



PLANNING AND DEVELOPMENT SERVICES

MAYOR: Lauren McLean | DIRECTOR: Tim Keane

September 15, 2023

John Michael Schert
812 W Brumback St
Boise, ID 83702
schert@mac.com
(sent via email)

Re: CUP23-00047 / 812 W Brumback St

Dear Applicant:

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 a parking reduction for a single-family home on 0.07 acres located at 812 W Brumback Street in an R-1CH (Single-Family Residential with Historic Overlay) zone.

The Boise City Planning and Zoning Commission, at their hearing of **September 11, 2023**, **approved** your request with a modification allowing for a reduction of one off-street parking space, based on compliance with the attached Reason 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/>.
3. All appeals of this permit must be filed by **5:00 P.M., on September 21, 2023**.
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.

Questions can be directed to me at (208) 608-7134 or mdenis@cityofboise.org.

Sincerely,



Matthew Denis
Associate Planner, Planning and Zoning
Boise City Planning and Development Services

MD/nn

cc: Erik Hagen / North End Neighborhood Association / NENA.PandZ@gmail.com

The City of Boise Planning and Development Services Department acknowledges the ancestral, cultural, traditional, and unceded territory of the Shoshone, Bannock, and Northern Paiute people on which our land use and development decisions are made.



REASON FOR THE DECISION

The requested parking reduction of one off-street parking space complies with the approval criteria of *Boise City Code (BCC) Section 11-03-04.6.C(7)(a)* (Conditional Use Permit). It is compatible with the adjacent uses, as the subject property is located within an established neighborhood containing predominately single-family homes, as well as within the Hyde Park Neighborhood Activity Center. A parking reduction is supportable in this location as it is located within an area that has adequate access to alternate transit, is supported by adequate pedestrian services, and is in walking distance to a variety of employment opportunities and services. Agency comments provided by applicable agencies confirm that the use will not place an undue burden on public facilities in the vicinity nor will it have an adverse effect on other properties. Finally, the proposal complies with the *Blueprint Boise*, as promoting the availability of local services within walking distance while supporting designated activity centers and promoting increased transit ridership and other alternative modes of transportation to reduce carbon emissions from vehicles by is encouraged by *Principle GDP-MU.6, Policy ES1.4, and Goal NE-CCN 2*. The decision to approve a parking reduction from the standard requirement of two off-street parking spaces to one space is supported by the precedent set by the adoption of the modern zoning code, which will require one off-street parking space for each single-family dwelling.

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 **July 18, 2023**, and **August 9, 2023**, except as expressly modified the following conditions:
2. Comply with all applicable conditions set forth by **DRH23-00157**.
3. A new ADU application will be required for the newly proposed ground-level studio design referenced herein.
4. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW) in the memos from:
 - i. Sewer dated **August 18, 2023**,
 - ii. Street Lights dated **August 21, 2023**,

Standard Conditions of Approval

5. This approval does not exempt the applicant from compliance with all local, state, and federal regulations where applicable by law or judicial decision.



6. Vision Triangles, as defined under *Section 11-012-03* of the Boise City Code, shall remain clear of sight obstructions.
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 an 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. An Occupancy Permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.
10. 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.
11. Failure to abide by any condition of this approval shall be grounds for revocation by the Boise City Planning and Zoning Commission.
12. This permit shall be valid for a period not to exceed 24 months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground.
13. Prior to the expiration of this conditional use 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.

