



PLANNING AND DEVELOPMENT SERVICES

MAYOR: Lauren McLean | DIRECTOR: Tim Keane

May 6, 2022

Joe Howell
Joe's House, LLC
5605 W Franklin Rd
Boise, ID 83705
Howell514@hotmail.com

Re: CUP22-00007 / 1604 S Philippi 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 to operate a group home on 0.3 acres at 1604 S Philippi St in a L-OD (Limited Office with Design Review) zone.

The Boise City Planning and Zoning Commission, at their hearing of **May 2, 2022, approved** your request, 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 hearing date. 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: cityofboise.org/pds-appeal.
3. All appeals of this permit must be filed by **5:00 P.M., on May 12, 2022**.
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) 608-7076 or dgarlick@cityofboise.org.

Sincerely,

Delanie Garlick

Delanie Garlick
Senior Planner, Current Planning and Subdivisions
Boise City Planning and Development Services

DG/caw

cc: Ben Semple / Rodney Evans + Partners, PLLC / ben@reandpartners.com
Dan Loughrey / Hillcrest Neighborhood Association / dloughrey@aol.com



REASON FOR THE DECISION

The proposed use complies with the applicable standards of a Conditional Use Permit (B.C.C. Section 11-03-04.6). The use of the property is compatible with the general neighborhood and will not adversely affect other property in the vicinity as it will function as a residential use, providing a group home at a convenient location near employment, services, and public transportation. The site is large enough to accommodate the use as required by Code and there is an ample amount of parking on site. The group home is proposed within an existing building that has recently functioned as an office and will be converted back to its original residential use. Traffic and other impacts associated with the use will be minimal, comments received from public agencies confirm the proposed use will not place an undue burden on the transportation system or other services in the vicinity.

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 **February 22, 2022**, except as expressly modified the following conditions:
2. If any exterior modifications to the structure occur a Design Review application is required.
3. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW) in the memos from:
 - i. Sewer dated **March 3, 2022**; and
 - ii. Drainage dated; and
 - iii. Solid Waste dated; and
 - iv. Street Lights dated **March 03, 2022**; and
 - v. Building dated; and
 - vi. Fire dated **March 13, 2022**
 - vii. ACHD dated **March 8, 2022**.

Contact BCPW at 208-384-3900 for specific comments or questions.

Standard Conditions of Approval

4. This approval does not exempt the applicant from compliance with all local, state, and federal regulations where applicable by law or judicial decision.
5. Vision Triangles, as defined under Section 11-012-03 of the Boise City Code, shall remain clear of sight obstructions.
6. 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.



7. 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.
8. 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.
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 approval 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 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.
12. 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.
13. To reduce the noise impact of construction on nearby residential properties, 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. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.

