

6. The existing land uses in the immediate area of the property in question are residential and dry grazing.
7. The proposed conditional use permit 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 VI and Article VIII; or is a legal existing nonconforming land use or structure.
8. The proposed conditional use permit will be in accordance with goals and objectives of the Comprehensive Plan and with all the applicable provisions of the Zoning and Development Ordinance.
9. The proposed conditional use permit 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.
10. The proposed conditional use permit will not be hazardous or disturbing to existing or future neighboring uses.
11. The proposed conditional use permit 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.
12. The proposed conditional use permit 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.
13. The proposed conditional use permit 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.
14. The proposed conditional use permit will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public streets.
15. The proposed conditional use permit 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 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 Use Permit for 4-lot Letter of Information located in Section 3, Township 1 South, Range 4 East, B.M., should be and is hereby **GRANTED** with these additional conditions:

ADDITIONAL CONDITIONS

- 1) Fence around the proposed Letter of Information.
- 2) Must be recorded within one (1) year from approval of the Board of County Commissioners.
- 3) All taxes and fees must be paid in full.
- 4) The "Right to Farm Act" will be on the Record of Survey.

This Conditional Use Permit is subject to final approval by the Board of County Commissioners.

COMMISSION VOTE:

CHAIRPERSON PATTI OSBORN	VOTED AYE
VICE CHAIRPERSON K.C. DUERIG	VOTED AYE
DEBBIE LORD	VOTED AYE
BETTY VAN GHELUWE	VOTED AYE
SUSAN FISH	VOTED AYE
JIM MARTIN	VOTED AYE
ED OPPEDYK	VOTED AYE
JEFF BLANKSMA	ABSENT

ATTEST:



Patti Osborn, Chairperson



Alan Christy, Director

DATED this 20th day of November 2013.

*Effective at 12:01 A.M. on the 30th day of November 2013.

*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. Questions concerning appeals or deadlines should be asked of the Elmore County Land Use and Building Department or the Elmore County Clerk.