

Boise County Planning and Zoning Department

413 Main Street, PO Box 1300
 Idaho City, Idaho 83631
 Phone: 208-392-2293
www.boisecounty.us



MASTER PUBLIC HEARING APPLICATION

RECEIVED
 MAY 15 2024
 BOISE COUNTY
 PLANNING & ZONING

Cup 2024-004

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- | | | |
|---|--|---|
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input type="checkbox"/> SUBDIVISION, FINAL |
| <input type="checkbox"/> COMPREHENSIVE PLAN
TEXT AMENDMENT | <input type="checkbox"/> PLANNED UNIT
DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN
MAP AMENDMENT | <input type="checkbox"/> PLANNED COMMUNITY | <input type="checkbox"/> SUBDIVISION, AMENDED
PLAT |
| <input type="checkbox"/> ROAD NAME CHANGE | <input checked="" type="checkbox"/> CONDITIONAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| | <input type="checkbox"/> SUBDIVISION, PRELIMINARY | <input type="checkbox"/> OTHER _____ |

HEARING BEFORE: BOARD OF COUNTY COMMISSIONERS P&Z COMMISSION

PROJECT NAME: The Shop

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: _____ Section: 7 Township: 5N Range: 5E Total Acres: 3.36

Subdivision Name (if applicable): N/A Lot: _____ Block: _____

Site Address: 10 Leafers Glory City: Boise

Tax Parcel Number(s): RPOSNO5E077253 Current Land Use: Residential

PROPERTY OWNER:

Name: Rick A Heinrich Family Trust

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Telephone: [REDACTED]

Email: [REDACTED]

APPLICANT:

Name: Richard Kelly Heinrich

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Telephone: [REDACTED]

Email: [REDACTED]

I consent to this application, I certify this information is correct, and allow Planning and Zoning staff to enter the property for related site inspections. I agree to indemnify, defend and hold harmless Boise County and its employees 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 this application.

[Signature]

5-15-24

Signature: All Owner(s) of Record

Date

I consent to this application, I certify this information is correct, and allow Planning and Zoning staff to enter the property for related site inspections. I agree to indemnify, defend and hold harmless Boise County and its employees 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 this application.

[Signature]

12-8-23

Signature: Applicant

Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPROPRIATE APPLICATION FORM

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AFFIDAVIT OF LEGAL INTEREST and Letter of Authorization

Rick A Heinrich Family Trust, "Owner" whose address is [redacted]
City [redacted] State [redacted] Zip [redacted]

As owner of property more specifically described as:

HEREBY AUTHORIZES Richard Kelly Heinrich as Agent to represent and act for the Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Boise County Board of Commissioners, Boise County Planning and Zoning Commission, Boise County Planning and Zoning Staff, and or other Boise County Departments relating to the modification, development, planning, platting, re-platting, improvements, use or occupancy of land in Boise County, Idaho. Owner agrees that; Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application of any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that; Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platted or re-platting, improvement, occupancy, or use of any structure or land involved in the application shall take place until approved by the appropriate official of Boise County, Idaho, in accordance with applicable codes and regulations.

Owner agrees to pay any fines and be liable for any other penalties arising out of failure to comply with the terms of any permit or arising out of any violation of applicable laws, codes, or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and , if signing on the behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

OWNER:

[Signature]
(Signature of Owner)

Rich Allen Heinrich Trustee
(Print Name) (Title)

(Signature of Owner)

(Print Name) (Title)

(Signature of Owner)

(Print Name) (Title)

(Secretary or Corporate Owner)

(Print Name)

NOTARY STATE OF IDAHO) ss
COUNTY OF Boise)

SUBSCRIBED and sworn to before me by Richard Heinrich Trustee
on this 15th day of May, 2024

Arla K. Barnhill
Notary Public
My Commission expires on: 9-12-28

May 15, 2024
Date



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CONDITIONAL USE PERMIT APPLICATION

CUP # 2024-004

BOISE COUNTY
PLANNING & ZONING

MAY 15 2024

RECEIVED

The Planning and Zoning staff is available to discuss this application and answer questions. Upon receipt of the required materials the Planning & Zoning Administrator will stamp the application received and review the application for completeness. Once the application is deemed complete a public hearing will be scheduled with the Planning and Zoning Commission. It is recommended that the Applicant review the Amended Unified Land Use Ordinance #2024-01 (ULO) and Boise County Comprehensive Plan prior to submittal. This Ordinance along with application materials are located on the County website at www.boisecounty.us. The Planning and Zoning Department DOES NOT accept faxed applications or signatures.

See ULO #2024-01, Chapter 4, Section 4.3 CONDITIONAL USES: Every use that requires a Conditions Use Permit (CUP) shall be subject to review and appraisal by the Commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons, property, or natural resources. It is the responsibility of the applicant to present plans to implement a conditional use in a way which will avoid or limit the harm to existing or contemplated use of nearby lands or place additional demands on public services.

When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. A hearing date will be scheduled only after an application has been accepted as complete or if applicant requests the hearing in writing.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Property Owner:	Rick A Rick A Heinrich Family Trust
Email:	[REDACTED]
Phone:	[REDACTED]
Mailing Address:	[REDACTED]
City:	[REDACTED]
State:	[REDACTED]
Zip Code:	[REDACTED]
Applicant (if different):	Richard Kelly Heinrich
Email:	[REDACTED]
Phone:	[REDACTED]
Mailing Address:	[REDACTED]
City:	[REDACTED]
State:	[REDACTED]
Zip Code:	[REDACTED]
Engineering Firm:	
Contact Person:	
Phone: ()	
Address:	
Email:	
Surveyor:	
Phone: ()	

Location and size:
 Property Address: _____
 Parcel Number: RPOSNO5E077253 Section: 7 Township: 5N Range: 5E
 Total Acreage: 3.36
 Proposed Land Use: Agricultural Residential Civic or Community Commercial Industrial
 Proposed Project Name: The Shop
 Assessor Exemptions (i.e. agriculture, timber, etc.): No: Yes: _____
 list: _____
 Is property currently mortgaged? Y (if yes, Certificate of Acceptance of Mortgagee is required on survey)

I consent to this application, I certify this information is correct and I authorize the Boise County Planning & Zoning Department staff and its designated inspection agent to enter the property for any site inspection or compliance purposes as long as this application and a conditional use permit are in effect. I agree to indemnify, defend and hold harmless Boise County and its employees 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 this application.

- Signature: All Owner(s) of Record _____ 
- Signature: All Owner(s) of Record _____
- Date: _____

I consent to this application, I certify this information is correct and I authorize the Boise County Planning & Zoning Department staff and its designated inspection agent to enter the property for any site inspection or compliance purposes as long as this application and a conditional use permit are in effect. I agree to indemnify, defend and hold harmless Boise County and its employees 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 this application.

- Applicant Signature: _____ 
- Date: 5/15/24

I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I consent to this application, I certify this information is correct and I authorize the Boise County Planning & Zoning Department staff and its designated inspection agent to enter the property for any site inspection or compliance purposes as long as this application and a conditional use permit are in effect. I agree to indemnify, defend and hold harmless Boise County and its employees 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 this application.

- Owner Signature: _____
- Date: _____

SECTION II:REQUIRED ITEMS

- ✓ 1. Latest recorded Deed to the Property
- ✓ 2. Application completed & signed; including Affidavit of Legal Interest and Letter of Authorization, if applicable.
- ✓ 3. Application fee paid in full in accordance with current fee schedule
- ✓ 4. Two copies of the completed application, as well as one to two reams of copy paper in order to produce the appropriate number of copies to assure the fullest presentation of the facts for evaluation of the request by agencies and the public.
- ✓ 5. Two copies of all required plans drawn to scale; or more copies as determined by the P&Z Administrator.
6. Narrative explaining the following:
 - ✓ • A detailed project description disclosing the purpose, strategy, and time frame of construction. Include a phasing plan if appropriate.
 - ✓ • Location is compatible to others uses in the general neighborhood.
 - Use will not place undue burden on existing public services and facilities in the vicinity (see Impact Report in item 7).
 - ✓ • Site is large enough to accommodate the proposed use and other features of the Unified Land Use Ordinance.
 - ✓ • Summaries:
 - How the proposed use complies with the Unified Land Use Ordinance.
 - How the proposed use complies with the goals and objectives of the Boise County Comprehensive Plan.
7. Impact Reports must address potential impacts and how these will be minimized for the following:
 - ✓ • Any environment, economy and social impacts.
 - ✓ • Impact to adjoining property including noise, glare, odor, fumes, vibration, etc.
 - ✓ • Impact to natural resources (wildlife, wildlife habitat, soil, water, etc.)
 - ✓ • Impact to law enforcement, fire departments, emergency medical services or other public service providers.
 - ✓ • Impact to school.
8. Plans **Required** with Application:
 - A **plot plan**, drawn to scale, showing the boundaries, dimensions, area of lot, existing and proposed utilities, streets, easements, parking, setbacks, current buildings and proposed buildings.
 - A **landscape plan**, drawn to scale, showing elements such as trees, shrubs, ground covers, and vines. Include a plant list indicating the size, quantity, location and name (both botanical and common) of all plant material to be used.
 - A **noxious weed control plan**
9. Plans that may be Required, depending on land use:
 - A site grading plan clearly showing existing site topography and detailing the best management practices for surface water management, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development.
 - A lighting plan, if applicable. - *Dark Sky Compliant*
 - An irrigation plan, if applicable.

SECTION III: APPLICATION INFORMATION

PROPERTY DESCRIPTION (either lot, block & subdivision name or attach a recorded deed with a metes and bounds description.) 10 Loafer Glory Boise ID 83716

TAX PARCEL NUMBER RPOSNO5E077253

Quarter _____ Section 7 Township TSN Range R5E

1. PROPOSED USE: Residential Civic or Community Commercial Industrial

2. SIZE OF PROPERTY 3.36 Acres _____ or Square Feet _____

3. EXISTING LAND USES AND STRUCTURES ON THE PROPERTY ARE AS FOLLOWS:

Residential

4. ARE THERE ANY KNOWN HAZARDS ON OR NEAR THE PROPERTY (such as canals, hazardous material spills, soil or water contamination)? If so, describe and give location:

NA

5. ADJACENT PROPERTIES HAVE THE FOLLOWING BUILDING TYPES AND/OR USES:

North Residential East BLM

South Residential West Residential/State

6. MAXIMUM PROPOSED STRUCTURE HEIGHT: side 14' walls

7. NON-RESIDENTIAL STRUCTURES OR ADDITIONS (If applicable):

Number or **Proposed** Structure: _____ Number of Existing Structures: 1

Proposed Gross Square Feet

1st Floor 2400'

2nd Floor _____

Total 2400'

Existing Gross Square Feet

1st Floor _____

2nd Floor _____

Total _____

8a. TYPE OF RESIDENTIAL USE (If applicable):

Single family residence Mobile home for single family residence Multiple residences on one parcel

8b. SQUARE FOOT AGE OF PROPOSED RESIDENTIAL STRUCTURES (If applicable): NA

SQUARE FOOTAGE OF EXISTING RESIDENTIAL STRUCTURES: _____

8c. DENSITY OF DWELLING UNITS PER ACRE: NA

9. PROPOSED SITE PLAN:

Percentage of site devoted to building coverage: 25%

Percentage of site devoted to landscaping: 0

Percentage of site devoted to roads or driveways: 0

Percentage of site devoted to other uses: 75%

Describe other uses: residence

Total 100%

10. Parking (If applicable)

- a. Handicapped spaces proposed: _____
 b. Parking spaces propose: 8
 c. Are you proposing off-site parking:
 Yes: _____ No: ✓

Office Use Only:	
Handicapped spaces required:	<u>N/A</u>
Parking spaces required:	<u>10</u>
Total:	<u>10</u>

No accessible public space, so may not need 10.

11. SETBACKS: BUILDING OFFICE USE ONLY PARKING OFFICE USE ONLY

	Proposed	Required	Proposed	Required <u>10</u>
Front	<u>30'</u>	<u>30'</u>	<u>8</u>	
Rear	<u>30'</u>	<u>30'</u>		
Side	<u>10'</u>	<u>10'</u>		
Street Side	<u>60'</u>	<u>10'</u>		

But no public present save for drop off

12a. NUMBER OF EXISTING ROADS: _____ WIDTH: _____ PRIVATE OR PUBLIC? _____
 Existing road surface(s) type: Asphalt drive off Hwy. 21

12b. NUMBER OF PROPOSED ROADS: 0 Proposed Width: _____
 Will the proposed roads be publicly or privately maintained? _____
 Proposed road construction: ___ Gravel ___ Paved

13a. EXISTING UTILITIES ON THE PROPERTY ARE AS FOLLOWS:
Power

13b. PROPOSED UTILITIES: NA
 Proposed utility easement width: _____ Location: _____

14a. SEWAGE WASTE DISPOSAL METHOD: Septic ___ Central Sewage Treatment Facility Use House

14b. POTABLE WATER SOURCE: ___ Public ___ Water Association Individual
 If individual, has a test well been drilled? ___ Depth ___ Flow ___ Purity verified?
 Nearest adjacent well _____ Depth _____ Flow

15. REFUSE and TRASH DISPOSAL METHOD: Boise County Sanitation

16. ARE THERE ANY EXISTING IRRIGATIONS SYSTEMS? NO
 Are you proposing any alterations, improvements, extensions or new construction: No If yes, Explain: _____

17. PROPOSED DAYS AND HOURS OF OPERATION (if applicable): 9 AM - 6 PM Mon - Fri

18. PROPOSED NUMBER OF EMPLOYEES (if applicable): 1

19. DRAINAGE (Proposed method of on-site retention): natural drainage

20. IS ANY PORTION OF THE PROPERTY LOCATED IN A FLOODWAY OR 100-YR FLOODPLAIN? (Information can be obtained from the Planning and Zoning Office) NO

SECTION IV: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

1. ULO Section 4.3.C Conditions of Permit: In approving any conditional use permit the Commission may Prescribe appropriate conditions, bonds, and safeguards in conformity with this Ordinance or the Comprehensive Plan. Conditions may include, but not limited to, specific requirements that:
 - a. Assure that development is maintained properly.
 - b. Control the sequence and timing of development.
 - c. Control the duration of development.
 - d. Designate the exact location and nature of development.
 - e. **Minimize** adverse impacts on other development.
 - f. Require the provisions for on-site or off-site public facilities or services.
 - g. Require more restrictive standards than those generally required in this Ordinance.
 - h. Require mitigation of effects of the proposed development upon service delivery by any political subdivision; including school districts providing services within the planning jurisdiction.
 - i. Require surety agreements.
2. ULO Section 4.3.C.2: A conditional use permit shall also be subject to the terms and conditions by which it is approved, including but not limited to,
 - a. Bulk and Placement Standards. (See ULO: Table 4.1.D.8)
 - b. Fencing
 - c. Floodplains, fire hazards, etc.
 - d. Grading
 - e. Hours of operation
 - f. Landscaping
 - g. Natural resources impact mitigation including wildlife habitats, historic sites, shorelines
 - h. Parking
 - i. Road volumes, traffic control, road maintenance
 - j. Screening
 - k. Sight obstruction mitigation
 - l. Visibility from roads

SECTION V: SPECIFIC REQUIREMENTS FOR PUBLIC HEARING AND NOTICE

1. Public Hearing Notice shall follow the ULO, Section 2.5, to agencies and surrounding property owners; as well as legal publication.
2. Per ULO, Section 2.4.D.2: Notice shall also be posted on the premises not less than ten (10) days prior to the **hearing by the applicant**. The applicant shall provide "Proof of Posting" to the Planning and Zoning Department **no later than** seven (7) days prior to the public hearing. Failure to provide the Proof of Posting will cause the hearing to be continued to a later date.

SECTION VI: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION VII: PLANNING AND ZONING COMMISSION ACTION

BELOW TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT

FILE# Cup 2024-004 FEE \$ 1200 - via CC. 5/15/24
ACCEPTED BY: [Signature] DATE: 29 May 24
CROSS REFERENCE FILE (S): _____
PROPOSED USE OF PROPERTY: _____

Narrative

Project Description:

The Shop is a wood framed metal building for the intended purpose of automotive, ATV/UTV, motorcycle and other repair, service and maintenance. The attached grant deed shows the dimensions and layout.

Compatibility:

The Shop is compatible with other structures in the surrounding area.

Burden on Public Services and Facilities:

This site will not require public water, sewer, trash disposal or power. There will be minimal to no impact on traffic for Highway 21 either entering or exiting the site. All vehicles will be stored on-site during repairs and/or maintenance by appointment only limiting the amount of vehicle storage required.

Social, Economic and Environmental Impacts:

The site will provide a positive social and economic impact to the community and surrounding areas. As a resident and potential business owner our goal is to cultivate and maintain relationships with neighbors and members of the community. We will provide an economic alternative for repairs and services to our rural community, alleviating the need to drive to a larger city for comparable repairs and services. We will follow all laws, rules and regulations regarding the disposal of chemicals, waste, fuel and trash resulting from the daily operation of the business. We will be dark sky compliant and noise, odor and fumes will be contained to a reasonable level to reduce any impact to adjoining properties, wildlife and vegetation. Letters of support from immediate neighbors have been included. Impact to schools, law enforcement and other emergency services will be negligible.

Emergency Action Plan:

The public is not in The Shop, customers only drop off/ pick up vehicles for repair and there is no waiting area. This is also an owner only operated business.

Plot Plan:

Attached

Landscape Plan:

Not applicable, we will not be adding or altering the current natural landscape.

Noxious Weed Plan:

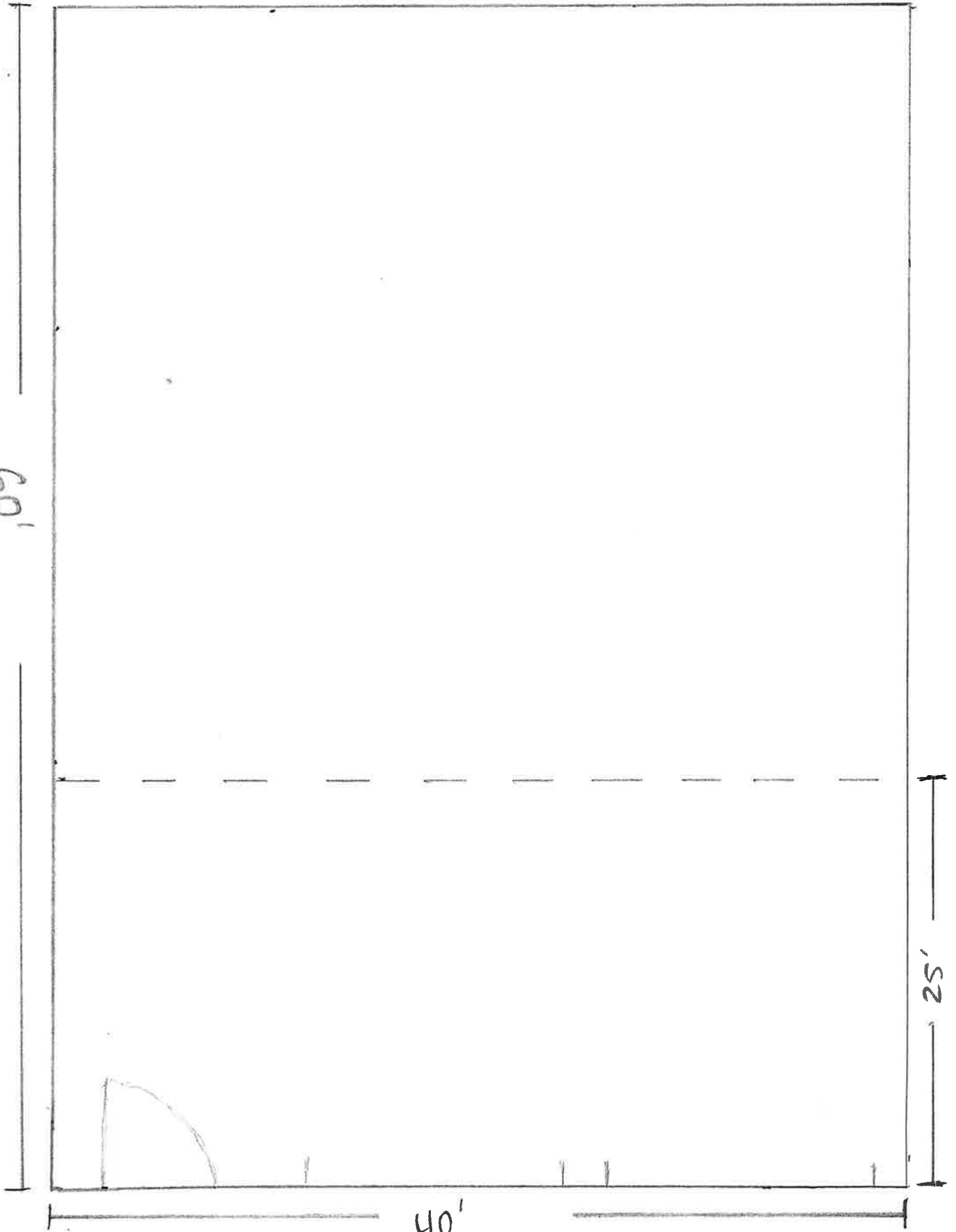
The area surrounding the site will be maintained for fire control. Annual inspections of the site will be conducted and referral to a professional weed specialist will be consulted if necessary.

2400 SQFT

60'

40'

25'
1000 SQFT





Ponderosa Pine Sca