



Boise County Planning and Zoning

413 Main Street

Phone: 208-392-2293

P.O. Box 1300

Fax: 208-392-2259

Idaho City, Idaho 83631

website: www.boisecounty.us

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN:

that the **Boise County Board of Commissioners**
will be conducting a public hearing on the referenced matter below:

RE: Variance VAR #2020-001

APPLICANT: Mitchell Mooney

LEGAL DESCRIPTION: Boise County Parcel RP095010000210 (Lot 21 of Lightning Creek Sub)

GENERAL LOCATION: 868 Middlefork Rd, Garden Valley, ID

Request: Variance for setbacks

WHERE: Miner's Exchange Building -Commissioner's Room
420 Main Street
Idaho City, ID 838631

DATE: Tuesday, July 14, 2020

TIME: 1:45 p.m.

As required by Boise County Ordinance you are invited to comment concerning this matter. Written comments must be received (7) seven days prior to the hearing date in order to be accepted. **Last day to accept written comments is July 7, 2020 by 5:00 P.M.** Any Comments received AFTER the deadline will not be submitted into the record. Oral testimony will be accepted at the public hearing.

Please Send comments to: Boise County Planning & Zoning Department
P.O. Box 1300 / 413 Main Street
Idaho City, Idaho 83631

Any person needing special accommodations to participate in the above noticed meeting must contact the Boise County Clerk's Office two (2) days prior to the meeting at (208) 392-4431.

Boise County Planning and Zoning Department

RECEIVED
MAR 02 2020

413 Main Street, PO Box 1300
Idaho City, Idaho 83631
Phone: 208-392-2293
www.boisecounty.us



MASTER PUBLIC HEARING APPLICATION
BOISE COUNTY PLANNING & ZONING

Var 2020-001

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- APPEAL
- COMPREHENSIVE PLAN TEXT AMENDMENT
- COMPREHENSIVE PLAN MAP AMENDMENT
- ROAD NAME CHANGE
- DEVELOPMENT AGREEMENT
- PLANNED UNIT DEVELOPMENT
- PLANNED COMMUNITY
- CONDITIONAL USE PERMIT
- SUBDIVISION, PRELIMINARY
- SUBDIVISION, FINAL
- SUBDIVISION, VACATION
- SUBDIVISION, AMENDED PLAT
- VARIANCE
- OTHER _____

HEARING BEFORE: BOARD OF COUNTY COMMISSIONERS P&Z COMMISSION

PROJECT NAME: New 1200sqft Garage with future bathroom, electrical, plumbing, mechanical

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: _____ Section: 13 Township: T10N Range: R4E Total Acres: 0.360

Subdivision Name (if applicable): Lightning Creek Sub Lot: 21 Block: _____

Site Address: 868 Middlefork Rd. City: Crouch

Tax Parcel Number(s): RP095010000210 Current Land Use: Rural Residential Subdivions

PROPERTY OWNER:

Name: Mooney, Mitchell J.

Address: 3010 N. Merlot Pl.

City: Star State: ID Zip: 83669

Telephone: 208-867-4522 Fax: _____

Email: mismooney@mac.com

APPLICANT:

Name: West Valley Construction (c/o Jude Brito)

Address: PO Box 1056

City: Caldwell State: ID Zip: 83606

Telephone: 208-860-3793 Fax: _____

Email: Jude@westvalleycomplex.com

I consent to this application, I certify this information is correct, and allow Planning and Zoning staff to enter the property for related site inspections. I agree to indemnify, defend and hold harmless Boise County and its employees 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 this application.

Mitchell J. Mooney 3/2/2020
Signature: All Owner(s) of Record Date

I consent to this application, I certify this information is correct, and allow Planning and Zoning staff to enter the property for related site inspections. I agree to indemnify, defend and hold harmless Boise County and its employees 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 this application.

Signature: Applicant Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPROPRIATE APPLICATION FORM

EXHIBIT 1

Boise County Planning and Zoning Department

413 Main Street, PO Box 1300
Idaho City, Idaho 83631
Phone: 208-392-2293
www.boisecounty.us



VARIANCE APPLICATION

VAR # 2020-001

The Planning and Zoning staff is available to discuss this application and answer questions. Upon receipt of the required materials the Planning & Zoning Administrator will stamp the application received and review the application for completeness. Once the application is deemed complete a public hearing will be scheduled with the Planning & Zoning Commission. It is recommended that the Applicant review the Unified Land Use Ordinance #2016-01 (ULO) prior to submittal. This Ordinance along with application materials are located on the County website at www.boisecounty.us.

See ULO #2016-01, Chapter 2, Section 2.9: To allow a modification of the bulk and placement requirements of this Ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, building height, or other Ordinance provisions affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. For purposes of this Section, a road or sign shall be deemed a "structure".

To expedite the review of your applications, please be sure to address each of the following items:

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Mitchell J. Mooney
Email: msmooney@mac.com
Phone: (208) 867-4522 **Mailing Address:** 3010 N. Merlot Pl.
City: Star **State:** ID **Zip Code:** 83669

Applicant (if different): _____
Email: _____
Phone: () _____ **Mailing Address:** _____
City: _____ **State:** _____ **Zip Code:** _____

Engineering Firm: _____
Contact Person: _____ **Phone:** () _____
Address: _____ **Email:** _____
Surveyor: _____ **Phone:** () _____

Variance Request: _____

SECTION III: ITEMS REQUIRED

1. Application complete & signed; including Affidavit of Legal Interest and Letter of Authorization, if applicable.
2. Latest recorded deed to the property.
3. Application fees paid in full in accordance with the current fee schedule; including any/all applicable fees.
4. Attach a site plan of the property under consideration, drawn to scale showing:
 - a. Perimeter, dimensions and topography of the property;
 - b. The names and locations of all street bordering the property;
 - c. The location of all easements or rights-of-way;
 - d. The location and dimensions of present and proposed structures; and
 - e. The distance from all structures to the property lines.
5. Narrative: A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of:
 - a. Explain undue hardship because of characteristics of the site;
 - b. The variance is not in conflict with public interest or the general land conditions in the vicinity of the application;
 - c. The variance will not be a material detriment to public health, safety or welfare nor to neighboring property owners.

SECTION IV: PUBLIC HEARING AND NOTICE

PUBLIC HEARING DATE SET: July 14, 2020
PUBLIC HEARING TIME: 1:45pm LOCATION: BOCC

SECTION V: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION VI: PLANNING AND ZONING COMMISSION ACTION

Approved Denied Date: _____

THIS BOX TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT

FILE # VAR 2020-001 Rec'd Date: 3-2-20
Fee paid: 800.00 Date: 3-16-20
Payment type: CC Number: _____
Receipt #: 969584 Are application materials attached? Yes No _____

ACCEPTED BY Brenda Wood Date: 3/16/20

To: Brenda Wood Hanson

From: Mitchell Mooney

Topic: Variance Application Narrative on Boise County Setbacks

Image of New Shop Location after site preparation (Property Corner / Read Prop Line)



Image of Location prior to site preparation (shifted image right to align Top and Bottom image locations)

Showing Previous Shop / Outhouse / Trees (all removed last year)



Old Outhouse was located near rear property line and red shop was within 10' from property line.

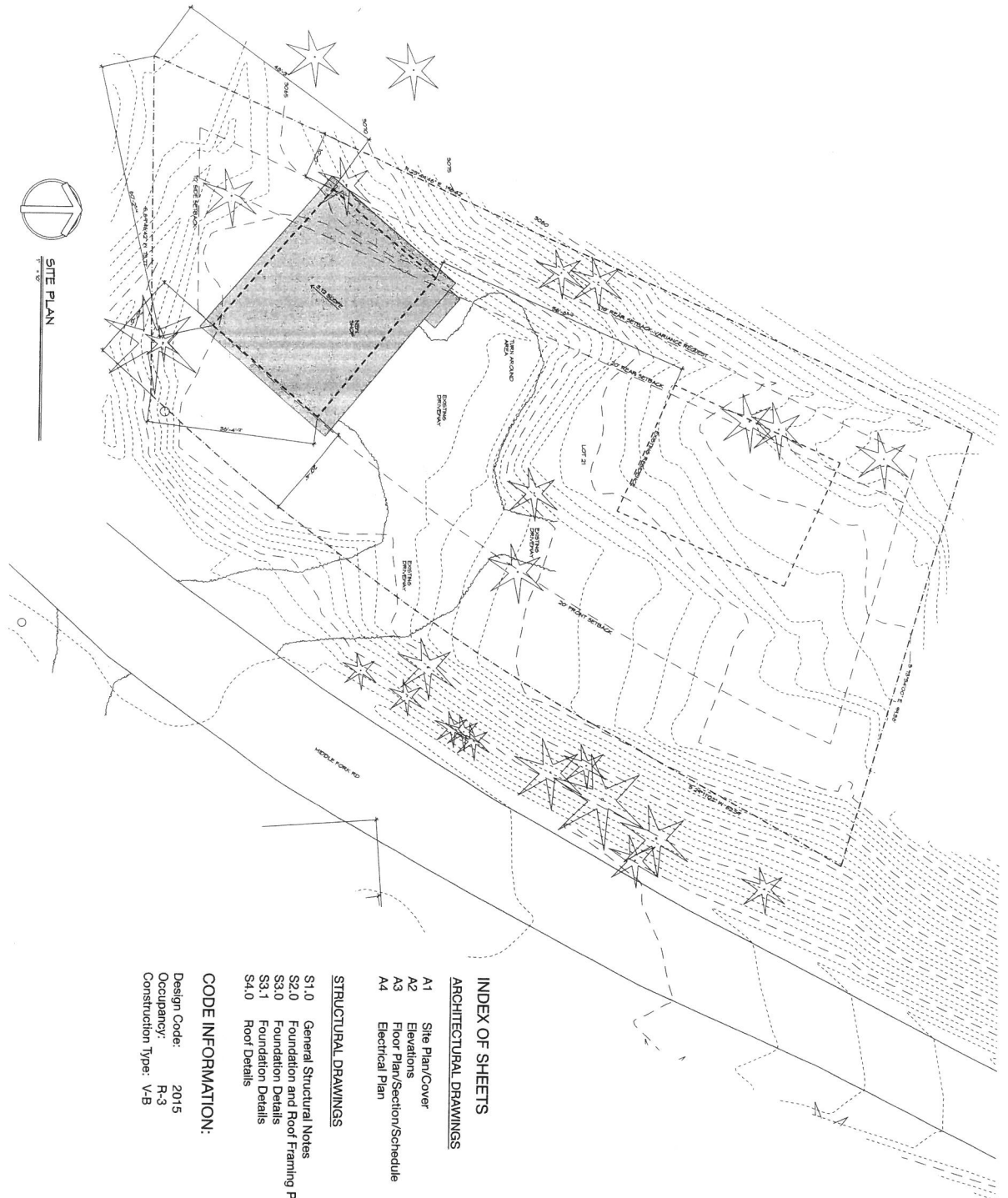
Total Costs of Site prep & Shop Design:	\$60,000
Shop site preparation:	\$40,000
(Shop, Outhouse, Tree, Dirt removal, Excavation)	
Shop Architect Design, Structural Engineering, Land Survey:	\$20,000

Undue Hardship: The previous shop (demolished) was located 10' from back property line. The Existing Cabin on property is 10' from rear property line aligning to subdivision plat map requirements. Looking at the subdivision plat map the setbacks for 10' "sides" included the rear (back) side of property. When I reviewed the code for permit (D. Site Plan and Location of New Construction and Additions, 6. Setbacks) I interpreted the setback requirement, noting each side at 10' feet as Right, Left and back (rear) sides aligning to sub plat map at 10'. Front side (road) is matched between permit and sub plat map, correctly as 20'. The shop design costs and site preparation invested at \$60,000. To redesign the shop and update construction costs for the project would cost an additional \$20,000. The permit new back side zoning regulations presents a practical difficulty in making use of this property as outlined in subdivision plat and previous use with 10' setbacks. Due to septic/Drain Field and new property setback requirements the shop is located in the only place feasibly possible. Since the old shop was located at the same setback as the new shop rear (back) side set back should be referred to as being "grandfathered in" and aligned with Sub Plat.

No Conflict with Public Interest: Main public interest was to remove the outhouse and deteriorating shop and clear trees. Cleaning up property after 50 years of accumulated trash, scrap metal, construction lumber, and old equipment (stoves, BBQs, mowers, fireplace, tools, and truck parts and so on).

No material detriment: No impact on public health (removed outhouse), many Safety improvements (removed large beetle killed pine trees and clearing trees for fire zone, all dangerous goods removed and properly deposited of) or welfare. Neighboring property owners will gain the benefits of a clean and safe updates that upgrade the ascetics and property values.

Best Regards;
Mitchell Mooney



SITE PLAN

INDEX OF SHEETS

- ARCHITECTURAL DRAWINGS**
- A1 Site Plan/Cover
 - A2 Elevations
 - A3 Floor Plan/Section/Schedule
 - A4 Electrical Plan

STRUCTURAL DRAWINGS

- S1.0 General Structural Notes
- S2.0 Foundation and Roof Framing Plan
- S3.0 Foundation Details
- S3.1 Foundation Details
- S4.0 Roof Details

CODE INFORMATION:

Design Code: 2015
 Occupancy: R-3
 Construction Type: V-B

PROJECT DIRECTORY

OWNER

Mitch & Sharon Mooney
 3010 N. Merlot Pl.
 Star, Id. 83669
 (208) 867-4522

ARCHITECT

J Truex Architecture
 Jevon Truex
 8403 Spring Creek Way
 Middleton, Id. 83644
 (208) 634-9810

STRUCTURAL

Stox Engineering
 31448 Dixie Ct. Rd.
 Prairie City, Or. 97869
 Matt Christian
 (512) 676-9004

CONTRACTOR

West Valley Construction
 PO Box 1056
 Caldwell, Id. 83606
 (208) 459-0333



J Truex Architecture
 8403 Spring Creek Way Middleton, Id. 83644
 Phone: 208-634-9810 208-392-1219
 jtruexarchitecture.com

Drawn By: JT
 Approved By: JT
 Date: 2/14/20
 Scale:

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Mooney Shop
 868 Middlefork Rd.
 Crouch, Id. 83622
 Construction Drawings

Sheet Number
A1