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Planning & Development Services

July 7, 2015

Patrick Durland
1951 S. Manitou
Boise, ID 83706
Pdurland1@msn.com
(sent via email)

Re: CUP15-00045 / 1951 S. Manitou Avenue

Dear Mr. Durland:

This letter is to inform you of the action taken by the Boise City Planning and Zoning Commission on your request for a conditional use permit for an approximately 450 square foot detached garage in front of a single family dwelling located at 1951 S. Manitou Avenue in an R-1C (Single Family Residential) zone.

The Boise City Planning and Zoning Commission, at their hearing of **July 6, 2015**, **approved** your request, based on compliance with the attached Reasons for the Decision and Conditions of Approval.

May we also take this opportunity to inform you of the following:

1. This approval will not take effect until after the appeal period has lapsed.
2. The decision of the Boise City Planning and Zoning Commission may be appealed to City Council within ten (10) calendar days from the issuance of this decision. The appeal must be written, accompanied by the appropriate fee, and submitted to the Planning and Development Services Department prior to the deadline set forth herein. Appeal application forms are available in the Planning Department or online under Applications at:
<http://pds.cityofboise.org/> or <http://pds.cityofboise.org/home/documents/apps/100/>
3. All appeals of this permit must be filed by **5:00 P.M., on July 16, 2015**.
4. If this Conditional Use Permit is not acted upon within two (2) years, it will become null and void without further notification from this Department.

This letter constitutes your Conditional Use Permit.

If you have any questions, please contact me at (208) 395-7857.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Vanegas", with a large, sweeping flourish underneath.

Ted Vanegas
Associate Planner
Boise City Planning and Development Services

TV/wm

cc: South Boise Village / Attn: Elizabeth Barnes / 1330 Dundee Street Boise, ID 83706

Reason for the Decision

The detached accessory structure is compatible with surrounding uses as it is a garage located in a residential neighborhood without alley access and garages that are predominantly oriented toward the street. It will not place an undue burden on transportation and other public services. It is a passive use that will not generate additional traffic or noise, and the site is large enough to accommodate the proposed structure as the project meets all other setbacks. The garage is not expected to adversely impact other properties in the vicinity as it is designed to match the architectural style and color of the existing house. Though the comprehensive plan generally encourages garage location off of an alley, Goal GDP-N.7 addresses alternatives and promotes incorporating a variety of garage orientations, including front-loaded garages in neighborhoods without alleys. With a lack of alleys, many of the properties in this established neighborhood have front loaded garages that tend to dominate the façade of the homes.

Conditions of Approval**Site Specific**

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received **May 22, 2015** except as expressly modified by the Design Review Committee or Staff or the following conditions:
2. Comply with the requirements of the Boise City Public Works Department (BCPW) for drainage, sewers, Solid Waste/Ground Water Manager, and street lights as specified in the attached comments. Please contact BCPW at 384-3900. All items required by BCPW shall be included on the plans/specifications that are submitted for a Building Permit. Please note that any changes or modifications by the owner to the approved Storm Water Plan must be resubmitted to BCPW for approval.
3. Compliance with the requirements of the Ada County Highway District (ACHD).

Standard Conditions of Approval

4. Building Permit approval is contingent upon the determination that the site is in conformance with the Boise City Subdivision Ordinance. Contact the Planning and Development Services Subdivision Section at 208-384-3998 regarding questions pertaining to this condition.
5. Vision Triangles as defined under Section 11-1-3 and Section 11-10-4.4G of the Boise City Code shall remain clear of sight obstructions.

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6. In compliance with Title 9, Chapter 16, Boise City Code, anyone planting, pruning, removing or trenching/excavating near any tree(s) on ACHD or State right-of-ways must obtain a permit from Boise City Community Forestry at least one (1) week in advance of such work by calling 384-4083. Species shall be selected from the Boise City Tree Selection Guide.
 7. Any outside lighting shall be reflected away from adjacent property and streets. *The illumination level of all light fixtures shall not exceed two (2) footcandles as measured one (1) foot above the ground at property lines shared with residentially zoned or used parcels.*
 8. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.
 9. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
 10. Failure to abide by any condition of this permit shall be grounds for revocation by the Boise City Planning and Zoning Commission.
 11. This Permit shall be valid for a period not to exceed two (2) years from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must commence the use permitted by the permits in accordance with the conditions of approval.
 12. Prior to the expiration of this permit, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.
 13. All exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturday. Low noise activities such as surveying, layout and weather protection may be performed at any time.