



TO: BOARD OF ADA COUNTY COMMISSIONERS

HEARING DATE: November 9, 2016
STAFF: Kristy Inselman, Associate Planner
PROJECT NO.: 201601663 CU-MSP-V, Contractor's Yard
APPLICANT: Tony Brown

INTRODUCTION

A conditional use and master site plan application to operate a contractor's yard for a cable business. The applicant is proposing one parking area adjacent to the north property line to store three (3) boom trucks with trailers. Additionally, the applicant is requesting approval of a variance application to grant relief from both parking requirements and development standards that requires all structures and storage to be located a minimum of 100-feet from a property line as the subject property is located in a rural district. The property contains 5.24 acres and is located on the east side of N. Skyline Dr. at 4664 N. Skyline Dr., north of Homer Road in Section 30, T.5N R.1E.

EXECUTIVE SUMMARY

The applicant is requesting conditional use and master site plan approval to operate a contractor's yard for a cable business. The cable business is unpermitted and has been in operation for some time. Therefore, a conditional use and master site plan application is needed to bring the contractor's yard into compliance with the code. The property is located at 4664 N. Skyline Dr. and is in the Rural Residential (RR) District and is not located in any city's area of impact.

The applicant is also requesting a variance to the parking standards for a contractor's yard due to the fact that the business has an existing location in downtown Eagle at which both employees and clients go. The applicant is only proposing to store three (3) boom trucks with attached trailers at the Skyline Drive property that will not fit on the site located in Eagle. The applicant has stated in his detailed letter (Exhibit #3) that employees are driven to the site by him to get a boom truck when it is needed and no employees vehicles will be left at the site, no clients will visit the site, which would negate the need to require additional parking on the property.

The applicant is also requesting a variance to grant relief from the development standards that require all structures and storage to be located a minimum of 100-feet from a property line. The applicant is proposing to utilize an existing parking area located approximately 25-feet from the north property line. The variance is needed to relief of an undue hardship due to characteristics of the site. The parking area is already developed with gravel and the property has significant hillside. The only areas on the property that would meet the setback requirement have steep slopes which would necessitate significant alteration in order to utilize it. Therefore, because of the topography of the site there is no other place on the property that would be suitable to site the contractor's yard that would meet the setback requirement.

Staff finds that this variance complies with the three (3) required findings of fact associated with a variance. These findings include:

1. The variance shall not grant a right or special privilege that is not otherwise allowed in the base district.
2. The variance relieves an undue hardship due to characteristics of the site; and
3. The variance shall not be detrimental to the public health, safety, and welfare.

There is partial landscaping existing to the east of the parking area, along a portion of the south property line, and large shrubbery along the west boundary. Due to the topography of the site, the parking area is visible from Skyline Drive and to the properties both north and south of the site. Therefore, the applicant and/or owner should be required to submit a landscape and screening plan for the western, northern, and southern boundaries of the parking area to screen it from view.

At the time this staff report was written, the following agencies have provided comments: Ada County Building Division, Central District Health, Eagle Fire District, and Ada County Highway District. The Building Division in Exhibit #16 stated that they have no objection to the proposed conditional use, master site plan or variance; however, the applicant should be aware that if any buildings are to be constructed on this parcel a building permit will be required and if the building is to be used for the business the plans will have to be designed by a licensed architect including a complete code analysis. Central District Health in Exhibit #20 stated that they have no objection and no parking over the drain field is recommended. The Eagle Fire District responded in Exhibit #22 that they have no comments or concerns. Ada County Highway District in Exhibit #24 that they have determined that ACHD has no site specific conditions of approval for this application and there is no impact fee due for this application and an ACHD inspection is not required.

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. 201601663 CU-MSP-V:

1. Pre-Application Notes dated February 16, 2016 – 4 pages
2. Master Application and Checklists submitted September 23, 2016 – 7 pages
3. Detailed Letter submitted September 23, 2016 – 9 pages
4. Master Site Plan submitted September 23, 2016 – 1 page
5. Natural Features Analysis submitted September 23, 2016 – 8 pages
6. Deed submitted September 23, 2016 – 1 page
7. Letter from Idaho Fish and Game submitted September 23, 2016– 2 pages
8. Neighborhood Meeting Certification Form submitted September 23, 2016 – 2 pages
9. Letter from Neighbor (Barker's) submitted September 23, 2016 – 1 page
10. Letter from Neighbor (Katucki's) submitted September 23, 2016 – 1 page
11. Letter from Neighbor (Meyer) submitted September 23, 2016 – 1 page

12. Vicinity Map – 1 page
13. Aerial Map – 2 pages
14. Agency Transmittal dated September 27, 2016 – 1 page
15. Submittal Letter to Applicant dated September 28, 2016 – 1 page
16. Memo from Building Official dated September 28, 2016 – 1 page
17. Radius Notice sent on September 28, 2016 – 2 pages
18. Radius Map – 1 page
19. Radius Mailing List – 1 page
20. Memo from Central District Health received on September 30, 2016 – 1 page
21. Email from Neighbor (William Thompson) received on October 4, 2016 – 1 page
22. Email from Eagle Fire District dated October 6, 2016 – 1 page
23. Email from Neighbor (William Thompson) received on October 6, 2016 – 1 page
24. Memo from Ada County Highway District dated October 10, 2016 – 1 page
25. Email from Neighbor (Joe Neves) received on October 10, 2016 – 1 page
26. Letter from Neighbor (Walk Meyer) received on October 14, 2016 – 1 page
27. Legal Notice of Public Hearing published on October 18, 2016 – 2 pages
28. Neighbor response letter dated October 24, 2016 – 2 pages



ADA COUNTY
DEVELOPMENT SERVICES

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

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201600020 - PREAP - A

Status: Active

Date Received: 1/29/2016

Date Closed:

Meeting Date: 2/16/2016 Date Assigned: 1/29/2016

Project Description:

Applicant's Name:
BROWN TONY L

Would like to discuss a Contractors Yard at 4664 N.
Skyline - R7977000060

No. of Lots/Units: 0 Total Acres: 5.240

Development Services Staff Assigned To Meeting:

Staff Name: Attended Meeting?
DIANA SANDERS [checked]
KRISTY INSELMAN [checked]

Unique Features:

Sewer/Septic:

Water/Well:

General Property Location:

Parcel Info:

Parcel Num: R7977000060 Street Address: 4664 N SKYLINE DR City/State/Zip: Eagle, ID 83616-0000

Zone Info:

Zone Type: Existing Zone Zone: RR

Tw n / Rng / Sec Info:

Tw n: Rng: Sec: Qtr:
5N 1E 30

Overlay Areas Info:

Overlay Area: Overlay Value: Code Ref: Comments:
Hillside 15 % Slope or More Article 8-3H
WUFI Yes Article 8-3B

Comp Plan:

Agencies To Contact:

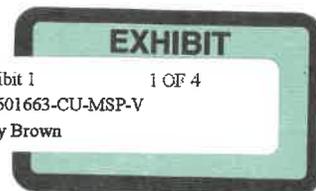
Agency Name: ADA COUNTY HIGHWAY DISTRICT/ PLANNING DEPT - (208)-387-6170 Contact Person: LITTLE CHRISTY
Comments:
CENTRAL DISTRICT HEALTH DEPARTMENT - (208)-327-8517 RENO MIKE
Comments:
IDAHO POWER COMPANY - (208)-388-2699 HORNSBY COURTNEY
Comments:

Proposed Allowed Uses:

Contractor's yard or shop

Required Applications:

App Type: CU Descriptive Name: CONDITIONAL USE
2/16/2016





ADA COUNTY
DEVELOPMENT SERVICES

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PREAPPLICATION CONFERENCE NOTES

CU CONDITIONAL USE
MSP MASTER SITE PLAN

Notes:

The property is currently within the RR district. There is areas of hillside on the property.

A conditional use and master site plan application and variance would require a public hearing before the Board. If approved, the approval would be good for 5 years, or until annexation into a city.

Below are the Ada County Code requirements for a contractor's yard:

CONTRACTOR'S YARD: Any area of land used by a contractor for storage, maintenance, or processing incidental to the business of building, hauling, excavation, demolition, or similar activity and including any area of land used for the incidental repair of machinery used for any of the above listed activities.

8-5-3-30: CONTRACTOR'S YARD OR SHOP:

A. General Standards:

- 1. If the property is located in a residential or rural base district, all structures or outdoor storage areas shall be located a minimum of one hundred feet (100') from any property line abutting other property.
2. Outdoor storage areas shall be screened year round and comply with section 8-5-3-78 of this chapter.
3. The site shall not be used as a "junkyard" or "automobile wrecking yard" as herein defined.
4. For the purposes of this title, a contractor's yard or shop is not a home occupation.
5. The property shall have approved access from an improved public roadway for the use.
6. Maintenance of vehicles or machinery shall be incidental to the contractor's yard or shop and the incidental use shall only include minor repair.
7. Accessory office space shall comply with section 8-5-3-75 of this chapter and shall be identified on the master site plan.
8. Parking area improvements shall comply with the standards found in chapter 4, article G of this title and shall be delineated on the master site plan or parking plan.
9. Use of the property shall comply with title 5, chapter 13, "Noise", of this code.
10. Hours of operation shall be limited between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. unless otherwise approved or restricted with a conditional use permit.
11. No retail sales associated with a contractor's yard or shop may occur on the property unless retail sales are approved with a different use that allows retail sales.
12. A building permit may be required for the change in use or occupancy of any existing structure, or portion thereof, used in association with a contractor's yard or shop.
13. For the duration of the approval, the use shall be subject to zoning inspection upon advanced notice and request by the Ada County development services department.

B. Additional Standards: Additional standards for a contractor's yard or shop permitted as a conditional use:

- 1. The following shall be considered as part of the review of an application for a conditional use permit for a contractor's yard or shop:
a. The proximity of existing dwellings;
b. The number of employees;
c. The hours and days of operation;
d. Dust;
e. Noise;
f. Outdoor loading;





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PREAPPLICATION CONFERENCE NOTES

- g. Traffic;
- h. Landscaping and screening;
- i. Other.

2. The duration of a conditional use permit for a contractor's yard or shop shall be limited. The conditional use permit shall expire five (5) years following the approval date, or upon annexation of the subject property into a city, whichever occurs first. Upon expiration of the conditional use permit, all equipment and materials stored outdoors shall be removed within thirty (30) days from the subject property.

A master site plan will require submittal of a natural features analysis. See Subsection 8-4E-4D of the Ada County Code for regulations regarding Natural Features Analysis. The following features shall be mapped, described, or noted as not applicable in the natural features analysis: Hydrology; Soils; Topography; Vegetation; Sensitive Plant and Wildlife Species; Historic Resources; Hazardous Areas; and Impact on Natural Features.

A master site plan also requires submittal of a parking plan. See Article 8-4G of the Ada County Code for information on Parking. The off-street parking and loading plan shall contain the location, size, and type of all proposed off-street parking and loading facilities. See Table 8-4G-1 for required automobile width and stall length by parking angle.

The applicant may submit a landscaping and screening plan at the time of application if a landscaping and screening plan is not submitted at the time of application, then it will be required to be submitted as a condition of approval. See Article 8-4F of the Ada County Code for information on landscaping and screening plans. There is a fee for the landscaping plan review of \$135.

If any outdoor lighting is proposed or anticipated, the applicant shall submit a lighting plan. See Article 8-4H of the Ada County Code for information on lighting plans. There is a fee for the lighting plan review of \$100.

If any signs are proposed or anticipated, the applicant shall concurrently submit a sign plan. See Article 8-4I of the Ada County Code for information on sign plans. The landscaping, lighting, and sign plans can be conditions of approval.

More information can be found on our website at: <https://adacounty.id.gov/Development-Services>.

A neighborhood meeting is required. Property owners within 300 feet of the boundary of the site must be notified. Refer to ACC 8-7A-3 for specific requirements. Contact the front counter at 287-7900 for assistance in ordering labels for required radius notice.

The applicant is also responsible for posting the sign for the public hearing. See Section 8-7A-5F of the Ada County Code.

The property is approximately 295 feet wide and is surrounded by residential properties. The code requires a setback of 100' from any residential property line. A variance would be required to grant relief from the 100' setback. Variances go directly to the Board of Ada County Commissioners. The applications can be bundled together.

MEETING NOTES:

The applicant has three (3) bucket trucks and trailers.

Because the property is only 295 feet wide the applicant may want to consider applying for a variance as the standard for the contractor's yard requires a setback of 100 feet from the property line.

A variance application will require a public hearing in front of the Board of Ada County Commissioners.

Contact Rick Ward at the Idaho Fish and Game Department for the Idaho Fish and Game Letter. Rick can be reached at rward@idfg.idaho.gov or 465-8465.

2/16/2016

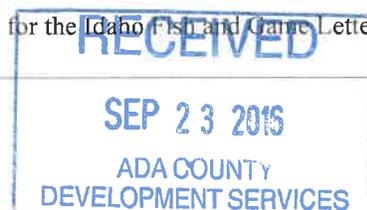


Exhibit 1
201601663-CU-MSP-V
Tony Brown

3 OF 4



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PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

Additional Preap Conference: Not Recommended

Neighborhood Meeting Required? Yes

Cross References:





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:

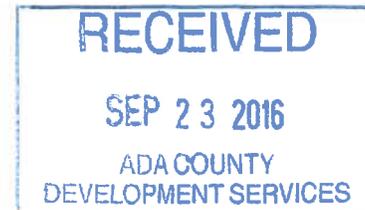
- APPEAL
- ADMINISTRATIVE MODIFICATION
- DEVELOPMENT AGREEMENT MODIFICATION
- FINAL PLAT
- TIME EXTENSION

REQUIRED SUBMITTALS:

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

SITE INFORMATION:

Section: 30 Township: 5N Range: 1E Total Acres: 5.2
 Subdivision Name: Skyline Acres Lot: 6 Block: 1
 Site Address: 4664 N. Skyline Drive City: Eagle
 Tax Parcel Number(s): R7977000060
 Existing Zoning: RR Proposed Zoning: _____ Area of City Impact: N/A Overlay
 District(s) Hillside, WUfi

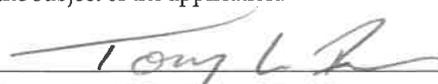


OFFICE USE ONLY

Project #: <u>201601663-CU-MSP-V</u>	Planning Fees/GIS:	Engineering Fees:
Received By: <u>[Signature]</u>	Date: <u>9.23.16</u> Stamped <input type="checkbox"/>	

CU 800
MSP 350
Var 550
1,700

APPLICANT/AGENT: (Please print)	ADDITIONAL CONTACT if applicable: (Please Print)
Name: <u>Tony Brown</u>	Name: <u>Tiffany Hales</u>
Address: <u>4664 N. Skyline Drive</u>	Address: <u>839 E Winding Creel Drive #102</u>
City: <u>Eagle</u> State: <u>ID</u> Zip: <u>83616</u>	City: <u>Eagle</u> State: <u>ID</u> Zip: <u>83616</u>
Telephone: <u>208-941-5613</u> Fax: _____	Telephone: <u>331 9343</u> Fax: <u>331 9009</u>
Email: <u>browngr5@msn.com</u>	Email: <u>tiffany @ brianwebblegal.com</u>
I certify this information is correct to the best of my knowledge.	ENGINEER/SURVEYOR if applicable: (Please Print)
	Name: _____
<u>2/16/16</u>	Address: _____
	City: _____ State: _____ Zip: _____
	Telephone: _____ Fax: _____
	Email: _____
Signature: (Applicant)	Date

OWNER (S) OF RECORD: (Please Print)	OWNER (S) OF RECORD: (Please Print)
Name: <u>Tony L. Brown</u>	Name: _____
Address: <u>4664 N. Skyline Dr.</u>	Address: _____
City: <u>Eagle</u> State: <u>ID</u> Zip: <u>83616</u>	City: _____ State: _____ Zip: _____
Telephone: <u>208-941-5613</u>	Telephone: _____
Fax: _____	Fax: _____
Email: <u>browngr5@msn.com</u>	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.
	
<u>2/16/16</u>	
Signature: All Owner (s) of Record	Signature: All Owner (s) of Record
Date	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.



ADA COUNTY DEVELOPMENT SERVICES

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CONDITIONAL USE CHECKLIST

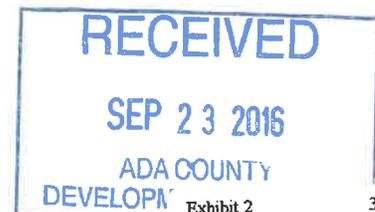
A Conditional Use request requires a public hearing.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
	One paper copy and one electronic copy of all required submittals.	
	Completed and signed Master Application	
X	DETAILED LETTER by the applicant fully describing the request or project and addressing the following:	
	Explain the proposed use, and all uses associated with the request.	
	Any other supporting information.	
	Address the standards in ACC 8-5-3 for proposed use(s):	
	Days of use:	
	Hours of use:	
	Duration of use(s):	
Exhibit C	MASTER SITE PLAN (If required)	
Exhibit F	NEIGHBORHOOD MEETING CERTIFICATION	
Exhibit E	PRE-APPLICATION CONFERENCE NOTES	
	SITE PLAN is not required if associated with a MSP.	
	Show existing and proposed structures.	
	Submit one electronic copy, one full sized plan and one 8 1/2"X 11" plan.	
Exhibit A	DEED (or evidence of proprietary interest)	
X	OVERLAY DISTRICT: May require a separate checklist or additional information for the following:	
	X HILLSIDE (ACC 8-3H)	
	FLOOD HAZARD (ACC 8-3F)	
X	WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)	
	SOUTHWEST PLANNING AREA (ACC 8-3C)	
	PLANNED UNIT DEVELOPMENT (ACC 8-3D)	
	BOISE RIVER GREENWAY (ACC 8-3G)	
	BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)	
X	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
	APPLICATION FEE: Call County or go to www.adaweb.net for fees	

Supplementary information at the discretion of the Director or County Engineer may be required to sufficiently detail the proposed development within any special development area, including but not limited to hillside, planned unit development, floodplain, southwest, WUFI, Boise River Greenway, airport influence, and/or hazardous or unique areas of development.

Application will not be accepted unless all applicable items on the form are submitted. This application shall not be considered complete until staff has received all required information.



ADA COUNTY DEVELOPMENT SERVICES

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MASTER SITE PLAN CHECKLIST (ACC 8-4D)

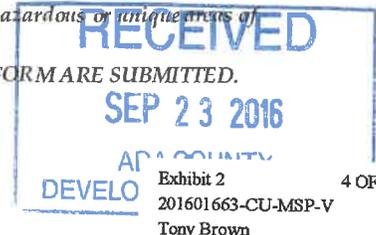
A Master Site Plan request does not require a public hearing. It is a staff level application, as long as it is not associated with a conditional use.

GENERAL INFORMATION:

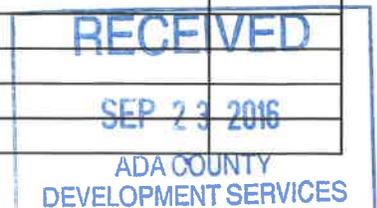
Applicant	DESCRIPTION	Staff
x	One paper copy and one electronic copy of all required submittals.	
X	Completed and signed Master Application.	
✓	Completed Supplemental Information.	
x	DETAILED LETTER by the applicant fully describing the request or project and address the information on supplemental sheet;	
Exhibit A	DEED or evidence of proprietary interest.	
Exhibit B	IDAHO DEPARTMENT OF FISH AND GAME LETTER.	
Exhibit C	FULL SIZE SCALED PLOT PLAN, showing all existing and proposed easements, property lines, and structures drawn to scale, including one electronic copy and one copy reduced to 8 1/2 X 11. (Address required information on supplemental sheet)	
Declaratory letter	FULL SIZE NATURAL FEATURES ANALYSIS ACC 8-4E-4D, including one electronic copy and one copy reduced to 8 1/2 X 11. (Address required information on supplemental sheet)	
Exhibit C x	LANDSCAPING (ACC 8-4F) (Address required information on supplemental sheet) One electronic copy, one full size, and one 8 1/2 X 11 copy.	
	Drawn by a landscape professional. (within an area of impact)	
x	OFF STREET PARKING & LOADING FACILITIES (ACC 8-4G) (Address required information on supplemental sheet)	
x	LIGHTING (ACC 8-4H) (Address required information on supplemental sheet)	
x	SIGN PLAN (ACC 8-4I)	
	Indicate all proposed and existing signs.	
x	NATURAL FEATURES ANALYSIS (ACC 8-4E-4D) see supplemental info.	
x	OVERLAY DISTRICT: May require a separate checklist or additional information for the following:	
x	HILLSIDE DEVELOPMENT (ACC 8-3H)	
	FLOOD HAZARD (ACC 8-3F)	
	WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)	
	SOUTHWEST PLANNING AREA (ACC 8-3C)	
	PLANNED UNIT DEVELOPMENT (ACC 8-3D)	
	BOISE RIVER GREENWAY (ACC 8-3G)	
	BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)	
APPLICATION FEE: Call County or go to www.adaweb.net for fees		

Supplementary information at the discretion of the Director or County Engineer may be required to sufficiently detail the proposed development within any special development area, including but not limited to hillside, planned unit development, floodplain, southwest, WUEI, Boise River Greenway, airport influence, and/or hazardous or unique areas of development.

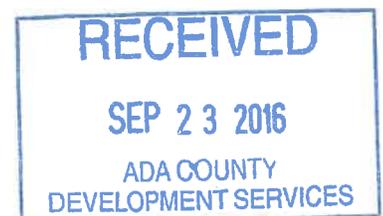
APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORM ARE SUBMITTED.



MSP SUPPLEMENTAL INFORMATION (to be completed by the applicant)	
DETAILED LETTER MUST ADDRESS THE FOLLOWING (If applicable)	
Proposed use (s):	Contractor's yard
Is the project associated with a Conditional Use	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Conditional Use #	
Area of city impact:	Eagle
Is this application a modification of an approved master site plan? Original MSP #	
Is this application a change or expansion of an approved master site plan? Original MSP #	
Total square feet of all proposed structures:	None
Hours of operation:	8:00 - 5:00pm
Days of operation:	Mon-Friday
Required parking:	None
Required bicycle parking:	None
Required ADA parking:	None
Number of employees during the largest shift:	None
Maximum number of patrons expected:	None
Outdoor speaker system	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Proposed Sewer:	Already exist on-site
Proposed Water:	Already on-site
Pressurized Irrigation	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Multifamily structures shall have varied setbacks within the same structure and staggered and/or reversed unit plans. Structures within a multi-family development shall be rotated, staggered, and/or reversed.	
Explain if the utilities are underground or if screening is provided.	
SITE PLAN	
Structure location.	No new structures planned
Pedestrian access and circulation.	None
Building elevations.	None
Well locations.	Already on site
Drain fields.	Already on-site
Hydrant location, fire department access, fire flow resources, etc.	
Pressurized Irrigation if required.	
Parking plan. (required) ACC 8-4G	None
ADA parking identified.	None
Automobile access and circulation.	Already on-site
Lighting plan. (condition of approval) ACC 8-4H	- N/A
Sign Plan. (If proposed, condition of approval) ACC 8-4I	- N/A
LANDSCAPING (If applicable)	
Location, size, type, 75% maturity	Already on site
Vegetation to be saved	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Phased project	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Verification that standards are met.	
Fences over 100'	YES <input type="checkbox"/> NO <input type="checkbox"/>
Size at planting:	
Flood Hazard Overlay	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Sound walls	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A



	Outdoor speakers	YES () NO (X)	
	Perimeter Landscaping & Screening		
	Required landscape points:		
	Minimum landscape width:		
	Parking Area Landscaping & Screening		
	% of Shading required:		
	Screening	YES () NO (X)	
	Pedestrian access required YES () NO (X)		
PARKING			
	Identify all off street parking and loading.		
	Phased project	YES () NO (X)	
	Restrictions on use YES () NO ()		
	Within 300' of the entrance: YES () NO (X)		
	Joint Parking Agreement (Submitt copy)	YES () NO (X)	N/A
	Identify width, angle, and depth of parking spaces. NA		
	Address Bicycle Parking. NA		
	List the number of required spaces for cars, bikes: NA		
	List the number of off street loading spaces: NA		
	List dimensionsof off street loading spaces: NA		
	Detailed description of proposed paving materials. NA		
LIGHTING (If applicable) NA			
	Setbacks of the proposed lights:		
	Maximum Height:		
	Floodlights YES () NO ()		
	Shielding YES () NO ()		
NATURAL FEATURES ANALYSIS			
X	HYDROLOGY. ACC 8-4E-4D1		
X	SOILS ACC 8-4E-4D2		
X	TOPOGRAPHY ACC 8-4E-4D3		
X	VEGETATION ACC 8-4E-4D4		
X	SENSITIVE PLANT AND WILDLIFE SPECIES ACC 8-4E-4D5		
X	HISTORIC RESOURCES ACC 9-4E-4D6		
X	HAZARDOUS AREAS ACC 8-4E-4D7		
X	IMPACT ON NATURAL FEATURES ACC 8-4E-4D8		



ADA COUNTY DEVELOPMENT SERVICES

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



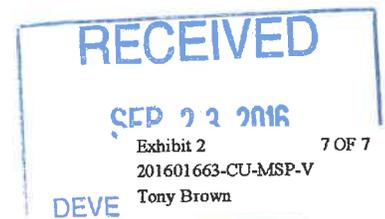
VARIANCE CHECKLIST (ACC 8-7-4)

A Variance request requires a public hearing.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
X	One paper copy and one electronic copy of all required submittals.	
X	Completed and signed Master Application	
X	DETAILED LETTER by the applicant fully describing the request or project and address the following:	
	Reason for the variance. Be specific.	
	Explain how the variance does not grant a right or special privilege that is not otherwise allowed in the base district.	
	Explain how the variance relieves an undue hardship due to the characteristics of the site.	
	Explain how the variance is not detrimental to the public health, safety, and welfare.	
	What is the hardship if the variance is denied?	
	Are there characteristics of the property that are unusual and make it necessary to obtain the variance?	
	Were you aware of this hardship prior to purchasing or developing your property?	
	How does the request comply with Idaho Code 67-6516?	
Exhibit G	CURRENT SITE PLAN One reduced copy to 8 1/2 X 11.	
Exhibit A	DEED or evidence of proprietary interest.	
Exhibit F	NEIGHBORHOOD MEETING CERTIFICATION	
Exhibit E	PRE-APPLICATION CONFERENCE NOTES	
X	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
Y	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.



Brian L. Webb *Attorney at Law*
Tiffany Hales *Attorney at Law*
Michael C. McClure *Attorney at Law*
A.J. Bohner *Of Counsel*
Larry Dunn *Of Counsel*
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839 E. Winding Creek Dr., Ste. 102
Eagle, Idaho 83616



Brian Webb
LEGAL

September 20, 2016

Ada County Commissioners
200 W. Front Street
Boise, ID 83702

Re: Conditional Use Application and Variance for property located at 4664 N. Skyline Drive, Eagle ID 83616

PART A: PROJECT OVERVIEW AND DETAILED LETTER(S)

1. Project Overview

This is a project for a contractor's yard at 4664 Skyline Drive in Eagle Idaho. 4664 Skyline Drive is a private residence owned by Tony Brown. Tony Brown also owns Advanced Cable Technology, which is a business located at 2106 E. State Street, Eagle, ID 83616. As part of his business Tony owns three "boom" trucks that he uses approximately 2 times a week to complete cabling work. Tony stores the boom trucks at his residence in 4664 Skyline Drive in Eagle Idaho. Tony is seeking a conditional use permit and variance in order to continue to park his boom trucks on his residential property.

A Pre-Application Meeting was held with Ada County P&Z staff on February 16, 2016. A copy of the pre-application conference notes are attached as Exhibit E.

A neighborhood meeting held on March 24, 2016. The Neighborhood Meeting Certification is attached as Exhibit F

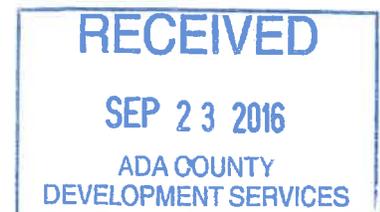
This permit application package is submitting a Master Application, Conditional Use Permit, Master Site Plan, and Variance.

Natural Features Analyses results in no impacts.

2. Detailed Letter(s)

a. Master Application

Sited on a private residential property, the property is currently classified as a Rural Residential District. Deeds for the property are attached as Exhibit A.



b. Conditional Use Permit

This project is a Contractor's Yard and meets all the requirements of ACC-8-5-3-30 and is consistent with Article 2-A of the County Code for the Rural Residential District. The sole purpose of this project is to allow Tony to continue to park his boom trucks on his property.

Tony has parked three "boom" trucks with attached trailers on his property for a number of years. These trucks are associated with Tony's business and he uses these trucks approximately 2 times per week. Tony does not operate his business out of his house, he only parks these three trucks on his property. Tony recently learned it was a violation of the Ada County Code to park these truck without a Conditional Use Permit.

While a Contractors Yard sounds very industrial, Tony has no intention of expanding the current use of the property. Tony will be asking that the Conditional Use Permit be limited to parking only his existing three "boom" trucks with attached trailers.

Tony's property is a little over five acres, although the actual portion of his property that is usable is much smaller because his property sits on top of a hill and has significant slopes that make many sections of his property useable. Tony has one building on the property which is his residential house with an attached garage. Tony is not requesting nor is he planning on building any additional structures on the property.

Tony's business, Advanced Cable Technology, which is associated with the boom trucks is located near downtown Eagle Idaho. Tony does not have room as his business to park these trucks. Tony's business provides the following services:

Backbone Copper Cabling Systems for Riser and Building to Building
Fiber Backbone Systems with single-mode and multi-mode fiber installation
Fiber Fusion Splicing for fiber pigtails, aerial enclosures and pedestals
Fiber terminations and testing by certified personnel
Network Cabling: CAT 5E, CAT 6, for new construction and remodel (Adds, moves and changes)
AutoCAD construction design
Visio design for Communication Room Build-outs, server equipment and rack placement
Circuit extensions and troubleshooting T1, DSL, ISDN, D-Marc
Cabling infrastructure audit, maintenance and management
Paging System Installation and Programming
Network Component Installation and Programming

Many of the services his business provides do not require the use of the boom trucks, and as such the boom trucks are not in daily use. Tony uses the boom trucks approximately two times a week and that use is during normal business hours of 8:00a.m. - 6:00 p.m. Monday through Friday. When Tony does use the boom truck he will either leave with the

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boom truck in the morning as he heads to work, or if Tony needs a boom truck later in the day he will drive his company vehicle to the house with an employees and they will then park the company vehicle and drive away in the boom trucks. Use of the trucks is only approximately two times per week, and it is rare that all three trucks are used at the same time. All three trucks being used occurs about once a year. Most of the time only one to two trucks are in use. The traffic impact to area is minimal. There is no outdoor loading, and the dust and noise are minimal.

The employees do not remain on the property. No customers travel to the property. The house located on the property already has sewer, water and irrigation that were properly permitted when the house was built, and since Tony is not adding any structures to the site, sewer, water and irrigation are not relevant. The location where the boom trucks are currently parked was graded for the parking of vehicles prior to Tony purchasing the property in 2006. Tony has not expanded the graded surface area since purchasing the property, and since he is not going to park any additional boom trucks on the property there will be no change to the surface area of the property as it currently exists. Without any change to the surface area of the property there will be no additional impact or change to the hydrology, soils, topography, vegetation, sensitive plant and wildlife species and no impact on the natural features of the property.

The graded area as it exists provides sufficient parking for the boom trucks. Tony has a company truck he uses 24/7 which is the same truck he brings to the house and parks when he uses a boom truck. This vehicle is parked in Tony's residential driveway, leaving room for the boom trucks to exit and return to the property. Since the only vehicle being parked at the property while the boom trucks are in use is Tony's work truck which is also his personal vehicle, Tony would not need to accommodate ADA parking since this is also his residence.

c. Master Site Plan

The Master Site Plan application for this property is being submitted with the above mentioned Conditional Use Permit. As previously stated, Tony is not seeking to expand the use of how he has used the property for several years. He only wants to continue to park his boom trucks on the property. He is not going to build any structures, he is not going to have customers on site, employees will come to the site but they will be driven to the site by Tony in his company/personal vehicle. Employees will not be parking on the site. No ADA parking is anticipated. The site will not have any outdoor speaker system. The sewer system will not be expanded beyond its current residential use, since employees will not be working on-site. The site already has residential water through a well and again no water will be necessary to for this use. There will be some additional irrigation in order to water the natural screening Tony plans to add to screen the trucks from view.

The underlying ground is not being improved, so there will be no impact to the drainage patterns and drainage flows. The underlying ground already as rock as a base which will make any dust minimal.

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Deeds

As mentioned above the Deeds can be found attached as Exhibit A.

Fish & Game

Idaho Department of Fish and Game has been contacted and we have received a letter from them that can be found attached as Exhibit B.

Full Sized Scaled Plot Plan

The entrance to the site is off of N. Skyline Drive already exists and is the driveway leading up to the residence at 4664 Skyline Drive, and as shown by the site plan and is 12.5 feet wide and from the entrance off of Skyline Drive to the curve where the gravel area begins is 374 feet.

A full sized scaled plot plan has been attached as Exhibit C. The plot plan is taken from Google maps and shows the entire 5 acres that is the site. It also shows the driveway leading up the residence, and the area in which the trucks are currently parked.

Landscaping

The site will have trees planted along the western edge to screen the vehicles from the road. The northern side will have shrubs. The neighbors to the north of the site has requested that no large trees or shrubs be planted because they do not want their view obstructed. The eastern side already has mature trees blocking the view of the trucks.

Parking

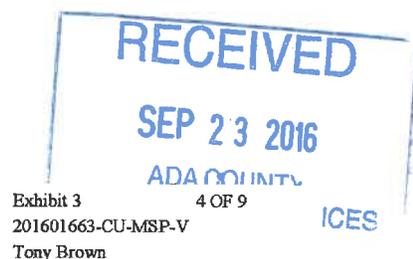
Since is the site does not function as a business parking is not necessary. Any employees who will be operating the trucks will be drive to the site by Tony or another employee and will the drive away in the boom truck. No permanent loading zones are required for this site. No bicycle or ADA parking will be required.

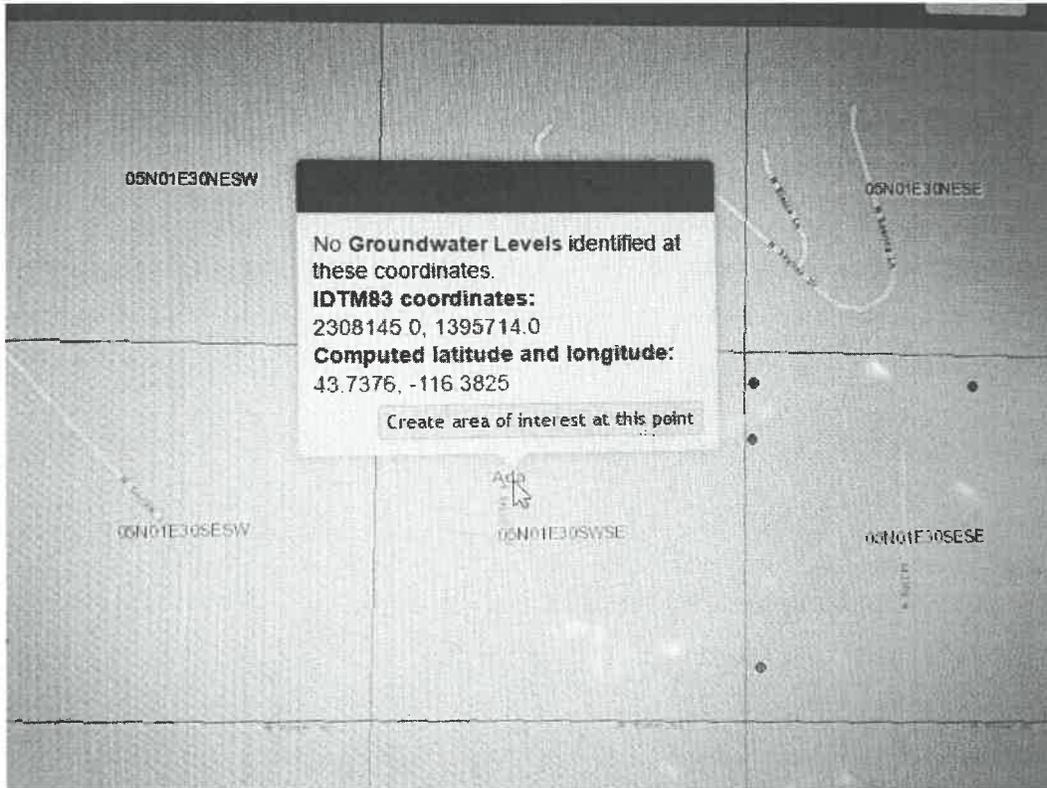
Lighting and Sign Plan

There will not be any need for signage or lighting.

Natural Features Analysis

1. Hydrology: There are no streams, ponds, lakes or wetlands on this property. This property is not in a special flood hazard area, and is designated as an area of minimal flood hazard and zoned as X. According to the Idaho Department of Water Resources there are no ground water levels identifiable on this property. The property is already serviced by a well for the residential house and the proposed used will not require any additional water to be drawn from the well. Any run off of water comes from naturally occurring rain and snow and has been draining in the same manner for years. The project will not alter or impact the current drainage on the property.



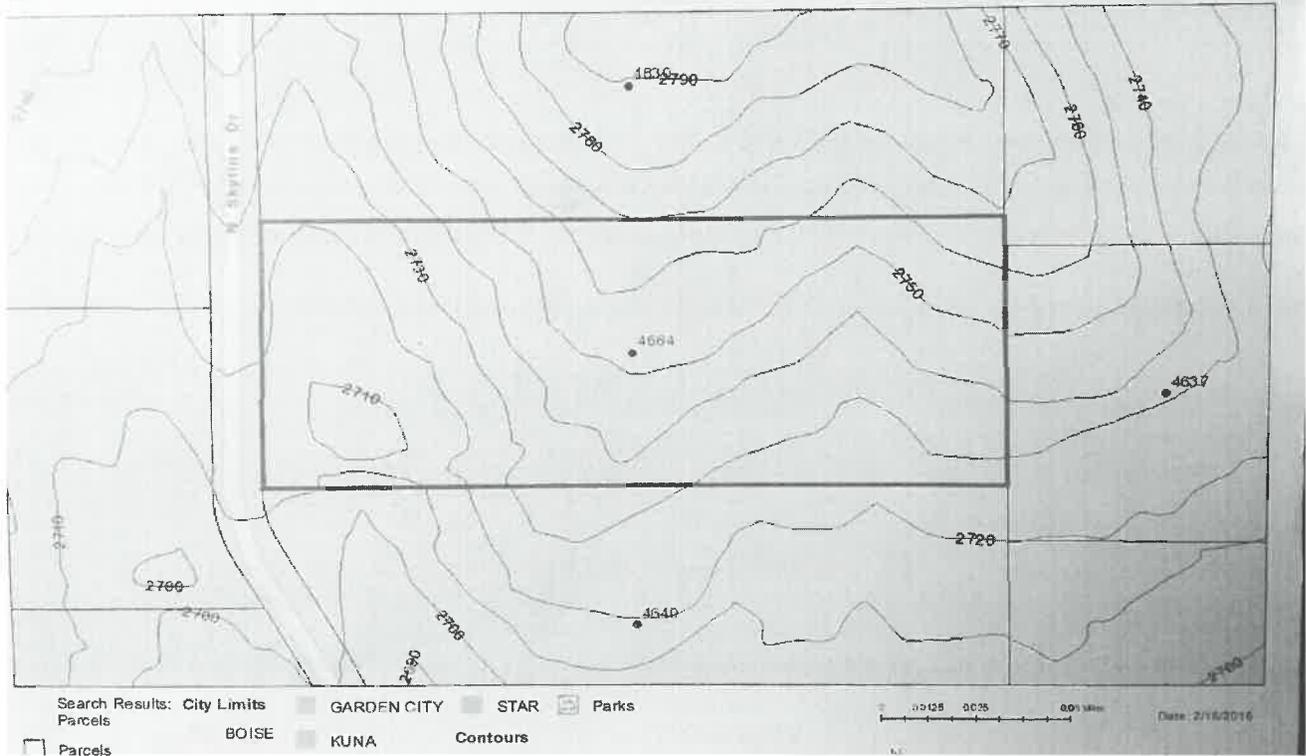


2. Soils: A soil analysis has been obtained from the United States Department of Agriculture and is attached to this application as Exhibit D

3. Topography: The topography map is as follows:

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4. **Vegetation:** There is irrigation to a section of the property and the section of the property that has irrigation as vegetation which includes grass, Australian pine, Blue Spruce pine, maple trees, oak trees, cedar shrubs, and other shrubs. The section of the property that is not irrigated contains sage brush and native grasses.

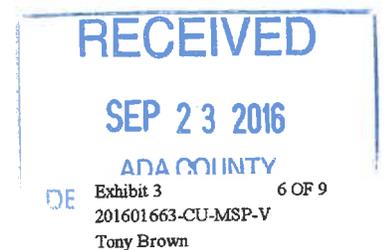
5. **Sensitive Plant And Wildlife Species:** There are not sensitive plant and wildlife species on the property.

6. **Historic Resources:** The property is not associated with any historic resources.

7. **Hazardous Areas:** There are no current hazard areas on the property and since no actual development is expected to occur then there will not be any hazard that could be encountered.

8. **Impact On Natural Features:** There is no anticipated further development on the property so approval of the conditional use permit will not impact any natural features on the property.

Overlay District



1. Hillside. The topography of Tony's property reflects his house and the proposed area for the contractor's yard sit atop of a hill. The land where the boom trucks are currently parked and where Tony is seeking to obtain a Conditional Use Permit is already graded and was graded and cleared when Tony purchased the property in 2006. Tony is not going to do any further grading, filling, clearing, or excavating, nor change any of the conditions as they currently exist and have existed for a number of years now. Therefore the regulations for the Hillside Overlay District would not apply in this project.

2. Flood Hazard: According to FEMA the property is outside the Special Flood Hazard Area and is an area of minimal flood hazard zoned as X.



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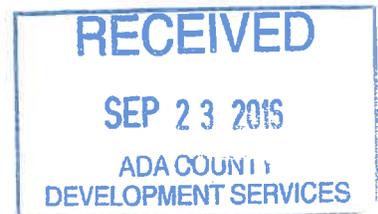
3. Wildland-Urban Fire Interface: The property is located in the Eagle Fire District. There are no proposed structures as part of this project. A vegetation management system will be implemented to ensure compliance with ACC 8-3B-3.

4. Southwest Planning Area: This is not applicable to this project.

5. Planned Unit Development: This is not applicable to this project.

6. Boise River Greenway: This is not applicable to this project.

7. Boise Air Terminal Airport Influence Areas: This is not applicable to this project.



PART B VARIANCE

The variance that Tony is requesting is for where he would like to park the trucks on the property. Under the Ada County Code that governs Contractors Yard the trucks can't be parked any closer than 300 feet from his property line. Where Tony currently parks his trucks is 25 feet from his northern property line, which is why the variance is required. Given the layout and topography of Tony's property it would be difficult and unreasonable

for him to park the trucks within 300 feet of his property line. Tony wants to continue parking the trucks in the same location they have been parked for several years now.

Tony is also requesting a variance for parking. The parking as provided for in ACC 8-4G-6 would require Tony to have a parking spot for each employee. Tony has six of employees in his business. Those employees all work out of a facility located on State Street in Eagle and park at the State Street location. Tony has never had more than two employees come to the site and those employees have always been driven to the site in a company vehicle and dropped off. Those employees then drive the boom trucks off the property to the job site. If Tony is required to put in six parking spots it will require significant grading of the land, and construction and result in the property looking very industrial which is not in keeping with the nature of the surrounding properties which are rural and agricultural in nature.

The variance is not detrimental to public health, safety or welfare.

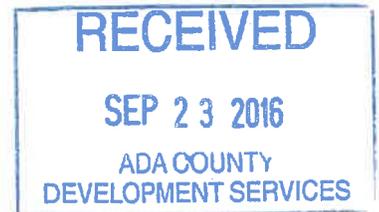
PART C MISCELLANEOUS

Sign Certification

Tony will comply with the Sign Posting Certification

Letter of Support

Tony has included as Exhibit G letter of support from his neighbors for this project.



306ft from road

25ft from property line

40x60 Truck / Trailer Parking

Well

4664 N. Skyline

Septic Drain Field

350ft driveway

N Skyline Dr

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EXHIBIT

Exhibit 4
201601663-CU-MSP-V
Tony Brown

1 OF 1



Area of Interest (AOI)

Soil Map

Soil Data Explorer

Download Soils Data

Shopping Cart (Free)

Printable Version Add to Shopping Cart

Search

Clear Search

Basic Search

Enter keywords

Advanced Search

Clear Search

Map Unit Legend

Ada County, Idaho (ID001)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
151	Quincy-Lankbush complex, 12 to 30 percent slopes	4.6	100.0%
Totals for Area of Interest		4.6	100.0%

Soil Map

Scale (not to scale)



Warning: Soil Map may not be valid at this scale.



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Soil Quality - Bulk Density

Bulk density is a physical soil property measured by the ratio of dry weight of soil to its volume.

Significance

Bulk Density is one of several physical soil properties frequently used as a measure of soil quality (Volchko, et al., 2014) and an indicator for soil compaction and root restriction. Even though bulk density varies with soil texture, it is a dynamic soil property that changes based on soil management with different soil cover, amount of organic matter, soil structure, and porosity (USDA, 2008). It influences water movement in the soil, root growth and penetration and seed germination. Some of the practices that can improve bulk density include increasing organic matter content, reducing soil disturbance when the soil is wet, and maintaining soil surface protection with a cover crop, preferably multi-species that can provide a wide range of root penetration.

Bulk density influences plant growth and engineering applications. It is used to convert measurements from a weight basis to a volume basis. Within a family level particle-size class, bulk density is an indicator of how well plant roots are able to extend into the soil. Bulk density is used to calculate porosity. Bulk density at 33 kPa is used for soil classification in the required characteristics for andic soil properties and in the criteria for Andic, Aquandic, and Vitrandic subgroups.

Methods In general, there are two broad groupings of bulk density methods. One group is for soil materials coherent enough that a field-sample can be removed, and the other group is for soils that are too fragile to remove a sample and therefore an excavation operation must be performed. In the former group, there are clod methods in which the sample has an undefined volume and is coated and then the volume is determined by submergence. Also under the former there are various methods in which a cylinder of known volume is obtained of soil sufficiently coherent that it remains in the cylinder. The detailed procedures are outlined in Soil Survey Investigations Report No. 42, Soil Survey Laboratory Methods Manual, Version 5.0, November 2014, USDA, NRCS.

Factors Affecting

Inherent - Bulk density is dependent on soil texture and the densities of soil mineral (sand, silt, and clay) and organic matter particles, as well as their packing arrangement. Generally, loose, porous soils and those rich in organic matter have lower bulk density. Sandy soils have relatively high bulk density since total pore space in sands is less than that of silt or clay soils. Finer-textured soils, such as silt and clay loams, that have good structure have higher pore space and lower bulk density compared to sandy soils.

Dynamic - Bulk density is changed by crop and land management practices that affect soil cover, organic matter, soil structure, and/or porosity. Plant and residue cover protects soil from the harmful effects of raindrops and soil erosion. Eroded soil particles fill pore space, porosity is reduced and bulk density increases. Cultivation can result in compacted soil layers with increased bulk density. Livestock and agricultural and construction equipment exert pressure that compacts the soil and reduces porosity, especially on wet soils.

Entries

“Db, one-third bar” is the oven-dried weight of the less than 2 mm soil material per unit volume of soil at a water tension of 1/3 bar (33 kPa). Three columns represent the low, representative value, and the high values expected in the soil horizon.

“Db, oven dry” is the oven-dry weight of the less than 2 mm soil material per unit volume of oven-dry soil. Three columns represent the low, representative value, and the high values expected in the soil horizon.

Reference:

Soil Survey Staff. 2014. Kellogg Soil Survey Laboratory Methods Manual. Soil Survey Investigations Report No. 42, Version 5.0. R. Burt and Soil Survey Staff (ed.). U.S. Department of Agriculture, Natural Resources Conservation Service.

United State Department of Agriculture, Natural Resources Conservation Service. 2008. Soil Quality Indicators – Bulk Density.

Volchko Y, Norrman J, Rosèn, and Norberg T. 2014. A minimum data set for evaluation the ecological soil functions in remediation projects. J Soils Sediments 14:1850-1860.

Report—Soil Quality - Bulk Density

Soil Quality - Bulk Density--Ada County, Idaho								
Map symbol and soil name	Horizon Name	Depth (Inches)	Db third bar low (g/cm3)	Db third bar RV (g/cm3)	Db third bar high (g/cm3)	Db oven dry low (g/cm3)	Db oven dry RV (g/cm3)	Db oven dry high (g/cm3)
151—Quincy-Lankbush complex, 12 to 30 percent slopes								
Quincy	A	0-5	—	1.7	—	1.5	1.5	1.6
	C	5-66	—	1.7	—	1.5	1.6	1.7
Lankbush	A	0-11	—	1.6	—	1.5	1.5	1.6
	Bt	11-30	—	1.6	—	1.5	1.5	1.6
	Bk	30-60	—	1.7	—	1.5	1.6	1.6

Data Source Information

Soil Survey Area: Ada County, Idaho
 Survey Area Data: Version 4, Sep 9, 2015



Soil Features

This table gives estimates of various soil features. The estimates are used in land use planning that involves engineering considerations.

A *restrictive layer* is a nearly continuous layer that has one or more physical, chemical, or thermal properties that significantly impede the movement of water and air through the soil or that restrict roots or otherwise provide an unfavorable root environment. Examples are bedrock, cemented layers, dense layers, and frozen layers. The table indicates the hardness and thickness of the restrictive layer, both of which significantly affect the ease of excavation. *Depth to top* is the vertical distance from the soil surface to the upper boundary of the restrictive layer.

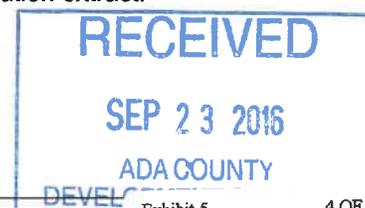
Subsidence is the settlement of organic soils or of saturated mineral soils of very low density. Subsidence generally results from either desiccation and shrinkage, or oxidation of organic material, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. The table shows the expected initial subsidence, which usually is a result of drainage, and total subsidence, which results from a combination of factors.

Potential for frost action is the likelihood of upward or lateral expansion of the soil caused by the formation of segregated ice lenses (frost heave) and the subsequent collapse of the soil and loss of strength on thawing. Frost action occurs when moisture moves into the freezing zone of the soil. Temperature, texture, density, saturated hydraulic conductivity (K_{sat}), content of organic matter, and depth to the water table are the most important factors considered in evaluating the potential for frost action. It is assumed that the soil is not insulated by vegetation or snow and is not artificially drained. Silty and highly structured, clayey soils that have a high water table in winter are the most susceptible to frost action. Well drained, very gravelly, or very sandy soils are the least susceptible. Frost heave and low soil strength during thawing cause damage to pavements and other rigid structures.

Risk of corrosion pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens uncoated steel or concrete. The rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a severe hazard of corrosion. The steel or concrete in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the steel or concrete in installations that are entirely within one kind of soil or within one soil layer.

For uncoated steel, the risk of corrosion, expressed as *low*, *moderate*, or *high*, is based on soil drainage class, total acidity, electrical resistivity near field capacity, and electrical conductivity of the saturation extract.

For concrete, the risk of corrosion also is expressed as *low*, *moderate*, or *high*. It is based on soil texture, acidity, and amount of sulfates in the saturation extract.



Report—Soil Features

Soil Features—Ada County, Idaho									
Map symbol and soil name	Restrictive Layer			Subsidence		Potential for frost action	Risk of corrosion		Concrete
	Kind	Depth to top	Thickness	Hardness	Initial		Total	Uncoated steel	
		Low-RV-High	Range		Low-High	High			
		In	In		In				
151—Quincy-Lankbush complex, 12 to 30 percent slopes									
Quincy	—	—			0		Low	Low	
Lankbush	—	—			0		Moderate	Low	

Data Source Information

Soil Survey Area: Ada County, Idaho
 Survey Area Data: Version 4, Sep 9, 2015





Irrigation - General and Sprinkler

This table shows the degree and kind of soil limitations that affect irrigation systems on mineral soils. The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect these uses. *Not limited* indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. *Somewhat limited* indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. *Very limited* indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings in the table indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

Irrigation systems are used to provide supplemental water to crops, orchards, vineyards, and vegetables in area where natural precipitation will not support desired production of crops being grown.

Irrigation – general evaluates a soil's limitation(s) for installation and use of non-specific irrigation methods and is intended to provide initial planning information. Additional interpretations provide more specific information. This interpretation does not apply if the crop planned for irrigation is rice or other crops with unique plant physiological characteristics (such as cranberries). The ratings are for soils in their natural condition and do not consider present land use.

The soil properties and qualities important in design and management of irrigation systems are sodium adsorption ratio, depth to high water table, available water holding capacity, permeability, slope, calcium carbonate content, ponding, and flooding. Soil properties and qualities that influence installation are stones, depth to bedrock or cemented pan, and depth to a high water table. The properties and qualities that affect performance of the irrigation system are depth to bedrock or to a cemented pan, the sodium adsorption ratio, salinity, and soil reaction.

Irrigation, sprinkler (close spaced outlets drops) evaluates a soil for installation and use of sprinkler irrigation systems equipped with close spaced outlets on drops. The ratings are for soils in their natural condition and do not consider present land use.

Sprinkler irrigation systems equipped with low pressure spray nozzles mounted on close spaced drops apply water close to the ground surface. These systems are generally found on linear move or center pivot systems and they have separate slope criteria from other sprinkler systems due to their higher application rate which increase risk of runoff and irrigation-induced erosion on steeper slopes. Examples of these types of systems include Low Pressure in Canopy (LPIC), Low Energy Precision Application (LEPA), Low Elevation Spray Application (LESA), and Mid-Elevation Spray Application (MESA) systems. These types of irrigation systems are generally suitable for small grains, row crops, and vegetables.

The soil properties and qualities important in the design and management of sprinkler irrigation systems utilizing close spaced spray nozzles on drops are depth, available water holding capacity, sodium adsorption ratio, surface coarse fragments, permeability, salinity, slope, wetness, and flooding. The features that affect performance of the system and plant growth are surface texture, surface rocks, salinity, sodium adsorption ratio, wetness, erosion potential, and available water holding capacity.

Irrigation, sprinkler (general) evaluates a soil for installation and use of sprinkler irrigation systems excluding those equipped with close spaced outlets on drops. The ratings are for soils in their natural condition and do not consider present land use.

Sprinkler irrigation systems apply irrigation water to a field through a series of pipes and nozzles and can be either solid set or mobile. Generally, this type of irrigation system is suitable for small grains, row crops, vegetables, and orchards.

The soil properties and qualities important in the design and management of sprinkler irrigation systems are depth, available water holding capacity, sodium adsorption ratio, surface coarse fragments, permeability, salinity, slope, wetness, and flooding. The features that affect performance of the system and plant growth are surface rocks, salinity, sodium adsorption ratio, wetness, and available water holding capacity.

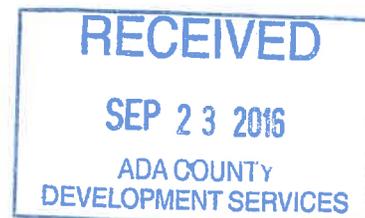
Information in this table is intended for land use planning, for evaluating land use alternatives, and for planning site investigations prior to design and construction. The information, however, has limitations. For example, estimates and other data generally apply only to that part of the soil between the surface and a depth of 5 to 7 feet. Because of the map scale, small areas of different soils may be included within the mapped areas of a specific soil.

The information is not site specific and does not eliminate the need for onsite investigation of the soils or for testing and analysis by personnel experienced in the design and construction of engineering works.

Government ordinances and regulations that restrict certain land uses or impose specific design criteria were not considered in preparing the information in this table. Local ordinances and regulations should be considered in planning, in site selection, and in design. The irrigation interpretations are not designed or intended to be used in a regulatory manner.

Report—Irrigation - General and Sprinkler

[The information in this table provides irrigation interpretations for mineral soils. Onsite investigation may be needed to validate the interpretations and to confirm the identity of the soil on a given site. The numbers in the value columns range from 0.01 to 1.00. The larger the value, the greater the potential limitation. The table shows only the top five limitations for any given soil. The soil may have additional limitations]



Irrigation - General and Sprinkler—Ada County, Idaho							
Map symbol and soil name	Pct. of map unit	Irrigation (general)		Irrigation, Sprinkler (close spaced outlet drops)		Irrigation, Sprinkler (general)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
151—Quincy-Lankbush complex, 12 to 30 percent slopes							
Quincy	65	Very limited		Very limited		Very limited	
		Rapid water movement	1.00	Slope	1.00	Low water holding capacity	1.00
		Low water holding capacity	1.00	Low water holding capacity	1.00	Slope, sprinkler irrigation	1.00
		Seepage	1.00				
		Slope	1.00				
Lankbush	20	Very limited		Very limited		Very limited	
		Rapid water movement	1.00	Slope	1.00	Slope, sprinkler irrigation	1.00
		Slope	1.00	Water Erosion	1.00	Low water holding capacity	0.09
		Seepage	0.45	Low water holding capacity	0.09		
		Low water holding capacity	0.36				

Data Source Information

Soil Survey Area: Ada County, Idaho
 Survey Area Data: Version 4, Sep 9, 2015



170

11

After Recording Return To:
COUNTRYWIDE HOME LOANS, INC.
MS SV-79 DOCUMENT PROCESSING
P.O. Box 10423
Van Nuys, CA 91410-0423

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 33.00 11
BOISE IDAHO 08/09/07 04:29 PM
DEPUTY Bonnie Oberbillig
RECORDED-REQUEST OF
Title One
107113284

Prepared By:
JAIME WELDON

[Space Above This Line For Recording Data]

ADUSUBS AEJAB

BROWN 00017792878608007
[Screw/Closing #] [Doc ID #]

DEED OF TRUST

MIN 1001337-0002376502-0

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

- (A) "Security Instrument" means this document, which is dated AUGUST 06, 2007, together with all Riders to this document.
- (B) "Borrower" is

TONY L BROWN, A MARRIED MAN AS HIS SOLE & SEPARATE PROPERTY

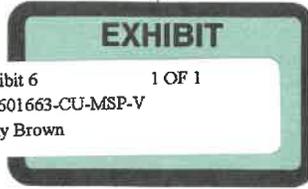
Borrower is the trustor under this Security Instrument.

- (C) "Lender" is
Countrywide Bank, FSB.
Lender is a FED SVGS BANK
organized and existing under the laws of THE UNITED STATES
Lender's address is
1199 North Fairfax St. Ste.500, Alexandria, VA 22314

- (D) "Trustee" is
FIDELITY NATIONAL TITLE INSURANCE CO
15661 REDHILL AVE STE 200 TUSTIN, CA 92780-

- (E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

- (F) "Note" means the promissory note signed by Borrower and dated AUGUST 06, 2007. The Note states that Borrower owes Lender
FOUR HUNDRED SEVENTY SIX THOUSAND and 00/100





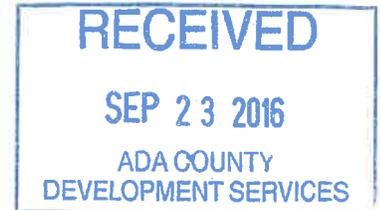
IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

C.L. "Butch" Otter / Governor
Virgil Moore / Director

September 9, 2016

Tiffany Hales
839 E. Winding Creek Drive Suite #102
Eagle, ID 83616
tiffany@brianwebblegal.com



RE: Ada County Conditional Use Permit, Contractor's Yard

Dear Ms. Hales,

The Idaho Department of Fish and Game (Department) has reviewed your request for an analysis of sensitive plant and wildlife species potentially affected by activities associated with a Conditional Use Permit for a contractor's yard on 5.2 acres located at 4664 N. Skyline Road in Eagle, ID, and generally located in Section 30, T5N, R1E, Boise Meridian. The Department understands the site is currently operating as a contractor's yard and this application does not propose to change the land use.

Section 8-4E-4 of Ada County Code requires applicants to include a Natural Features Analysis as part of the Conditional Use Permit application. Subsection 8-4E-4D5 states:

Sensitive Plant and Wildlife Species: Analysis of sensitive plant and wildlife species of the site including, but not limited to, those species listed in the Idaho conservation data center (state of Idaho department of fish and game).

The Department has no records of any federally listed threatened or endangered species or critical habitat within or immediately adjacent to the proposed project area, nor do we anticipate such species to be present. Additionally, the Department has no records of any Species of Greatest Conservation Need, nor do we anticipate such species to be present.

Subsection 8-4E-4D8 of the Natural Features Analysis states:

Impact On Natural Features: The applicant shall provide a written statement explaining how the design of the plan protects or mitigates impacts on the natural features of the site.

Ada County staff have indicated that wildlife is one component of the natural features of a site. Because the site has been heavily disturbed in the past, the Department does not anticipate significant additional impacts to wildlife resources as a result of the proposed activities.

Thank you. Please contact Rick Ward in the Southwest Regional Office at (208)475-2763 or rick.ward@idfg.idaho.gov if you have any questions.

Sincerely,

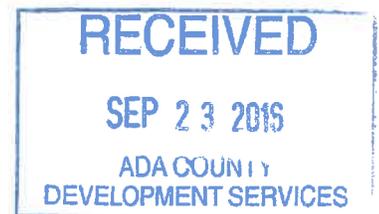


Scott Reinecker
Southwest Regional Supervisor

SR/rw

ecc: Vecellio/ HQ

cc: Gold file



Neighborhood Meeting Certification

ADA COUNTY DEVELOPMENT SERVICES, 200 W. Front Street, Boise, Idaho 83702

www.adaweb.net (208) 287-7900

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Ada County Code or ask one of our planners for more information on neighborhood meetings.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes all involved Neighborhood Associations and property owners within **300, 1,000, or 2,640 feet** of the subject property boundary need to be invited to your meeting. See ACC 8-7A-5C (1) & (2) for uses and districts requiring the 1000' or 2,640' notification.

Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Description of proposed project: Contractor's Yard
Date and time of neighborhood meeting: March 24, 2016 6:00pm
Location of neighborhood meeting: Eagle Library

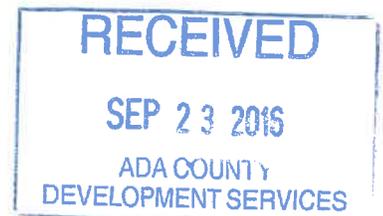
SITE INFORMATION:

Location: Quarter: _____ Section: 30 Township: SN Range: 1E Total Acres: 5.2
Subdivision Name: Skyline Acres Lot: 6 Block: _____

Site Address: 4664 N. Skyline Drive Tax Parcel Number(s): R7977000060

APPLICANT:

Name: Tony Brown
Address: 4664 N. Skyline Drive
City: Eagle State: ID Zip: 83616
Telephone: 9391569 Fax: 9391602
Email: _____



I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Ada County Code.

Signature: (Applicant) Tiffany Haley attorney for Tony Brown Date 9/6/2016

OFFICE USE ONLY

File No.: _____ Received By: _____ Date: _____ Status: _____

8/4/11

EXHIBIT

Exhibit 8 1 OF 2
201601663-CU-MSP-V
Tony Brown

Brian L. Webb *Attorney at Law*
 Tiffany Hales *Attorney at Law*
 Michael C. McClure *Attorney at Law*
 A.J. Bohner *Of Counsel*
 Larry Dunn *Of Counsel*
 Kyle Tilton *Legal Assistant*
 Tenille R. Grant *Legal Assistant*

p: 208 331 9393
 f: 208 331 9009



Brian Webb
 LEGAL

839 E. Winding Creek Dr., Ste. 102
 Eagle, Idaho 83616

**Conditional Use Permit and Variance Application
 Neighborhood Meeting
 March 24, 2016
 6:00 – 8:00 PM
 Sign-in Sheet**

	Name	Address	Zip	Phone No.	E-Mail Address
1	Wendy Johnston	2480 N. Skyline Dr.	83616	208-850-1369	wemajo@yahoo.com
2	William Manfull	4680 N. Smokey Ridge	83616	208-939-2157	Wmanfull@gmail.com
3	William Manfull	"	"	"	"
4	Steve Moore	4861 N. Smokey Ridge	83616	208-861-9732	star_garnet@weh.co
5	Wally Meyer	4640 N. Skyline Dr	83616	929-0504	wallywand@g.com
6	Bill Thompson	4870 N Skyline Dr	83616	484-0583	William.Thompson2@va
7	Julia D Marczak	4894 N Curlew Lane	83616	(208)830-8177	jmarczak@kce@gmail.com
8	DAVE MARCZAK	4894 N CURLEW LANE	83616	208-677-9200	dmarczak@kce.com
9	RICHARD GREEN	4822 N Smokey Ridge	83616	208-866-1742	
10					
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26					

RECEIVED
 SEP 23 2015
 ADA COUNTY
 DEVELOPMENT SERVICES

*Byron & Lonni Barker
4567 North Skyline Drive
Eagle, Idaho 83616*

April 13, 2016

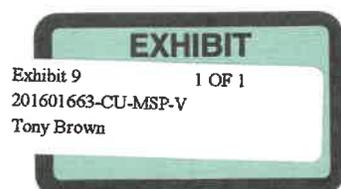
To Whom It May Concern:

We have been neighbors with Tony and Gretchen Brown for approximately eight years. For the last few years, they have parked their work trucks on their property for their business. Not once has it ever been an issue or caused a problem. They are careful and courteous to their neighbors. They keep their place clean and orderly and do not make any excessive noise with their vehicles.

We all live "out in the country" and moved to this area so we are not living in cookie cutter neighborhoods with restrictive CC&R's. We don't expect every house to look like it is out of a magazine. Many of us have working small ranches with tractors, trailers and extra trucks. The Brown's place is no different. It fits in, they are respectful and it is ridiculous to make a big deal out of them parking a few extra trucks on their property. We live across the street and slightly South of them. We look directly up onto their property and it is of no problem whatsoever to us. We have no objection to them receiving a construction yard permit.

Thank you for your consideration.

Sincerely,
Byron and Lonni Barker



Rick Katucki

2070 W Homer Rd
Eagle, ID 83616

May 27, 2016

To Whom It May Concern:

We are writing in support of allowing Tony Brown to continue to keep his work vehicles at his place of residence. I do not understand what requiring him to park his vehicles elsewhere will accomplish.

We have resided at the corner of Homer and Skyline Drive for the last 16 years. Mr. Brown passes our home when leaving from or returning to his residence. His property is visible from ours.

It is my understanding that the limitations placed on home based businesses is to protect the neighborhoods from excessive traffic and changes to the character of the immediate area. While these requirements are necessary and well intentioned, they should not be imposed literally in all cases. The actual impact on the neighborhood must be considered.

It appears to me that Mr. Brown's business is performed away from his home and that his comings and goings are akin to any other person who commutes to their job on a daily basis. In his case, he commutes in a truck rather than a car, so there is no appreciable increase in traffic.

The Browns, as do I, live in a rural part of Ada County. The appearance of trucks and equipment is common. Big trucks, tractors and other equipment is a familiar site and are readily observable from the street in the immediate area as it is in most all of rural Ada County.

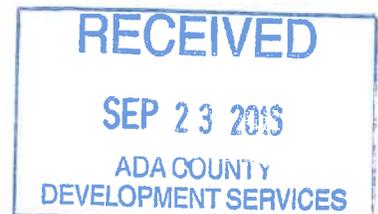
Requiring him to park his trucks apart from his home would only create an additional expense for a small business and will do nothing to change the character of the area.

Thank you for your consideration.

Sincerely,



Rick and Patty Katucki



Tony Brown
4664 No. Skyline Dr.
Eagle, ID 83616

4/14/16

Tony:

As your next-door neighbor, I have no objection to your parking of company vehicles on your property. I would like to see several more evergreen trees planted along the western edge of the parking area.

Also, I would not object to the construction of non-obtrusive workshop/storage building between your home and No. Skyline Dr.

Walter Meyer

Walter Meyer
4640 No. Skyline Dr.
Eagle, ID 83616

RECEIVED

SEP 23 2015

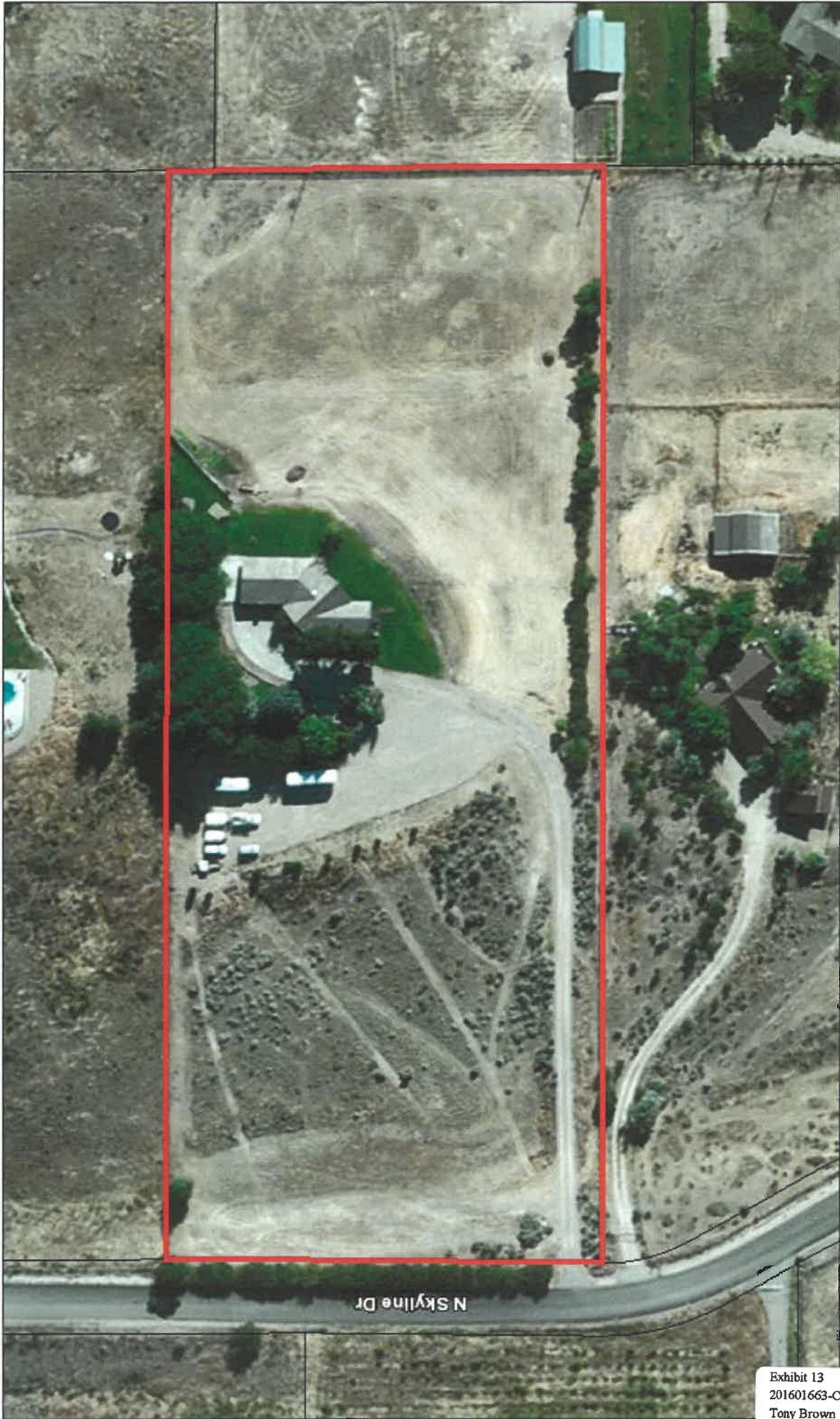
ADA COUNTY

DEV

Exhibit 11
201601663-CU-MSP-V
Tony Brown

1 OF 1

201601663-CU-MSP-V - Aerial View



Search Results: City Limits
 Parcels
 Addresses

City Limits:
 BOISE
 EAGLE
 GARDEN CITY

Impact Areas:
 Boise
 Eagle

Street Names:
 KUNA
 MERIDIAN
 STAR

Major Streets:
 Garden City
 Kuna
 Meridian
 Star

Parks:

0 0.01 0.02 0.04 Miles

Date: 10/27/2016

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.

201601663-CU-MSP-V - Aerial Map



Date: 10/19/2016

0 0.03 0.06 0.12 Miles

N

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.

- Search Results:
- City Limits
 - GARDEN CITY
 - STAR
 - Parks
 - parcels
 - BOISE
 - KUNA
 - Street Names
 - EAGLE
 - MERIDIAN
 - Major Streets

Kristy Inselman

From: Kristy Inselman
Sent: Tuesday, September 27, 2016 1:22 PM
To: mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; kmccclenny@eaglefire.org; sbuck@eaglefire.org; sp@nacfa.net; clittle@achdidaho.org; syarrington@achdidaho.org; Mark Ferm; Jean Schaffer; Kristy Inselman
Cc: Kristy Inselman
Subject: Ada County Application Transmittal Notice.

Ada County Development Services Planning & Zoning Division Transmittal

File Number: 201601663-CU / MSP / V	X-Reference: NONE
Description: Conditional use, master site plan, and variance application for a Contractors yard in a Rural Residential (RR) District. The applicant is proposing to store three boom trucks with trailers for a cable company.	
Reviewing Body: BOCC	Hearing Date: 11/9/2016
Applicant: BRIAN WEBB LEGAL	P&Z Recommendation:
Property: The property contains 5.240 acres and is located at 4664 N SKYLINE DR EAGLE 83616, Section 30 5N 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/ 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 10/12/2016. When responding, please reference the file number identified above. If responding by email, please send comments to kinselman@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
kinselman@adaweb.net
(208) 287-7998



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

ADA COUNTY
Development Services Department

September 28, 2016

Tony Brown
4664 N. Skyline Dr.
Eagle, ID 83616

RE: **PROJECT NO. 201601663 CU-MSP-V, Tony Brown**

Dear Applicant/Owner;

This is to notify you that your application has been scheduled to be heard by the Board of Ada County Commissioners on **November 9, 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 (and available online) 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.

The sign is required to be posted ten (10) days in advance of the hearing. 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 certification form is available to download on our website at 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.

If you have any questions, please call 287-7998 or via email at kinselma@adaweb.net.

Sincerely,

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

Kristy Inselman, Associate Planner
Ada County Development Services

Cc: Tiffany Hales

MEMORANDUM



DATE: 9/28/2016

RE: 201601663-CU/MSP/V Skyline

TO: Kristy Inselman, Associate Planner

FROM: Mark Ferm, Ada County Building Official

Summary of Project:

Conditional use, master site plan, and variance application for a Contractors yard in a Rural Residential (RR) District. The applicant is proposing to store three boom trucks with trailers for a cable company at 4664 N Skyline Drive.

Findings and Conditions:

The Building Division has no objection to the proposed conditional use, master site plan or variance however the applicant should be aware if any buildings are to be constructed on this parcel a building permit will be required and if the building is to be used for the business the plans will have to be designed by a licensed architect including a complete code analysis.

Conclusion:

Approved as submitted

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

markf@adaweb.net



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

ADA COUNTY Development Services Department

September 28, 2016

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Board of County Commissioners will hold a public hearing on **November 9, 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:

201601663-CU-MSP-V, Tony Brown: A conditional use and master site plan application for a Contractor's Yard. The applicant is also requesting a variance to the requirement of a 100-foot setback from the property line for the contractor's yard. The applicant is proposing a 25-foot wide setback from the north property line. The property is located 4664 N. Skyline Dr., and contains 5.24 acres; Section 30, T.5N, R.1E.

Contact Kristy Inselman, Associate Planner, at 287-7998 or kinselma@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 **1000'** 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/
- 2 Enter "**201601663-CU**" 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 to view the agenda or staff report.

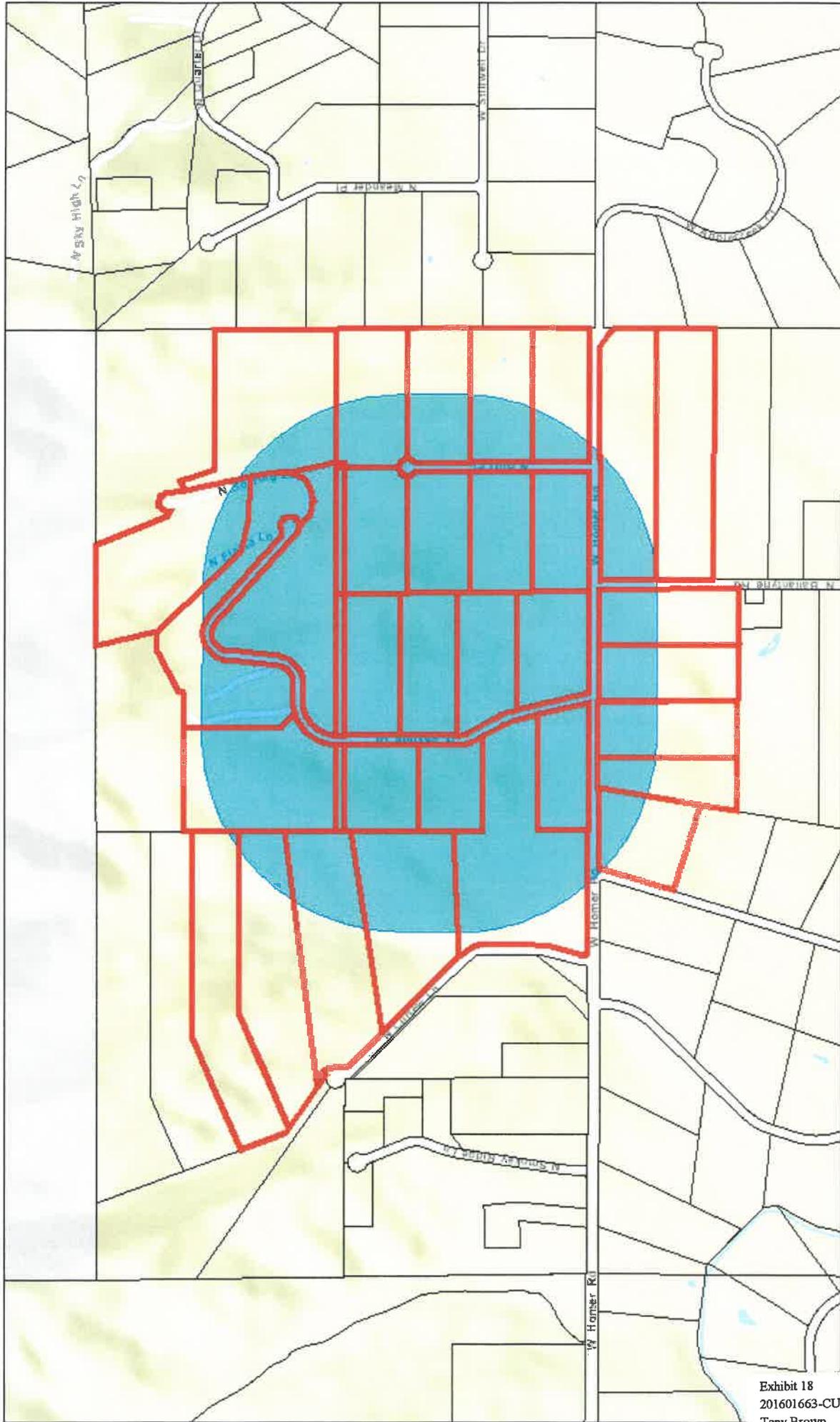
NOTES:

- 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.

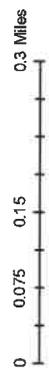




201601663-CU-MSP-V - Radius Map



- Search Results:**
- City Limits
 - GARDEN CITY
 - BOISE
 - KUNA
 - EAGLE
 - STAR
 - Parks
 - MERIDIAN



Date: 9/27/2016

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.

PRIMOWNER	SECOWNER	ADDCONCAT	STATCONCAT
BARKER BYRON B	LEAVITT-BARKER LONNI	4567 N SKYLINE DR	EAGLE, ID 83616-1839
BICKEL JEFFREY C	BICKEL CASEE	2201 W HOMER RD	EAGLE, ID 83616-0000
BLACKWOOD DANIEL J	BLACKWOOD DEBBIE	1801 W HOMER RD	EAGLE, ID 83616-1903
BODILY LATHARE N & JEANINE T TRUST	BODILY LATHARE N TRUSTEE	2332 W HOMER RD	EAGLE, ID 83616-1804
BROWN MICHAEL E	BROWN KIMBERLY	4847 N SKYLINE DR	EAGLE, ID 83616-0000
CLEAVER OLIVER	CLEAVER DEBBIE	4635 N SKYLINE DR	EAGLE, ID 83616-0000
COLEMAN PATRICK C & GIANNACCHINI KIM D 2002 TRUSTS		2491 W HOMER RD	EAGLE, ID 83616-0000
CONGER THOMAS PATRICK & SUSAN ELIZABETH JOINT LIVING TR		4230 N BALLANTYNE LN	EAGLE, ID 83616-0000
COOPER VANCE STEVEN	COOPER BOBBIE JO	4637 N BURT PL	EAGLE, ID 83616-0000
DAY TED A	DAY DEBORAH A	4840 N CURLEW PL	EAGLE, ID 83616-0000
FERRONATO FAMILY TRUST 08/26/2004		4831 N SKYLINE DR	EAGLE, ID 83616-0000
HENNING WILLIAM N III	HENNING SHARON	972 E HOLLY	BOISE, ID 83712-0000
HERTEUX ARMIN	HERTEUX BRENNIA	4940 N SOARING LN	EAGLE, ID 83616-0000
JOHNSON MARK W	STONE NANCY B	4690 N BURT PL	EAGLE, ID 83616-0000
JOHNSON STEVEN M &	JOHNSON LU ANN L	4363 N BALLANTYNE LN	EAGLE, ID 83616-0000
JOHNSTON KEN	JOHNSTON WENDY	4830 N SKYLINE DR	EAGLE, ID 83616-0000
KATUCKI RICHARD J JR	KATUCKI PATTY L	2070 W HOMER RD	EAGLE, ID 83616-0000
MARCZAK JULIA MORTON		4894 N CURLEW LN	EAGLE, ID 83616-0000
MEYER 2000 REVOCABLE TRUST	MEYER WALTER HUBER JR TRUSTEE	4640 N SKYLINE DR	EAGLE, ID 83616-0000
MEYER SCOTT	MEYER LAUREL	2261 W HOMER RD	EAGLE, ID 83616-0000
MILES RONALD J	MILES SHANNON E	4745 N BURT PL	EAGLE, ID 83616-0000
MITCHELL JAMES & EILEEN W REVOCABLE LIVING TRUST	MITCHELL JAMES E TRUSTEE	PO BOX 8	EAGLE, ID 83616-0008
NEVES JOE E	NEVES CAROLYN S	2183 W HOMER RD	EAGLE, ID 83616-0000
NORTHROP BEVERLY L LIVING TRUST	NORTHROP BEVERLY LYNN TRUSTEE	4565 N BURT PL	EAGLE, ID 83616-0000
OCONNOR FAMILY REVOCABLE TRUST	OCONNOR MICHAEL E TRUSTEE	4500 N BURT PL	EAGLE, ID 83616-0000
PADDOCK DONALD W	PADDOCK LINDA	4982 N CURLEW LN	EAGLE, ID 83616-0000
PASCULLI MARK A	PASCULLI LORI E	578 W WATERSFORD DR	EAGLE, ID 83616-0000
ROBERTS CHARLES P	ROBERTS JOY C	2000 W HOMER RD	EAGLE, ID 83616-1906
SHULTZ WILLIAM J	SHULTZ MICHELLE R	5040 N ELAINA LN	EAGLE, ID 83616-0000
SNYDER SCOTT J	SNYDER JANETTE E	2200 W HAWKS VIEW LN	EAGLE, ID 83616-0000
SPANO JOSEPH L		4720 N CURLEW PL	EAGLE, ID 83616-0000
THOMPSON WILLIAM H	THOMPSON ANDREA H	4870 N SKYLINE DR	EAGLE, ID 83616-0000



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ACZ
Boise
Eagle
Garden City
Kuna
Meridian
Star

RECEIVED
SEP 30 2016
ADA COUNTY DEVELOPMENT SERVICES
Sept-30

Rezone #
Conditional Use # 201601663-CU/MSP/V
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
bedrock from original grade
waste flow characteristics
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 approval from appropriate entities are submitted, we can approve this proposal for:
central sewage
interim sewage
individual sewage
community sewage system
central water
individual water
community water well
9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
central sewage
sewage dry lines
community sewage system
central water
community 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
beverage establishment
swimming pools or spas
grocery store
child care center
13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. No objection - no parking over the drainfield recommended
Reviewed By: [Signature]
Date: 9/27/16

41

Kristy Inselman

From: Thompson, William (Boise VAMC) <William.Thompson2@va.gov>
Sent: Tuesday, October 04, 2016 4:23 PM
To: Kristy Inselman
Subject: Application 201601663-CU

Ms. Inselman

I attended the preliminary community meeting regarding this application several months ago. It was run by the applicants lawyer as the applicant did not attend. There was overwhelming opposition to this plan. Did any of this information get put into the record? Also, I will not be available for the meeting on 11/9/16. How can I submit a written statement? Can I e-mail it to you?

My second question is how do I go about inquiring about another resident in the same neighborhood (Michael Brown, 4847 N. Skyline Dr.) who is parking commercial vehicles on Skyline Drive and just inside his property line. The above application raises the appropriateness of others using residential property for commercial purposes.

Thanks for your input.

Bill Thompson
4870 N. Skyline Dr.

Kristy Inselman

From: Scott Buck <sbuck@eaglefire.org>
Sent: Thursday, October 06, 2016 9:27 AM
To: Kristy Inselman
Subject: 201601663-CU/ MSP/V

Kristy,

The Eagle Fire Department has reviewed the above referenced application. The fire department has no comments or concerns.

Scott Buck
Deputy Fire Marshal
Eagle Fire Department
O 208-939-6463
C 208-914-8294



Kristy Inselman

From: Thompson, William (Boise VAMC) <William.Thompson2@va.gov>
Sent: Thursday, October 06, 2016 2:27 PM
To: Kristy Inselman
Subject: RE: Application 201601663-CU

Dear Ms. Inselman,

I am writing concerning the above application for a conditional use permit at 4664 N. Skyline Drive. I will be unable to attend the meeting on 11/9/16 and thus would like to submit my comments in writing. During the preliminary public meeting led by Mr. Brown's attorney, there was a good turnout of neighbors with an overwhelming majority expressing opposition to issuance of a conditional use permit. The concerns expressed, and with which I agree are significant issues, include the fact that large commercial trucks are traveling on residential streets where children walk and play and where several people run and bike. This raises safety concerns and the concern that the road may not be able to handle the large equipment traveling on them on a daily basis. Several also expressed their opposition to the fact that on a daily basis we can all see the commercial trucks parked on the property in that they are only partially screened. If the permit is to be issued, it should be done with the understanding that the parked vehicles would be permanently screened. My last concern is that I have heard of two other properties in the area that are up for sale and about which real estate agents have inquired about obtaining conditional use permits for prospective buyers for commercial uses of the properties. I am concerned that if one conditional use permit is issued it will open up the door for several other permits to be issued, thus lowering the value of our residential properties in the neighborhood. In short, I am opposed to the issuance of this permit.

William H. Thompson
4870 N. Skyline Dr.
Eagle, ID 83616



Kent Goldthorpe, President
Paul Woods, Vice President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

October 10, 2016

(Via email)

To: Tony Brown
4664 N. Skyline Drive
Eagle, ID 83616

Subject: ADA16-0072/ 201601663-CU-MSP-V
4664 N. Skyline Drive
Park Boom Trucks at Residence

In response to your request for comment, the Ada County Highway District (ACHD) staff has reviewed the submitted application and site plan for the item referenced above. It has been determined that ACHD has no site specific conditions of approval for this application.

There is No Impact Fee Due for this application and an ACHD inspection is not required.

If you have any questions, please feel free to contact me at (208) 387-6218.

Sincerely,

Dawn Battles
Planner I
Development Services

cc: City of Boise, via email
Tiffany Hales, via email

Kristy Inselman

From: Joe <joeboise@gmail.com>
Sent: Monday, October 10, 2016 4:25 PM
To: Kristy Inselman
Subject: [EXTERNAL] 201601663-CU-MSP-V Tony Brown

Regarding the hearing to discuss this variance.

I am a neighbor of the property.

I do not want this contractor's yard to be granted the requested variance. It is not fitting with the usage of the residential neighborhood. I feel once the variance is given, there is nothing keeping the owner from increasing usage and becoming a nuisance. I have had negative experience with this sort of situation in the past. Please enter my objection into the record for this hearing.

Thank you,

Joe Neves
2183 W Homer Road
Eagle, ID 83616
208-229-0098

Ada County

10/11/16

Development Services Dept

200 West Front St.

Boise, ID 83702

RE: 201601663-CU-MSP-V, Tony Brown

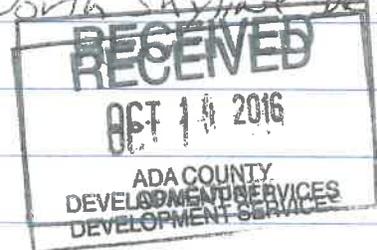
As the next door RESIDENT of the applicant,
directly south of Mr. Brown's property, I have
no objection to his application for a
Contractor Yard as long as vegetation
mostly blocks a view of the vehicles and
equipment as seen from North Skyline Dr.

Walter H Meyer, Jr.

Walter H. Meyer, Jr.

4640 No. Skyline Dr.

Eagle, ID 83616



208-939-0504

wallywanch@a9.com.

LEGAL NOTICE OF PUBLIC HEARING Legal notice is hereby given that the Board of Ada County Commissioners will hold a public hearing on November 9, 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: 201601093-PR-S, B & A ENGINEERS INC; Preliminary plat and private road application for a 2 lot residential subdivision in a Residential Urban Transition (RUT) zone. The private road is proposed to be 20-foot wide and taking access from McMillan Road. One parcel is proposed to be 5.05-acres. The second parcel is 18.46-acres. The property contains 23.97 acres and is located at 7230 W. McMillan Rd. Meridian, ID 83646 in Sections 29, T. 4N., R. 1W. Kristy Inselman 287-7998. 201601186-A, MCCOLL BRIAN; An appeal of the Director's decision for a private road. The property contains 27.15 acres and is located at 8478 N. Pierce Park Ln., Boise, ID 83714 in Sections 17, T. 4N., R. 2E. Brent Danielson 287-7913. 201601297-CPA, ADA COUNTY DEVELOPMENT SERVICES; Ada County 2025 is the update to the County's Comprehensive Plan. The updated Comprehensive Plan will serve as a policy guide for the growth and physical development of unincorporated Ada County, outside Areas of City Impact, over the next ten years. Megan Basham 287-7944. 201601337-ZC-OTD-DA, CANTLON VICKI; A zoning ordinance map amendment to rezone the subject property from the Rural Preservation (RP) District to the Rural Residential (RR) District with a Development Agreement. Also, an application for a one time division to create an 11.43 acre parcel from the subject property. The property contains 40 acres and is located at 8401 S. Cole Rd., Boise, ID 83709 in Section 12, T. 2N, R. 1E. Brent Danielson 287-7913. 201601575-PBA-VAC, FOX LAND SURVEYS INC; Application to adjust property lines between lots 3 and 4 Block 1 Springwood Subdivision to allow for the placement of an accessory structure. A vacation of the easements along the existing property line is also a part of this application. The property contains 15.07 acres and is located at 701 & 899 S. Crystal Springs Ln., Star, ID 83669 in Section 16, T. 4N., R. 1W. Diana Sanders 287-7905. 201601663-CU-MSP-V. TONY BROWN; Conditional use, master site plan, and variance application for a Contractors yard in a Rural Residential (RR) District. The applicant is proposing to store three boom trucks with trailers for a cable company. The property contains 5.24 acres and is located at 4664 N. Skyline Dr., Eagle, ID 83616 in Sections 30, T. 5N., R. 1E. Kristy Inselman 287-7998. 201601703-V-AC, HODGES SEUMAS EMILY; An accessory use application to add onto an existing accessory structure resulting in accessory structure consisting of 1,812 square feet. Also, a request for a variance seeking relief from the specific use standard that requires accessory structures in the front yard to not exceed fifty percent (50%) of the square footage of the footprint of the principal permitted dwelling or

1,500 square feet, whichever is less. The property contains 2.466 acres and is located at 505 W. Columbia Rd., Meridian, ID 83642 in Section 12, T. 2N, R. 1W. Brent Danielson 287-7913. 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. Oct. 18, 2016 **Publish Dates:** 10/18/2016-11/1/2016



ADA COUNTY
Development Services Department

October 24, 2016

Joe Neves
2183 W. Homer Rd.
Eagle, ID 83616

RE: Comments relating to Project # 201601663 CU-MSP-V; Tony Brown

Dear Mr. Neves,

Thank you for your comments in your email dated October 10, 2016 (see attached). These comments will be exhibited as part of the public record and will be considered during the public hearing process.

We invite you to attend the public hearing on November 9, 2016, and to provide any additional comments you may have. You would have received written notice of the public hearing, if you own property within 1,000 feet of the subject property. Registered neighborhood associations whose boundaries include the subject property will also receive notification.

If you have any questions or need further information, please do not hesitate to contact our office at (208) 287-7998 or via email at 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

Cc: File

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



ADA COUNTY
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October 24, 2016

William H. Thompson
4870 N. Skyline Dr.
Eagle, ID 83616

RE: Comments relating to Project # 201601663 CU-MSP-V; Tony Brown

Dear Mr. Thompson,

Thank you for your comments in your emails dated October 4, 2016 and October 6, 2016 (see attached). These comments will be exhibited as part of the public record and will be considered during the public hearing process.

We invite you to attend the public hearing on November 9, 2016, and to provide any additional comments you may have. You would have received written notice of the public hearing, if you own property within 1,000 feet of the subject property. Registered neighborhood associations whose boundaries include the subject property will also receive notification.

If you have any questions or need further information, please do not hesitate to contact our office at (208) 287-7998 or via email at 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

Cc: File