



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 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;
 - i) 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. Acknowledgement _____

Date Application Certified _____

Hearing Date: _____

Date of and Disposition _____

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.

CONDITIONAL USE PERMIT

Standards of Evaluation

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

An applicant for a conditional use permit shall provide written responses to the Standards of Evaluation contained herein below in sufficient detail to allow the Commission or the Hearing Examiner 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 find adequate evidence showing that such use at the proposed location:

1. Will, in fact, constitute a conditional use as established for the zoning district involved;
 2. Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title;
 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. All outdoor lighting shall comply with chapter 29A of this title;
 4. Will not be hazardous or disturbing to existing or future neighboring uses;
 5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
 6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
 7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water pollution or safety hazards. Water pollution includes impact to surface and ground water and potable water sources. When the proposed use involves a potential contaminant source or potential contaminant as set forth in appendix A on file in the County, and is located within a wellhead protection area, the commission shall consider the impact of the project on potable water sources and determine whether there is sufficient information in the record to demonstrate that the project has been designed to mitigate adverse impact to potable water source(s);
 8. Will have vehicular approaches to the property which shall be designed as not to create an interference with traffic on surrounding public thoroughfares;
 9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance; and
 10. If the applicant or landowner with respect to an application for a conditional use permit under this chapter is the State of Idaho, or any agency, board, department, institution, or district thereof, the commission or the Board, in addition to all other applicable standards and criteria hereunder, shall take into account the plans and needs of the State, or any agency, board, department, institution or district thereof, as required by Idaho Code section 67-6528.
- B. Additional Standards: Additional standards for applications for a conditional use permit in the Floodplain Overlay District are set forth in section [9-17-9](#) of this title. (Ord. 2011-01, 1-18-2011; Ord. 2010-06, 5-25-2010; Ord. 2006-13, 10-26-2006; Ord. 2001-03, 3-19-2001; Ord. 96-3, 4-8-1996; Ord. 77-5, 3-28-1977, eff. 4-7-1977)