

ELMORE COUNTY PLANNING AND ZONING COMMISSION
War Memorial (American Legion Hall), 515 East 2nd South Street, Mountain Home, ID
83647

Wednesday, January 21, 2015 at 7:00pm

Agenda

PLEASE SILENCE CELL PHONES

CALL TO ORDER

ESTABLISH QUORUM

- | | |
|---|---|
| <input type="checkbox"/> Chairperson Patti Osborn | <input type="checkbox"/> Vice-Chairperson K.C. Duerig |
| <input type="checkbox"/> Betty Van Gheluwe | <input type="checkbox"/> Sue Fish |
| <input type="checkbox"/> Ed Oppedyk | <input type="checkbox"/> Shane Zenner |
| <input type="checkbox"/> Jeff Blanksma | |
|
<input type="checkbox"/> Attorney of Record Phil Miller | |

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- **Jane Junge (Mickey and Minnie's Playhouse) to amend a Conditional Use Permit CUP-2004-05 for a group child care facility in a Agriculture (Ag) Zone in the Area of City Impact. Case Number: CUP-2015-02.** The site is located at Lot 7, Block 3 Airport Subdivision, B.M. A common mean of locating the property is from Airbase Road travel south to SW Fly By Ave., turn left on to SW Fly By Ave. The property is located on the left hand side of the road at 194 SW Fly By Ave.

ITEMS FROM THE PUBLIC

FCO and MINUTES

- FCO for Case Number: CUP-2015-01 Mountain Highway District Gravel Pit.
- Minutes from 12-17-2014.

INFORMATION ITEMS

- Upcoming P & Z Schedule.

MEETING ADJOURNED



Elmore County Land Use and Building Department

520 East 2nd South Street
Mountain Home, ID 83647
Phone: (208) 587-2142 ext. 254
Fax: (208) 587-2120
www.elmorecounty.org

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey
Ramsauer
Administrative
Assistant

Staff Report to the Planning and Zoning Commission

Meeting/Hearing Date: 1/21/2015 **Date Report Compiled:** 1/14/2015

Agenda Item: Amend Conditional Use Permit CUP-2004-05 for Childcare Facility

Applicant: Jane Junge (Mickey and Minnie's Playhouse)

Case Number: CUP- 2015-02

Staff: Beth Bresnahan

Location: Lot 7 Blk 3 Airport Subdivision. The property is from Airbase Road travel south to SW Fly By Ave., turn left on to SW Fly By Ave. The property is located on the left hand side of the road at 194 SW Fly By Ave.

Zoning: Agriculture (Ag)/ Area of City Impact Mountain Home

Parcel Number: RP 000040030070 A

BACKGROUND:

Application for a conditional use permit to amend an existing conditional use permit for a group childcare facility was turned into the Land Use and Building Department on December 8, 2014. Notice of public hearing was sent to surrounding property owners on December 29, 2014 and was mailed to agencies on December 29, 2014. Notice of public hearing was published in the Mountain Home Newspaper on December 31, 2014. Property was posted on January 13, 2015.

Applicant has conducted the required neighborhood meeting on December 6, 2014.

The original conditional use permit was approved on September 15, 2004 for a group childcare facility. Under the Elmore County Zoning and Development Ordinance, adopted March 14, 1994, amended December 26, 1995, a group childcare facility had three (3) different types of facilities: 1) Family Child Care Home: a child care facility which provides care for five (5) or fewer children throughout the day; 2) Group Child Care Home: a child care facility which provides

care for six (6) to twelve (12) children throughout the day; and 3) Child Care Center: a child care facility which provides care for more than twelve (12) children throughout the day. The conditional use permit was approved for a group child care facility.

The proposed change is to increase the number of children from 12 to 18.

Applicant is proposing to amend the conditional use permit to be able to care for more children. Applicant is proposing a Child and Adult Daycare Facility, Section 6-8-66, Elmore County Zoning Ordinance adopted March 21, 2012, amended September 19, 2012 and July 23, 2014:

Section 6-8-66: Child and Adult Daycare Facility:

A. General Standards for Childcare and Adult Daycare Facility:

1. There shall be a minimum of thirty-five (35') square feet of net floor area indoors per client. This space shall be measured wall to wall in rooms that are regularly used by the clients, exclusive of halls, bathrooms, and kitchen.
2. On site vehicle pick up and turnaround areas shall be provided to ensure safe discharge and pick up of clients.
3. The decision making body shall specify the maximum number of allowable clients as a condition of approval, based on health and safety requirements, considerations of site and building design and capabilities, and recommendations from applicable government agencies.
4. The decision making body shall consider the uses of the surrounding properties in the determination of the compatibility of the proposed daycare center with such uses. The decision making body may require additional conditions as are necessary to protect the public health, safety, and welfare of the clients.
5. The use shall comply with the flood hazard overlay as set forth in this Title.
6. No portion of the facilities used by clients shall be within three hundred (300') feet of explosive or hazardous material storage including, but not limited to, the following uses: brewery or distillery, explosive manufacturing or storage, flammable substance storage, gasoline or diesel fuel sales facility, manufacture or processing of hazardous chemicals or gases, and winery.

B. Additional Standards for Child Daycare Facility:

1. The applicant or owner shall secure and maintain a basic daycare license from the state of Idaho Department of Health and Welfare Family and Children's Services Division.

2. The applicant shall provide a minimum outdoor play area of one hundred (100') square feet per child. The minimum play area requirement may be waived if: a) there is greater or equal area of parks that abut the facility that can be used by the children, or b) the program design is such that the number of children using the play area at any one time conforms to the one hundred (100') square feet/child criteria.
 - a. All outdoor play areas shall be completely enclosed by minimum six (6) foot barriers to secure against exit/entry by small children and to screen abutting properties. The fencing material shall meet the swimming pool barrier requirements of the Elmore County Building Code as set forth in this Title.
 - b. Outdoor play equipment over six (6') feet high shall not be located in a front yard or within any required yard.
3. The proposed use shall be located and designed to protect the health, safety, and welfare of the children.

Site is located in a platted subdivision and surrounding uses are residential.

LETTERS FOR THE RECORD

1. Elmore County Assessor/Treasurer
2. Idaho Transportation Department, James Morrison, dated January 5, 2015

ATTACHMENTS:

1. Application
2. Map
3. FCO CUP-2004-05
4. Definition from Ordinance 1994
5. Photos of facility and play area
6. Posting photos

THE TWELVE STANDARDS ALL CONDITIONAL USES MUST MEET ARE:

1. **The proposed use shall, in fact constitute a Conditional Use as determined in Chapter 8, Table 6-8-11 (C), Elmore County Land Use Table, as contained in this Ordinance;**

Staff Response: Table 6-8-11(C) shows that a Child and Adult Daycare Facility requires a Conditional Use Permit.

2. **The proposed use shall be in harmony with and in accordance with the Elmore County Comprehensive Plan and this Ordinance (Title 6);**

Staff Response: Staff has been unable to find any conflict with the Elmore County Comprehensive Plan and Ordinance. Staff believes this proposal is in harmony with Land Use Objective #11 – Encourage and support land use proposals that are consistent with the community design objectives of all communities and districts within the County.

- 3. The proposed use complies with the purpose statement of the applicable base zone and with the specific use standards as set forth in this Chapter;**

Staff Response: Staff believes the proposed use complies with the purposed statement of the applicable base zone in that the proposed use is “Residential land use is allowed in the Ag zone subject to site development standards and compatibility with agricultural operations.”

- 4. The proposed use shall comply with all applicable County Ordinances;**

Staff Response: Staff believes this use will comply with all applicable County Ordinances.

- 5. The proposed use shall comply with all applicable State and Federal regulations;**

Staff Response: State and Federal agencies have been notified of this application.

- 6. The proposed use shall be designed, constructed, operated, and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area;**

Staff Response: Staff believes that the essential character of the area will not be negatively changed with this proposed amendment.

- 7. The proposed use shall not be hazardous or disturbing to existing neighboring uses or impede their normal development;**

Staff Response: Neighbors within 1,000 feet have been notified of this application. The Land Use and Building Department has received no input from neighbors.

- 8. The proposed use shall be served adequately by available public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer, or that the person responsible for the establishment of the proposed conditional use shall be able to provide adequately any such services;**

Staff Response: The proposed use will not create excessive additional requirements at public cost. SW Fly By Ave is a paved road maintained by Mountain Home Highway

District. Fire Protection is provided by the Mountain Home Rural Fire Protection District. Property has individual water and sewage services.

9. **The proposed use shall not create excessive additional requirements at public cost for public facilities and services and the proposed use shall not be detrimental to the economic welfare of the County;**

Staff Response: There is no data provided that the proposed use will not create excessive additional requirements at public costs.

10. **The proposed use shall not involve uses, activities, 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 Response: No excessive smoke, fumes, glare or odors are anticipated with the proposed use.

11. **The proposed use shall have vehicular approaches which shall be so designed as not to create an interference with traffic on surrounding public or private roadways;**

Staff Response: No new approaches are anticipated, any new approaches will be approved through Mountain Home Highway District.

12. **The proposed use shall not result in the destruction, loss or damage of a natural or scenic feature of major importance.**

Staff Response: The area is not designated as having a natural or scenic feature of major importance.

STAFF COMMENT

Pursuant to section 7-1-5 the application is in the Mountain Home Area of Impact and staff received "no comments from the City of Mountain Home".

STAFF RECOMMENDATIONS

Without taking into consideration any public testimony, staff recommends Approval of the proposed Conditional Use Permit CUP-2015-02 with the proposed conditions:

PROPOSED CONDITIONS OF APPROVAL

1. There will adequate parking and turn around.
2. All signage will comply with zoning and building regulations.

3. Facility will be and remain state licensed and will have all other required permits from regulatory agencies.
4. Area shall have a secured fencing for safety purposes.
5. Maximum number of children shall be set by state agency not to exceed 18.
6. Comply with Ordinance section 6-8-66.



Elmore County Land Use and Building Department

RECEIVED 1/2/15

520 East 2nd South Street
Mountain Home, ID 83647
Phone: (208) 587-2142 ext.254
Fax: (208) 587-2120
www.elmorecounty.org

Alan Christy
Director

Tell Riley
Building Official

Beth Bresnahan
Planner I

Kacey Ramsauer
Administrative
Assistant

Elmore County Assessor – Parcel Number: 000040030070
 Comments: _____
 Elmore County Treasurer – Taxes ²⁰¹⁴ 1st Half Paid 2nd Half Due
 Late Charges: Yes ___ No X Comments: 1-2-15 ACS

Date: December 9, 2014
 To: Whom It May Concern
 Subject: Notice of Public Hearing
 Applicant: Jane Junge, amend Conditional Use Permit CUP-2004-05
 Case #: CUP-2015-02

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Wednesday, January 21, 2015 at 7:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2nd South Street, Mountain Home, Idaho.

Please review the application and return your written comments to the Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, ID, 83647, by 5 p.m. on Friday, January 9, 2015, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

If you have any questions or if we can be of any assistance, please do not hesitate to contact the office. To ensure compliance with the American Disabilities Act (ADA) of 1993, the Elmore County Clerk the responsible coordinator. Provisions will be made for persons with disabilities who are unable to attend this hearing. A grievance procedure is available from M. Bate, Elmore County Courthouse, in accordance with the ADA regulations.

Sincerely,

Alan Christy
Director

Enclosures: Application

AC:bsb



IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

1-9-15 BJB

January 5, 2015

Alan Christy
Elmore County Land Use and Building Department
520 East 2nd South Street
Mountain Home, Idaho 83647

RE: CUP-2015-02 JANE JUNGE DAYCARE FACILITY

The Idaho Transportation Department (ITD) has reviewed the Conditional Use Permit application for the Jane Junge Daycare Facility at 194 SW Fly by Ave. in Mountain Home south of Hwy 67. ITD has the following comments:

1. ITD does not object to this application and requires no mitigation.
2. The site does not access any part of the state highway system.
3. ITD has comprehensive rules governing outdoor advertising (IDAPA 39.03.60). IDAPA 39.04.32 also requires that signs not "dazzle or blind" drivers. The current trend toward high intensity signs has caused an increasing number of driver complaints on urban segments of the State Highway System. This applicant should be aware of the issue and plan the site's signing and lighting strategies accordingly.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads "James K. Morrison".

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 E 2nd South – Mountain Home, ID 83647 – (208) 587-2142

www.elmorecounty.org

Conditional Use Permit Application

The Elmore County Land Use & Building Department **DOES NOT** accept faxed applications or signatures.

Application must be completed in **INK**. Please use addition sheets of paper if necessary. This application must be complete and all fees paid prior to acceptance by the Elmore County Land Use & Building Department. A public hearing will not be scheduled until the application is accepted.

The Conditional Use Permit Application must be in compliance with Chapter 27 of the Elmore County Zoning and Development Ordinance.

Pre-application meetings are strongly encouraged for Conditional Use Permit Applications. Pre-application meetings are by appointment only. Do not hesitate to contact the Land Use & Building Department with any questions or concerns.

- 1. Name of applicant: Jane Junge
- 2. Address of applicant: 194 SW Fly By Ave MTD Home ID 83647
- 3. Daytime telephone number of applicant: 208-587-4767
- 4. Email Address: janejunge@juno.com
- 5. Name, address, and daytime telephone number of developer: N/A

6. Address of subject property: LOT 7 Block 3 Airport sub, 2 acres 194 SW Fly By Ave.

7. Name, address, and daytime telephone number of property owner (if different from applicant):
Jane Junge, 208-283-4047

8. Attach Legal Description and acreage of property **and** legal description and acreage of part that CUP is to encompass:

- Attach at least one of the following:
 - Deed
 - Proof of Option
 - Earnest Money Agreement
 - Lease Agreement
 - Assessor's Parcel Master Inquiry

RP# 000040030070 A

9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: On base road, turn left between master Electric & Liberty Church. Bright yellow house behind Church.

10. a. Current zoning: AGI b. Current district (if applicable): _____

11. a. Is the proposed location within an Area of Critical Concern (ACC) or Community Development Overlay (CDO)?

Yes No If in a CDO, what CDO? _____ If in an ACC or CDO, technical studies, an environmental assessment, or an environmental impact statement may be required.

b. Is the proposed development within any city's impact area? Yes No

c. Is the proposed site within an Airport Hazard Zone or Air Port Sub Zone? Yes No
If yes, applicant shall provide approval from the Federal Aviation Administration and/or the Idaho Department of Aeronautics and Transportation.

d. Is any portion of the property located in a Floodway or 100-year Floodplain? Yes No

If yes submit map showing location of floodway and/or floodplain in relation to the property and/or proposal.

e. Does any portion of this parcel have slopes in excess of 10%? Yes No If yes, submit contour map.

f. The impacts of a proposed development and/or land use on adjacent land uses and transportation facilities must be considered. The applicable Highway District or Transportation Department may require a Traffic Impact Study (TIS) if the proposed development or land use has associated with it special circumstances deemed by the district or department to warrant a study. A notation and signature from the applicable district or department stating no study is required or a copy of this study must be submitted with this application.

g. The impacts of the CUP on existing public services and facilities (such as the fire department, emergency services, sheriff's department, schools, etc.) must be considered. A letter from the applicable agency governing the public service or facility stating how the developer will provide for said services with plans and/or drawings or that said services are not required may need to be submitted with the application.

h. Are there any known hazards on or near the property (such as canals, hazardous material spills, soil or water contamination, etc.)? Yes No If yes, describe and give location: _____

i. Are there hazardous materials and/or wastes involved either in your operation or generated off site and brought onto the property? Yes No

12. Does any other agency require a permit (DEQ, EPA, IDWR, FAA, state, federal, etc.)? Yes No
If yes, who?

Proof of having applied for or acquired other agency(ies) permit(s) submitted with CUP application.

13. ADJACENT PROPERTIES have the following uses:

North residential house East residential house
South residential house West residential house

14. EXISTING USES and structures on the property are as follows: single dwelling house

15. A written narrative stating the specific PROPOSED USE. Include as much detail as possible (use additional sheets of paper if necessary):

State licensed large (30) childcare center
Child & Adult Childcare Facility

16. a. The conditional use is requested to begin within 1 days/ months after permit approval (permit expires if not used within 1 year of approval) and is for _____ years or perpetuity.

b. Construction or improvements associated with conditional use is expected to begin within: 1 days/ month/ years and be completed within 1 days/ months/ years.

17. Proposed Use(s): Daycare facility Hours of Operation: M-E 5AM-midnight

at
Sat Sun
7AM-
10 AM

Days of Operation: Sunday - Saturday Maximum Number of Patrons: 18

Sewage disposal: municipal / individual septic Water: municipal supply / community well / individual well

Number of employees during largest shift: 3 Proposed number of parking spaces: 5

18. PRELIMINARY FLOOR PLANS: To a professional standard with sizes and types of interior spaces indicated, 15 copies 8½" x 11". N/A Building already exist

19. ENVIRONMENTAL IMPACT STATEMENT AND/OR ASSESSMENT: When a development or proposal is of a more complex nature, when it is required by the Zoning and Development Ordinance, and/or when the site is located within an Area of Critical Concern, and Environmental Impact Statement and/or Assessment may be required at the expense of the applicant.

(The Land Use & Building Director will determine if an EIS is required)

EIS Required: Yes No Director Initial AL 1.14.15

Department Note: _____

20. PROPERTY OWNER'S ADDRESS: A list of property owner's/purchaser's of record names and addresses within a minimum radius of 300' of property boundaries encompassed by proposed Conditional Use Permit. Said list shall be obtained from the tax records of the appropriate county.

**Radius extended to: 1000 feet mile(s) Date: _____ Initial AL

21. Is this application submitted with any additional applications? _____

22. Ordinance Chapter 27, Section 6-27-7 states that the Elmore County Planning and Zoning Commission shall review all proposed conditional use applications and find adequate evidence that such use meets all of the following standards. The applicant must provide said evidence. Following are the standards the conditional use must meet (please use additional sheets of paper if necessary):

How does the proposed land use constitute a conditional use as determined by the land use matrix?

Activity is allowed with a CUP.

How will the proposed land use be in harmony and accordance with the Comprehensive Plan and the Ordinance?

Residence area kept neat & tidy

How will the proposed land use comply applicable base zone and with the specific standards as set forth in the Ordinance?

We will follow all rules & regulations specified as directed.

How does the proposed land use comply with all applicable County Ordinance?

We will stay updated on any changes. We will follow all rules & regulations.

How does the proposed land use comply with all applicable State and Federal regulation?

We will follow all rules & regulations. We will stay updated on any changes.

What about the proposed land use's design, construction, operation and maintenance makes it harmonious and appropriate in appearance with the existing or intended character of the general vicinity and how will it not change the essential character of said area?

Normal house on the outside that will fit in to a regular housing area. Front looks like a regular house, no different except the color then the others.

Why or how will the proposed land use not be hazardous or disturbing to existing or future neighboring uses?

Nothing hazardous will be ~~put~~^{sound}. It won't be disturbing cause the children are not very loud.

How will the proposed land use be served adequately by available public facilities/services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer or how will these public services be provided by the applicant/developer?

The same as it is for my neighbors. We don't require anything different or special.

Why or how will the proposed land use not create excessive additional requirements at public cost for public facilities/services or be detrimental to the economic welfare of the county?

It won't. We don't require any additional services.

Why or how will the proposed land use not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors?

It won't be detrimental to anyone or anything because it is just a daycare. Everything will continue just the same as the past 10 years.

How will the proposed land use have vehicular approaches to property designed to not create interference with traffic on surrounding public or private roadways?

My driveway will be used. Plenty of room for parking, dropping off & picking up children. I don't see where an increase of traffic will be a problem.

Why or how will the proposed land use not result in the destruction, loss or damage of a natural or scenic feature of major importance?

It's a residential area, yes I'm a daycare, but we will not cause to any destruction, loss or damage of a natural or scenic feature. I like the view of the mountains.

23. **ADDITIONAL INFORMATION:** Any additional information as required or needed by the Planning and Zoning Commission, Land Use & Building Department, or interested agency.

A neighborhood meeting must be conducted prior to submitting application. Requirements for a neighborhood meeting are outlined in the Elmore County Zoning and Development Ordinance Chapter 4 Section 6-4-3.

A master site plan is required with this application. Requirements for a master site plan are found in Chapter 18 of the Elmore County Zoning and Development Ordinance.

Agency signature sheet on page 7 of this application.

Elmore County reserves the right to withhold processing and/or issuance of any County Conditional Use Permit until the County is satisfied that County approval may be the final action in any multi-agency approval process. Proof of having obtained or applied for necessary permits and/or approvals from applicable local (other than Elmore County) state, and/or federal agencies may be required prior to issuance of a Conditional Use Permit by Elmore County. If required, documentation shall be submitted with the Conditional Use Permit application.

The Planning and Zoning Commission shall hold at least one public hearing on an application for a Conditional Use Permit. A public hearing will be scheduled within sixty (60) days after acceptance of the application. The Land Use & Building Department will mail hearing notices to the surrounding property owners and to any agency that may have an interest in the proposal. The Land Use & Building Department will place a Notice of Public Hearing in the Mountain Home News at least fifteen (15) days prior to said hearing. The Land Use &

Building Department will post notice of the hearing on the premises not less than seven (7) days prior to the hearing.

This application may be approved, conditionally approved, denied, or tabled.

If the application is approved or conditionally approved by the Planning and Zoning Commission, the applicant will be sent a document that is the official "Conditional Use Permit". This document may be in the form of a Findings of Fact, Conclusions of Law, and Order, and will enumerate the conditions attached to the approval and issuance of the permit and will state the consequences of failure to comply. The permit shall not become effective until after an elapsed period of 10-days from the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order. During this time, any interested person may appeal the action to the Board of Elmore County Commissioners. The applicant will be notified of any pending appeals. An appeal will stay all proceedings until its resolution.

If the Conditional Use Permit is denied by the Planning and Zoning Commission, the applicant may reapply or the applicant may appeal the decision in writing to the Board of Elmore County Commissioners. Appeal of a Planning and Zoning Commission decision must be made within ten (10) days after the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order,

The applicant hereby agrees to pay the fees established by the Board and agrees to pay any additional fees incurred (initial) JK. The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) JK. The initial applicant understands there could be a delay in a decision should the applicant or their representative not attend any meeting where the application is being considered.

James A. Jung 11-24-14 James A. Jung 11-24-14
Property Owner Signature Date Applicant Signature Date

ADMINISTRATIVE USE ONLY	
Date of Acceptance	<u>12-8-2014</u>
Accepted by	<u>KR</u>
CUP FEE: \$800.00	
Fee \$	<u>800.00</u> (Pd) Receipt # <u>20-15042</u>
Date Paid:	<u>12-8-2014</u>
Case# CUP-	<u>2015-02</u>

Agency signatures are used for the applicant to make initial contact with certain agencies to address issues prior to a public hearing and application submittal. Additional agencies not listed may have additional requirements. The agencies listed below may be required for future approvals or signatures depending on the type of conditional use. The signature does not constitute a final approval by the agency. The agency signatures below do not guarantee approval from the Elmore County Land Use & Building Director, Elmore County Planning and Zoning Commission or Elmore County Board of Commissioners. The agencies listed below will be notified of the public hearing. Elmore County Land Use & Building Staff will inform the applicant of the desired agency signatures prior to application submittal.

Agency Signatures

Marty Jones, EHS

12/13/14

589-4407

Central District Health (or other Sewer District) Sewer Permit (580-6003) Initial Date

Comment: _____

Roadway Jurisdiction Project (MHHD 587-3211) (GFHD 366-7744) Initial Date

Comment: _____

Assessor's Office (Verify Legal Description OR Tax Status If Manufactured Home) (ext 247) Initial Date

Comments: _____

[Signature]

AD

12/4/2014

Fire District (MHKFD 587-8986 Tom DuCharme) (Oasis 796-2115 Jim Hobdey) Initial Date
(GFFD 366-2689/599-4010 Derek Janousek)

Comments: _____

This application is: Approved Approved pending approval of other permit Denied

Remarks: _____

Approval of Land Use & Building Authority _____ Date _____



ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 East 2nd South • Mountain Home, ID • 83647 • Phone: (208) 587-2142

Fax: (208) 587-2120 • www.elmorecounty.org

Neighborhood Meeting Sign Up Sheet

Start Time of Neighborhood Meeting: 200 PM

End Time of the Neighborhood Meeting: 230 PM

Attendees:

<u>Name</u>	<u>Address</u>
1. <u>Jane V. Jones</u>	<u>690 E 14 N. MTN Home ID 8364</u>
2. <u>Curtis W. Jones</u>	<u>690 E 14 N. MTN Home ID 8364</u>
3. <u>Melinda DeForest</u>	<u>690 680 S 14E MTN Home ID 8364.</u>
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____
16. _____	_____
17. _____	_____

- 18. _____
- 19. _____
- 20. _____
- 21. _____
- 22. _____
- 23. _____
- 24. _____
- 25. _____

Neighborhood Meeting Certification:

Applicants shall conduct a neighborhood meeting for comprehensive plan amendments, variance, conditional uses, zoning ordinance map amendments and expansions or extensions of nonconforming uses as per Elmore County Zoning and Development Ordinance Section 6-4-3.

Description of the proposed project: Group daycare to ^{Child & Adult} Daycare center facility
 Notice Sent to neighbors on: 11-24-14
 Date and time of the neighborhood meeting: Dec 6, 2014 at 2:00 PM
 Location of the neighborhood meeting: Mickey & Minnie's Playhouse

Applicant:

Name: Jane Junge
 Address: 194 SW Fly Bye Ave #1
 City: MTD Home State: JD Zip: 83647
 Telephone: 208-587-4767 Fax: _____

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with the Elmore County Zoning and Development Ordinance Section 6-4-3.

Jane A. Junge
 Signature: (Applicant)

12-6-14
 Date

Section 6-4-3: Neighborhood Meetings:

- A. Applicants shall conduct a neighborhood meeting for Comprehensive Plan amendments, variances, conditional uses, zoning ordinance map amendments, expansions or extensions of nonconforming uses, and subdivisions, excluding Planned Community, Planned Unit Development, and Planned Unit Development District applications as specified in this Title.
- B. It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within the radius required in this Title of the exterior boundary of the application property and to all registered neighborhood associations deemed appropriate by the Director. Notice of a neighborhood meeting shall be in addition to, and not in lieu of, mailed radius notices already required by this Title. Notice of neighborhood meeting must be mailed at least ten (10) days prior to the date of the neighborhood meeting.
- C. The purpose of the neighborhood meeting shall be to review the proposed project.
 1. The meeting shall be on a weekend between ten o'clock (10:00) A.M. and seven o'clock (7:00) P.M. or on a weekday between six o'clock (6:00) P.M. and eight o'clock (8:00) P.M. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday or holiday weekend.
 2. The meeting shall be held at one of the following locations, excluding Planned Community, Planned Unit Development, and Planned Unit Development District applications as specified in this Title:
 - a. On the subject property; or
 - b. At the nearest available public meeting place including, but not limited to, fire station, library, or community center; or
 - c. At an office space with suitable meeting facilities if such facilities are within a one-mile radius of the nearest public meeting place.
- D. The neighborhood meeting shall be conducted prior to acceptance of the application.
- E. The neighborhood meeting shall not be conducted more than six (6) months prior to acceptance of the application.
- F. The application materials shall include written verification of the neighborhood meeting on the forms provided by the Growth and Development Department.

Neighborhood Meeting Template:

Date

To: Property Owner

You are invited to attend a neighborhood meeting at ***location & time*** This meeting is to inform property owners of ***proposed application*** You comments are greatly appreciated as we move forward with our application.

Sincerely,

Name

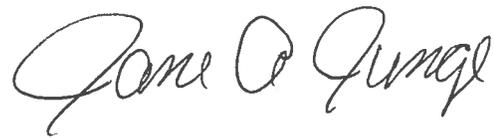
November 24th 2014

To Mountain Home Planning & Zoning.

You are invited to attend a neighborhood meeting at 194 SW Fly By Ave, Mountain Home at 2:00 P.M. on Saturday December 6th, 2014.

This meeting is to inform property owners of amending our conditional use permit. Currently we are a group daycare. We want to change to a child and adult child facility. Your comments are greatly appreciated as we move forward with our application.

Sincerely,

A handwritten signature in black ink that reads "Jane A. Junge". The signature is written in a cursive style with a large, looping initial "J".

Jane A. Junge

Mickey & Minnie's Playhouse



Elmore County Land Use & Building Department

520 East 2nd South
Mountain Home, ID 83647
Phone: (208) 587-2142
Fax: (208) 587-2120

Pre Application Meeting Form

Date: 10-10-14 Meeting Location: LUB office

Elmore County Staff: Beth Bresnahan

Applicant Name: Jane Jungo McKiea Minnie's Playhouse

Applicant Email: janejungo@juno.com

Applicant Phone Number: 283-4047

Applicant Address: _____

Property Owner: _____

Property Address: 194 SW Fly BY Ave

Parcel Number: RP 0000 400 3 0070 A

Proposed Use/Application: Daycare facility

Application(s) required: CUP

Notification distance: 1,000 feet

Other requirements: _____

Additional Meeting Required: _____

Case Number: _____

Additional Notes: _____

Amend existing CUP for expanding facility.
Requested 1,000 foot radius from Assessor's
office, provided neighborhood meeting form.

10/10/14

PM0100 - PARCEL MASTER INQUIRY

12:52:42

PARCEL: RP 000040030070 A F1=SL F4=MH F10=SW F12=RC F17=DD F19=SP F24=LD

JUNGE, CURTIS W
& JUNGE, JANE A

*TREND - LOT 7
BLK 3
AIRPORT SUB

LEGAL DESCRIPTION

690 E 14TH N

CODE AREA 52-0000 OWNER CD _____

MTN HOME ID 83647

PARC TYPE _____ LOC CODE 300

194 SW FLY BY AVE _____ 83647

EFFDATE 1201994 EXPDATE _____

PREV PARCEL _____

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
15	1	2014	1000	AC	21250			
18	1	2014	1005	AC	8218			
37	1	2014			2504			
47	1	2014			144			
TOTALS			2005		59977			

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

PM_PAR_15	PM_MAIL_NM	PM_MAIL_A1	PM_MAIL_A2	PM_MAIL_CT	PM_MAIL_ST	PM_MAIL_ZP
RP000040020231A	JOHNSON, DAVID A	137 SW FLY BY AVE		MTN HOME	ID	83647
RP000040020240A	SMITH, HENERY M	187 SW FLY BY AVE		MTN HOME	ID	83647
RP000040020200A	JOHNSON, KEITH A	952 NE Tanager		MTN HOME	ID	83647
RP000040020190A	SISNEROS, FRED	2190 SE SONNY		MTN HOME	ID	83647
RP00004002023HA	WAKEFIELD, RALPH R	89 SW FLY BY AVE		MTN HOME	ID	83647
RP000040020210A	JOHNSON, KEITH A	952 NE Tanager		MTN HOME	ID	83647
RP000040020220A	US LLC	75 SW FLY BY AVE		MTN HOME	ID	83647
RP000040030010A	ABUNDANT LIFE CHRISTIAN	3195 AIR BASE ROAD	P O BOX 62	MTN HOME	ID	83647
RP000040030030A	JETT, DAVID A	545 S 10TH E		MTN HOME	ID	83647
RP000040030040A	ABUNDANT LIFE CHRISTIAN	3195 AIR BASE ROAD	P O BOX 62	MTN HOME	ID	83647
RP000040030020A	HOOT, GEORGE A	C/O ROBERT S HOOT	P O BOX 932	CARSON	WA	98610
RP000040030050A	ABUNDANT LIFE CHRISTIAN	3195 AIR BASE ROAD	P O BOX 62	MTN HOME	ID	83647
RP000040030080A	BARRON, SHANE W	210 SW FLY BY AVE		MTN HOME	ID	83647
RP000040030090A	LUCAS, LISA L	330 SW FLY BY AVE		MTN HOME	ID	83647
RP000040030100A	PETITTI, JEFFREY T	380 SW FLY BY AVE		MTN HOME	ID	83647
RP000040020260A	WHITMAN, SHARON M	1025 N 15TH E		MTN HOME	ID	83647
RP000040020130A	CLAYCOMB, CARL W	232 SW CONTRAIL AVE		MTN HOME	ID	83647
RP00004002011AA	HOLTZ, STANLEY R	306 SW CONTRAIL AVE		MTN HOME	ID	83647
RP000040020080A	WILLIAMS, CURTIS V	454 SW CONTRAIL AVE		MTN HOME	ID	83647
RP000040020090A	KESSEL, SCOTT	420 SW CONTRAIL AVE		MNT HOME	ID	83647
RP000040020100A	HOLTZ, ADAM L	370 SW CONTRAIL AVE		MTN HOME	ID	83647
RP000040020280A	LEFEVER, TRACI M	355 SW FLY BY AVE		MTN HOME	ID	83647
RP000040020250A	JUAREZ, GUSTAVO	203 SW FLY BY AVE		MTN HOME	ID	83647
RP000040020140A	FANEUF, DENNIS E	P O BOX 577		MTN HOME	ID	83647
RP000040020150A	FANEUF, DENNIS E	P O BOX 577		MTN HOME	ID	83647
RP000040020160A	PEARSON, WILLIAM H	96 SW CONTRAIL AVE		MTN HOME	ID	83647
RP00004002023JA	DEAN, GREGORY A	111 SW FLY BY AVE		MTN HOME	ID	83647
RP03506E342450A	ABUNDANT LIFE CHRISTIAN	3195 AIR BASE ROAD	P O BOX 62	MTN HOME	ID	83647
RPA3506E271220A	CITY OF MOUNTAIN HOME	P O BOX 10		MTN HOME	ID	83647
RP000040030060A	ABUNDANT LIFE CHRISTIAN	3195 AIR BASE ROAD	P O BOX 62	MTN HOME	ID	83647
RP000040030070A	JUNGE, CURTIS W	690 E 14TH N		MTN HOME	ID	83647
RP03506E343600I	BERMENSOLO INC	235 E 6TH S		MTN HOME	ID	83647
RP00004002027BA	BANKS, BRIAN P	355 SW FLY BY AVE		MTN HOME	ID	83647
RP00004002027AA	BANKS, BRIAN P	355 SW FLY BY AVE		MTN HOME	ID	83647
RP03506E344205I	BERMENSOLO INC	235 E 6TH S		MTN HOME	ID	83647

*Printed at 8:50 AM
10-14-14
Sent Next*

28 CITY OF MOUNTAIN HOME

27

CITY OF MOUNTAIN HOME

Legend

Zoning

- ABCZ
- ABHZ
- AG
- C2
- CITY
- M1
- M2
- PC-MT
- R
- County Boundary
- Interstate
- Roads
- OLD HIGHWAY 30
- HIGHWAY 78
- HIGHWAY 67
- HIGHWAY 51
- HIGHWAY 20
- Townships
- Sections
- County Parcels

MP 8

AIR BASIN RD

US LLC

PEARSON, WILLIAM H

DEAN, GREGORY A

ABUNDANT LIFE CHRISTIAN

FANEUF, DENNIS E

ABUNDANT LIFE CHRISTIAN

FANEUF, DENNIS E

SMITH, HENRY M

ABUNDANT LIFE CHRISTIAN

CLAYCOMB, EARL W

JUAREZ, GUSTAVO

JUNGE, CURTIS W

ABUNDANT LIFE CHRISTIAN

AIRPORT
HOLTZ, STANLEY R

WHITMAN, SHARON M

BARRON, SHANE W

BANKS, BRIAN P

LUCAS, LISA L

HOLTZ, ADAM L

LEFEVER, TRACI L

PETIT, JEFFREY T

KESSEL, SCOTT

WILLIAMS, CURTIS V

MORALES, GERARDO

ROYCE, EAYE J

PICKERING, DAVID G

KNIGHT, YONK SUK

WHITE, JEFFREY S

MARTIN, LARRY H

JETLEY, JUSTIN LEE

BERMENSOLO INC

BERMENSOLO INC

STATE OF IDAHO

TORRES, ALDO

TORRES, JAIME

JUAREZ, ANTONIO

PEDROZA, ERIKA

RICHELIEU, RODNEY S

WRIGHT

STEPP, ALEX R

SKINNER, JOSEPH C JR

FITZGERALD, DAVID T

ORIGINAL

**BEFORE THE PLANNING AND ZONING COMMISSION
OF ELMORE COUNTY**

IN RE:)
CUP-2004-05)
Conditional Use Permit for a)
Group Childcare Facility)
)
)
)
)
)
)

**FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER**

Applicant.)
Jane Junge
690 East 14th North
Mountain Home, ID 83647

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 15 day of September, 2004, for a public hearing, held pursuant to public notice as required by law, on a request for a conditional use permit for a proposed group childcare facility. Property is located at Lot 7, Block 3 Airport Subdivision, Mountain Home, Elmore County, Idaho, and is zoned Agriculture B. The Commission having heard from the applicant in support of the application and no neighboring property owners appearing in opposition and no neighboring property owners submitting letters in opposition, and being fully advised in the matter, now issues the following:

FINDINGS OF FACT

1. The applicant has applied for a conditional use permit for a proposed group childcare facility at Lot 7, Block 3 Airport Subdivision, Mountain Home, Elmore County, Idaho.
2. Notice of public hearing has been given.
3. The property in question is zoned Agriculture B, pursuant to the Zoning and Development Ordinance of Elmore County. The property is designated Agriculture B in the duly adopted Comprehensive Plan.
4. Relevant criteria and standards for consideration of this application are set forth in the Elmore County Zoning and Development Ordinance Chapter 1, Article XIV, Section C.14-1 and Idaho Code §67-6512.
5. The existing land uses in the immediate area of the property in question are residential and commercial.
6. The proposed conditional use will, in fact, constitute an allowed conditional use in that zone, as determined by the Land Use Matrix and Zoning District regulations Chapter 1, Article VIII and Article IX.
7. The proposed conditional use will be in accordance with goals and objectives of the Comprehensive Plan and with all the applicable provisions of the Zoning Ordinance.
8. The proposed conditional use will be designed, constructed, operated and maintained to be harmonious with the existing or the intended character of the

ORIGINAL

general vicinity and that such use will not change the essential character of the same area.

9. The proposed conditional use will not be hazardous or disturbing to existing or future neighboring uses.
10. The proposed conditional use will be served adequately by existing essential public facilities and services such as highways, streets, schools, police and fire protection, drainage structures, refuse disposal, water and sewer or that the person responsible for the establishment of the proposed conditional use shall be able to provide adequately any such services.
11. The proposed conditional use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
12. The proposed conditional use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of the environment, or excessive production of traffic, noise, smoke, fumes, glare, or odors.
13. The proposed conditional use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets.
14. The proposed conditional use will not result in destruction, loss or damage of a natural or scientific feature of major importance

Based on the foregoing **FINDINGS OF FACT**, the Elmore County Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The requirements of Idaho Code Section 67-6509 have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code.
3. The applicant has met the requirements Zoning and Development Ordinance Chapter 1, Article XIV, Section C.14-1 for a conditional use permit as shown above in the findings of fact.

Based on the forgoing **CONCLUSIONS OF LAW**, the Elmore County Planning and Zoning Commission hereby enters the following:

ORDER

The application for a conditional permit for a **group childcare facility** located in Lot 7, Block 3 Airport Subdivision, Mountain Home, Elmore County, Idaho, should be and is hereby **GRANTED** with the following conditions:

- There will be adequate parking and turn around.
- All signage shall be placed on the structure without lighting, and shall comply to all zoning and building regulations.
- Facility will be and remain state licensed and will have all other required permits from outside agencies
- Area shall have secured fencing for safety purposes.

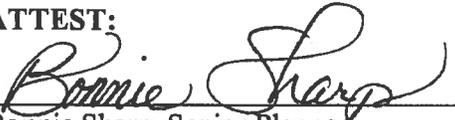
COMMISSION VOTE:

CHAIRMAN NICK NETTLETON
VICE CHAIRMAN AL SOBTZAK
COMMISSIONER K.C. DUERIG
COMMISSIONER DOUG KING
COMMISSIONER PATTY OSBORN
COMMISSIONER TODD WAITE
COMMISSIONER COURTNEY HILER

VOTED YES
VOTED YES
VOTED YES
VOTED YES
VOTED YES
VOTED YES
VOTED YES

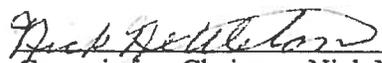
ORIGINAL

ATTEST:


Bonnie Sharp, Senior Planner

DATED this 23rd day of September 2004.

*Effective the ___ day of _____ 2004.

 9/23/04
Commission Chairman Nick Nettleton

*Note A decision made by the Elmore County Planning and Zoning Commission may be appealed to the Board of Elmore County Commissioners provided the appeal is submitted in writing to said Board within fifteen (15) calendar days of Commission action by 5:00 p.m. on the 15th day. Questions concerning appeals or deadlines should be asked of the Elmore County Growth and Development staff during normal business hours.

Basement: A portion of a building all or partly underground but having at least one-half (2) of its height below the average level of the adjoining ground.

Block: A group of lots, tracts, or parcels within well-defined boundaries, usually streets.

Board: The Board of Elmore County Commissioners.

Boarding or Lodging House: A building (other than a hotel, motel or restaurant) where meals and/or lodging are provided for compensation to three (3) or more persons who are not members of the householder's family.

Buffer Strip: An area established to protect one type of land use from possible undesirable characteristics of another, such as between industrial and residential zones. The more intensive utilization of land is to provide screening from that of the less intensive.

Building: Any structure securely fixed to the land, and which is designed or intended for the shelter, enclosure, or protection of persons, animals, chattels, or property of any kind.

Building Accessory: A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building, Existing: A building erected prior to the effective date of this Ordinance or one for which a legal building permit has been issued as of the effective date of this Ordinance's original adoption.

Building, Height: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs; to the deck line of the mansard roofs; and the top of building walls for gable, hip, and gambrel roofs.

Building, Non-Conforming: Any building, which does not conform to the requirements of this Ordinance.

Building, Principal: A building in which is conducted the principal or main use of the lot upon which said building is situated. Every dwelling in any "R" District is a principal building.

Building Setback Line: An imaginary line established by subdivision regulations and the Zoning Ordinance requiring all buildings to be set back a certain distance from lot lines and street rights-of-way.

Building Site: An area proposed or provided and improved by grading, filling, excavation or other means for erecting pads for buildings.

Bulk: A term used to describe the size and relationships of buildings and other structures, spaces, streets and parking, and overall land area.

Carport: A covered shelter for no more than three (3) automobiles open on two (2) or more sides.

Cemetery: A lot that has been planned for the selling of sites for the burial of animals and human remains.

Certificate of Occupancy: A certificate, which is issued by the building inspector to indicate that, after construction of the building has been completed or a change of use or alteration of an existing building is completed, that the building is in compliance with the terms of this Ordinance.

Child Care Facility: Any home, structure, or place where non-medical care, protection, or supervision is regularly provided to children under fourteen (14) years of age for periods of less than twenty-four (24)

hours per day while parents or guardians are not on the premises. There are three (3) types of child care facilities:

1. Family Child Care Home - A child care facility which provides care for five (5) or fewer children throughout the day;
2. Group Child Care Home - A child care facility which provides care for six (6) to twelve (12) children throughout the day; and
3. Child Care Center - A child care facility which provides care for more than twelve (12) children throughout the day.

It should be noted that, in determining the type of child care facility being operated, the total number of children at the facility at any one time may be regulated.

City: A municipal corporation having jurisdiction of the lot or parcel of land under consideration.

Clinic (Medical, Dental, Optical): A building (other than a hospital) used by one or more health care practitioners for the purpose of care, diagnosis or treatment of sick, ailing, or injured patients, or those who are in need of medical and surgical attention, but where board, room, or regular hospital care and services are not provided.

Club or Lodge: A building or portion thereof on premises owned or operated by a non-profit organized association of persons for social, literary, political, educational, recreational, or similar purposes and primarily for the exclusive use of enrolled members and their guests, but not to include any organization, group, or association whose principal activity is to render a service usually and ordinarily carried on as a business.

Commercial Use: A structure or use intended or used for business purposes such as a retail store, office, or a service establishment. A commercial use includes light repair services but does not include the repair or maintenance of heavy equipment or machinery or such other uses normally associated with an industrial use.

Commission: The Elmore County Planning and Zoning Commission which is appointed by the Board.

Committee or Special Commission: A group of citizens appointed by the Board or the Commission to implement the policies of the Comprehensive Plan or to assist with technical evaluation or special plans and to make recommendation to the Commission and/or Board.

Community Shopping Center (Commercial): A shopping center, the size of which generally falls between regional and neighborhood shopping centers. Generally 100,000 to 400,000 square feet of gross floor space on a site of five (5) to thirty (30) acres.

Compost Facility: An indoor or outdoor facility that is regulated or subject to the regulations of state and/or federal agencies and where compost is collected, stored, processed, sorted, packaged, transferred, created, cultivated, or disposed of.

Comprehensive Plan: The Comprehensive Plan, which has been officially adopted by Elmore County, Idaho.

Conditional Use Permit: A permit allowing an exception to the uses authorized by this Ordinance in a zoned district, given compliance with particular conditions.

OFFICIAL SCHEDULE OF ZONING DISTRICT REGULATIONS

Land Use Types		Zoning Designation							
		<u>AgA</u>	<u>AgB</u>	<u>R</u>	<u>C</u>	<u>M1</u>	<u>M2</u>	<u>AHZ</u>	<u>ACZ</u>
Advertising signs and structures	C	C		P	P				
Agricultural uses-general		P	P			P	P	P	
Agricultural wholesale/retail		P	P		P	P	P	C	
Amusement center, indoors		C	C		P	P			
Aquatic and hydroponic farming	P	P				C	P		
Archery range-indoors		C	C		P	P			
Asphalt plant		C	C			C	C		
Auto repair and service shops (completely enclosed)		C	C		P	P			P
Auto repair and service shops		C	C		P	P			
Auto sales, service, storage, rental		C	C		P	P			
Auto sales, storage, rental		C	C		P	P			P
Baker or bakery goods store		C	C		P	P			
Banks-savings-loan		C	C		P	P			
Bar/lounge		C	C		P	P			
Barber-beauty shops		C	C		P	P			P
Beverage bottling plant		C	C		P	P	C		
Billboard/sign manufacturing		C	C		P	P	C		
Boat Building		C	C		C	P	C		
Boat mooring		C	C		P	P			
Bowling alley		C	C		P	P			
Building supply outlet		C	C		P	P			P
Business college-trade school		C	C		P	P			
Campgrounds		C	P		C	C			
Car Wash		C	C		P	P			
Cabinet shop		C	C		P	P			
Cement manufacturing		C	C			C	C		
Cemetery		P	P		C	C		C	
Chemical storage and mfg.						C	C		
Child care center		C	C	C	C	C			C
Church		P	P	P	P	P	C	C	C
Cleaning plant - commercial		C	C		P	P			
Cleaning, laundry agency		C	C		P	P			
Clinic		C	C		P	P			P
Club		C	C		P	P			
Cold storage plant		C	C			P	C		
Concrete batch plant		C	C			C	C		
Contractors storage yard		C	C		C	P	C		
Contractors yard		C	C		P	P	C		
Convenience type grocery, fruit, or vegetable stores					P				P
Dairy (LCO permit required)		C	C			C			
Dairy products processing		C	C			C	C		
Dance, music, voice studio		C	C		P	P			
Drive-in restaurant, food stand		C	C		P	P			
Drive-in theater	C	C		P	P				
Drug store		C	C		P	P			P
Dude ranch		C	C						

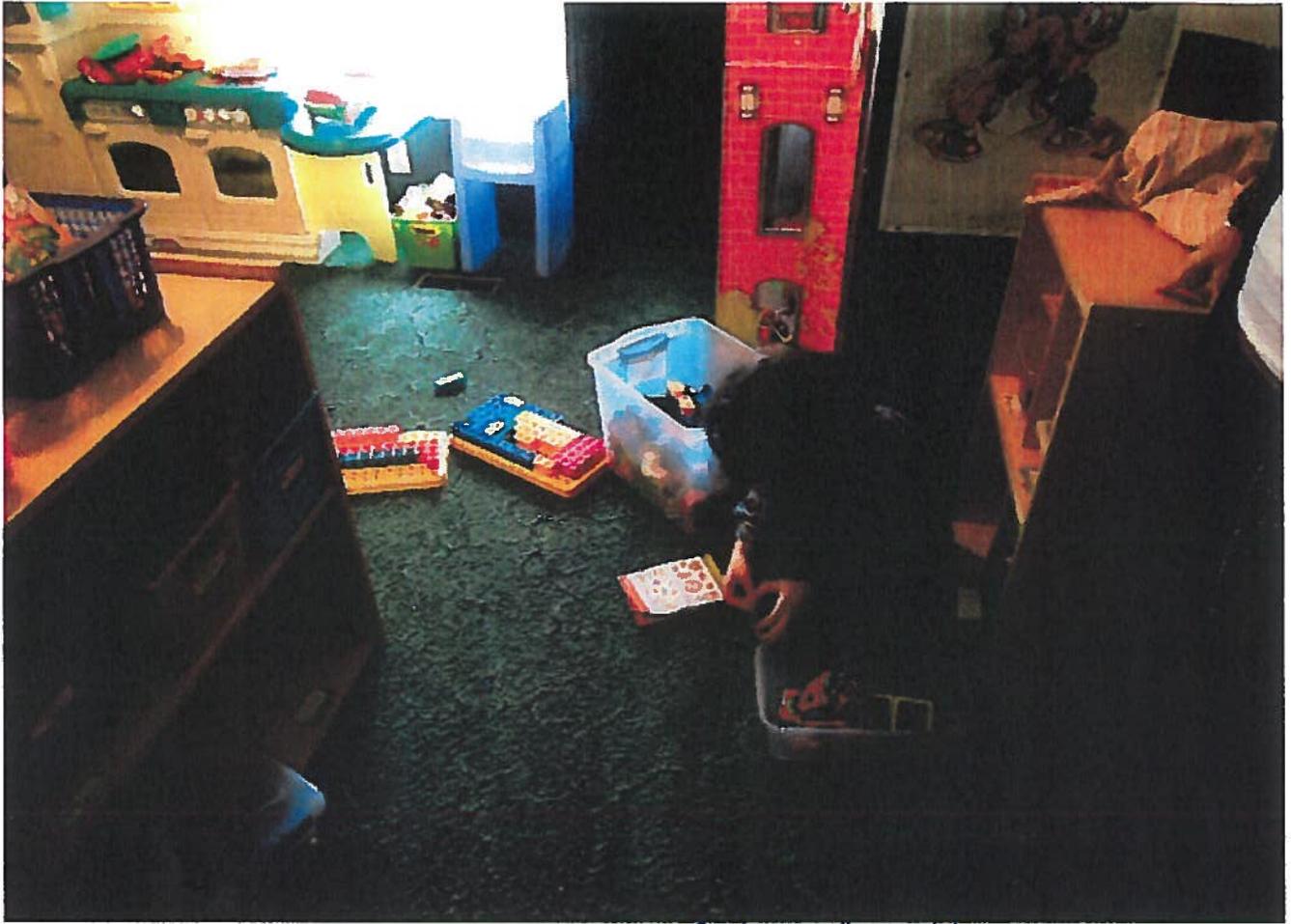


FRONT ROOM as you enter facility

1-14-15

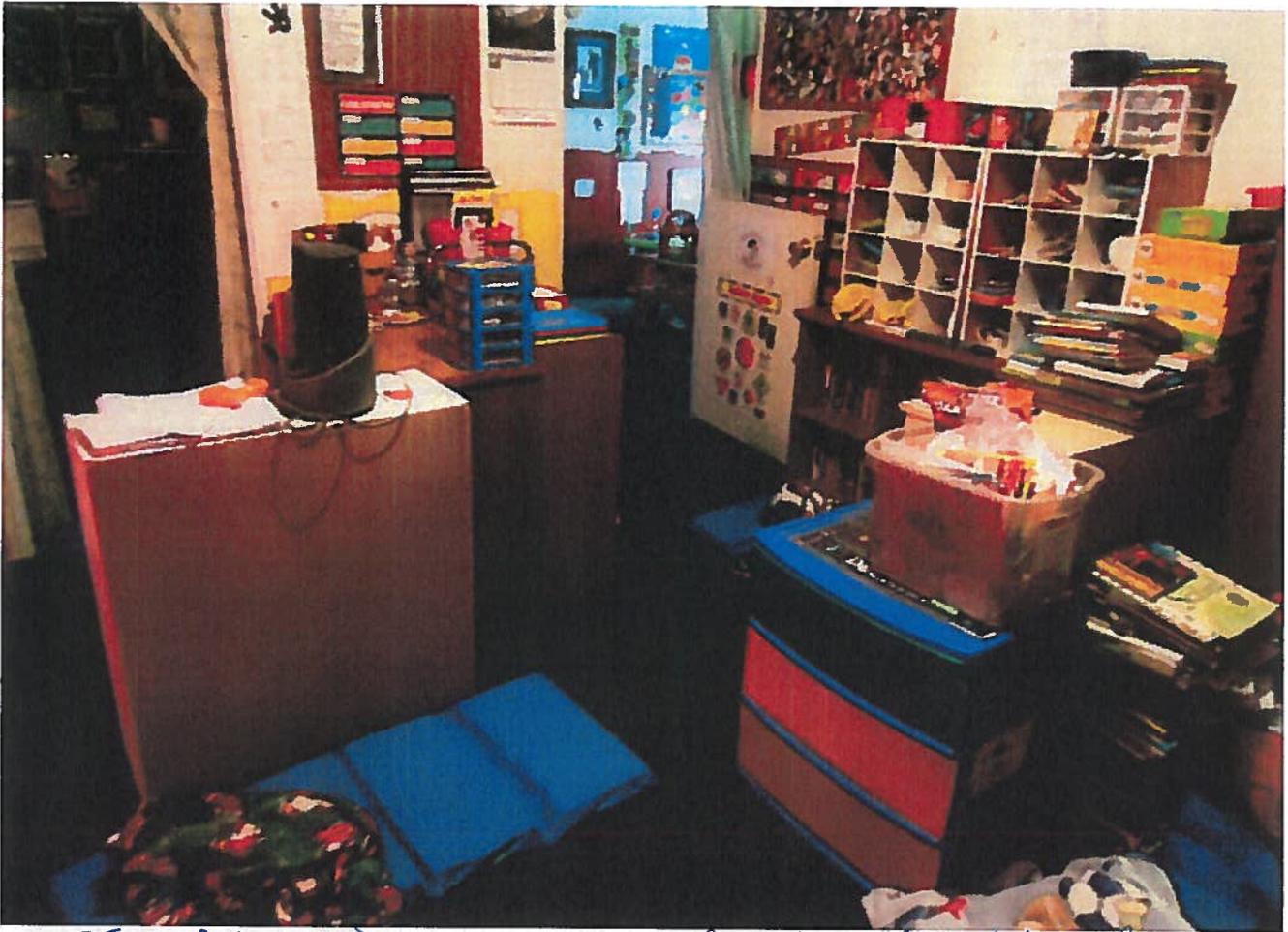


Infant Room off of this Room (2 sleeping infants at time)



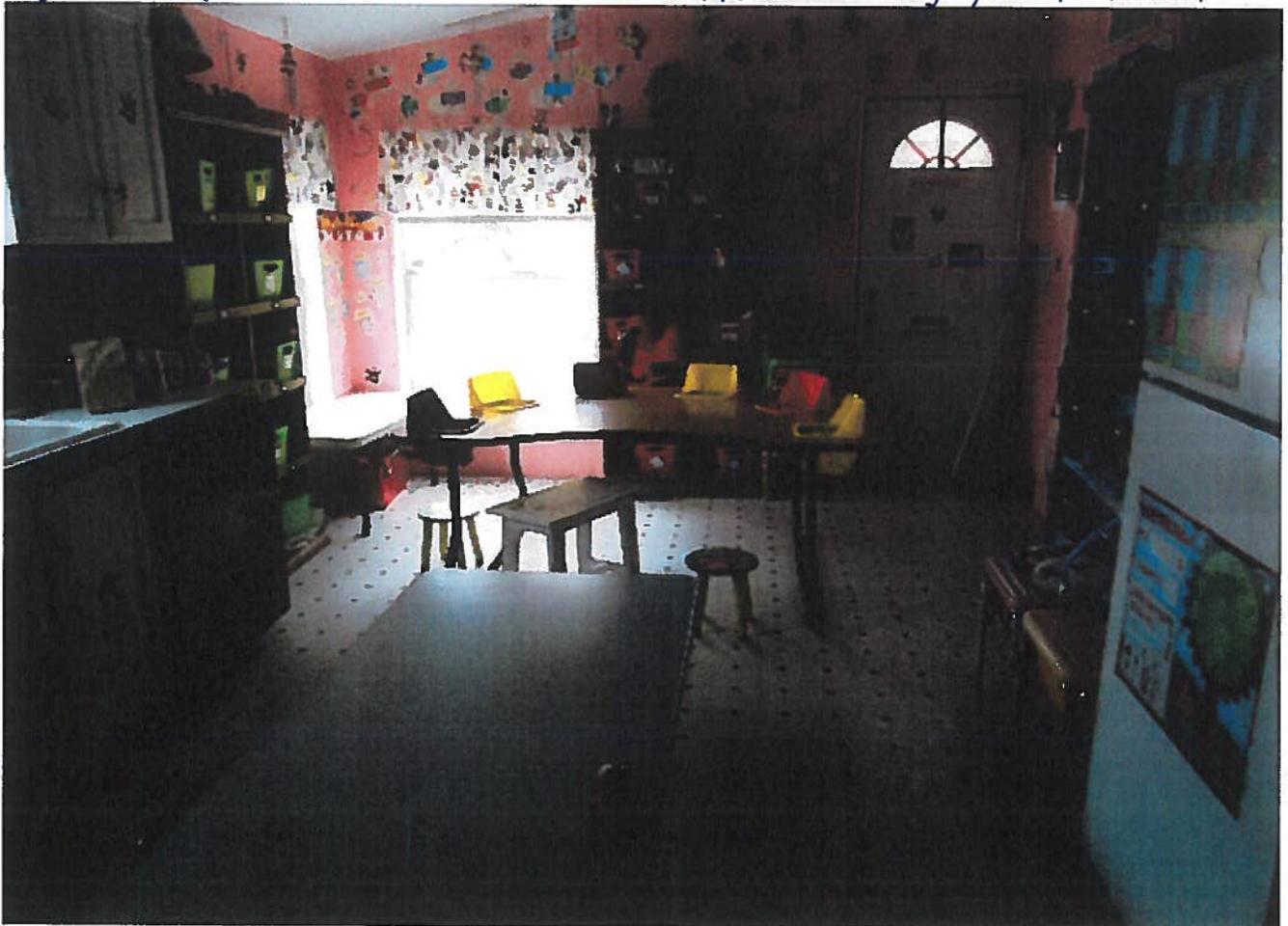
School Age Room





OFFICE (up corner)

Preschool Age/Nap Room



Kitchen

Elmore County, Idaho
Land Use & Building Department

LEGAL NOTICE OF PUBLIC HEARING

Elmore County
Planning & Zoning Commission,
Will hold a Public Hearing to accept
testimony and to consider an application for
a Conditional Use Permit to amend a
Conditional Use Permit CUP-2004-05 for a
group child care facility an Agriculture (AG)
Zone.

Applicant: *Jane Junge (Mickey and Minnie's Playhouse)*

Hearing Date: Wednesday January 21, 2015

At 7:00 p.m. Case: CUP-2015-02

In the War Memorial Hall

(American Legion)

515 East 2nd South

Mountain Home, Idaho

For more information, contact

COUNTY PLANNER

(208) 587-2142 Ext 254

taken 1-13-15





taken 1-13-15





taken 1-14-15



**BEFORE THE PLANNING AND ZONING COMMISSION
OF ELMORE COUNTY**

IN RE: CUP-2015-01)	
Conditional Use Permit)	
For a gravel pit in)	
An Agriculture (Ag))	FINDINGS OF FACT
Zone)	CONCLUSIONS OF LAW
)	AND ORDER
)	
)	
)	
Applicant:)	
Mountain Home Highway District)	
PO Box 756)	
Mountain Home, ID 86647)	

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 17th day of December, 2014, for a public hearing, held pursuant to public notice as required by law, on a request for a Conditional Use Permit for a proposed gravel pit. Property is located in Section 32, Township 1 North, Range 5 East, B.M., and is zoned Agriculture. The Commission heard from the applicant in support of the application. The Commission received written testimony and information in regards to the application. Upon conclusion of the public hearing, the Commission duly considered all that was presented to them. Based upon all this information, the Planning and Zoning Commission now makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The applicant has applied for a Conditional Use Permit for a proposed gravel pit in Section 32, Township 1 North, Range 5 East, B.M.
2. Notice of public hearing has been given to agencies and property owners on December 1, 2014, publicized in Mountain Home Newspaper on November 26, 2014, and posted on the property on December 8, 2014.
3. Neighborhood meeting was held on October 20, 2014.
4. The property is located within an Agriculture (Ag)/Wildfire Urban Interface (WUI) Zone.
5. The surrounding land uses are grazing and agriculture.
6. The proposed use will, in fact, constitute an allowed conditional use in that zone, as determined by the Land Use Matrix and Zoning District regulations in Table 6-8-11 (C) of the Elmore County Zoning and Development Ordinance.
7. The proposed use will be in accordance with goals and objectives of the Comprehensive Plan and with all the applicable provisions of the Zoning and Development Ordinance.
8. The proposed use will comply with all applicable County Ordinances.

9. The proposed use will be served adequately by existing essential public facilities and services such as highways, streets, schools, police and fire protection, drainage structures, refuse disposal, water and sewer or the person responsible for the establishment of the proposed conditional use shall adequately provide any such services.
10. The proposed use will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public streets.
11. The proposed use will be designed, constructed, operated and maintained to be harmonious with the existing or the intended character of the general vicinity and such use will not change the essential character of the same area.
12. The proposed use will not be hazardous or disturbing to existing or future neighboring uses.
13. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
14. The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of the environment, or excessive production of traffic, noise, smoke, fumes, glare, or odors.
15. The proposed use will not result in destruction, loss or damage of a natural or scenic feature of major importance.

Based on the foregoing **FINDINGS OF FACT**, the Elmore County Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The requirements of Idaho Code Section §67-6509 have been met.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code.
3. The applicant has met the requirements of the Zoning and Development Ordinance Chapter 27 for a Conditional Use Permit as shown above in the findings of fact.

Based on the forgoing **CONCLUSIONS OF LAW**, the Elmore County Planning and Zoning Commission hereby enters the following:

ORDER

The application for a Conditional Use Permit for a gravel pit located in Section 32, Township 1 North, Range 5 East, B.M., should be and is hereby **APPROVED** with these additional conditions:

ADDITIONAL CONDITIONS

1. Hours of gravel pit operation, will include crushing and truck traffic, shall be within 7:00 a.m. to 7:00 p.m. standard time/ 7:00 a.m. to 9:00p.m. daylight saving time.
2. If blasting occurs, the applicant shall obtain an Elmore County blasting permit from the Elmore County Land Use and Building Department.
3. There shall be no mining or excavating within 50' of property boundaries.
4. Failure to comply with the conditions may result in the revocation of the Conditional Use Permit.
5. Dust control shall be maintained on all access roads.
6. The proposed use will comply with any prior or existing state or federal agency requirements.
7. The use will comply with applicable items of section 6-8-164 of the Elmore County Zoning and Development Ordinance.

COMMISSION VOTE:

CHAIRPERSON PATTI OSBORN	VOTED AYE
VICE CHAIRPERSON K.C. DUERIG	VOTED AYE
SUSAN FISH	VOTED AYE
BETTY VAN GHELUWE	VOTED AYE
SHANE ZENNER	VOTED AYE
ED OPPEDYK	VOTED AYE
JEFF BLANKSMA	VOTED AYE

Patti Osborn, Chairperson

ATTEST:

Alan Christy, Director

DATED this _____ day of _____ 2015.

*Note A decision made by the Elmore County Planning and Zoning Commission may be appealed to the Board of Elmore County Commissioners provided the appeal is submitted in writing to said Board within ten (10) calendar days of Commission action. Questions concerning appeals or deadlines should be asked of the Elmore County Land Use and Building Department.

**ELMORE COUNTY
PLANNING AND ZONING COMMISSION**

MINUTES
Wednesday, December 17, 2014

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairperson K.C. Duerig, Ed Oppedyk, Sue Fish, Jeff Blanksma, Shane Zenner, and Betty Van Gheluwe. Also present were Attorney of Record Phillip Miller, Director Alan Christy, and staff members Beth Bresnahan and Kacey Ramsauer.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Mountain Home Highway District for a Conditional Use Permit for a gravel pit in the Agriculture (Ag) Zone. Case Number: CUP-2015-01. The site is located in Section 32, Township 1 North, Range 5 East, B.M. A common means of locating the property is from Interstate 84, take exit 74, turn north on Simco Road, turn left on Desert Wind, turn right on Regina, turn right on Baseline Rd., turn left on Bouns Creek Rd, travel approximately 1.6 miles, the proposed area will be on the left side of the road.

Bresnahan gave staff report and background.

Carl Phares is with the Mountain Home Highway District. He stated that this is a very simple deal. He stated that there will be no blasting or crushing on site. He stated that it is all decomposed granite that they will be using on local roads. He stated that there are no material sources in that area.

There was no one signed up to testify.

There were no further questions.

Osborn closed this public hearing.

Commission action:

Duerig moved to approve with the conditions presented by staff.

Van Gheluwe seconded.

Motion carried unanimously.

MINUTES

Minutes from 11-19-2014.

Duerig moved to approve.

Oppedyk seconded.

Motion carried unanimously.

INFORMATION ITEMS**Upcoming P & Z Schedule.**

Christy stated that there have been 2 appeals to the Board of County Commissioners. He stated that the first is Red Baron Estates and will go into deliberations next week. He stated that the board had ordered that the Red Baron homeowner's association and the Soles Rest homeowner's association come to an agreement and that has been done so the original condition that was originally proposed by the commission has been satisfied.

Christy stated that the other appeal was for Idaho Country concerts. The board has continued deliberations until next week.

Christy stated that there is a building code resolution that was adopted by the board in the packet and it's more informational than anything else.

Christy stated that the board is entertaining adding another member to the planning and zoning commission preferably from the Mayfield area.

Christy stated that the next scheduled hearing for the commission will be held January 21, 2015.

MEETING ADJOURNED

Patti Osborn, Chairperson

Date:

Attest: _____

Alan Christy, Director

Date: