



**TO: BOARD OF ADA COUNTY COMMISSIONERS**

**HEARING DATE: January 13, 2016**

**STAFF: Kristy Inselman, Associate Planner**

**PROJECT NO.: 201503858 VAC, Brodie Lewis**

**APPLICANT/OWNER: Brodie Lewis**

### **INTRODUCTION**

A request to vacate a utility, drainage, and irrigation easement that remains after a property boundary adjustment was done between lots 4 & 5, Block 8 of Canonero West No. 2 Subdivision.

### **EXECUTIVE SUMMARY**

The Canonero West Subdivision No. 2 was approved by the Board of County Commissioners on October 10, 1978. The final plat for the subdivision was recorded on October 11, 1978. When the subdivision plat for Canonero West Subdivision No. 2 was recorded, there was a public utilities, drainage and irrigation easement on all side yard lot lines 5-feet in width. The property completed a property boundary adjustment (95-16-LLA) was approved in 1995. At the time that the property boundary adjustment was completed, the easement was not vacated.

The request for the vacation is being made by Brodie Lewis as the existing easement was not vacated at the time the property boundary adjustment was completed, and if the easement were not vacated, it would prevent any construction or addition to the home that would encroach upon the existing easement.

Staff received a letter from Boise City Public Works dated November 25, 2015, in which they had no comment. Staff received a memo from the Ada County Engineer dated November 19, 2015, in which she stated that the applicant should provide documentation that shows that all affected easement holders have been notified by certified mail, return receipt requested, of the proposed vacation and have agreed to the same in writing. Additionally, if the utility, drainage, and irrigation easement as defined on the original subdivision plat are being relocated to the adjusted parcel line, provide a copy of the recorded document granting said relocated easements.

It should be noted that the request to vacate the utility, drainage and irrigation easement on the subject property will not remove the enforceability of other plat notes or easements on the property.

## **RECOMMENDATION**

Based upon Staff's review of the application, staff concludes that this application complies with the Ada County Code and recommends approval to the Board as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

The Board should consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application.

### **EXHIBIT LIST – PROJECT NO. 201503858 VAC:**

1. Pre-Application Notes dated October 27, 2015 – 3 pages
2. Master Application and Checklist submitted October 30, 2015 – 3 pages
3. Detailed Letter submitted October 30, 2015 – 1 page
4. Warranty Deed submitted October 30, 2015 – 3 pages
5. Existing Plat submitted October 30, 2015 – 1 page
6. Record of Survey submitted October 30, 2015 – 1 page
7. Vicinity Map/Aerial – 1 page
8. Transmittal dated November 5, 2015 – 1 page
9. Submittal Letter dated November 5, 2015 – 1 page
10. Memo from Building Official dated November 6, 2015 – 1 page
11. Memo from County Engineer dated November 19, 2015 – 1 page
12. Radius Notice sent Certified Mail on November 25, 2015 – 2 pages
13. Radius Mailing List – 1 page
14. Radius Map – 1 page
15. Memo from Boise City Public Works on November 25, 2015 – 2 pages
16. Legal Notice published on December 29, 2015 – 1 page



ADA COUNTY
DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201501156 - PREAP - A

Status: Active

Date Received: 10/15/2015

Date Closed:

Meeting Date: 10/27/2015 Date Assigned: 10/15/2015 Project Description:

Applicant's Name:
LEWIS BRODIE

Applicant has an existing easement from original plat that he would like to vacate in order to construct a detached accessory structure.

Development Services Staff Assigned To Meeting:

Staff Name: Attended Meeting?
BRENT DANIELSON
KRISTY INSELMAN

No. of Lots/Units: 0 Total Acres: .528

Unique Features:

Sewer/Septic:

Water/Well:

General Property Location:

Parcel Info:

Parcel Num: R1277160222 Street Address: 3374 S CANONERO WAY City/State/Zip: Boise, ID 83709-0000

Zone Info:

Zone Type: Existing Zone Zone: R2

TwN / Rng / Sec Info:

TwN: 3N Rng: 1E Sec: 27 Qtr:

Overlay Areas Info:

Overlay Area: Impact Area SouthWest Overlay Value: Boise Yes Code Ref: Article 8-3C Comments:

Comp Plan:
Boise

Agencies To Contact:

Agency Name: ADA COUNTY HIGHWAY DISTRICT/ PLANNING DEPT - (208)-387-6170

Comments:

CENTRAL DISTRICT HEALTH DEPARTMENT - (208)-327-8517

Comments:

IDAHO POWER COMPANY - (208)-388-2699

Comments:

Contact Person:
LITTLE CHRISTY

RENO MIKE

HORNSBY COURTNEY

Proposed Allowed Uses:

Accessory structure

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PREAPPLICATION CONFERENCE NOTES

**Required Applications:**

**App Type:**      **Descriptive Name:**

VAC                  VACATION

**Notes:**

The subject property is located in the Low Density (R2) District and the Canonero West No. 2 Subdivision.

Parcel #R1277160222 consist of Lot 5 of Block 8 and a part of Lot 4 of Block 8 of the Canonero West #2 Subdivision. The lot line between lot 4 and 5 of block 8 was adjusted in 1995 see Record of Survey #3365. The record of survey depicts that the parcel line between lot 4 and 5 was adjusted approximately 30 feet to the south.

The plat for the Canonero West #2 Subdivision shows a 20 foot Drainage Easement towards the front of the property. Plat Note #1 states that all lot lines common to a public right-of-way line have a 10 foot wide permanent public utilities, drainage and irrigation easement. Plat Note #2 states that side yard lot lines have a five (5) foot wide permanent public utilities, drainage and irrigation easement.

See Article 8-2B of the Ada County Code for information on the R2 District. The setback for a property line on a collector street is 30 feet, rear property line setback is 20 feet, and interior side property line setback is 5 feet per story not to exceed 10 feet.

See Section 8-6-6 of the Ada County Code for information on Vacations: An applicant or owner may petition the Board for a total or partial vacation of a recorded subdivision plat, including easements. Vacation shall be processed in accord with the regulations set forth in Idaho Code Section 50-1306A and recorded in accord with the regulations set forth in Idaho Code section 50-1324.

**★ Idaho State Code Section 50-1306A - VACATION OF PLATS -- PROCEDURE**

- (1) Any person, persons, firm, association, corporation or other legally recognized form of business desiring to vacate a plat or any part thereof must petition the city council if it is located within the boundaries of a city, or the county commissioners if it is located within the unincorporated area of the county. Such petition shall set forth particular circumstances of the requests to vacate; contain a legal description of the platted area or property to be vacated; the names of the persons affected thereby, and said petition shall be filed with the city clerk.
- (2) Written notice of public hearing on said petition shall be given, by certified mail with return receipt, at least ten (10) days prior to the date of public hearing to all property owners within three hundred (300) feet of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two (2) successive weeks in the official newspaper of the city, the last of which shall be not less than seven (7) days prior to the date of said hearing; provided, however, that in a proceeding as to the vacation of all or portion of a cemetery plat where there has been no interment, or in the case of a cemetery being within three hundred (300) feet of another plat for which a vacation is sought, publication of the notice of hearing shall be only required notice as to the property owners in the cemetery.
- (3) When the procedures set forth herein have been fulfilled, the city council may grant the request to vacate with such restrictions as they deem necessary in the public interest.
- (4) If a petition to vacate is brought before county commissioners, and the plat or part thereof which is the subject of the petition is located within one (1) mile of the boundaries of any city, the county commissioners shall cause written notice of the public hearing on the petition to be given to the mayor or chief administrative officer of the city by regular mail at least thirty (30) days prior to the date of public hearing.
- (5) In the case of easements granted for gas, sewer, water, telephone, cable television, power, drainage, and slope purposes, public notice of intent to vacate is not required. Vacation of these easements shall occur upon the recording of the new or amended plat, provided that all affected easement holders have been notified by certified mail, return receipt requested, of the proposed vacation and have agreed to the same in writing.
- (6) When public streets or public rights-of-way are located within the boundary of a highway district, the highway district commissioners shall assume the authority to vacate said public streets and public rights-of-way as provided in section 40-203, Idaho Code.

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Exhibit 1  
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DEVELOPMENT



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PHONE (208) 287-7900

**PREAPPLICATION CONFERENCE NOTES**

- (7) All publication costs shall be at the expense of the petitioner.  
(8) Public highway agencies acquiring real property within a platted subdivision for highway right-of-way purposes shall be exempt from the provisions of this section.  
(9) Land exclusive of public right-of-way that has been subdivided and platted in accordance with this chapter need not be vacated in order to be replatted.

**Idaho Code Section 50-1324. RECORDING VACATIONS**

- (1) Before a vacation of a plat can be recorded, the county treasurer must certify that all taxes due are paid and such certification is recorded as part of the records of the vacation. The treasurer shall withhold the certification only when property taxes are due, but not paid.  
(2) Upon payment of the appropriate fee therefor, the county recorder of each county shall index and record, in the same manner as other instruments affecting the title to real property, a certified copy of each ordinance, resolution or order by which any lot, tract, public street, public right of way, private road, easement, common, plat or any part thereof has been vacated. Such certification shall be by the officer having custody of the original document and shall certify that the copy is a full, true and correct copy of the original.

**Meeting Notes:**

**Additional Preap Conference:** Not Recommended

**Neighborhood Meeting Required?** No

**Cross References:**

10/27/2015

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3 OF 3



# MASTER APPLICATION/PETITION REQUEST

ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, Idaho 83702. www.adaweb.net phone: (208) 287-7900 fax: (208) 287-7909

### TYPE OF ADMINISTRATIVE APPLICATION:

- ACCESSORY USE\*
- FARM DEVELOPMENT RIGHT
- FLOODPLAIN PERMIT
- HILLSIDE DEVELOPMENT\*
- HIDDEN SPRINGS ADMINISTRATIVE
- HIDDEN SPRINGS SPECIAL EVENT
- LIGHTING PLAN
- LANDSCAPE PLAN
- DRAINAGE PLAN
- MASTER SITE PLAN\*
- EXPANSION NONCONFORMING USE
- ONE TIME DIVISION
- PRIVATE ROAD
- PROPERTY BOUNDARY ADJUSTMENT
- PLANNED UNIT DEVELOPMENT (PUD)
- SIGN PLAN
- TEMPORARY USE\*

### TYPE OF HEARING LEVEL APPLICATION:

- CONDITIONAL USE
- DEVELOPMENT AGREEMENT
- SUBDIVISION, PRELIMINARY\*
- PLANNED COMMUNITIES\*
- SUBDIVISION, SKETCH PLAT\*
- VACATION
- VARIANCE
- ZONING MAP AMENDMENT
- ZONING TEXT AMENDMENT

### TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

### TYPE OF ADDENDA:

- APPEAL
- ADMINISTRATIVE MODIFICATION
- DEVELOPMENT AGREEMENT MODIFICATION
- FINAL PLAT
- TIME EXTENSION

### REQUIRED SUBMITTALS:

- CHECKLIST for applicable application(s). If multiple applications, do not duplicate submittals.
- \*SUPPLEMENTAL WORKSHEET REQUIRED

### SITE INFORMATION:

Section: 27 Township: 3N Range: 1E Total Acres: .53  
 Subdivision Name: Canonero west #2 Subdivision Lot: 4/5 Block: 8  
 Site Address: 3374 S. Canonero Way City: \_\_\_\_\_  
 Tax Parcel Number(s): R1277160222  
 Existing Zoning: R2 Proposed Zoning: — Area of City Impact: Boise Overlay  
 District(s) Southwest

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### OFFICE USE ONLY

Project #: <u>201503858-VAC</u>	Planning Fees/GIS:	Engineering Fees:
Received By: <u>BSP</u> Date: <u>10-30-15</u> Stamped <input checked="" type="checkbox"/>	<u>\$ 350<sup>00</sup></u>	

<b>APPLICANT/AGENT: (Please print)</b>	<b>ADDITIONAL CONTACT if applicable: (Please Print)</b>
Name: <u>M. Brodie Lewis</u>	Name: _____
Address: <u>3375 Canovero</u>	Address: _____
City: <u>Besse</u> State: <u>TX</u> Zip: <u>83709</u>	City: _____ State: _____ Zip: _____
Telephone: <u>775 800 3862</u> Fax: _____	Telephone: _____ Fax: _____
Email: <u>Brodie Lewis @ G-mail</u>	Email: _____
I certify this information is correct to the best of my knowledge.	<b>ENGINEER/SURVEYOR if applicable: (Please Print)</b>
_____	Name: _____
_____	Address: _____
_____	City: _____ State: _____ Zip: _____
_____	Telephone: _____ Fax: _____
_____	Email: _____
Signature: (Applicant) _____ Date _____	

<b>OWNER (S) OF RECORD: (Please Print)</b>	<b>OWNER (S) OF RECORD: (Please Print)</b>
Name: _____	Name: _____
Address: _____	Address: _____
City: _____ State: _____ Zip: _____	City: _____ State: _____ Zip: _____
Telephone: <u>Same as Above</u>	Telephone: _____
Fax: _____	Fax: _____
Email: _____	Email: _____
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.	I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.
Signature: <u>[Signature]</u> All Owner (s) of Record _____ Date _____	Signature: _____ All Owner (s) of Record _____ Date _____

ALL OWNER(S) OF RECORD (ON THE CURRENT DEED) MUST SIGN (Additional Sheets are Available Online)

If the property owner(s) are a business entity, please include business entity documents, including those that indicate the person(s) who are eligible to sign documents.

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Exhibit 2  
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200 W. Front Street, Boise, ID 83702. adacounty.id.gov phone: (208)287-7900 fax: (208)287-7909



## VACATION CHECKLIST (ACC 8-6-6)

A Vacation request requires a public hearing.

### GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
✓	One paper copy and one electronic copy of all required submittals.	✓
✓	Completed and signed Master Application	✓
	DETAILED LETTER by the applicant fully describing the request or project and addressing the following:	
	Reason for the vacation. Be specific.	
	Is the property within one mile of the boundary of any city? YES (✓) NO ( )	
	Is the vacation for a plat? YES ( ) NO (✓)	
	Is the vacation for an easement? YES (✓) NO ( )	
✓	PRE-APPLICATION CONFERENCE NOTES	✓
n/a	LEGAL DESCRIPTION AND SURVEY OF THE LOT OR PORTION OF THE LOT TO BE VACATED.	
✓	CURRENT SITE PLAN One reduced copy to 8 1/2" X 11".	✓
✓	PROPOSED VACATION One reduced copy to 8 1/2" X 11".	✓
✓	DEED or evidence of proprietary interest.	✓
✓	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
	APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net	

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORM ARE SUBMITTED.

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To whom it may concern:

I would like to vacate the Public utility and drainage easement on my property. The lot line on my property was moved previously. At that time the P.U.E. was not moved. I would like to correct the oversite by moving the P.U.E. at this time.

Thank you.

Brodie Lewis



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AFTER RECORDING MAIL TO:

Lewis Living Trust  
3374 S. Canonero Way  
Boise, ID 83709

ELECTRONICALLY RECORDED - DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT.

## WARRANTY DEED

File No.: 4102-2448200 (KY)

Date: June 05, 2015

For Value Received, **Justin Z. Moore, a married man as his sole and separate property; and Bonnie L. Pierce, a married woman as her sole and separate property,** hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Shaye Lewis and M. Brodie Lewis, Trustees of the Lewis Living Trust,** hereinafter referred to as Grantee, whose current address is **3374 S. Canonero Way, Boise, ID 83709,** the following described premises, situated in **Ada County, Idaho,** to wit:

**Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

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APN:

Warranty Deed  
- continued

File No.: 4102-2448200 (KY)  
Date: 06/05/2015

## EXHIBIT A

**LEGAL DESCRIPTION:** Real property in the County of Ada, State of Idaho, described as follows:

**A portion of Lots 4 and 5 in Block 8 of Canonero West No. 2 Subdivision, according to the plat thereof, filed in Book 45 of Plats at page 3665, official records of Ada County, Idaho, located in the East half of the Northwest quarter of Section 27, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:**

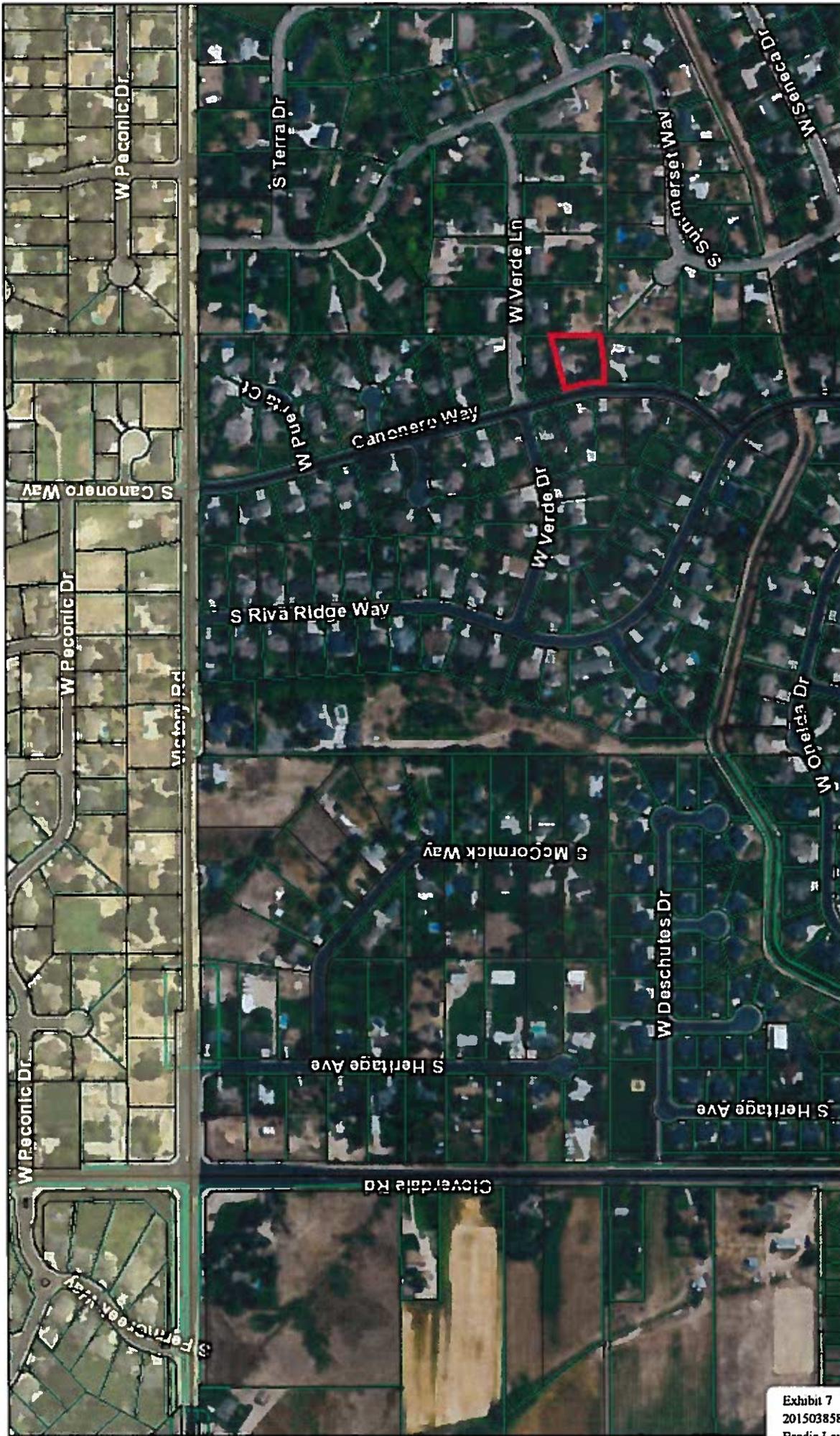
**COMMENCING at the Southeast corner of said Lot 4, Block 8 of Canonero West No. 2 Subdivision;  
thence along the East boundary line of said Lot 4  
North 00°29'24" East 262.65 feet to the REAL POINT OF BEGINNING; thence leaving said East  
boundary line of Lot 4  
South 85°20'00" West 150.12 feet to a point on the Easterly right-of-way line of South Canonero Way,  
said point also being on a curve to the left; thence  
Northwesterly along said right-of-way line and said curve 84.08 feet, said curve having a  
radius of  
316.10 feet, a central angle of 15°14'24" and a long chord of 83.83 feet bearing  
North 07°07'48" West to the point of tangency; thence continuing along said right-of-way  
line  
North 14°45'00" West 45.00 feet to the Northwesterly corner of said Lot 5; thence leaving  
said rightof-  
way line and along the Northerly boundary line of said Lot 5;  
North 75°15'00" East 178.74 feet to the Northeasterly corner of said Lot 5; thence along the  
East  
boundary of said Lot 5;  
South 00°29'24" West 160.00 feet to the REAL POINT OF BEGINNING.**  
APN:

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Exhibit 4  
201503858 VAC  
Brodie Lewis





# 201503858-VAC (Vicinity/Aerial Map)



Date: 12/28/2015

0 0.045 0.09 0.18 Miles

N

Parks

P&Z

Applications

STAR

Street Names

Major Streets

GARDEN CITY

KUNA

MERIDIAN

BOISE

EAGLE

**Search Results: City Limits**

Parcels

Parcels

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

**Kristy Inselman**

**From:** Kristy Inselman  
**Sent:** Thursday, November 05, 2015 9:21 AM  
**To:** chornsby@idahopower.com; amurray@idahopower.com; lbishop@idahopower.com; john.lee@unitedwater.com; laurenboehlke@yahoo.com; carla.bernardi@cableone.biz; kyokom@cityofboise.org; lflook@cityofboise.org; msinglet@intgas.com; velta@nyid.org; jangels10@cableone.net; wbsdmb@qwestoffice.net; clittle@achdidaho.org; syarrington@achdidaho.org; rennross@cableone.net; rgervais@cityofboise.org; Mark Ferm; Angela Gilman; Jean Schaffer; Dale Ann Barton; Kristy Inselman  
**Cc:** Kristy Inselman  
**Subject:** Ada County Application Transmittal Notice.

	<b>Ada County Development Services Planning &amp; Zoning Division Transmittal</b>
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<b>File Number:</b> <a href="#">201503858-VAC</a>	<b>X-Reference:</b> NONE
<b>Description:</b> Application for a vacation of an existing utility, drainage and irrigation easement that remains after a property boundary adjustment was done between lots 4 & 5, Block 8 of Canonero West No. 2 Subdivision.	
<b>Reviewing Body:</b> BOCC	<b>Hearing Date:</b> 1/13/2016
<b>Applicant:</b> LEWIS BRODIE	<b>P&amp;Z Recommendation:</b>
<b>Property:</b> The property contains .53 acres and is located at 3374 S CANONERO WAY BOISE 83709, Section 27 3N 1E.	

Ada County Development Services is requesting comments and recommendations on the application referenced above. To review detailed information about the request please either click on the file number identified above, or visit the Ada County Development Service's Application Tracking System (ATS) web site at [gisx.adaweb.net/acdsv2/](http://gisx.adaweb.net/acdsv2/) and search by file number. Hover over the pushpin that appears on the map with your mouse and select "Additional Info" from the pop-up box. You will then be able to review individual documents, drawings and other information detailing the request.

We request that you submit your comments or recommendations by 11/20/2015. When responding, please reference the file number identified above. If responding by email, please send comments to [kinselmann@adaweb.net](mailto:kinselmann@adaweb.net).

To request a hard copy of materials associated with this application, for additional information, or to provide comment on Ada County's Development Services ATS, please call me at the number listed below.

Sincerely yours,  
KRISTY INSELMAN, ASSOCIATE PLANNER  
200 W Front Street  
Boise ID 83702  
[kinselmann@adaweb.net](mailto:kinselmann@adaweb.net)



ADA COUNTY  
Development Services Department

Megan M. Leatherman, MCRP  
Director

Ada County Courthouse  
200 West Front Street  
Boise ID 83702  
208.287.7900  
Fax 208.287.7909  
www.adacounty.id.gov

Department Divisions  
Building  
Engineering & Surveying  
Permitting  
Planning & Zoning

Ada County Commissioners  
Jim Tibbs, First District  
Rick Yzaguirre, Second District  
David L. Case, Third District

November 5, 2015

Brodie Lewis  
3374 Canonero Way  
Boise, ID 83709

RE: PROJECT #201503858-VAC; Brodie Lewis

Dear Mr. Lewis;

This is to notify you that your application has been scheduled to be heard by the Board of Ada County Commissioners on **January 13, 2016**. This hearing will begin at 6:00 p.m. and will be held in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID. You or your representative must be present.

A copy of the staff report will be sent to you prior to the meeting. Please contact me if you have any questions or comments regarding this application, the staff report, or any conditions, which may be attached to the staff report.

In accordance with State law, "Notice of Public Hearing" must be posted on the site. Ada County recently amended the code to require the applicant to post the sign.

If the property is not posted correctly or the certification form is not submitted to Development Services at least seven (7) days prior to the public hearing, the application will be tabled until the next available hearing date. The sign is required to be posted ten (10) days in advance of the hearing. The certification form is available to download on our website at [www.adaweb.net/DevelopmentServices](http://www.adaweb.net/DevelopmentServices).

The sign is required to be taken down no later than three (3) days after the final decision. If there are multiple hearings on the application, the sign **does not** need to be taken down between hearings. However, the sign will need to be updated with the new hearing dates as the application goes through the hearing process. Enclosed is the sign posting brochure.

I can be reached at 287-7998 or via email at [kinselmann@adaweb.net](mailto:kinselmann@adaweb.net).

Sincerely,

A handwritten signature in cursive script that reads "Kristy Inselman".

Kristy Inselman  
Associate Planner  
Ada County Development Services, Planning & Zoning Division

# MEMORANDUM

---



DATE: 11/6/2015

RE: 201503858-VAC Lewis

TO: Kristy Inselman, Associate Planner

FROM: Mark Ferm, Ada County Building Official

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## Summary of Project:

Application for a vacation of an existing utility, drainage and irrigation easement that remains after a property boundary adjustment was done between lots 4 & 5, Block 8 of Canonero West No. 2 Subdivision. The subject property is addressed 3374 S Canonero Way.

## Findings and Conditions:

The Building Division has no objection to the proposed change.

## Conclusion:

Approved as Submitted

Mark Ferm  
Ada County Building Official  
200 W Front Suite 2125  
Boise Idaho 83702  
Phone 287-7910

[markf@adaweb.net](mailto:markf@adaweb.net)

# MEMORANDUM

---



**DATE:** November 19, 2015

**RE:** Recommendation Regarding File 201503858 VAC, 3374 S. Canonero Way, Boise ID 83709

**TO:** Kristy Inselman, Associate Planner

**FROM:** Dale P. Meyers, Survey/Engineering Tech.

**CC:** Angela Gilman, Ada County Engineer

---

Kristy,

Per your request I have reviewed the following documents for the project referenced above.

- Master Application
- Detailed Letter
- Recorded Record of Survey and Subdivision plat

My comments and Conditions of Approval are as follows:

- Provide documentation that shows "... that all affected easement holders have been notified by certified mail, return receipt requested, of the proposed vacation and have agreed to the same in writing." (I.C. 50-1306A(5))
- If the "Public Utility, Drainage and Irrigation Easements", as defined on the original subdivision plat, are being relocated to the adjusted parcel line, provide a copy of the recorded document granting said relocated easements.

Please let me know if you have any questions.

Dale



ADA COUNTY  
Development Services Department

November 25, 2015

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Board of Ada County Commissioners will hold a public hearing on **January 13, 2016**, at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear the following:

**201503858-VAC, Brodie Lewis:** An application for a vacation of a utility, drainage and irrigation easement that remains after a property boundary adjustment was done between lots 4 & 5, Block 8 of Canonero West No. 2 Subdivision. The property is located at 3374 S. Canonero Way and contains .53 acres; Section 27, T.3N, R.1E.

Contact Kristy Inselman, Associate Planner, at 287-7998 or [kinselman@adaweb.net](mailto:kinselman@adaweb.net) for more information.

This is an Official Notice of Public Hearing regarding the use of a property near your own. You have been notified because records indicated that you own property near or within **300'** of the applicant's project boundary. You are invited to attend the public hearing and offer your comments for consideration. If you are unable to attend, you may send comments to our office before the hearing date, and they will be entered in the public hearing record.

This application can be viewed **online** by completing the following:

- 1 Type [gisx.adaweb.net/acdsv2/](http://gisx.adaweb.net/acdsv2/)
- 2 Enter "**201503858-VAC**" in search application by file number
- 3 Click on 'Application Information'
- 4 Review documents by clicking on 'Supporting Documents'

Five (5) days prior to the hearing you can go the [www.adacounty.id.gov](http://www.adacounty.id.gov) to view the agenda or staff report.

NOTES:

- This item may not be heard at the scheduled time of 6:00 p.m. as multiple items may be considered during the hearing.
- Video, audio, PowerPoint, or other computer-generated visuals used to present testimony, must be provided to the Planner ½ hour prior to the start of the hearing: file format compatibility cannot be guaranteed.
- Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 three days prior to this public hearing to make arrangements.

Megan M. Leatherman, MCRP  
Director

Ada County Courthouse  
200 West Front Street  
Boise ID 83702  
208.287.7900  
Fax 208.287.7909  
[www.adacounty.id.gov](http://www.adacounty.id.gov)

Department Divisions  
Building  
Engineering & Surveying  
Permitting  
Planning & Zoning

Ada County Commissioners  
*Jim Tibbs, First District*  
*Rick Yzaguirre, Second District*  
*David L. Case, Third District*



PRIMOWNER	SECOWNER	ADDCONCAT	STATCONCAT
PON KENNETH K & WANG SHIXIN	PON DIANA L WANG YANJIE	3500 S RIVA RIDGE WAY 743 W TWO RIVERS DR	BOISE, ID 83709-3809 EAGLE, ID 83616-0000
BARBER JOHN & VALORIE TRUST MOXHAM STEPHEN F BARNES ADAM C SALA MIKE L	BARBER JOHN D TRUSTEE MOXHAM ANGELA K BARNES TANJA SALA KELLIE M	PO BOX 190876 3255 S CANONERO WAY 3423 S CANONERO WAY 11535 W VERDE DR	BOISE, ID 83719-0000 BOISE, ID 83709-3875 BOISE, ID 83709-0000 BOISE, ID 83709-0000
LEWIS LIVING TRUST BERGMAN WILLIAM DELONG ROSS A GALINATO GERRY D TOOLE COLIN SCOTT & STRONG MARVIN G & SZYMONIAK JOHN SHULTS TRACEY E PASERO PAUL G MIELE MICHAEL S & DONG YAYI COPE GERALD V GILWORTH SCOTT F CURTIS RYAN P MCDOWELL ALAN JAMES & FEKETE GEORGE E RODERICK RANDALL W & MARRIOTT ARLIS A	LEWIS SHAYE TRUSTEE BERGMAN DAM DELONG DENICE C GALINATO LETICIA J TOOLE GABRIELE E STRONG REBECCA A SZYMONIAK MARY A SHULTS JULIE A PASERO JUDY A MIELE ANNA CHEN YANDIE COPE ANITA M GILWORTH KAREN D CURTIS JEANEEN K MCDOWELL CAROL ANN FEKETE JUDY L RODERICK COLLEEN Y MARRIOTT COLLEEN K	3374 S CANONERO WAY 11389 W VERDE LN 11311 W VERDE LN 3492 S RIVA RIDGE WAY 3447 S CANONERO WAY 3375 S CANONERO WAY 3351 S CANONERO WAY 11426 W VERDE LN 3465 S SUMMERSET WAY 3477 S SUMMERSET WAY 3499 S SUMMERSET WAY 12866 MORNING DR 11388 W VERDE LN 3484 S RIVA RIDGE WAY 3500 S CANONERO WAY 3446 S CANONERO WAY 3254 S CANONERO WAY 3481 S SUMMERSET WAY	BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-3809 BOISE, ID 83709-3877 BOISE, ID 83709-3876 BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-0000 DONNELLY, ID 83615-3838 BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-3878 BOISE, ID 83709-0000 BOISE, ID 83709-0000 BOISE, ID 83709-0000

# 201503858 - AC - Radius Map



- Search Results:**
- City Limits
  - GARDEN CITY
  - BOISE
  - KUNA
  - EAGLE
  - MERIDIAN
  - STAR
  - Street Names
  - Major Streets
  - Parks
  - P&Z Applications



Date: 11/25/2015

**BOISE CITY PUBLIC WORKS DEPARTMENT**

**DEPARTMENT CORRESPONDENCE**

Date: November 25, 2015

To: Boise City Planning & Zoning

Re: 201503858-VAC; 3374 S. Cananero

**CONDITIONS OF APPROVAL**

**SEWER CONDITIONS – MIKE SHEPPARD (384-3920)**

No comment.

**DRAINAGE/STORMWATER CONDITIONS – BRIAN MURPHY (384-3752)**

No comment.

**STREET LIGHT CONDITIONS – MIKE HEDGE (388-4719)**

No comment.

**PERSON MAKING OTHER COMMENTS –**

**OTHER COMMENTS -**

**Rob  
Bousfield**

Digitally signed by Rob Bousfield  
DN: cn=Rob Bousfield, o, ou=Asst.  
City Engineer,  
email=rbousfield@cityofboise.org,  
c=US  
Date: 2015.11.30 11:19:54 -07'00'

**PUBLIC WORKS REPRESENTATIVE**

**Mike  
Sheppard,  
P.E.**

Digitally signed by Mike  
Sheppard, P.E.  
DN: cn=Mike Sheppard, P.E.,  
o=Public Works, ou=Civil  
Engineer,  
email=msheppard@cityofboise.o  
rg, c=US  
Date: 2015.11.30 11:20:17 -07'00'

**PUBLIC WORKS REPRESENTATIVE**

I:\PWA\Subjects\Review Comments\CUs\2015-CU\201503858-VAC.doc

BOISE CITY APPLICATION

ADA COUNTY APPLICATION

APPLICANT: LEWIS BRODIE

REPRESENTATIVE: BRODIE LEWIS

LOCATION: 3374 S CANANERO

- MARK J.
- Mike Sheppard
- BEV M.
- Mike Hedge
- BRIAN M.
- Terry A.
- Rick C.
- LORI
- ROB B.
- Mike Sheppard
- LORI

1. CU, DR, OR PDR NUMBER: 201503858-VAC

2. SEWER CONDITIONS: no comment

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. DRAINAGE/STORMWATER REVIEW: MC

\_\_\_\_\_

\_\_\_\_\_

4. STREET LIGHT CONDITIONS: No Comment

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\_\_\_\_\_

5. PERSON MAKING OTHER COMMENTS: \_\_\_\_\_

6. OTHER COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. FILE NAME: \_\_\_\_\_

**LEGAL NOTICE OF PUBLIC HEARING** Legal notice is hereby given that the Board of Ada County Commissioners will hold a public hearing on January 13, 2016 at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear a request for: 201502328-ZOA, TAEC DOUG KOFFORD; A zoning ordinance text amendment to amend the specific use standards for "Tower or Antenna Structure, Commercial" in Section 8-5-3-114. The applicant is proposing to amend items D(1) and D(2) that require engineering data at the time of submittal for a conditional use application. The applicant is proposing that the engineering data be submitted with the building permit. Kristy Inselman 287-7998 201503818-CU-MSP-V, WALKER GLENN; Conditional Use/Master Site Plan application for a Contractor's Yard for a landscaping business. Will be using 600 square feet of the existing outbuilding for office space and the remainder of the building for storage. A total square footage of 2,165. A variance for the 100" setback. Diana Sanders 287-7905 201503858-VAC, LEWIS BRODIE; Application for a vacation of an existing utility, drainage and irrigation easement that remains after a property boundary adjustment was done between lots 4 & 5, Block 8 of Canonero West No. 2 Subdivision. Kristy Inselman 287-7998 Staff Reports Available On-Line 5 Days before Hearing Date - adaweb.net Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) by 5:00 p.m. three days prior to this public hearing so that arrangements can be made. **BOARD OF ADA COUNTY COMMISSIONERS** Mark Perfect Planning & Zoning Administrator Pub. Dec. 29, 2015 **Publish Dates:** 12/29/2015-1/12/2016