

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

<b>Revocation of Conditional Use</b>	)	
<b>Permit to Operate a Soil Land</b>	)	
<b>Farm that Aerates Petroleum</b>	)	<b>FINDINGS OF FACT</b>
<b>Contaminated Soil in Heavy</b>	)	<b>CONCLUSIONS OF LAW</b>
<b>Industrial (M2) Zone</b>	)	<b>AND ORDER</b>

**Applicant:**

**AAA Landfarms, Inc.  
John Anderson  
2821 S. Quercus Ave.  
Boise, ID 83704**

This matter has come before the Planning and Zoning Commission of Elmore County, Idaho, on the 16<sup>th</sup> day of January, 2019, for a public hearing, held pursuant to public notice as required by law, for revocation of a Conditional Use Permit to Operate a Soil Land Farm that Aerates Petroleum Contaminated Soil. Property is located in Section 3, Township 2 South, Range 6 East, B.M., and is zoned Heavy Industrial (M2).

**FINDINGS OF FACT**

1. The Conditional Use Permit was approved on March 3, 2004 with an effective date of March 19, 2004.
2. The property is located in Section 3, Township 3 South, Range 6 East, B.M. on
3. Notice of revocation was sent to owner on October 18, 2018 via certified mail.
4. AAA Landfarms, Inc. signed for the letter on October 23, 2018.
5. The property is located within a Heavy Industrial (M2) Zone.
6. The surrounding land uses are Industrial and Agriculture.
7. Staff was notified that the property is no longer being used as a soil and farms that aerates petroleum contaminated soil.
8. AAA Landfarms, Inc. was given thirty (30) days in which to contest the revocation.
9. AAA Landfarms, Inc. did not contest the revocation

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

**CONCLUSIONS OF LAW**

The Commission may revoke the permit as authorized by Title 7 Chapter 16 Section 7-16-5 of the Elmore County Zoning and Development Ordinance 2018-03.

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

**ORDER**

The Conditional Use Permit to operate a soil landfarm that aerates petroleum contaminated soil in Section 3, Township 3 South, Range 6 East, B.M., should be and is hereby **REVOKED**.

**COMMISSION VOTE:**

CHAIRPERSON PATTI OSBORN  
VICE CHAIRPERSON K.C. DUERIG  
SUSAN FISH  
ED OPPEDEYK  
JEFF BLANKSMA  
MITCHELL SMITH

AYE  
AYE  
AYE  
ABSENT  
AYE  
AYE

  
\_\_\_\_\_  
Patti Osborn, Chairperson

**ATTEST:**

  
\_\_\_\_\_  
Beth Bresnahan, Director

DATED this 16<sup>th</sup> day of January 2019.

**NOTICE PURSUANT TO ZONING ORDINANCE SECTION 7-3-10 B**

A decision made by the Elmore County Planning and Zoning Commission (the "Commission") may be reconsidered by the Commission provided the reconsideration application is complete and reconsideration fee is submitted to the Land Use and Building Department within fourteen (14) calendar days of Commission action. The reconsideration shall include new or additional relevant information that was not previously presented or available at the public hearing. Questions concerning reconsideration or deadlines should be asked of the Elmore County Land Use and Building Department.

**NOTICE PURSUANT ZONING ORDINANCE SECTION 7-3-10 E**

A decision made by the Elmore County Planning and Zoning Commission may be appealed to the Board of Elmore County Commissioners provided the appeal application is complete and appeal fee is submitted to the Land Use and Building Department within fourteen (14) calendar days of Commission action. Questions concerning appeals or deadlines should be asked of the Elmore County Land Use and Building Department.