall be restricted as follows:

1. Accessory structures shall not be located in any required setbacks or on any publicly dedicated easements.
2. Accessory structures in the front yard shall not impede connection of the dwelling to a municipal wastewater collection and treatment system.
3. Accessory structures in the front yard shall not block the view of the main entrance to the principal permitted dwelling.

C. Size Standards: The size of accessory structures shall be restricted as follows:

1. Accessory structures in the front yard shall not exceed fifty percent (50%) of square footage of the footprint of the principal permitted dwelling or one thousand five hundred (1,500) square feet, whichever is less.

D. Height Standards: The height of an accessory structure shall be restricted as follows:

1. An accessory structure shall not exceed a height of twenty four feet (24').
2. In a residential base district, accessory structures located in the front yard, or within a side yard if any portion of the structure lies between the front property line and a distance of fifteen feet (15') behind the front wall of the principal permitted dwelling, shall not exceed the height of the principal permitted dwelling.

E. Design Standards:

1. All accessory structures shall meet all of the following design standards:
 - a. The roofing and finish materials shall be similar in color to that of the principal permitted dwelling;
 - b. The roof shall have a similar pitch to that of the principal permitted dwelling.
2. Accessory structures greater than one thousand five hundred (1,500) square feet shall meet the following additional standards:
 - a. The accessory structure shall portray the architectural character of the principal permitted dwelling.

See Article 8-5A of the Ada County Code for information on accessory uses.



ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

See Section 8-7-4 of the Ada County Code for information on Variances. An application for a variance will require a public hearing in front of the Board of County Commissioners.

The Board will need to make the following three (3) findings:

1. The variance shall not grant a special right or special privilege that is not otherwise allowed in the base district.
2. The variance relieves an undue hardship due to characteristics of the site; and
3. The variance shall not be detrimental to the public health, safety, and welfare.

Prior to the submission of a variance application, a neighborhood meeting is required. You may obtain the mailing labels from this office for a \$26.50 fee. See Section 8-7A-3 of the Ada County Code for information on neighborhood meetings.

The applicant is required to post the property with the hearing information at least 10 days before the public hearing. A sign certification form is required to be submitted at least 7 days before the public hearing. See Subsection 8-7A-5F of the Ada County Code for information on Sign Posting.

CODE REFERENCES:

Article 8-2B ~ Rural Urban Transition (RUT) District
Section 8-5-3-118 ~ Vehicle Impound Yard
Section 8-7-4 ~ Variances
Section 8-7A-3 ~ Neighborhood Meetings
Subsection 8-7A-5F ~ Sign Posting Requirements

Meeting notes:

The height of the existing accessory structure does not exceed the height of the residence.

Additional Preap Conference: Not Recommended

Neighborhood Meeting Required? Yes

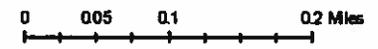
Cross References:



Ada County Development Services



- Search Results:**
- City Limits
 - GARDEN CITY
 - STAR
 - Parks
 - P&Z Applications
 - BOISE
 - KUNA
 - Street Names
 - P&Z Applications
 - Parcels
 - EAGLE
 - MERIDIAN
 - Major Streets



Date: 8/19/2016



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

EXHIBIT 6
201600928 AC-V
ADDA COUNTY DEVELOPMENT SERVICES FOR THE PUBLIC

MEMORANDUM



DATE: 7/11/2016

RE: 201600928-AC/V Fry

TO: Diana Sanders, Associate Planner

FROM: Mark Ferm, Ada County Building Official

Summary of Project:

Variance for two detached structures built with permits and then joined as one without a permit making the total sq. ft. to 1,680. The structures are located in the front plane of the dwelling. An Accessory Use for the structure that is now over 1,500 sq. ft located at 3622 Fry Homestead Lane.

Findings and Conditions:

The building division has no objection to the proposed construction and Variance; however the applicant should be aware a building permit will be required.

Conclusion:

Approved with condition listed above.

Mark Ferm
Ada County Building Official
200 W Front Suite 2125
Boise Idaho 83702
Phone 287-7910

markf@adaweb.net

Diana Sanders

From: Scott Buck <sbuck@eaglefire.org>
Sent: Tuesday, July 12, 2016 9:09 AM
To: Diana Sanders
Subject: File # 201600928-AC/V - 3622 Fry Homestead

Diana,

The Eagle Fire Department has reviewed the above referenced application. The fire department has no comments or concerns regarding the application at this time.

Scott Buck
Deputy Fire Marshal
Eagle Fire Department
O 208-939-6463
C 208-914-8294



ADA COUNTY
JUL 12 2016
DEVELOPMENT SERVICES