



## Land Use and Building Department

520 East 2nd South Street, Mountain Home, Id. 83647  
Phone: (208) 587-2142 ext. 502 Fax: (208) 587-2120  
www.elmorecounty.org

James Roddin/  
Johnny Hernandez  
Interim Directors

Johnny Hernandez  
Building Official

Colton Janousek,  
Building Inspector

Vacant,  
Building Inspector

David Abrahamson,  
Planner

Vacant,  
Planner

Vacant,  
Planner

Vacant,  
Code Enforcement

James Roddin  
Admin Manager

Sandra Nuner  
Permit Technician

Alyssa Nieto  
Administrative Assistant

### Staff Report to the Planning and Zoning Commission

**Meeting/Hearing Date:** 04/24/2025  
04/18/2025

**Date**

**Report**

**Compiled:**

**Agenda Item:** Conditional Use Permit to subdivide a 40-acre parcel into an 8-lot Subdivision within the City of Mountain Home Area of Impact.

**Applicant:** Justin Latchu

**Case Number:** CUP-2025-07

**Staff:** Nina Schaeffer, Contract Planner

**Location/Site:** Township 4 South, Range 6 East, Section 11

**Zoning:** Agriculture (AG) within the City of Mountain Home Area of Impact

**Parcel Numbers:** RP04S06E113600

**Property Size:** Approximately 40 acres

#### **Applicant:**

Justin Latchu

#### **Parcel Number:**

RP04S06E113600

#### **Land Use & Zone:**

Agriculture (Ag)

#### **Applicable County Codes:**

Title 7, Chapters 2,3,  
and 9

Title 11, Chapter 1

#### **BACKGROUND:**

Conditional Use Permit No. 2025-07 (CUP-2025-07) intends to subdivide a 40 acre parcel, assessor's parcel number RP04S06E113600 (the Site), located within Agriculture (Ag) zone, into eight (8) five-acre lots. The Site is located on State Highway 51 and south of downtown Mountain Home as shown in the vicinity map (Exhibit 1). The Site is abutted by Ag zones on all sides and is in Mountain Home's Area of City Impact. A common way of locating the property from Mountain Home is by going South on Highway 51, shortly past Graham Drive.

CUP-2025-07 is subject to review pursuant to Elmore County Zoning and Development Ordinance 2018-03 ("Zoning Ordinance") Title 7, Chapters 2, 3, and 9 as well as Title 11, Chapter 1 for the Mountain Home Area of Impact. The Applicant had a pre-application meeting with the Land Use and Building Director pursuant to Zoning Ordinance §7-3-2(A) on September 18<sup>th</sup>, 2024 (Exhibit 2). The City of Mountain Home staff participated in this meeting as required by Zoning Ordinance § 11-1-4 (D) due to the property being in Mountain Home's Area of City Impact.

The Applicant sent a neighborhood meeting notification to neighbors within a three-hundred-foot (300') radius of the proposed site on October 16<sup>th</sup>, 2024, to notify

neighbors of the pre-application neighborhood meeting (Exhibit 3). The Applicant then held the meeting on November 4<sup>th</sup>, 2024, at Savory Lane Steakhouse. (Exhibit 4), per §7-3-3 of the Zoning and Ordinance. On November 12<sup>th</sup>, 2024. The Applicant submitted their CUP application and required four-hundred-dollar (\$400) fee, site map, and the required agency signatures (Exhibit 5). Upon reviewing the application, on March 17<sup>th</sup>, 2025, the Department sent the Applicant an acceptance letter, advising the Applicant of the date, time, and location of their public hearing on April 24<sup>th</sup>, 2025 (Exhibit 6).

The public hearing notice was mailed to affected agencies and landowners within three-hundred feet (300") of the property on March 17<sup>th</sup>, 2025, per ordinance §7-3-4 of the Zoning Ordinance (Exhibit 7). The notice of public hearing was published in the Mountain Home News on April 9<sup>th</sup>, 2025, as required by Zoning Ordinance §7-3-5(A) (Exhibit 8). The notice of public hearing was posted on the property of the Applicant on April 17<sup>th</sup>, 2025, per Zoning Ordinance §7-3-5(B) (Exhibit 9).

### **SURROUNDING USES**

North: Ag - Inactive Grazing Land  
East: Ag – Inactive Grazing Land  
South: Ag – Single Family Dwelling  
West: Ag – Single Family Dwelling

### **EXHIBITS OF RECORD**

1. Vicinity Map
2. Pre-Application Meeting Notes
3. Neighborhood Meeting Letter
4. Neighborhood Meeting Sign-In Sheet
5. Application
6. Acceptance Letter
7. Agency and Property Notification
8. Elmore County News Public Hearing Notice
9. Site Post
10. Agency Comments

### **THE ELEVEN STANDARDS FOR CONDITIONAL USES PERMIT PER SECTION 7-9-10**

1. **The proposed use shall, in fact constitute a Conditional Use as determined in Chapter 2, Table 7-2-26 (B), Elmore County Land Use Table, as contained in this Ordinance;**

**Staff Response:** The Applicant is proposing a Conditional Use Permit to subdivide the parcel into eight (8) five-acre lots. The current zoning, Ag, allows for one dwelling per 40 acres, however, the zone allows properties to be subdivided into smaller lot through a Conditional Use Permit according to Table 7-2-26-(B).

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

**Staff Response – Comprehensive Plan:** The proposal is in harmony and accordance with the following Private Property Rights objectives and goals of the 2014 Elmore County Comprehensive Plan.

*Private Property Rights Goal Statement 2: The community goal is to acknowledge the responsibilities of each property owner as a steward of the land, to use their property wisely, maintain it in good condition and preserve it for future generations.*

*Private Property Rights Objective #4: Land use laws and decisions should avoid imposing unnecessary conditions or procedures on development approvals which cause an unreasonable increase in housing costs.*

*Private Property Rights Objectives #7: The property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods.*

*Private Property Rights Objectives #8: The property owners shall be responsible for maintaining their property in the best possible condition as circumstances allow.*

*Private Property Rights Objectives #9: The proposed owners must recognize they are only temporary stewards of the land and shall preserve and maintain their property for the benefit of future generations.*

*Private Property Rights Objectives #10: Property owners acknowledge and expect that Elmore County will preserve private property rights and values by enforcing regulations that will ensure against incompatible and detrimental neighboring land uses.*

*Private Property Rights Objectives #13: Elmore County will take appropriate measures to enforce all nuisance ordinances to protect quality of life and property rights.*

#### *Land Use Goal 1*

*Provide for the orderly growth and accompanying development of the resources within the County that is compatible with a rural lifestyle.*

#### *Land Use Goal 2*

*Achieve a land use balance, which recognizes that existing agricultural uses and new residential development may occur in the same community.*

#### *Land Use Goal 3*

*Continue to designate areas where rural type residential development will likely occur and recognize areas where agricultural development will likely occur.*

#### *Land Use Goal 4*

*Continue to designate areas within appropriate communities to stimulate recreation and tourism related developments and services.*

#### *Transportation Goal 1*

*To provide a comprehensive improved safe transportation and circulation system that will accommodate present and future needs of the County including residential, commercial, industrial and public development.*

*Suburban Mountain Home Vicinity Land Use Goal #5: Recognize that residential development should occur near the City of Mountain Home...but new development must blend and complement the existing rural lifestyle in the area.*

*Suburban Mountain Home Vicinity Transportation Goal #9: Create a road improvement standard for any development within the Suburban Mountain Home area to prevent dust problems and allow all-weather usage.*

*Suburban Mountain Home Vicinity Housing Goal #12 – Promote new affordable housing and rehabilitation of existing homes for residents of all income levels.*

*Suburban Mountain Home Vicinity Community Design Goal #13 - Encourage and support the continuation of suburban residential land uses and hobby farms within an approximate 2-mile radius outside the City of Mountain Home. Land areas near Mountain Home but beyond the 2-mile radius should be preserved for agricultural and Ag related developments*

The proposed large lot residential subdivision supports property owner rights and affordable and rural development objectives of Elmore County as well as the Suburban Mountain Home Vicinity community design, transportation, housing, and land use goals of the 2014 Comprehensive Plan. Therefore, staff concludes that the proposed use is in harmony with the Comprehensive Plan.

**Staff Response – Ordinance:**

The proposed subdivision is reviewed per standards established in Zoning Ordinance §§ 7-9-4 and 11-1-4 and staff finds the proposed use is consistent with those standards. The proposed subdivision will be consistent with the development goals of Elmore County and Mountain Home will have adequate setback from all permanent structures as required in the Zoning Ordinance. The Applicant has submitted a proposed site plan to demonstrate compliance with Conditional Use Permit standards. The proposal is conditioned to ensure compliance with its requirements.

**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 2 Title 7;**

**Staff Response:** The purpose statement for Agriculture (AG) base zone is found in Zoning Ordinance §7-2-5(A), providing:

The agriculture base zone is applied to most unincorporated areas of Elmore County and allows for a variety of land uses with a Conditional Use Permit when deemed appropriate.

The proposed subdivision is located in the City of Mountain Home Area of Impact in Elmore County. Per the Zoning Ordinance and negotiated Area of Impact Agreement with the City of Mountain Home, Elmore County has notified the city staff of all pre-application and development-related meetings for this proposal as outlined in §11-1-5. The City of Mountain Home has “no comments” for the proposed Conditional Use Permit. The use is surrounded by active and inactive Ag land as well as approved and proposed residential subdivisions. The proposal has followed all applicable procedural requirements of the Ag zone for a Conditional Use Permit and notified the city staff about all meetings for the proposal. Therefore, this finding is met.

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

**Staff Response:** The proposal is reviewed per standards established in Zoning Ord. §§ 7-9-4 and 7-2-26(B) and conditioned to meet safe access, services, setback, and permit requirements of Elmore County for a subdivision. Furthermore, the proposed subdivision application was transmitted to the following Elmore County agencies to ensure compliance with applicable County Ordinances. Their comments are incorporated in the Conditions of Approval.

- Elmore County Sheriff
- Elmore County Ambulance Service
- Elmore County Engineer
- Elmore County Assessor
- Elmore County Treasurer
- Mountain Home Highway District
- The City of Mountain Home
- Mountain Home Rural Fire District

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

**Staff Response:** State and Federal agencies were notified of this Application. Their comments are integrated in the proposed conditions to ensure that this Application meets all applicable state and federal requirements.

- Central District Health
- Idaho Department of Water Resources
- Idaho Department of Environmental Quality
- Idaho Department of Lands
- Idaho Fish and Game
- Idaho State Historic Preservation Office

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:** This proposal is surrounded by private residential, active agriculture lots, and is not actively platted within Mountain Home's Area of City Impact. Surrounding the proposed Site are primarily agriculture/residential lots that have varying lot sizes. Therefore, this area is surrounded by low-density housing developments and is suitable for diverse housing types. Therefore, the proposed subdivision is harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

Aesthetically, the proposed use will not change existing views from the west, east, north, or south. The Application, with the proposed Conditions of Approval, will be operated and maintained in such a way as to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity and will not change the essential character of the area.

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

**Staff Response:** The proposed subdivision is surrounded by dry grazing land with single dwelling neighbors. Furthermore, the preliminary plat application will require additional construction protocols that the Applicant will need to adhere to address any future neighborhood concerns.

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 is served by the following public facilities:

Highways/Roads – The proposal takes access off the State Highway 51. Highway 51 is maintained by the Idaho Transportation Department (ITD). The Applicant will be required to receive an access permit from ITD and build a Public Road per the Mountain Home Highway District Standards for entering and exiting the subdivision. The public road will be managed by Mountain Home Highway District unless otherwise agreed upon between the Applicant and MHHD as required in the Condition of Approval.

Fire Protection – The property is within Mountain Home Rural Fire District. (MHRFD) and they have reviewed the application.

Drainage Structures – No drainage structures for the proposed use are planned or required at this time.

Refuse Disposal – The Applicant will be responsible for obtaining and maintaining appropriate refuse disposal.

Water/Sewer –The proposed subdivision will have private wells and septic systems which will be reviewed and approved by Central District Health (CDH).

The proposed CUP have been transmitted to all applicable agencies. Their comments are integrated into the proposed conditions to ensure that this Application meets all applicable standards and requirement. Therefore, the proposed use, will be adequately served by available public facilities and services such as highways, streets, law enforcement, fire protection, and emergency 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:** All on-site improvements necessary to support the proposed use will be funded by the Applicant.

Agencies that could potentially be impacted by these Applications have been notified; Idaho Transportation Department and Elmore County EMS have provided comments, and all applicable requests have been included in the Conditions of Approval. The Applicant of the proposed subdivision will be financially responsible for developing the Site as indicated in

the Applications. The proposed use shall be developed in a manner that will not create excessive additional requirements at public cost of public facilities and services.

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:** The proposed subdivision may involve uses, activities, processes, materials, equipment, and conditions of operation detrimental to some people, surrounding property or the general welfare by reason of added traffic, noise, smoke, fumes, glare or odors. However, the Conditions of Approval associated with this CUP will ensure that those impacts are mitigated or reduced.

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

**Staff Response:** The proposed site does not contain a natural or scenic site of major importance. The Department has not received any comments from the neighboring properties that express a concern for destruction, loss or damage of a natural or scenic feature of importance. Therefore, this finding is met.

## **STAFF RECOMMENDATION**

The proposed use, along with proposed conditions, complies with the requirements of the Elmore County Zoning Ordinance. Based on the evidence presented at the public hearing and staff's analysis above, staff recommends **approval** of the proposed CUP with conditions of approval to proceed forward with a residential subdivision in the Agriculture zone.

## **PROPOSED CONDITIONS OF APPROVAL**

1. A Conditional Use Permit (CUP-2025-07) shall be granted to the Applicant, Justin Latchu, to subdivide a 40 acre Agriculture (Ag) property on assessor's parcel RP04S06E113600 in to eight (8) five-acre lots.
2. The CUP approval shall be limited to one (1) year, in which the Applicant shall apply for a Preliminary Plat. If a Preliminary Plat is not applied for within that year, then the Applicant will be required to reapply for the Conditional Use Permit.
3. CUP-2025-07 shall comply with all requirements of Title 7 Chapter 2 ("Zoning") and Chapter 9 ("Conditional Use Permit") of the Elmore County Zoning and Development Ordinance 2018-03.
4. The approval shall be contingent upon the Applicant obtaining all certificates, permits, and other approvals required by Federal, State, or Local authorities.
5. Prior to applying for a Preliminary Plat, the Applicant shall apply for Elmore County's Subdivision Application and receive approval from the Elmore County Planning and Zoning Commission.

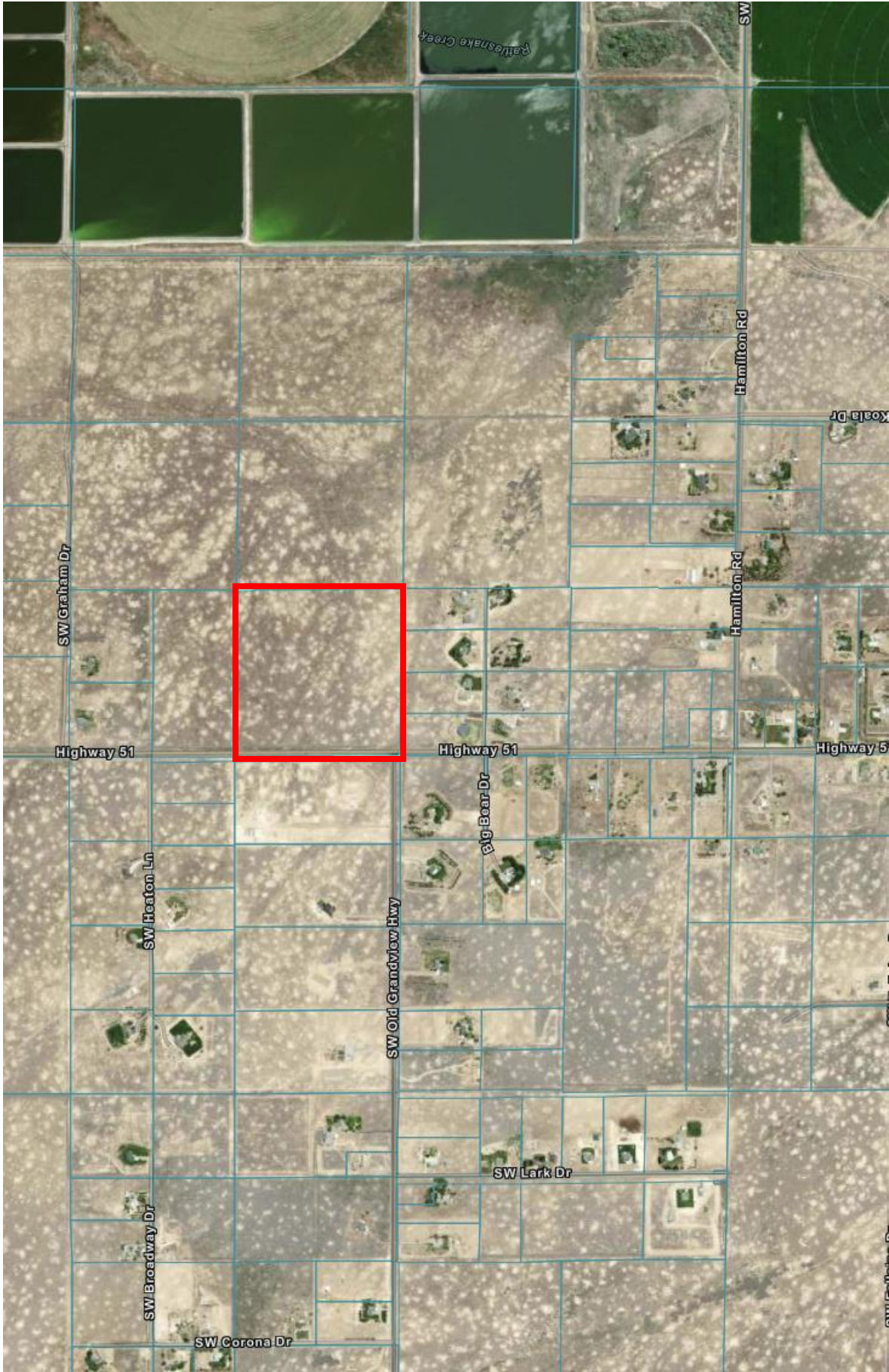
6. Prior to applying for a Preliminary Plat, the Applicant shall identify clear access from Highway 51 and internal and external traffic circulation for the subdivision. The following guidance from the Idaho Transportation Department shall be considered in the Preliminary Plat layout:
  - a. The subdivision must only have one access onto Highway 51; therefore, will be required to create an easement or shared access agreement to use the single approach.
  - b. An ITD encroachment permit will be required.
7. The Applicant shall develop a Private Road for ingress and egress from the Site and the Public Road shall be improved by the Mountain Home Highway District Standards.
  - a. The proposed private road will comply with Title 10 Chapter 5 ("Public and Private Roads").
  - b. Applications for private roads must be submitted to the Land Use Building Department.
  - c. All private roads shall be in a 60' roadway easement.
  - d. The roadway width shall be 26' and surfaced with 3" of asphalt. Roadside ditches and pipes shall be sized in accordance with the Mountain Home Highway District Standards and Development Procedures.
8. Prior to applying for a Preliminary Plat, the Applicant shall have a written agreement with the Mountain Home Highway District for maintenance of all public roads.
9. The Applicant shall submit a Private Road and Driveway Application with the Preliminary Plat for the County Engineer's review.
10. Prior to applying for a Preliminary Plat, the Applicant shall hire a licensed engineer to prepare a Drainage Plan. This plan shall at least include a discussion on details of existing and proposed site drainage and irrigation features, types of soils, existing and proposed grading, location of wells and septic, driveway improvements, etc.
11. Prior to applying for a Preliminary Plat, the Applicant shall provide an engineering report and test holes data to Central District Health and determine well and septic location.
12. Prior to applying for a Preliminary Plat, the Applicant shall receive approval from the Mountain Home Rural Fire District for acceptable fire access to the proposed lots and other improvements necessary for fire protection and suppression.
13. Prior to any site improvement, the Applicant shall obtain applicable permits for structures and/or other improvements from the Land Use and Building Department and County Engineer.
14. The Applicant shall construct, maintain, and operate the project site in compliance with all federal, state, and local regulations at all times.
15. The Applicant shall submit the proposed Covenant, Conditions, and Restrictions (CC&Rs) with the preliminary plat application.
16. The Applicant shall ensure that all property taxes are kept current.



17. Failure to comply with any of the above conditions of approval may result in the revocation of the approval.

# Exhibit 1

## Vicinity Map



# Exhibit 2

## Pre- Application Meeting Notes



## Elmore County Land Use & Building Department

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

**Pre Applications are good for 90 days from the Pre Application Meeting Date.**

### Pre Application Meeting Form

Date: 9/18/2021 Meeting Location: Land Use Office

Elmore County Staff: Melba Melke-Cooper, Dacey Ramraver, David Abrahamson

Applicant Name: Justin Latchin

Applicant Email: justinlatchin@gmail.com

Applicant Phone Number: 208-590-0511

Applicant Address: \_\_\_\_\_

Property Owner: Justin Latchin

Property Address: TBD/ Bare land

Parcel Number: RP04500E113600

Proposed Use/Application: CWP for preliminary plat



Other requirements: \_\_\_\_\_

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Additional Meeting Required: \_\_\_\_\_

Case Number: \_\_\_\_\_

Additional Notes: owns 160 acres behind  
this 40 acre parcel, plans  
to develop there. Access private  
public road. No access / will grant  
access to back 160 then front 40 parcel  
- 600 feet of city boundaries buyers  
must be made aware for sewer  
treatment plant -  
Commercial - RUD?

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# Exhibit 3

## Neighborhood Meeting Letter

J & S Developments

1222 S 14<sup>th</sup> E

Mountain Home

ID 83647

TEL: (208) 590-0511

justinlatchu@gmail.com

Date: Thursday, October 16<sup>th</sup>, 2024

To: Property Owner

You are invited to attend a neighborhood meeting on November 4<sup>th</sup> at 6 pm at Savory Lane Steakhouse at 1130 US-20, Mountain Home, ID 83647.

This meeting is to inform property owners of a proposed application to subdivide 40 acres (Parcel Number: RP04S06E113600) on NKA: S 18th W, Highway 51, Mountain Home, ID 83647, into 5-acre parcels with highway access.

Sincerely

Justin Latchu

J & S Developments



# Exhibit 4

## Neighborhood Meeting Sign- In Sheet



## ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

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

Fax: (208) 587-2120 • [www.elmorecounty.org](http://www.elmorecounty.org)

### Neighborhood Meeting Sign Up Sheet

Date of Neighborhood Meeting: 11/4/24

Start Time of Neighborhood Meeting: 6 pm

End Time of the Neighborhood Meeting: 8 pm

Location of Meeting: Savory Lane Steakhouse

Description of the proposed project: Subdivide 40 acres into 5 acre parcels with hwy Access.

Notice Sent to neighbors on: Friday October 17<sup>th</sup> 2024

Location of the neighborhood meeting: Savory lane Steakhouse

1130 US-20 Mountain Home ID 83647

#### Attendees:

<u>Name</u>	<u>Address</u>
1. <u>Ron Stonebreaker</u>	<u>1335 SW Kula Drive Mtn Home ID</u>
2. <u>DAN TOIVTAR</u>	<u>4455 SW COSMO WAY Mtn Home ID</u>
3. <u>Luci Dab Stewart</u>	<u>3104 SW Badger Pass Mtn Home ID</u>
4. <u>Paula Cumber + Guy Cumber</u>	<u>2040 SW Quartzsilver DR.</u>
5. <u>Janice Terrell</u>	<u>2600 SW Old Grandview</u>
6. <u>Kevin Terrell</u>	<u>" " "</u>
7. <u>Penelope Tapia</u>	<u>3355 SW Corona DR Mtn Home ID</u>
8. <u>Paulette Fisher</u>	<u>4699 Highway 51 Mtn. Home ID</u>
9. <u>JUSTIN LATCHUM</u>	<u>1222 S 14<sup>th</sup> E Mtn. Home ID 83647</u>
10. <u>George King</u>	<u>2467 NE Rainy Pl. Mtn. Home, 83647</u>

11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_

**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 Title 7 Chapter 3 Section 7-3-3.

**Applicant:**

Name: Justin Latchu

Address: 1222 S 14<sup>th</sup> E

City: Mtn. home State: 10 Zip: 83647

Telephone: 208 590 0511 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 Title 7 Chapter 3 Section 7-3-3.



Signature: (Applicant)

11/04/24

Date

# Exhibit 5

# Application



## ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

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

[www.elmorecounty.org](http://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 Title 7, Chapter 9 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: Justin Latchu
  2. Address of applicant: 1222 S 14<sup>th</sup> E mtn. home ID 83647
  3. Daytime telephone number of applicants: 208 590 0511
  4. Email Address: JustinLatchu@gmail.com
  5. Name, address, and daytime telephone number of developers: N/A
  6. Address of subject property: HWY 51 between Graham drive / Badger Pass
  7. Name, address, and daytime telephone number of property owner (if different from applicant): \_\_\_\_\_
  8. Attach Legal Description and acreage of property and legal description and acreage of part that CUP is to encompass: SEE EXHIBIT 'A'
- Attach at least one of the following: WARRANTY DEED ATTACHED.
- ☒ Deed ☐ Proof of Option ☐ Earnest Money Agreement ☐ Lease Agreement ☐ Assessor's Parcel Master Inquiry RP# 04S06E113600
9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: Starting at Airbase road travel South on HWY 51 / S 18<sup>th</sup> W St for APPROX 2.1 miles to the East side of HWY 51.

10. a. Current zoning: AG 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 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 Airport 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 its 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? ITD
- ☐ Proof of having applied for or acquired other agency(ies) permit(s) submitted with CUP application.

13. ADJACENT PROPERTIES have the following uses:

North AG

East AG

South RES

West RES

14. EXISTING USES and structures on the property are as follows: DRY GRAZING.

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

Propose to Sub divide 40 Acre parcel in to 8x5 Acre parcels  
And make HWY ACCESS ROAD.

16. a. The conditional use is requested to begin within 7 ☒ 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: 7 ☒ days/☐ month/☐ years and be completed within 3 ☐ days/☐ months/☒ years.

17. Proposed Use(s): RES/AG Hours of Operation: ALL

Days of Operation: ALL Maximum Number of Patrons: 100

Sewage disposal: municipal/individual septic: individual Septic This will trigger community system

Water: municipal supply/community well/individual well: individual Well

Number of employees during largest shift: 50 Why? Proposed number of parking spaces: 50 Why?

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

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** \_\_\_\_\_



Department Note: Please check for accuracy of info with applicant

20. **PROPERTY OWNER'S ADDRESS:** A list of property owner's/purchasers 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: \_\_\_\_\_ ☐ feet ☐ mile(s)      Date: \_\_\_\_\_ Initial \_\_\_\_\_

21. Is this application submitted with any additional applications? ITD R.O.W encroachment App.

22. Title 7, Chapter 9, Section 7-9-7 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):

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

The land use will provide mixed uses that are suitable to the area and meet criteria and conditions outlined by local zoning and land use matrix.

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

The land uses are compatible with each other and contribute to the overall vision of the area whilst also benefitting the future needs of the community.

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

The land use will comply with all standards of zoning and ordinance as defined by local and state zoning laws, and adhere to the standards set forth in the applicable base zone.

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

The property complies with local zoning regulations and ordinance for its intended land uses defined in the zoning map. Has adequate space and density to support the proposed development.

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

Complies with zoning designation of proposed land uses to the area and permitted activities. Will make a positive impact on providing residential housing and environment.

- F. 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?



Rehabilitation by Creating Sustainable water retention, Landscaping and Wildlife Conservation.

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

The Land uses will not create hazardous conditions by complying with local state and federal planning and zoning laws.  
Having a Comprehensive Plan and Mitigation Strategy. IE HoA.

H. 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 Land has adequate services available to the Area and will have services from third party suppliers such as Idaho Power, Intermountain gas, century link, Homeowners will be responsible for water/sewer.

I. 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?

The proposed land use is contained within the City impact area, will adopt to the City at a future date adding to the benefit of the community and environment.

J. 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?

The proposed Land use will follow all local, state and Federal laws in regard to uses, activities, processes, materials, equipment/conditions of operating, apply for the necessary permitting and approvals when needed.

K. 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?

A Comprehensive plan of site will be made to evaluate any potential natural or scenic features prior to development. including substructure & superstructures existing on site.

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 Title 7 Chapter 3 Section 7-3-3.

**A master site plan is required with this application.** Requirements for a master site plan are found in Title 10, Chapter 6 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 fourteen (14) 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 fourteen (14) 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) JL. The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) JL. 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.

	<u>11/12/24</u>		<u>11/12/24</u>
Property Owner Signature	Date	Applicant Signature	Date

**ADMINISTRATIVE USE ONLY**

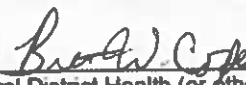



Date of Acceptance:	<u>11-12-24</u>	Accepted by	<u>Alyssa</u>
CUP FEE: \$400.00	Fee \$ <u>400.00</u>	(Pd) Receipt #	<u>20-14990</u>
Date Paid:	<u>11-12-2024</u>	Case# CUP-	<u>2025-07</u>

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 Comments & Signatures

**Notes for agency signatures**

- 1 It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information
- 2 Agency signature does not guarantee any future approvals.
- 3 Agencies may attach additional sheets of paper for comment and/or conditions if necessary
- 4 Agencies may have additional comments and/or conditions at a later time

 Central District Health (or other Sewer District) Sewer Permit (580-6003)	11/7/24 Date
Comment: <u>Subdivision application, fees, test holes and engineering report required.</u>	
 Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115)	11-4-24 Date
Comment: <u>Not on our roadway</u>	
 Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 599-0000) (BGRFD 834-2511) (AFD 864-2182)	11.6.2024 Date
Comments: _____	
 Assessor's Office (Verify Legal Description) (ext 247)	11/6/14 Date
Comments: _____	
Treasurer's Office (Verify Tax Status) (ext 501)	Date
Comments: _____	

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 Comments & Signatures

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- 4 Agencies may have additional comments and/or conditions at a later time

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

Comment. \_\_\_\_\_

• Lawrence MHHHD 11-4-24  
Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115) \_\_\_\_\_ Date \_\_\_\_\_

Comment Not on our roadway \_\_\_\_\_

• Josh Dwan - MHHHD 11.6.2024  
Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 599-0000) (BGRFD 834-2511) (AFD 864-2182) Date \_\_\_\_\_

Comments \_\_\_\_\_

Josh Dwan 11/6/24  
Assessor's Office (Verify Legal Description) (ext 247) \_\_\_\_\_ Date \_\_\_\_\_

Comments. \_\_\_\_\_

Treasurer's Office (Verify Tax Status) (ext 501) \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

Kenner 11/6/24  
Development services, ITD \_\_\_\_\_



Elmore County Transmittal  
Division of Community and Environmental Health

RETURN TO:

☒ Elmore Co  
Land Use &  
Building Dept

☐ Mtn Home

☐ Glenns Ferry

Rezone # \_\_\_\_\_

Conditional Use # Cup - Justin Latchu

Preliminary / Final / Short Plat \_\_\_\_\_

- ☐ 1 We have No Objections to this Proposal
- ☐ 2 We recommend Denial of this Proposal
- ☐ 3 Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal
- ☐ 4 We will require more data concerning soil conditions on this Proposal before we can comment
- ☐ 5 Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:  
☐ high seasonal ground water ☐ waste flow characteristics  
☐ bedrock from original grade ☐ other \_\_\_\_\_
- ☐ 6 This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters
- ☐ 7 This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability
- ☐ 8. After written approvals from appropriate entities are submitted we can approve this proposal for  
☐ central sewage ☐ community sewage system ☐ community water well  
☐ interim sewage ☐ central water  
☐ individual sewage ☐ individual water
- ☐ 9 The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality  
☐ central sewage ☐ community sewage system ☐ community water  
☐ sewage dry lines ☐ central water
- ☐ 10 This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval
- ☐ 11 If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12 We will require plans be submitted for a plan review for any  
☐ food establishment ☐ swimming pools or spas ☐ child care center  
☐ beverage establishment ☐ grocery store
- ☐ 13 Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH

COA

- ☒ 14 Subdivision application, fees, test holes and engineering report required.

Reviewed By: Bob Corp

Date: 11.7.124





## ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

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

Fax: (208) 587-2120 • [www.elmorecounty.org](http://www.elmorecounty.org)

### Neighborhood Meeting Sign Up Sheet

Date of Neighborhood Meeting: 11/4/24

Start Time of Neighborhood Meeting: 6 pm

End Time of the Neighborhood Meeting: 8 pm

Location of Meeting: Savory Lane Steakhouse

Description of the proposed project: Sub divide 40 acres into 5 acre parcels with hwy Access.

Notice Sent to neighbors on: Friday October 17<sup>th</sup> 2024

Location of the neighborhood meeting: Savory lane Steakhouse

1130 US-20 mountain home ID 83647

### Attendees:

<u>Name</u>	<u>Address</u>
1. <u>Ron Stonebreaker</u>	<u>1335 SW Kala Drive Mtn Home ID</u>
2. <u>DAN TOIVTVAR</u>	<u>4455 SW COSMO WAY mtn Home ID</u>
3. <u>Luci Deb Stirmant</u>	<u>3104 SW Badger Pass Mtn Home ID</u>
4. <u>Paula Cumber + Guy Cumber</u>	<u>2040 SW Quartzsilver DR.</u>
5. <u>Kimber Terrell</u>	<u>2600 SW old Grandview</u>
6. <u>Kevin Terrell</u>	<u>" " "</u>
7. <u>Sharon Taylor</u>	<u>3355 SW Corona DR Mtn Home ID</u>
8. <u>Paulette Fisher</u>	<u>4699 Highway 51 mtn. Home ID</u>
9. <u>JUSTIN LATCHUM</u>	<u>1222 S 14<sup>th</sup> E mtn. home Id 83647</u>
10. <u>George King</u>	<u>2467 NE Rainy Pl. mtn. Home, 83647</u>

11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_

**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 Title 7 Chapter 3 Section 7-3-3.

**Applicant:**

Name: Justin Latchu

Address: 1222 S 14<sup>th</sup> E

City: Mtn. home State: 10 Zip: 83647

Telephone: 208 590 0511 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 Title 7 Chapter 3 Section 7-3-3.

  
\_\_\_\_\_

Signature: (Applicant)

11/04/24

Date

## **Elmore County Zoning and Development Ordinance**

### **Title 7, Chapter 3, Subsection 7-3-3: Neighborhood Meetings:**

- A. Applicants shall conduct a neighborhood meeting for Comprehensive Plan amendments, variances, conditional uses, Ordinance amendments, expansions or extensions of nonconforming uses, subdivisions or as otherwise required by the Director.
- 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 Ordinance of the exterior boundary of the application property and to all registered neighborhood associations and political subdivisions deemed appropriate by the Director. The Department will provide applicants the proper notice list. Notice of a neighborhood meeting shall be in addition to, and not in lieu of, mailed radius notices already required by this Ordinance. 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:
    - 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 submitting the application.
- E. The neighborhood meeting shall not be conducted more than thirty (30) days prior to submitting the application.
- F. The application materials shall include written verification of the neighborhood meeting on the forms provided by the Department.
- G. A copy of the written notice to property owners must be submitted to the Department with the application.



J & S Developments

1222 S 14<sup>th</sup> E

Mountain Home

ID 83647

TEL: (208) 590-0511

justinlatchu@gmail.com

Date: Thursday, October 16<sup>th</sup>, 2024

To: Property Owner

You are invited to attend a neighborhood meeting on November 4<sup>th</sup> at 6 pm at Savory Lane Steakhouse at 1130 US-20, Mountain Home, ID 83647.

This meeting is to inform property owners of a proposed application to subdivide 40 acres (Parcel Number: RP04S06E113600) on NKA: S 18th W, Highway 51, Mountain Home, ID 83647, into 5-acre parcels with highway access.

Sincerely

Justin Latchu

J & S Developments

File No. 556444

**Exhibit 'A'**

**Parcel I**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Northwest Quarter Northeast Quarter

**Parcel II**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Southwest Quarter Northeast Quarter

**Parcel III**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Southeast Quarter Northwest Quarter

**Parcel IV**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Northeast Quarter Northwest Quarter

**Parcel V**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Southwest Quarter Northwest Quarter

## WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:556444

### FOR VALUE RECEIVED

**Carol Ann Dalton, a married woman as her sole and separate property**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**J&S Development, LLC, an Idaho limited liability company**

whose current address is

~~1300 Elm Street~~

Mountain Home, ID 83647

1222 South 14<sup>th</sup> East.

the grantee(s), the following described premises, in Elmore County, Idaho, TO WIT:

**See attached Exhibit 'A'**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/21/2021

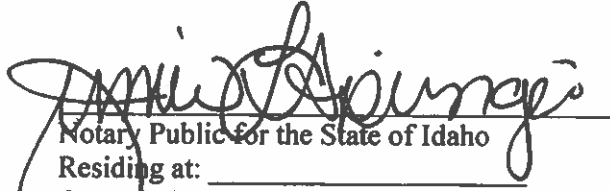


Carol Ann Dalton

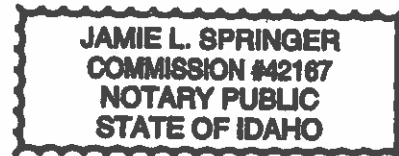
State of Idaho } ss  
County of Elmore }

On this 21<sup>st</sup> day of July, 2021, before me, the undersigned, a Notary Public in and for said state, personally appeared Carol Ann Dalton, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
Notary Public for the State of Idaho  
Residing at: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

Residing In: Mountain Home, Idaho  
My commission expires: 05/19/2022



File No. 556444

**Exhibit 'A'**

**Parcel I**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Northwest Quarter Northeast Quarter

**Parcel II**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Southwest Quarter Northeast Quarter

**Parcel III**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Southeast Quarter Northwest Quarter

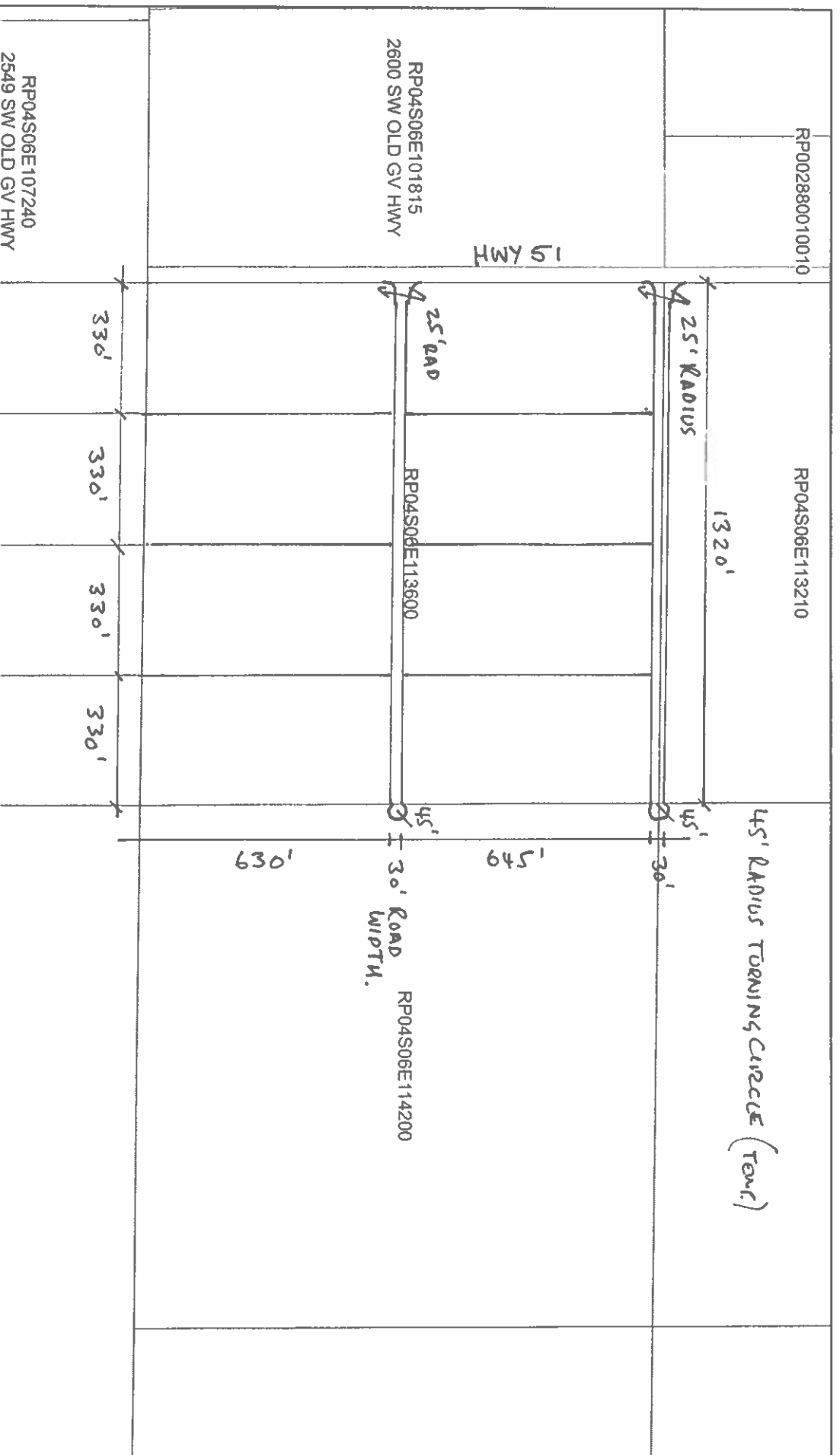
**Parcel IV**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Northeast Quarter Northwest Quarter

**Parcel V**

Township 4 South, Range 6 East, Boise, Meridian, Elmore County, Idaho  
Section 11:  
Southwest Quarter Northwest Quarter

# Project: TBD 40 acre Subdivision J&S Development Justin Latchu

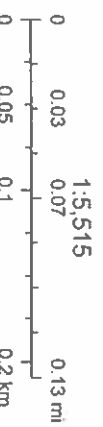


11/12/2024, 10:52:31 AM

☐ Elmore Parcels

Idaho Surface Management Agency

Private



Source: Esri, Airbus DS, USGS, NOAA, NASA, CIAIR, N. Robertson, NCEAS, NLS, OS, NMA, Geodatasysteem, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph.

# Conditional Use Permit Checklist

DATE

<input checked="" type="checkbox"/>	Pre-application Meeting with Director (Planner if Director elects)	09/18/24
<input checked="" type="checkbox"/>	Planner processes a list of Adjoining Property Owners as recommended by Director	09/21/24
<input checked="" type="checkbox"/>	Applicant Holds Neighborhood Meeting/ Planner is provided verification	11/04/24
<input checked="" type="checkbox"/>	Planner advises Admin Assistant that this CUP application is ready for acceptance	11/12/24
<input type="checkbox"/>	Property Owner's Name	
<input type="checkbox"/>	Applicant's Name	
<input type="checkbox"/>	Project Name	
<input type="checkbox"/>	Zoning Permit Notes	
<input type="checkbox"/>	Any Other Application/s (Concurrent/Prior)	
<input type="checkbox"/>	Case Files Created by Admin Assistant    P&Z <input type="checkbox"/> Projects <input type="checkbox"/> Hard Copy <input type="checkbox"/>	
<input type="checkbox"/>	Admin Assistant provides a complete application to Planner (Hard Copy)	
<input type="checkbox"/>	Planner reviews the application and requests additional information from applicant	
<input type="checkbox"/>	Planner reaches out to the Director if guidance or assistance is needed	
<input type="checkbox"/>	Planner sends Application Acceptance Letter to Applicant within 30 days	
<input type="checkbox"/>	Planner requests Permit Tech to place it for a Planning and Zoning Hearing	
<input type="checkbox"/>	Planner prepares a Notice for Newspaper to publish 15 days in advance of the hearing	
<input type="checkbox"/>	Planner saves a copy of the publication in Project folder	
<input type="checkbox"/>	Planner prepares Letters for Surrounding Property Owners and Agencies 21 days in advance	
<input type="checkbox"/>	Permit Tech sends out letters 15 days in advance and saves a copy in Project folder	
<input type="checkbox"/>	Planner provides a Notice of Public Hearing Sign to applicant for posting on-site 7 days in advance	
<input type="checkbox"/>	Planner receives pictures of the site posting and saves them in Project folder	
<input type="checkbox"/>	Planner prepares a Staff Report 21 days in advance for review by Director & PA	
<input type="checkbox"/>	Director makes a determination if FCO would be combined with public hearing	
<input type="checkbox"/>	After this review, Planner completes the Staff Report, Exhibits, and draft COA	
<input type="checkbox"/>	Planner provides a Staff Report and draft COA to applicant 7 days in advance	
<input type="checkbox"/>	Planner provides the staff report packet to Permit Tech 7 days in advance	
<input type="checkbox"/>	Permit tech includes it in Planning and Zoning Commission Packet	
<input type="checkbox"/>	Planning and Zoning Commission Action:	
<input type="checkbox"/>	Approved _____ Denied _____ Continued _____	
<input type="checkbox"/>	Planner retrieves Notice of Public Hearing Sign	
<input type="checkbox"/>	Planner writes FCO 21 days in advance of the next P&Z Hearing for review by Director & PA	
<input type="checkbox"/>	FCO Scheduled _____ Approved/Signed _____	
<input type="checkbox"/>	Copy of FCO Mailed to Applicant by Permit Tech	
<input type="checkbox"/>	Copy of Approved and Signed Minutes in the Record (Project folder) by Permit Tech	
<input type="checkbox"/>	Permit Tech stores the hard copy files	

# Exhibit 6

## Acceptance Letter





# Elmore County Land Use and Building Department

520 East 2nd South Street  
Mountain Home, Id. 83647  
(208) 587-2142 ext. 502  
Fax 208-587-2120  
[www.elmorecounty.org](http://www.elmorecounty.org)

**Mitra Mehta-Cooper**  
*Director*

**David Abrahamson**  
*Planner I*

**Nina Schaeffer**  
*Interim Planner I*

**Johnny Hernandez**  
*Building Official*

**Colton Janousek**  
*Building Inspector*

**James Roddin**  
*Administration*

**Karl Holt**  
*Code Enforcement*

**Kamiah McDaniel**  
*Permit Technician*

**Alyssa Nieto**  
*Administrative Assistant*

March 17, 2025

Justin Latchu  
122 S 14<sup>th</sup> E  
Mountain Home, ID 83647

Justin,

The purpose of this letter is to inform you that your application for a Conditional Use Permit for Case Number CUP-2025-07 has been accepted by the Elmore County Land Use and Building Department. The public hearing with the Elmore County Planning and Zoning Commission has been scheduled for Thursday April 24<sup>th</sup>, 2025, at 7:00 p.m. at the War Memorial American Legion Hall, located at 515 E. 2<sup>nd</sup> Street, Mountain Home, ID 83647. Your attendance is required.

If you have any questions regarding this letter, please let me know.

Thank you,

**Nina Schaeffer**  
**Interim Planner I**

***Elmore County Land Use and Building***

520 East 2nd South  
Mountain Home, ID 83647  
Phone: (208) 587-2142 Ext. 1254  
Fax: (208) 587-2120  
[dabrahamson@elmorecountyid.gov](mailto:dabrahamson@elmorecountyid.gov)



# Exhibit 7

## Agency and Property Notification



# Elmore County Land Use and Building Department

520 East 2<sup>nd</sup> South Street  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext.1254  
Fax: (208) 587-2120  
[www.elmorecounty.org](http://www.elmorecounty.org)

**Mitra Mehta-Cooper**  
Director

**David Abrahamson**  
Planner

**Nina Schaeffer**  
Interim Planner

**James Roddin**  
Office  
Administrator

**Johnny Hernandez**  
Building Official

**Colton Janousek**  
Building Inspector

**Karl Holt**  
Code  
Enforcement

**Sandra Nuner**  
Permit Technician

**Alyssa Nieto**  
Admin Assistant

Date: March 17, 2025

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Justin Latchu

Proposal: A Conditional Use Permit to subdivide one (1) 40-acre lot in the Agriculture (Ag) zone into 8 5-acre parcels. The site is located on Highway 51, south of downtown Mountain Home. The property is abutted by Ag zones to the north and east, and Residential (R) zones to the south and west. The parcel is in Mountain Home's Area of City Impact. The site is Township 4 South, Range 6 East, Section 11. The parcel is RP 04S06E113600. A common way of locating the property from Mountain Home is by going South on Highway 51, approximately 2.5 miles on east side of Hwy 51, shortly past Graham Drive.

Case #: CUP-2025-07

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Thursday, April 24<sup>th</sup>, 2025, at 6:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2<sup>nd</sup> 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 2<sup>nd</sup> South Street, Mountain Home, ID, 83647, by 5 p.m. on Friday, March 28, 2025, or email David Abrahamson [dabrahamson@elmorecountyid.gov](mailto:dabrahamson@elmorecountyid.gov) so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

The Elmore County Board of Commissioners is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA). Any Person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, Kacey Ramsauer, 24 hours prior to the Public Hearing at 208-598-5247, extension 1280, or via email [kramsauer@elmorecounty.org](mailto:kramsauer@elmorecounty.org), or in person at 520 East 2<sup>nd</sup> South, Mountain Home, Idaho.

Sincerely,



**Nina Schaeffer**

Land Use and Building Department

Interim Planner

520 E 2<sup>nd</sup> S Street

Mountain Home, Idaho 83647

Enclosures for Agencies: Application(s) and Site Plan

Enclosures: Vicinity Map

CC:

Elmore County Sheriff

Idaho Transportation Department

Central District Health

City of Mountain Home

Department of Environmental Quality

Mountain Home Fire District

Elmore County Ambulance Service

Elmore County Engineer

Elmore County Assessor

Idaho Department of Lands

Idaho Fish and Game (Brandon Flack)

Idaho State Historic Preservation Office



# Elmore County Land Use and Building Department

520 East 2<sup>nd</sup> South Street  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext.1254  
Fax: (208) 587-2120  
[www.elmorecounty.org](http://www.elmorecounty.org)

**Mitra Mehta-Cooper**  
*Director*

**David Abrahamson**  
*Planner*

**Nina Schaeffer**  
*Interim Planner*

**Johnny Hernandez**  
*Building Official*

**Colton Janousek**  
*Building Inspector*

**James Roddin**  
*Administration Manager*

**Karl Holt**  
*Code Enforcement*

**Sandra Nuner**  
*Permit Technician*

**Alyssa Nieto**  
*Admin Assistant*

Date: March 17, 2025

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Justin Latchu

Proposal: A Conditional Use Permit to subdivide one (1) 40-acre lot in the Agriculture (Ag) zone into 8 5 acre parcels. The site is located on Highway 51, south of downtown Mountain Home. The property is abutted by Ag zones to the north and east, and Residential (R) zones to the south and west. The parcel is in Mountain Home's Area of City Impact. The site is Township 4 South, Range 6 East, Section 11. The parcel is RP 04S06E113600. A common way of locating the property from Mountain Home is by going South on Highway 51, shortly past Graham Drive.

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Please review the application and return your written comments to the Elmore County Land Use and Building Department, 520 East 2<sup>nd</sup> South Street, Mountain Home, ID, 83647, by 5 p.m. on Friday, April 11th, 2025, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.

The Elmore County Planning and Zoning Commission responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA). Any Person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, Kacey Ramsauer, 24 hours prior to the Public Hearing at 208-598-5247, extension 1280, or via email [kramsauer@elmorecounty.org](mailto:kramsauer@elmorecounty.org), or in person at 520 East 2<sup>nd</sup> South, Mountain Home, Idaho.

Sincerely,





## Nina Schaeffer

Land Use and Building Department

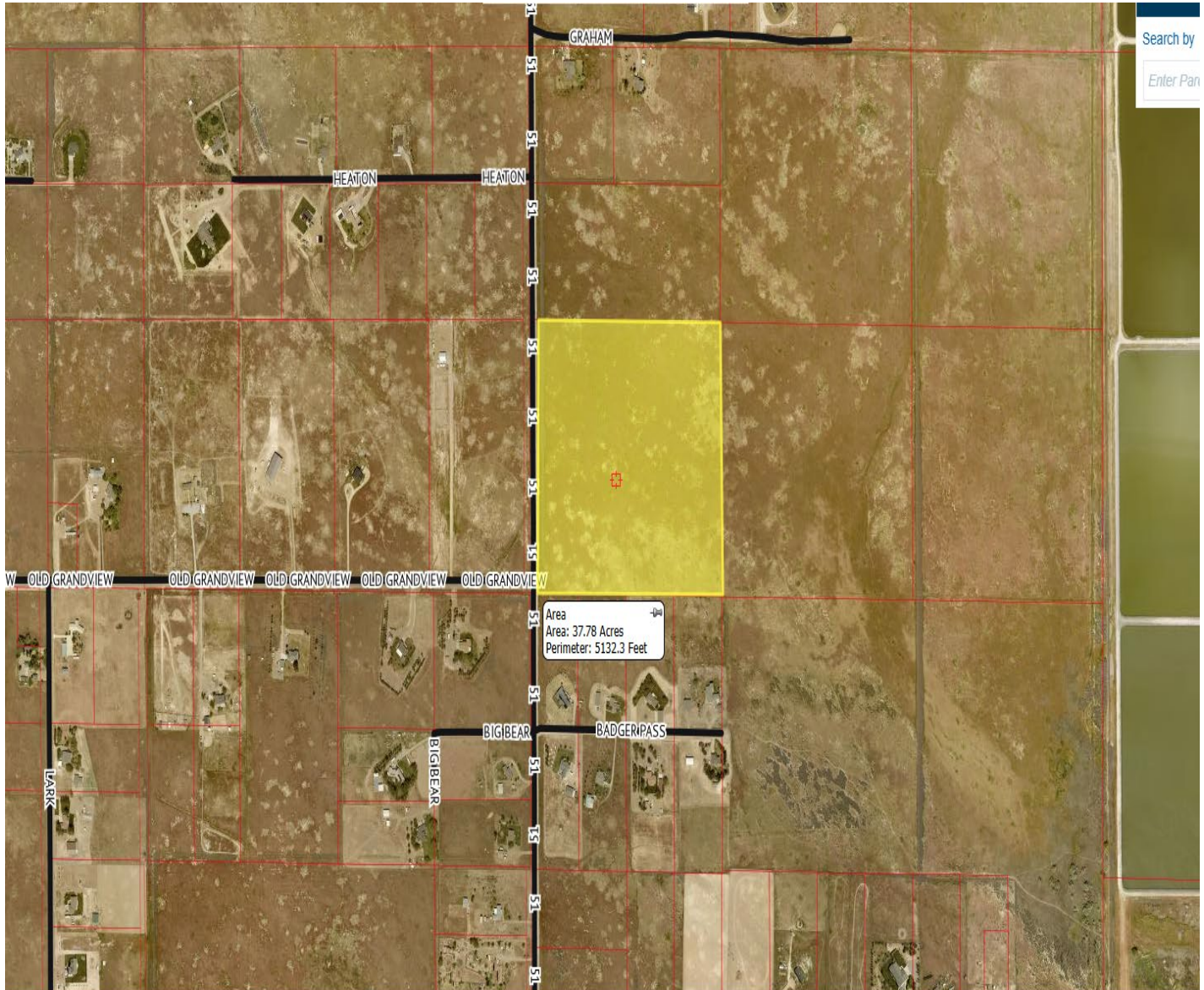
Interim Planner

520 E 2<sup>nd</sup> S Street

Mountain Home, Idaho 83647

208-587-2142 ext 1269

208-598-5247 (Cell)



# Exhibit 8

## Newspaper Notification

**NOTICE OF PUBLIC  
HEARING**

NOTICE IS HEREBY GIVEN pursuant to the laws of the State of Idaho and Ordinances of Elmore County, that the Elmore County Planning and Zoning Commission will hold a PUBLIC HEARING at 6:00 p.m. on Thursday, April 24th, 2025, in the War Memorial Hall (American Legion) 515 East 2nd South Street, Mountain Home, Idaho, to accept testimony and consider an application from Justin Latchu, for a Conditional Use Permit to subdivide one (1), 40 acre lot in the Agriculture (Ag) zone into 8, 5-acre parcels. The site is located on Highway 51, south of downtown Mountain Home. The property is abutted by Ag zones to the north and east, and Residential (R) zones to the south and west. The parcel is in Mountain Home's Area of City Impact. The site is Township 4 South, Range 6 East, Section 11. The parcel is RP 04S06E113600. A common way of locating the property from Mountain Home is by going South on Highway 51, shortly past Graham Drive.

This application may be reviewed prior to the hearing at the Land Use and Building Department during regular business hours. Any interested person shall be heard at said public hearing and the public is welcome and invited to submit testimony. Anyone who wishes to testify but is unable to attend may submit written testimony before the hearing by sending it to Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, Idaho 83647. Written testimony must be received by 5:00 p.m. on Friday, April 18, 2025.

Social media posts are not considered written public testimony. If you wish to provide written public testimony, please provide your name, address, and comments before the hearing by sending it to Elmore County Land Use and Building Department, 520 East 2nd South Street, Mountain Home, Idaho 83647 or email [dabrahamson@elmorecountyid.gov](mailto:dabrahamson@elmorecountyid.gov). The Elmore County Facebook page is used for outward communication only. It is not in-

tended as a means for the public to submit testimony on any public hearing matters pending before any Elmore County board or commission. Elmore County's social media is moderated but is not regularly monitored and is not a public forum. Likes, Comments, or Shares posted here are not entered into the record of any public hearing. Public hearing testimony must be either submitted at the public hearing or received in advance of the public hearing by email, mail, physical delivery.

The Elmore County Board of Commissioners is responsible for ensuring compliance with the American Disabilities Act (ADA). Any person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, David Abrahamson, 24 hours before the Public Hearing at 208-587-2142 Ext.1280, or 520 East 2nd South, Mountain Home, Idaho.

Nina Schaeffer, Interim Planner  
Elmore County Land Use and Building Department

One Publication:  
April 9, 2025

**13.75  
109 Lines**

Kindly review, sign, and send back via email with any edits or inquiries before our deadline at noon on the Friday before the publication date.

Total cost will be \$78.48.

If signed proof and prepayment (if required) is not received by deadline, your legal will be unable to run.

Thank you,  
Legal Department  
Mountain Home News  
(208) 587.3331  
[legaldept@mountainhomenews.com](mailto:legaldept@mountainhomenews.com)

\*Legals cancelled prior to publication will incur a \$10 processing/typesetting fee.

Proofed
Date <u>4/2/25</u>
<input checked="" type="radio"/> Ok, With Changes
<input type="radio"/> Ok, No Changes
<input type="radio"/> Re-proof
Proofed by: <u>[Signature]</u>
Please Sign Here

☐ Prepayment ☐ Charge

Thank you,  
Reece Garner

*KACEY RAMSAUR*



# Exhibit 9

## Site Posting



# Exhibit 10

## Agency Comments



Elmore County Transmittal  
Division of Community and Environmental Health

RETURN TO:

☒ Elmore Co.  
Land Use &  
Building Dept.

☐ Mtn. Home

☐ Glens Ferry

Rezone # \_\_\_\_\_

Conditional Use # CUA-2025-07

Preliminary / Final / Short Plat \_\_\_\_\_

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- |  |   |
|--|---|
| <input type="checkbox"/> high seasonal ground water  | <input type="checkbox"/> waste flow characteristics |
| <input type="checkbox"/> bedrock from original grade | <input type="checkbox"/> other _____                |
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
- |  |  |   |
|--|--|---|
| <input type="checkbox"/> central sewage    | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water well |
| <input type="checkbox"/> interim sewage    | <input type="checkbox"/> central water           |   |
| <input type="checkbox"/> individual sewage | <input type="checkbox"/> individual water        |   |
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> central sewage   | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water |
| <input type="checkbox"/> sewage dry lines | <input type="checkbox"/> central water           |  |
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:
- |   |   |  |
|---|---|--|
| <input type="checkbox"/> food establishment     | <input type="checkbox"/> swimming pools or spas | <input type="checkbox"/> child care center |
| <input type="checkbox"/> beverage establishment | <input type="checkbox"/> grocery store          |  |
- ☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.
- ☒ 14. Subdivision application, fees, test holes, engineering report required.

Reviewed By: Bret J. Copes

Date: 3/20/25



# Elmore County Land Use and Building Department

520 East 2<sup>nd</sup> South Street  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext.1254  
Fax: (208) 587-2120  
[www.elmorecounty.org](http://www.elmorecounty.org)

**Mitra Mehta-Cooper**  
Director

**David Abrahamson**  
Planner

**Nina Schaeffer**  
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**James Roddin**  
Office  
Administrator

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Building Official

**Colton Janousek**  
Building Inspector

**Karl Holt**  
Code  
Enforcement

**Sandra Nuner**  
Permit Technician

**Alyssa Nieto**  
Admin Assistant

Date: March 17, 2025

To: Whom It May Concern

Subject: Notice of Public Hearing

Applicant: Justin Latchu

Proposal: A Conditional Use Permit to subdivide one (1) 40-acre lot in the Agriculture (Ag) zone into 8 5-acre parcels. The site is located on Highway 51, south of downtown Mountain Home. The property is abutted by Ag zones to the north and east, and Residential (R) zones to the south and west. The parcel is in Mountain Home's Area of City Impact. The site is Township 4 South, Range 6 East, Section 11. The parcel is RP 04S06E113600. A common way of locating the property from Mountain Home is by going South on Highway 51, approximately 2.5 miles on east side of Hwy 51, shortly past Graham Drive.

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Sincerely,

**From:** [Alyssa Nieto](#)  
**To:** [David Abrahamson](#)  
**Subject:** FW: Agency Notice  
**Date:** Wednesday, March 19, 2025 11:12:43 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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**From:** Kendra Conder <Kendra.Conder@itd.idaho.gov>  
**Sent:** Wednesday, March 19, 2025 11:01 AM  
**To:** Alyssa Nieto <anieto@elmorecounty.org>  
**Subject:** RE: Agency Notice

Good Morning Alyssa,

ITD does not have any concerns with the proposed development, however I did advise Justin of a few things for his new subdivision:

- The subdivision can only have one access onto Highway 51
  - All 8 parcels will need an easement/shared access agreement to use this single approach
- Justin will need to apply for an ITD encroachment permit since he is changing the approach use from farm to joint-use residential/farm
  - If the approach is not within ITD standards, it will need to be modified to meet the specs for joint-use residential/farm
- Should he expand the subdivision, ITD has the right to ask for a traffic analysis/impact study to determine if turn lanes are warranted

Let me know if you have any questions!

**Kendra Conder**

District 3 | Development Services Coordinator  
Idaho Transportation Department  
Office: 208-334-8377  
Cell: 208-972-3190



---

**From:** Alyssa Nieto <[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)>  
**Sent:** Tuesday, March 18, 2025 2:41 PM  
**To:** Mike Hollinshead <[mhollinshead@elmorecounty.org](mailto:mhollinshead@elmorecounty.org)>; Greg Berry <[gberry@elmorecounty.org](mailto:gberry@elmorecounty.org)>; Kendra Conder <[Kendra.Conder@itd.idaho.gov](mailto:Kendra.Conder@itd.idaho.gov)>; [bcopes@cdh.idaho.gov](mailto:bcopes@cdh.idaho.gov); Brenda Ellis <[BEllis@mountain-home.us](mailto:BEllis@mountain-home.us)>; Nicole Coffey <[nnutting@mountain-home.us](mailto:nnutting@mountain-home.us)>; Alan Roberts <[aroberts@elmorecounty.org](mailto:aroberts@elmorecounty.org)>; [angie@ewsid.com](mailto:angie@ewsid.com); Joshua Dison <[jdison@elmorecounty.org](mailto:jdison@elmorecounty.org)>;

Flack,Brandon <[brandon.flack@idfg.idaho.gov](mailto:brandon.flack@idfg.idaho.gov)>; [idl\\_jurisdictional@idl.idaho.gov](mailto:idl_jurisdictional@idl.idaho.gov);  
[matt.halitsky@ishs.idaho.gov](mailto:matt.halitsky@ishs.idaho.gov)

**Cc:** David Abrahamson <[dabrahamson@elmorecounty.org](mailto:dabrahamson@elmorecounty.org)>; James Roddin  
<[jroddin@elmorecounty.org](mailto:jroddin@elmorecounty.org)>; Johnny Hernandez <[jhernandez@elmorecounty.org](mailto:jhernandez@elmorecounty.org)>

**Subject:** Agency Notice

**CAUTION:** This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

---

Dear Agency Partners,

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Best,

**Alyssa Nieto**

Land Use and Building Department

Administrative Assistant

520 E 2<sup>nd</sup> S Street

Mountain Home, Idaho 83647

208-587-2142 ext 1255

[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)

**From:** [Angie Michaels](#)  
**To:** [David Abrahamson](#); [Johnny Hernandez](#); [James Roddin](#); [Mitra Mehta-Cooper](#); [Alan Roberts](#)  
**Subject:** Fwd: Agency Notice  
**Date:** Friday, April 11, 2025 10:33:51 AM  
**Attachments:** [image001.png](#)

---

*Angie Michaels, P.E., CFM*  
*Engineering with a Mission LLC*  
*208.870.9495 cell*

----- Forwarded message -----

From: **Angie Michaels** <[angie@ewsid.com](mailto:angie@ewsid.com)>  
Date: Fri, Apr 11, 2025 at 10:32 AM  
Subject: Re: Agency Notice  
To: Alyssa Nieto <[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)>

Hi Alyssa,

I have reviewed this application. I have the following comments:

1. The proposed private roads will need to comply with Elmore County Code, title 10, chapter 5, Public and Private Roads.
2. Per the ordinance, an application for private roads will need to be submitted to the LUBD.
3. The applicant shall submit construction drawings to the department for review and approval.
4. Access from a private to another private road is prohibited. It appears the proposed roads will likely be extended beyond the subject parcel. As such, the location, size, construction will need to accommodate the extension of the proposed roads. The applicant shall discuss future development plans with the county engineer to insure compliance with the private road standards are met.
5. All private roads shall be located in a 60' roadway easement.
6. The roadway width shall be 26' and surfaced with 3" of asphalt. Roadside ditches and pipes shall be sized in accordance with the applicable MHHD standards. See Chapter 5, Public and Private Roads for all other applicable standards and the Mountain Home Highway District Standards and Development Procedures.

Let me know if you have any questions.

Thanks,

*Angie Michaels, P.E., CFM*  
*Engineering with a Mission LLC*  
*208.870.9495 cell*

On Tue, Mar 18, 2025 at 2:41 PM Alyssa Nieto <[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)> wrote:

Dear Agency Partners,



A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Thursday, April 24th, 2025, at 6:00 p.m. in the War Memorial (American Legion) Hall at 515 East 2nd South Street, Mountain Home, Idaho.

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Best,

**Alyssa Nieto**

Land Use and Building Department

Administrative Assistant

520 E 2<sup>nd</sup> S Street

Mountain Home, Idaho 83647

208-587-2142 ext 1255

[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)



---

April 11, 2025

Justin Latchu  
CASE # CUP-2025-07

To Elmore County Land Use and Building Services,

This proposed subdivision is in The City of Mountain Home Area of Impact and designated as Urban Development Transition.

The design standards for development within the Area of Impact are shown below:

Title 9-2-4: CONFORMANCE, does require that All new development within the city and applicable development under the area of impact agreement shall comply with the most recently adopted edition of the international building code, state regulatory agencies, federal regulations and the ordinances, resolutions and policies of the city. (Ord. 1628, 1-12-2015) and it is recommended for this development.

9-16-10: Preliminary Plat: D. Preliminary Plat Requirements: 12. When not connecting to city sewer and water, a soils and groundwater study shall be required by the city engineer where individual wells or septic tanks are proposed within the area of impact.

9-16-11: FINAL PLAT: F. Approval Of Subdivision Plat: No plat shall be recorded or offered for recording with the Elmore County recorder until the plat has been reviewed and approved by the mayor and council, and shall bear thereon the approval, by endorsement, of the city engineer and the clerk of the city. The final plat shall not be approved by the mayor and council until all the proposed public improvements have been made according to the approved development plans and specifications (see section 9-16-12 of this chapter) and the improvements have been approved by the Community Development Director and Public Works Director and approved by the city council or suitable financial guarantees are provided (see section 9-16-14 of this chapter). All plats located within the area of impact and/or one mile outside of the city limits must also meet the requirements of the area of impact agreement with Elmore County.

9-16-13: Design Standards

9-16-13: F. Area Of Impact/Streets: Where parcels of land are subdivided into unusually large lots (such as when large lots are approved for septic tanks) the parcels shall be divided, where feasible, so as to allow for future division into smaller parcels. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. Whenever such future subdividing or lot splitting is contemplated, the plan thereof shall show proposed extension of streets and be approved by the



commission prior to the taking of such action. New subdivision developments which are contiguous to the city limits shall develop to city standards.

9-16-13: G. Utilities: Water/Sewer: 1. Water Lines: d. Area Of City Impact: New subdivision developments, which are platted in less than five (5) acre lots that do not connect to public water facilities, shall provide a central water system (may require dry lines), designed to city standards, so at the time of annexation connecting to the public water system will be more cost effective and easily accomplished unless otherwise provided for herein. New subdivision developments that are contiguous to the city limits shall develop to city standards with dry lines, etc.

9-16-13 G. 2. Sewer: c. Area Of City Impact: New subdivision developments which are contiguous to the city limits shall be developed to city standards. New development shall provide a sewer utility system which is equivalent to the public sewer system, so, at the time of annexation, connecting to the public sewer system will be more easily accomplished unless otherwise provided for herein.

9-16-16: SUBDIVISION WITHIN THE AREA OF IMPACT AND/OR ONE MILE A/PR AGRICULTURE/PROPOSED RESIDENTIAL: When subdivision development in the A/PR zone occurs contiguous to city limits, it shall develop to city standards.

This parcel is not contiguous to the City Limits of the City of Mountain Home.

In addition, while not within 600' of the City of Mountain Home Waste Water Treat Plant, designated as a Special Area in the Area of Impact Ordinance, it should be noted that this development is in close proximity to the City of Mountain Homes Waste Water Treatment Plant.

Per our Comprehensive Plan

Chapter 5 Housing is a top five priority.

Chapter 6 Land Use The land use map designates planned uses within the city and the city's area of impact, illustrating the city's goals and objectives for the framework of the community, and dictates orderly and efficient development patterns. (Page 39)

Thank you for your time.

Nicole Coffey  
City Planner  
City of Mountain Home  
Development Services

Brenda Ellis  
Senior City Planner  
City of Mountain Home  
Development Services

**From:** [Alan Roberts](#)  
**To:** [Alyssa Nieto](#); [Mike Hollinshead](#); [Greg Berry](#); [Kendra Conder](#); [bcopes@cdh.idaho.gov](mailto:bcopes@cdh.idaho.gov); [Brenda Ellis](#); [Nicole Coffey](#); [angie@ewsid.com](mailto:angie@ewsid.com); [Joshua Dison](#); [Flack,Brandon](#); [idl\\_jurisdictional@idl.idaho.gov](mailto:idl_jurisdictional@idl.idaho.gov); [matt.halitsky@ishs.idaho.gov](mailto:matt.halitsky@ishs.idaho.gov)  
**Cc:** [David Abrahamson](#); [James Roddin](#); [Johnny Hernandez](#)  
**Subject:** RE: Agency Notice  
**Date:** Tuesday, March 18, 2025 3:32:43 PM  
**Attachments:** [image001.png](#)

---

Only concern will be once it gets plotted on access to all lots and the roadway development. This would be considered a subdivision and would have to be paved roadways meeting standards.

Alan

---

**From:** Alyssa Nieto <[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)>  
**Sent:** Tuesday, March 18, 2025 2:41 PM  
**To:** Mike Hollinshead <[mhollinshead@elmorecounty.org](mailto:mhollinshead@elmorecounty.org)>; Greg Berry <[gberry@elmorecounty.org](mailto:gberry@elmorecounty.org)>; Kendra Conder <[Kendra.Conder@itd.idaho.gov](mailto:Kendra.Conder@itd.idaho.gov)>; [bcopes@cdh.idaho.gov](mailto:bcopes@cdh.idaho.gov); Brenda Ellis <[BELLis@mountain-home.us](mailto:BELLis@mountain-home.us)>; Nicole Coffey <[nnutting@mountain-home.us](mailto:nnutting@mountain-home.us)>; Alan Roberts <[aroberts@elmorecounty.org](mailto:aroberts@elmorecounty.org)>; [angie@ewsid.com](mailto:angie@ewsid.com); Joshua Dison <[jdison@elmorecounty.org](mailto:jdison@elmorecounty.org)>; Flack,Brandon <[brandon.flack@idfg.idaho.gov](mailto:brandon.flack@idfg.idaho.gov)>; [idl\\_jurisdictional@idl.idaho.gov](mailto:idl_jurisdictional@idl.idaho.gov); [matt.halitsky@ishs.idaho.gov](mailto:matt.halitsky@ishs.idaho.gov)  
**Cc:** David Abrahamson <[dabrahamson@elmorecounty.org](mailto:dabrahamson@elmorecounty.org)>; James Roddin <[jroddin@elmorecounty.org](mailto:jroddin@elmorecounty.org)>; Johnny Hernandez <[jhernandez@elmorecounty.org](mailto:jhernandez@elmorecounty.org)>  
**Subject:** Agency Notice

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Best,

**Alyssa Nieto**

Land Use and Building Department  
Administrative Assistant

520 E 2<sup>nd</sup> S Street  
Mountain Home, Idaho 83647  
208-587-2142 ext 1255

| [anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)

**From:** [Mike Hollinshead](#)  
**To:** [Alyssa Nieto](#)  
**Cc:** [David Abrahamson](#)  
**Subject:** RE: Agency Notice  
**Date:** Tuesday, March 18, 2025 4:36:46 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Thank you

*Sheriff Mike Hollinshead  
Elmore County  
2255 East 8<sup>th</sup> North  
Mountain Home, Idaho 83647  
Phone: 208-587-3370 Ext. 1028*



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**Please update your records accordingly, as eventually, the [elmorecounty.org](http://elmorecounty.org) address will no longer work.**

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**From:** Alyssa Nieto <[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)>  
**Sent:** Tuesday, March 18, 2025 4:28 PM  
**To:** Mike Hollinshead <[mhollinshead@elmorecounty.org](mailto:mhollinshead@elmorecounty.org)>  
**Cc:** David Abrahamson <[dabrahamson@elmorecounty.org](mailto:dabrahamson@elmorecounty.org)>  
**Subject:** RE: Agency Notice

I'll direct this question to our planner David; he will be able to answer this.

---

**From:** Mike Hollinshead <[mhollinshead@elmorescounty.org](mailto:mhollinshead@elmorescounty.org)>  
**Sent:** Tuesday, March 18, 2025 4:27 PM  
**To:** Alyssa Nieto <[anieto@elmorescounty.org](mailto:anieto@elmorescounty.org)>  
**Subject:** RE: Agency Notice

Sorry I misread the app.

Do they have to get ITD to sign off due to the possible traffic in that area?

*Sheriff Mike Hollinshead  
Elmore County  
2255 East 8<sup>th</sup> North  
Mountain Home, Idaho 83647  
Phone: 208-587-3370 Ext. 1028*



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**From:** Alyssa Nieto <[anieto@elmorescounty.org](mailto:anieto@elmorescounty.org)>  
**Sent:** Tuesday, March 18, 2025 4:24 PM  
**To:** Mike Hollinshead <[mhollinshead@elmorescounty.org](mailto:mhollinshead@elmorescounty.org)>  
**Subject:** RE: Agency Notice

Mike,

This is a county property.

---

**From:** Mike Hollinshead <[mhollinshead@elmorecounty.org](mailto:mhollinshead@elmorecounty.org)>  
**Sent:** Tuesday, March 18, 2025 4:22 PM  
**To:** Alyssa Nieto <[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)>  
**Subject:** RE: Agency Notice

Since this will be in City Limits, I have no concerns.

*Sheriff Mike Hollinshead  
Elmore County  
2255 East 8<sup>th</sup> North  
Mountain Home, Idaho 83647  
Phone: 208-587-3370 Ext. 1028*



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**From:** Alyssa Nieto <[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)>  
**Sent:** Tuesday, March 18, 2025 2:41 PM  
**To:** Mike Hollinshead <[mhollinshead@elmorecounty.org](mailto:mhollinshead@elmorecounty.org)>; Greg Berry <[gberry@elmorecounty.org](mailto:gberry@elmorecounty.org)>; Kendra Conder <[Kendra.Conder@itd.idaho.gov](mailto:Kendra.Conder@itd.idaho.gov)>; [bcopes@cdh.idaho.gov](mailto:bcopes@cdh.idaho.gov); Brenda Ellis <[BEllis@mountain-home.us](mailto:BEllis@mountain-home.us)>; Nicole Coffey <[nnutting@mountain-home.us](mailto:nnutting@mountain-home.us)>; Alan Roberts <[aroberts@elmorecounty.org](mailto:aroberts@elmorecounty.org)>; [angie@ewsid.com](mailto:angie@ewsid.com); Joshua Dison <[jdison@elmorecounty.org](mailto:jdison@elmorecounty.org)>;



Flack, Brandon <[brandon.flack@idfg.idaho.gov](mailto:brandon.flack@idfg.idaho.gov)>; [idl\\_jurisdictional@idl.idaho.gov](mailto:idl_jurisdictional@idl.idaho.gov);  
[matt.halitsky@ishs.idaho.gov](mailto:matt.halitsky@ishs.idaho.gov)

**Cc:** David Abrahamson <[dabrahamson@elmorecounty.org](mailto:dabrahamson@elmorecounty.org)>; James Roddin  
<[jroddin@elmorecounty.org](mailto:jroddin@elmorecounty.org)>; Johnny Hernandez <[jhernandez@elmorecounty.org](mailto:jhernandez@elmorecounty.org)>

**Subject:** Agency Notice

Dear Agency Partners,

A public hearing will be held before the Elmore County Planning and Zoning Commission on the enclosed application. The hearing is scheduled for Thursday, April 24th, 2025, at 6:00 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, March 31, 2025, so your comments are included in the record. If you prefer, please come to the hearing to testify before the Commission.



Best,

**Alyssa Nieto**

Land Use and Building Department  
Administrative Assistant

520 E 2<sup>nd</sup> S Street  
Mountain Home, Idaho 83647  
208-587-2142 ext 1255

[anieto@elmorecounty.org](mailto:anieto@elmorecounty.org)