



# Boise County Planning and Zoning Department

413 Main Street, PO Box 1300

Idaho City, Idaho 83631

Phone: 208-392-2293

[www.boisecounty.us](http://www.boisecounty.us)



## AFFIDAVIT OF LEGAL INTEREST and Letter of Authorization

\_\_\_\_\_, "Owner" whose address is \_\_\_\_\_  
\_\_\_\_\_, City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

As owner of property more specifically described as:

\_\_\_\_\_  
\_\_\_\_\_

**HEREBY AUTHORIZES** \_\_\_\_\_ as Agent to represent and act for the Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Boise County Board of Commissioners, Boise County Planning and Zoning Commission, Boise County Planning and Zoning Staff, and or other Boise County Departments relating to the modification, development, planning, platting, re-platting, improvements, use or occupancy of land in Boise County, Idaho. Owner agrees that; Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application of any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that; Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platted or re-platting, improvement, occupancy, or use of any structure or land involved in the application shall take place until approved by the appropriate official of Boise County, Idaho, in accordance with applicable codes and regulations.

Owner agrees to pay any fines and be liable for any other penalties arising out of failure to comply with the terms of any permit or arising out of any violation of applicable laws, codes, or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and , if signing on the behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

**OWNER:**

\_\_\_\_\_  
(Signature of Owner) (Print Name) (Title)

\_\_\_\_\_  
(Signature of Owner) (Print Name) (Title)

\_\_\_\_\_  
(Signature of Owner) (Print Name) (Title)

\_\_\_\_\_  
(Secretary or Corporate Owner) (Print Name)

NOTARY STATE OF IDAHO ) ss  
COUNTY OF \_\_\_\_\_ ) (seal)

SUBSCRIBED and sworn to before me by \_\_\_\_\_  
on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public  
My Commission expires on: \_\_\_\_\_

\_\_\_\_\_  
Date

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## NOTICE OF RECONSIDERATION or APPEAL

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 Boise County Commissioners. It is recommended that the Applicant review the Amended Unified Land Use Ordinance #2024-02 (ULO), as amended October 24, 2023, prior to submittal. This Ordinance along with application materials are located on the County website at [www.boisecounty.us](http://www.boisecounty.us).

### ULO #2024-02, Chapter 2, Section 2.10

Any decision or action may be appealed as set forth in this Ordinance. The appellant shall be an affected person as defined in Idaho Code §67-6521(1)(a). Any request for reconsideration or appeal must be filed on an application as provided by the Planning and Zoning Department, such request for reconsideration or appeal must identify specific deficiencies in the decision for which reconsideration or appeal is sought, and must otherwise comply with Idaho Code §67-6535(2)(b).

*To expedite the review of your application, please be sure to address each of the following items.*

**Reconsideration or  
Appeal of decision by:**

\_\_\_\_\_ **Administrator**  
\_\_\_\_\_ **Planning and Zoning Commission**  
\_\_\_\_\_ **Board of County Commissioners**

I, \_\_\_\_\_, do hereby request a reconsideration, or an appeal, of the decision issued in:

- Case Name and File Number (if applicable): \_\_\_\_\_
- On the following described parcel of land:
  - A) Parcel Number: \_\_\_\_\_
  - B) Address of Parcel (if applicable): \_\_\_\_\_
- The grounds for this reconsideration, or appeal, are: (Specifically identify the part of the written decision you disagree with AND how the Administrator, Commission, or Board erred in their decision. Attach additional sheets if necessary.)

\_\_\_\_\_  
\_\_\_\_\_

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- I hereby affirm that I am a party affected by the above-mentioned decision. The address of my affected property is \_\_\_\_\_ and my mailing address is \_\_\_\_\_.

Dated: This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Appellant

Reconsideration or Appeal Fees: \_\_\_\_\_

*PUBLIC HEARING DATE SET:* \_\_\_\_\_

*PUBLIC HEARING TIME:* \_\_\_\_\_ *LOCATION:* \_\_\_\_\_

<b>THIS BOX TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT</b>	
FILE # _____	Rec'd Date: _____
Fee paid: _____	Date: _____
Payment type: _____	Number: _____
Receipt #: _____	Are application materials attached? Yes ____ No ____
ACCEPTED BY _____	Date: _____

## **Reconsideration or Appeal Procedures per ULO #2024-02**

### **SECTION 2.10 APPEALS PROCEDURES:**

Any decision or action may be appealed as set forth in this Ordinance. The appellant shall be an affected person as defined in Idaho Code §67-6521(1) (a). Any request for reconsideration or appeal must be filed on an application as provided by the Planning and Zoning Department, such request for reconsideration or appeal must identify specific deficiencies in the decision for which reconsideration or appeal is sought, and must otherwise comply with Idaho Code §67-6535(2)(b).

#### **2.10.A APPEAL OF ADMINISTRATIVE DECISION:**

- 2.10.A.1** An affected person aggrieved by a final administrative decision or action of the Administrator that was made pursuant to the provisions of this Ordinance may appeal to the Board.
- 2.10.A.2** An appeal shall be filed with Planning and Zoning Department within fourteen (14) calendar days after the date of the final decision. If the deadline for filing an appeal falls on a weekend or Boise County holiday the appeal deadline is automatically extended to the next workday.
- 2.10.A.3** For an appeal, the Board shall hold a public hearing to consider the decision of the Administrator and any additional evidence that may be offered by the public, applicant or Administrator.
- 2.10.A.4** The Board may affirm, reverse or modify, in whole or in part, the Administrator's decision.

#### **2.10.B APPEAL OF PLANNING AND ZONING COMMISSION DECISION:**

- 2.10.B.1** An affected person aggrieved by a decision (but not a recommendation) of the Commission that was made pursuant to the provisions of this Ordinance may appeal to the Board.
- 2.10.B.2** An appeal shall be filed with Planning and Zoning Department within fourteen (14) calendar days after the date of the Findings, Conclusions and Order were signed by the Commission.
- 2.10.B.3** For an appeal, the Board shall hold a public hearing to consider the decision of the Commission and any additional evidence that may be offered by the public, applicant or Administrator.
- 2.10.B.4** The Board may affirm, reverse or modify, in whole or in part, the Commission's decision.

#### **2.10.C APPEAL OF BOARD OF COUNTY COMMISSIONER DECISION:**

An affected person aggrieved by a final decision of the board may seek judicial review as provided in Idaho Code §67-6521(1)(d) and §67-6535(2)(b) within twenty-eight (28) calendar days after all remedies have been exhausted under local Ordinances. However, before any affected person can seek judicial review they must first seek reconsideration of the final decision by the Board within fourteen (14) calendar days of the date the final written decision or action is signed. Such written request for reconsideration by the Board must identify specific deficiencies in the final decision for which reconsideration is sought. Upon receipt of such motion for reconsideration, the Board may opt to hold a public hearing, issue a written decision based on the motion and the record, or take no action.

## **SECTION 2.4.D NOTICE TO PUBLIC:**

### **Section 2.4.D.1**

At least fifteen (15) calendar days prior to the public hearing, the Administrator shall publish a notice of the date, time and place and a summary of the application in the official newspaper of the county.

### **Section 2.4.D.3**

At least fifteen (15) calendar days prior to the public hearing, the Administrator shall send a notice of the date, time and place, and a summary of the application to property owners or purchasers of record (as listed in the current records of the Boise County Assessor) owning property within six hundred feet (600') of the parcel or platted lot(s) subject to the application

### **Section 2.4.D.4**

The following uses shall require radius notice within one thousand (1,000) feet of parcel(s) or platted lot(s) which is the subject of the application:

- 2.4.D.4.a Distributed power facility, rooftop wind facility.
- 2.4.D.4.b Junkyard or automobile wrecking yard.
- 2.4.D.4.c Sawmill or planing mill.
- 2.4.D.4.d Soil or water remediation.
- 2.4.D.4.e Tower or antenna structure, commercial.
- 2.4.D.4.f Vehicle impound yard.
- 2.4. D.4.g The following uses shall require notice within two thousand-six hundred-forty feet (2,640') of the property parcel(s) or platted lot(s) which is the subject of the application:
  - 2.4. D.4.h Aircraft landing field (private ownership).
  - 2.4. D.4.i Airport (public ownership).
  - 2.4. D.4.j Asphalt plant
  - 2.4. D.4.k Centralized power facility.
  - 2.4. D.4.l Commercial feed lot planned to hold more than three hundred one (301) animals, or a CAFO.
  - 2.4. D.4.m Concrete Batch plant
  - 2.4. D.4.n Distributed power facility, or freestanding wind tower.
  - 2.4. D.4.o Explosive manufacturing or storage.
  - 2.4. D.4.p Manufacture, processing, or storage of hazardous chemicals, flammable substances, or gases.
  - 2.4. D.4.q Meatpacking facility.
  - 2.4. D.4.r Pit, mine, quarry, or geologic exploration requiring administrative or conditional use approval.
  - 2.4. D.4.s Processing plant for agricultural or dairy products.
  - 2.4. D.4.t Public use, public or private correctional facility.
  - 2.4. D.4.u Racetrack, vehicle or animal.
  - 2.4. D.4.v Rock Crushing operations.
  - 2.4. D.4.w Sanitary landfill, waste storage site.