

**Public Hearing for Taylor Annexation (H-2023-0062) by Robert Taylor,  
located at 3840 E. Overland Rd.**

- A. Request: Annexation of 1.01 acres of land with an R-2 (Low-Density Residential) zoning district for the purpose of connecting to City utilities.

Lorcher: Tonight I would like to open the public hearing for Item No. H-2023-0062, annexation of 1.1 acre in an R-2 zoning district for the purpose of connecting city utilities. We will begin with the staff report.

Hersh: Good evening, Members of the Commission. The applicant has submitted an application for annexation and zoning. The site consists of 1.01 acres of land, currently zoned R-1 in Ada county, located at 3840 East Overland Road. History on the property is none. The Comprehensive Plan FLUM designation is mixed use regional. The applicant proposes to annex a 1.01 acre parcel, including the adjacent right of way to the section line of East Overland Road with an R-2 zoning district. A legal description and exhibit map for the annexation area is included with the application. The property has been what -- is within the city -- the city's area of city impact boundary. The reason for the annexation is the water table for the existing well on the single family residential property failed late last year and the applicant had to hook up to city water and sewer service. No -- no development or redevelopment of the property is proposed at this time and the use will remain residential for the foreseeable future. The applicant has entered into an agreement with the city for extension of domestic water and sewer service outside Meridian city limits for the subject property. This agreement allowed the property to hook up to city water and sanitary service with this connection for the private -- private well and septic system. A provision of the agreement requires the property owner to apply for annexation of the property into the city as proposed with this application. Due to the presence of an existing home on the property with the intention to maintain its residential use, an R-2 zoning district is requested as a place holder zoning district until the property redevelops in the future. Opting for a zoning district within the mixed use regional designation would create a nonconforming use. For example, a single family residence dwelling on an acre is not a permitted use in a commercial zoning district and it fails to meet density requirements for an R-15 or R-40 zoning district, which is not preferred. Prior to redevelopment a rezone should be requested and development proposed consistent with the commercial FLUM designation. Single family detached dwellings are listed as a personally permitted use in the R-2 zoning district. To ensure future development is consistent with the Comprehensive Plan in the land use desired for this property staff recommends a development agreement as a provision of the annexation pursuant to the Idaho Code section, which requires the property to be rezoned and the agreement modified to include a conceptual development plan prior to any change in use and/or development of the property. The proposed existing home appears to comply with the dimensional standards of the district. Access to the property is currently from East Overland Road, with future redevelopment of the property access via East Overland Road and interconnectivity with adjacent properties will be evaluated in accordance with the provisions listed in the UDC. Off-street parking is required to be provided in accordance

with the standards in the UDC for single family dwellings based on the number of bedrooms per unit. The existing home does not meet the required off-street parking spaces per the UDC Table for a three bedroom. Four parking spaces are required, at least two in the enclosed garage and other spaces may be enclosed or a minimum of a ten by 20 foot parking pad. The existing home does not have an enclosed two car garage, however there is an existing 30 by 20 foot driveway. The existing home is recognized as nonconforming due to the off-street parking requirements in the UDC. Per the UDC no existing structure containing a nonconforming use may be enlarged, extended, constructed, reconstructed, moved or structurally altered, except through the approval of a conditional use permit. As a result of the nonconformity, the applicant is required to apply for a conditional use permit for any future expansions on the property or attain compliance by constructing a new two car garage. Overland is improved with an existing seven foot wide attached concrete sidewalk abutting the site in accordance with the UDC standards. Staff is not recommending that the sidewalk be replaced with any -- with a seven foot detach sidewalk. The Meridian Pathways Master Plan map indicates a planned pathway on the north side of the Five Mile Creek to be constructed by the city in the future. The applicant should submit a dedicated easement for the pathway to the city. Connection to city water and sewer services is required in accordance with the UDC. The applicant has entered into an agreement with the city for the extension of these water and sewer services outside of Meridian city limits for the subject property. The applicant is currently connected to these city utilities. Written testimony is none and staff does recommend approval of the annexation subject to the conditions and findings outlined in the staff report and that concludes staff's presentation and I stand for any questions.

Lorcher: Commissioners, do you have any questions for staff? Would the applicant like to come forward?

Starman: Sir, if you do want to speak you are welcome to come to the podium. You are not required to do so. I see you shaking your head. So, for the record -- for the record I will note the applicant has declined to comment and so, Madam Chair, you may proceed.

Lorcher: Is there anybody signed up for public testimony?

Lomeli: Thank you, Madam Chair. We do not have anybody signed up in person. There are a few attendees online if they would like to raise their hand and give testimony.

Lorcher: We haven't had this before, so -- so you don't wish to speak. There is nobody here in Chambers, so can we close the public hearing? May I have a motion to close the public hearing?

Garrett: So moved.

Grace: Second.

Sandoval: Second.

Lorcher: It's been moved and seconded to close the public hearing. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: All right. Commissioners, do you have anything to say about this application? Or a motion?

Grace: Madam Chair, can I -- can I get a clarification? Is -- this is a -- I don't have the benefit of the -- the sheet that we normally get when I'm present in the City Hall spaces. So, this is -- this is a recommendation, as I understand it, to City Council; is that accurate?

Lorcher: Commissioner Grace, no, this is -- an annexation -- we are not --

Starman: Madam Chair, Commissioners, Commissioner Grace, that's -- your comment, Commissioner Grace, is accurate. This is a recommendation to the City Council relative to the annexation request. So, you are a recommending body for this -- for this particular application.

Grace: Okay. With that, Madam Chair, I would take stab at a motion here, if that's appropriate.

Lorcher: Okay.

Grace: So, after considering all staff and applicant and public testimony, I move to recommend approval of File No. H-2023-0062 as presented in the staff report for the hearing date of March 21st, 2024, with no modifications.

Sandoval: Second.

Lorcher: It's been moved and seconded to approve File No. H-2023-0062, annexation to Meridian City Council. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.