



219 1st Avenue South, Suite 208 Hailey, ID 83333
 Land Use Services: 208-788-5570 ♦ Fax 208-788-5576
www.blainecounty.org

LAND USE & BUILDING SERVICES
CONDITIONAL USE PERMIT APPLICATION
Accessory Dwelling Unit

As set forth in Chapter 25, Title 9 (Zoning Ordinance) of the County Code, Blaine County, Idaho

Contact Information

- (1) Applicant/Agent Name: _____
 Mailing Address: _____
 Phone: _____
 Email: _____

- (2) Owner Name: _____
 Mailing Address: _____
 Phone: _____
 Email: _____

- (3) **Responsible Party** Name: _____
 Mailing Address _____
 Phone: _____
 Email: _____

“Responsible Party is the person who will be the sole responsible contact with the County”

Project Information

- (3) General Size of Tract: _____
 Present Land Use: _____
 Existing Zoning: _____
 Overlay District(s): _____

- (4) Property Address _____

- (5) Requested Action _____

Legal Information

- (6) Legal Description (Include section, township, range) _____

- (7) Parcel Number RP - _____

- (8) Status of Applicant Is the applicant the owner of the property legally
 described above? Yes No
 If no, explain: _____

- (9) Adjacent Ownership Does the applicant own property adjacent to the area proposed for development? Yes No
If yes, explain _____

Additional Information

- (10) Please attach the following:
- a) Septic permit and letter from the South Central Health District.
 - b) Proof of ownership.
 - c) Vicinity map which includes all lands within ½ mile of subject property.
 - d) Lot and parcel map available from the County Assessor's Office. The applicant is responsible to accurately indicate the names of surrounding landowners, including private road owners, on the map.
 - e) The names and addresses of surrounding landowners within 300' of the exterior boundary of the subject property, including private road owners, are to be typed onto self-adhesive copier labels.
 - f) Three (3) copies of the proposed site plan showing:
 - Property line and north arrow;
 - Existing and proposed easements;
 - Location of all existing and proposed structures;
 - Exterior building elevations and floor plans for proposed structure(s);
 - Drainage plan;
 - Grading plan showing existing and proposed grade changes;
 - Outdoor lighting plan;
 - Existing and proposed landscaping including irrigation methods;
 - Existing and proposed fencing;
 - Location of utilities including electric, gas, well, septic tank and drain field(s);
 - g) Typed responses to attached Standards of Evaluation "3" and "4" attached herewith.
 - h) A description of the existing land uses on the parcels of land located within 300' of the exterior boundary of the property being evaluated;
 - l) A refundable "Notice" fee of \$50.00 for a Notice board to be posted on site of property being considered for at least 7 days prior to public hearing.
 - j) * Application fee of \$450.00 as established by County Fee Resolution plus current postage + .15¢ per surrounding land owner mailing fee.
 - k) There may be County Engineer review fees in addition to application fee.

ACKNOWLEDGMENTS

- (11) The undersigned certifies that (s)he is the owner or authorized representative of the land in question and that (s)he has filled in this application to the best of his/her knowledge, and that (s)he agrees to comply with all county codes and state laws, as amended, regulating properties in Blaine County, Idaho. The applicant agrees in the event of a dispute concerning the interpretation or enforcement of the conditional use permit in which the County of Blaine is the prevailing party to pay reasonable attorney's fees and costs, including fees and costs of appeal for the County of Blaine.
- (12) The undersigned grants permission to County Personnel to inspect any property which is the subject of this application until such time as all condition(s) of approval attached to the application(s) have been satisfied.

SIGNATURE OF APPLICANT/AGENT: _____

DATE: _____

ADMINISTRATIVE RECORD

Required Fee \$450.00 _____ paid on _____
 If Applicable: 20% of above fee for Ketchum Rural, Carey, Smiley Creek, West Magic or
 Wood River Rural Fire Dept. Plan Check: _____ paid on _____
 Refundable Board Fee \$50.00 _____ paid on _____
 Surrounding Landowner Notices
 Current Postage + .15¢ ea x _____ = _____ paid on _____

TOTAL _____ receipt # _____

Engineering and consultant fees are calculated based on the time spent by County hired private consultants and their staff to review various projects. These fees are to be paid in full upon receipt and prior to scheduling an applicant's public hearing.

Date Application Certified _____

Hearing Date: _____

Date of and Disposition _____

Accessory Dwelling Unit Requirements As Set Forth in §9-3-11, Title 9, Blaine County Code

PURPOSE: The purpose of the accessory dwelling unit regulations is to define what an accessory dwelling unit is; address under what circumstances it is appropriate to allow increased density on a lot; and address the impacts an accessory dwelling unit may have on the surrounding area such as the need for potable water and sanitation, increased traffic and compatibility with the neighborhood.

A. Standards: One accessory dwelling unit may be constructed on a lot provided the following standards are met prior to issuance of a building permit:

1. On lots of one acre to less than two (2) acres in size where allowed by South Central Health District:

a. One accessory dwelling unit which is directly attached to the principal residential dwelling unit with a common interior wall of not less than one hundred twenty (120) square feet shall be a permitted use; or

b. One accessory dwelling unit that is detached from or indirectly attached by a breezeway or other feature to the principal residential dwelling unit may be allowed under a conditional use permit obtained from the Commission. Notice and hearing procedures contained in Chapter 25 of this Title shall be followed. The application shall be subject to the provisions contained herein and the standards of evaluation contained in subsection 9-25-3A3 and 4 of this Title.

2. On lots of two (2) acres to less than five (5) acres in size:

a. One accessory dwelling unit which is attached to the principal residential dwelling unit with a common interior wall or the nearest wall of which is located a maximum of twenty five feet (25') from the nearest point of the principal residential dwelling unit, measured at the foundations, shall be a permitted use; or

b. One accessory dwelling unit that is located in excess of twenty five feet (25') from the principal residential dwelling unit, measured as described in subsection A2a of this Section, may be allowed under a conditional use permit obtained from the Commission. Notice and hearing procedures contained in Chapter 25 of this Title shall be followed. The application shall be subject to the provisions contained herein and the standards of evaluation contained in subsection 9-25-3A3 and A4 of this Title.

3. On lots of five (5) acres or greater in size:

a. One accessory dwelling unit which is either attached to or detached from the principal residential dwelling unit shall be a permitted use.

b. A second accessory dwelling unit may be allowed under a conditional use permit obtained from the Commission. Notice and hearing procedures contained in Chapter 25 herein shall be followed. The application shall be subject to the provisions contained herein and the standards of evaluation contained in subsections 9-25-3A3 and A4.

B. Restrictions: All accessory dwelling unit(s):

1. Shall be limited to a maximum one thousand two hundred (1,200) square feet floor area with a maximum of two (2) bedrooms. Said floor area shall be the total of all floor areas as measured from the exterior face of the exterior walls. Garage space up to an additional one thousand two hundred (1,200) square feet is allowed.

- a. The area encompassing the mechanical system shall be included in the square footage calculation based upon the location of the mechanical system. If the mechanical equipment is located in the crawl space, it shall be exempt from the square footage calculation.
 - b. Exterior stairs that are not enclosed shall be excluded from the square footage calculation.
 - c. When an attic roof truss system creates an unusable and inaccessible attic space between the interior and exterior wall, the floor area measurement shall be taken from the outside of the interior wall.
2. Shall be allowed in the A-20, A-40, R-10, RR-40, R-5, R-2 1/2, R-2, R-1, R-.4, R-1/4, and RD zoning districts and shall not be allowed in any designated overlay district; except where an accessory dwelling unit is proposed on property located within the CH overlay district that is not part of a CH-PUD;
 3. May be allowed in the FP zoning district as a residential use only upon approval by the commission of a conditional use permit pursuant to chapter 17 of this title and these provisions;
 4. Shall meet setbacks for the zoning district in which it is located;
 5. Shall require a building permit;
 6. Shall be located on the same lot as the principal residential dwelling unit;
 7. Shall provide for one parking space in addition to the minimum required for the principal residential dwelling unit;
 8. Shall meet requirements of the South Central Health District evidenced by approval there from upon application for building permit;
 9. Shall be prohibited on any lot less than one acre in size, regardless of the applicable zoning district.
 10. May be part of an accessory building containing other accessory uses, as allowed in the zoning district provided that: i) the gross floor area of the accessory building does not exceed seventy five percent (75%) of the gross floor area of the primary residence; ii) the accessory dwelling unit portion of the building satisfies all applicable regulations; iii) the floor area of the accessory dwelling unit and garage associated therewith is separate and distinct from other accessory uses contained within the same building.

CONDITIONAL USE PERMIT Standards of Evaluation

Pursuant to Chapters 3 and 25, Title 9 (Zoning Ordinance) of the Blaine County Code

An applicant for a conditional use permit to construct an accessory dwelling unit shall provide written responses to the Standards of Evaluation contained herein below in sufficient detail to allow the Commission or the Board to evaluate the proposed action relative to said standards. In reviewing these applications, the Commission is required to find adequate evidence to support approval or conditional approval, or in the event such information is unattainable (or unavailable), deny the application.

The Commission or the Board shall review the particular facts and circumstances of each proposed conditional use in the terms of the following standards and shall determine if there is sufficient evidence to make findings that the proposed action:

§9-25-3 A3

3. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;

§9-25 -3 A4

4. Will not be hazardous or disturbing to existing or future neighboring uses;

Conditions of Approval

Pursuant to §9-25-5 (A) of the Blaine County Code, conditions which may be attached by the Commission include, but are not limited to, those which will:

- Minimize adverse impact on other development.
- Control the sequence, timing and duration of development.
- Assure that development is maintained properly.
- Designate the exact location and nature of development.
- Require the provision for on-site or off-site public facilities or services
- Mitigate foreseeable social, economic, fiscal, and environmental effects.
- Require more restrictive standards than those generally required in the Zoning Ordinance.

Relevant Definitions (Non-Exclusive)

ACCESSORY USE: A use or structure subordinate to the principal use on the same lot or premises, and serving a purpose customarily incidental to the use of the principal building. The gross floor area of an accessory structure shall not exceed seventy five percent (75%) of the gross floor area of the primary building containing the permitted use on the lot. Exceptions: The size limitation shall not apply to agricultural buildings, indoor riding arenas, or accessory dwelling units that are detached from any other building containing an accessory use. An accessory use is a use that is commonly, habitually and by long practice established or associated in Blaine County with such primary use.

DWELLING, ACCESSORY: A separate building or portion thereof or portion of a residential building excluding mobile homes which may, but is not required to, provide complete, independent living facilities for a single family or housekeeping group including permanent provisions for living, sleeping, cooking, eating, and sanitation. The primary factors which cumulatively may result in a building or portion of a building being classified as an accessory dwelling unit are that:

A) The area is not functionally integrated with the floor plan of the primary residence (i.e. the area does not share a common hallway);

B) There is a kitchen consisting of a sink, counters, cabinets, refrigerator and cooking appliance; or electrical outlets and plumbing that would support kitchen facilities;

Other factors include, but are not limited to that the building or portion of the building:

A) Can be locked off from primary residence and used independently from the primary residence;

B) Has a separate entrance;

C) Has conditioned space or wood-burning stove;

D) Has a three quarter or full bath;

E) Has power and plumbing for washer and dryer;

H) Has a separate mechanical system;

I) Has upper and lower cabinets;

J) Has counters;

Said accessory dwelling shall be clearly subordinate to the principal residential use on the lot and shall serve a purpose customarily incidental to the use of the principal residential use. Said unit shall meet criteria set forth in Section 9-3-11 of this Title. Exception: A building or portion of building that does not exceed five hundred (500) square feet and does not have a kitchen (i.e. sink, counters, cabinets, refrigerator and cooking appliance; or electrical outlets and plumbing that would support kitchen facilities) and has no more than a half bath (i.e. sink and toilet) may be considered an accessory building and not an accessory dwelling unit.

GARAGE, RESIDENTIAL: A building or portion of a building that is primarily used for the parking and storage of passenger vehicles owned and operated by the residents thereof. A garage may contain other accessory uses related to the residential use of the property such as storage of household goods and property maintenance equipment; laundry facilities, work area, etc. A garage may contain a half bath consisting of a sink and toilet, but no shower or bathtub.