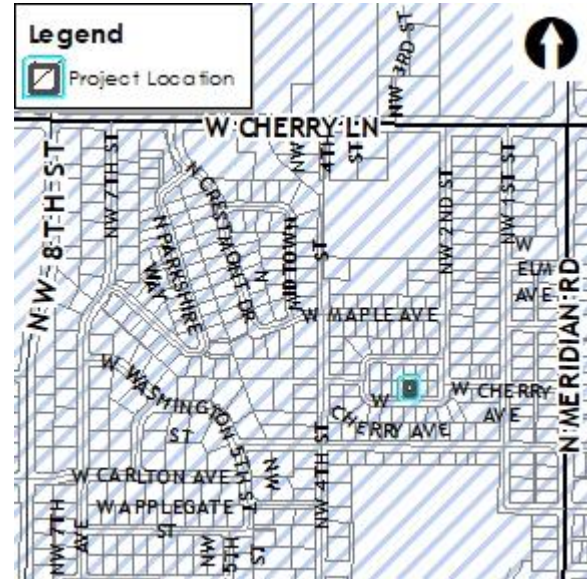


HEARING DATE: August 17, 2023
 TO: Planning & Zoning Commission
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: Klein Home Addition – CUP
[H-2023-0037](#)
 LOCATION: 224 W. Cherry Ave., in the NE ¼ of
 Section 12, T.3., R.1W. (Lot 9, Block 2,
 Fran Meridian Subdivision; Parcel
 #R2917150120)



I. PROJECT DESCRIPTION

Conditional use permit to expand the existing non-conforming use which consists of an addition to the existing home to add a fourth bedroom with only one (1) garage parking space instead of the required two (2) spaces on 0.11-acre of land in the R-4 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	0.11 acre
Future Land Use Designation	High Density Residential (HDR)
Existing Land Use	Single-family home & property
Proposed Land Use(s)	No change proposed
Current Zoning	R-4 (Medium Low-density Residential)
Proposed Zoning	NA
Neighborhood meeting date	3/23/23
History (previous approvals)	Lot 9, Block 2, Fran Meridian Subdivision

B. Project Maps

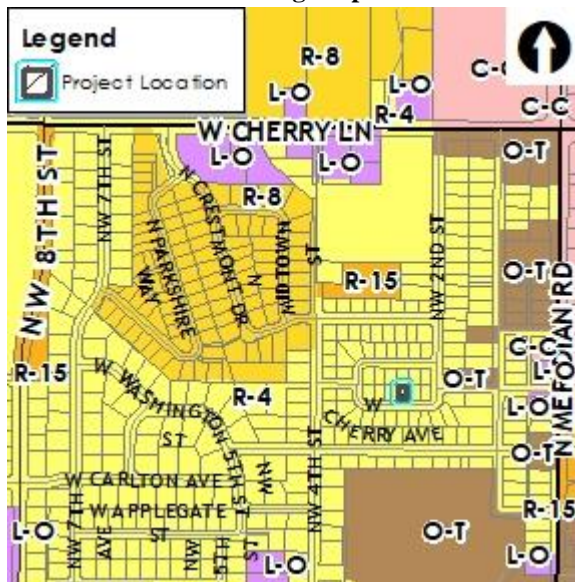
Future Land Use Map



Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Bryan Klein – 224 W. Cherry Ave., Meridian, ID 83642

B. Owner:

Same as Applicant

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	7/26/2023	
Radius notification mailed to property owners within 300 feet	7/28/2023	
Public hearing notice sign posted on site	8/7/2023	
Nextdoor posting	7/31/2023	

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as High Density Residential (HDR).

The HDR designation allows for the development of multi-family homes in areas where high levels of urban services are provided and where residential gross densities exceed twelve dwelling units per acre. Development might include duplexes, apartment buildings, townhouses, and other multi-unit structures.

PROPOSED USE: The property is currently developed with a 3-bedroom single-family home; no change of use is proposed – an addition for a 4th bedroom is proposed.

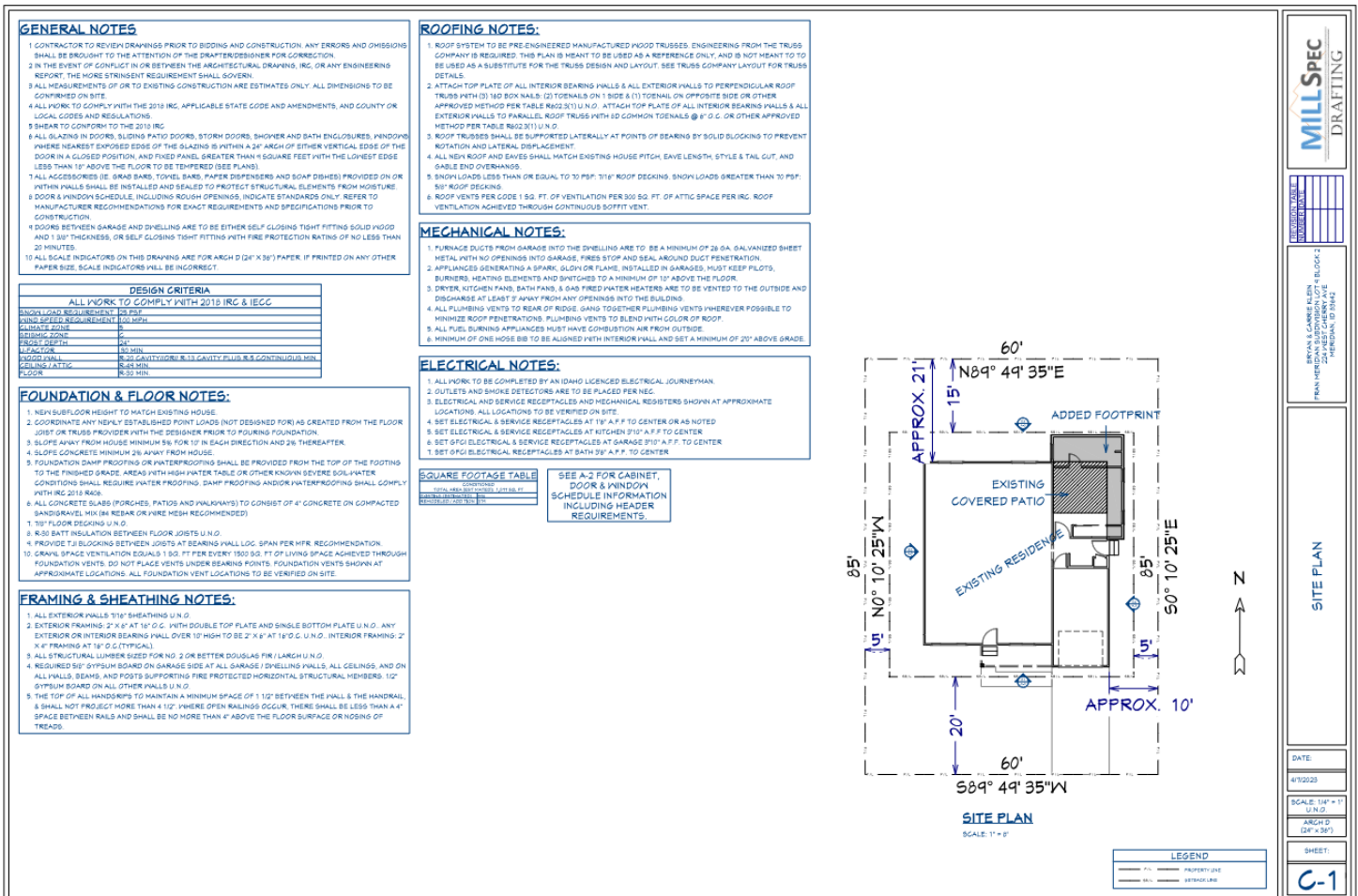
All of the surrounding area designated HDR on the FLUM was developed with single-family residential detached homes in the early 1970's.

VI. STAFF ANALYSIS

The Applicant currently has a 3-bedroom single-family home with a single car attached garage on the subject property. The existing use is considered a non-conforming use because it doesn't comply with the off-street parking standards listed in UDC [Table 11-3C-6](#), which requires four (4) parking spaces for 3- and 4-bedroom units, with at least two (2) of those spaces in an enclosed garage, other spaces may be enclosed or a minimum 10' x 20' parking pad.


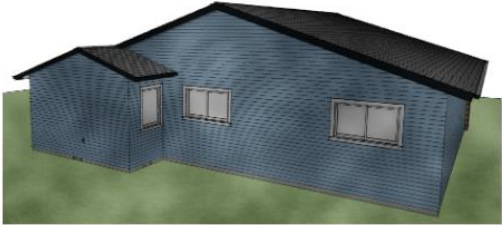

Per UDC [11-1A-1](#), a non-conforming use is defined as a use that lawfully existed prior to the effective date of the UDC but that does not now conform to the allowed uses for the district in which it's located – non-conforming parking is deemed a non-conforming use. Non-conforming uses are allowed to continue as long as the use remains lawful and is not expanded or extended as set forth in UDC [11-1B-4](#); if expanded, approval of a CUP is required.

A Conditional Use Permit (CUP) is requested to expand the existing non-conforming use from a 3- to a 4-bedroom unit with substandard parking (see exhibits in Section VIII). The existing covered patio at the rear of the house is proposed to be converted to living area along with an addition totaling 379 square feet. Only one (1) garage space exists with a parking pad for one (1) car in front of the garage; an approximate 13' x 40' gravel driveway exists on the east side of the parking pad/garage which will accommodate parking for two (2) vehicles. On-street parking is also available. The Applicant states that it's not possible to add on to the existing garage due to lot size constraints which would make compliance with the side yard setback



B. Building Elevations of Existing Home & Proposed Addition

KLEIN ADDITION






TABLE OF CONTENTS	
SECTION	ITEM
P-1	PROJECT OVERVIEW
P-1	FLOOR PLAN
P-1	PLAN VIEW
P-2	PLAN VIEWING & ELECTRICAL PLAN SCHEDULE
P-3	ELEVATIONS & CROSS SECTIONS

REVISIONS	
NO.	DESCRIPTION

REVISED & CANCELLED
 PERMANENTLY CANCELLED
 HERMAN, ID 83442

PROJECT OVERVIEW

DATE:
 4/7/2025
 SCALE: 1/4" = 1'
 U.N.D.
 ANGLE:
 (24" x 36")
 SHEET:
P-1

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC 11-5B-6. A time extension may be requested as set forth in UDC 11-5B-6F.

B. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=303139&dbid=0&repo=MeridianCity>

C. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=302202&dbid=0&repo=MeridianCity>

D. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=302690&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Conditional Use Permit (UDC 11-5B-6E)

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

Staff finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-4 zoning district except for the parking requirement, which is considered a non-conforming use and the reason for the conditional use permit, however four (4) off-street spaces are still available on the property (see Analysis, Section V for more information).

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

Staff finds that the proposed use will be harmonious with the Comprehensive Plan and is consistent with the requirements on the UDC, except for the substandard parking, which is the reason for the conditional use permit.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

Staff finds the proposed addition to the single-family home will be compatible with other single-family uses in the general neighborhood and with the existing character of the vicinity and will not adversely change the character of the area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

Staff finds the proposed use will not adversely affect other properties in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

Staff finds that essential public services are currently provided to this property and that the use will continue to be served by these facilities. Police and Fire currently provides service to this property.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff finds the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Staff finds the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by the reasons listed.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

Staff finds the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

9. Additional findings for the alteration or extension of a nonconforming use:

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and

Staff finds the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area.

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

Staff finds the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards set forth in the UDC as compared to the level of development of surrounding properties because most of the adjacent properties either have no garage or just a carport or single-car garage. Further, the proposed addition does not increase the non-conformity as three and four bedroom homes have the same parking requirement. The site still maintains the required off-street parking spaces but does not have the additional garage space required by the parking standards in the UDC.