



Cassia County Planning & Zoning Commission

EXHIBIT LIST

Application Number: **2024-05 VAR**

**Applicant &
Property Owner:** **Burke Garner**

Hearing Date: **April 18, 2024**

1. Variance Application
2. Legal
3. Site Plan
4. Layout
5. Narrative
6. Letter
7. 1 Mile Property Owners – Map
8. Affidavits: Notice of Hearing, Certificate of Mailing, Affidavit of Publication, Affidavit of Posting.
9. Departmental Report
10. Aerials



CASSIA COUNTY ZONING & BUILDING

1459 Overland Ave., Room 210, Burley, ID 83318 Ph: 208.878.7302 Fax: 208.878.3510
Email: bldgdept@cassia.gov

EXHIBIT
1

RECEIVED
MAR 06 2024
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REQUEST FOR VARIANCE APPLICATION

Applicant/Owner Information:

<p><u>Property Owner of Record</u> (Attach additional pages if Necessary) Name: <u>Burke Garner</u> Address: <u>638 East 200 South</u> City: <u>Burley</u> State: <u>ID</u> Zip: <u>83318</u> Contact Phone # <u>208-431-5101</u> Email: <u>bgarner@achseeds.com</u></p>	<p><u>Applicant/Authorized Agent</u> (Attach additional pages if Necessary) Name: <u>Burke Garner</u> Address: <u>638 East 200 South</u> City: <u>Burley</u> State: <u>ID</u> Zip: <u>83318</u> Contact Phone # <u>208-431-5101</u> Email: <u>bgarner@achseeds.com</u></p>
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Property Information:

Physical Address/ Location of Property: 638 East 200 South, Burley, ID

Parcel Number(s) RPS24E329401

Legal Description of Property: (Attach if necessary) See attached

Current Zoning District of the premises: Residential Agriculture (RA)

Existing Use of Property: Residential

Nature of Variance: *(Provide a description of the nature of the variance requested and the specific Article or Section of the County Zoning Ordinance for which the variance request relates to)*

Title 9 Chapter 9 States Cuurent Set back for new structure to be 10' from property line.
When the shop was built the set back was roughly 3'. I would like to add on a 26x26x10' shop to the East edge of the existing shop. Roofline would be a 33' truss to match current shop with a 6' cantilever overhang. See attached documents for further conceptual ideas.
The shop is currently used to warehouse alfalfa seed and sugarbeet seed. The variance would be to grant the addition under a 3' variance instead of the new 10' variance.

Required Submittals:

- 1. Variance Application and fee.
- 2. Site Plan of the premises indicating the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the commission may require to determine if the proposed use meets the intent and requirements of this title.
- 3. Statement of Conformity: Attach a narrative statement demonstrating that requested variance conforms to the following standards, as listed in 9-5-5-E.5 of County Code:
 - A. Special Circumstances: That special conditions and circumstances exist which are not applicable to other lands, structures, or buildings in the same district.
 - B. Deprivation of Rights: That a literal interpretation of the provisions of the title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the title.

- C. Circumstances Unavoidable: That such special conditions and circumstances do not result from the actions of the applicant.
- D. Not a Special Privilege: That granting of the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.
- E. Minimum Change: That the variance requested is the minimum change necessary to alleviate the hardship. A Variance shall not be granted unless the planning and zoning commission makes specific findings of fact based directly on the particular evidence presented to it which support conclusions that the above mentioned standards and conditions have been met by the applicant.

- 4. List of Property Owners within a one-mile radius of the exterior boundaries of the premises.
- 5. Certificate of Mailing, Notice of Hearing, Affidavit of Publication & Affidavit of Posting (to be submitted after hearing date has been scheduled, and in accordance with 9-13-3 of County Code).
- 6. Supplementary Conditions and Safeguards: Under no circumstances shall the planning and zoning commission grant an appeal or variance to allow a use not permissible under the terms of this title in the zone involved, or any use expressly or by implication prohibited by the terms of this title in said zone. In granting any appeal or variance, the planning and zoning commission may prescribe appropriate conditions and safeguards in conformity with the title. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this title. (Ord. 99-1-1,1-4-1999) (9-5-5 of County Code.)
 - Upon departmental review for completeness of the application and accompanying documentation, the application will be scheduled for hearing and placed on the next available Planning and Zoning agenda.
 - Applicant is obligated to provide Notice as set forth in Cassia County Code, Title 9.
 - Applicant will be notified of the scheduled hearing information, or if additional information is needed to process the application. Attached to this application is a copy of County Code 9-5-5 containing the Variance Request requirements and sample notice of hearing protocol for the applicant's review and reference.

Applicant/Owner Certification:

I hereby certify that all information submitted for this application is true and accurate, is prepared to the best of my ability and knowledge, and request that this application be processed for consideration as a Request for Variance. Additionally, I hereby authorize agents of the county to enter upon this subject property for purposes of review concerning the pending application and for determining compliance with applicable county regulations.

Bruce Jay Larson
Signature of Applicant/Authorized Agent

3/6/24
Date

Bruce Jay Larson
Signature of Property Owner

3/6/24
Date

For Office Use Only:

Date Application Lodged: <u>3/6/24</u>	By: <u>[Signature]</u>
Fee Amount Paid: \$ <u>500.00</u>	Check# <u>3893</u> Credit Card _____ Cash _____
<input type="checkbox"/> (Fee: \$500)	Application # _____

3-06-2024
13:30:00

CASSIA COUNTY ZONING/BUILDING Receipt #: 2-08381
Received by: S HAYNES

Received From: GARNER SEED LLC
638 E 200 S
BURLEY, ID 83318

Received On: 3-06-2024 In the form of Check#: 0003893

<u>Received For</u>	<u>Cost Each</u>	<u>Quantity</u>	<u>Cost</u>
Planning & Zoning Fees	500.00	1	500.00
			=====
	Receipt Amount		\$500.00

APPLICATION FOR VARIANCE

250833

WARRANTY DEED

EXHIBIT

2

#28847

For Value Received

TIM J. SHELL and MINERVA SHELL, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

BURKE JAY GARNER and JENETTE K. GARNER, husband and wife
Address: 638 East 200 South, Burley, ID 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: A part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32 of Township 10 South, Range 24 East, Boise Meridian which point shall be THE POINT OF BEGINNING, said point being marked by a 2" iron pipe;

Thence North 0°06'54" East along the 1/16th section line for 257.04 feet to a point marked by an iron pin;

Thence South 88°50' East for 726.11 feet to a point marked by an iron pin;

Thence South 0°26'18" West for 64.70 feet to a point marked by an iron pin;

Thence South 88°50' East for 18.50 feet to a point marked by an iron pin;

Thence South 0°26'18" West for 192.34 feet to a point on section line, said point marked by a P.K. nail;

Thence North 88°50' West along section line for 743.16 feet to THE POINT OF BEGINNING.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1997 and subsequent years.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Continued

Right of way and easement disclosed by Warranty Deed executed by Edna Morgan, a widow to Tim J. Shell and Stacy K. Shell, husband and wife, dated October 30, 1990 and recorded October 30, 1990 as Instrument No. 210265 on Film No. 220, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 25, 1997

Tim J. Shell
TIM J. SHELL

Minerva Shell
MINERVA SHELL

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 25th day of August, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared TIM J. SHELL and MINERVA SHELL, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

KAREN BECKSTEAD
★ NOTARY PUBLIC ★
STATE OF IDAHO
RESIDING AT BURLEY ID
MY COMMISSION EXPIRES 03-04-03

Karen Beckstead
Notary Public
Residing at: Burley
My Commission expires: 03/04/03

FILED
1571 AUG 25 P 4:41
CASSIA COUNTY, IDAHO
JOSKELLEY
600
250833
LAND TITLE & ESCROW

Valuation Summary Sheet

CASSIA County

3/6/2024 11:18:10 AM

Parcel Number: RP10S24E329401

Property Address: 638 E 200 SOUTH , BURLEY, ID 83318

Effective Date: 1/1/2020

Tax Code Area: 51-0000

Expiration Date:

Legal Description: T 4472A (SESE) S 32 T 10 R 24 CONTIGUOUS WITH 10S24E329500

Legal Party Name	Address	City St Zip	
GARNER, BURKE JAY	638 EAST 200 SOUTH	BURLEY, ID 83318	Primary Owner
GARNER, JENETTE K H/W	638 EAST 200 SOUTH	BURLEY, ID 83318	Secondary Owner

Cat ID	Ext	Rv Year	Unit	Quantity	Value	HO Mkt	HO Exemp	PTR	Other
02	L00	2020	AC	1.910	\$963	\$0	\$0	\$0	\$0
10H	L00	2020	AC	1.000	\$25,598	\$25,598	\$7,245	\$0	\$0
19	L00	2020	AC	0.600	\$0	\$0	\$0	\$0	\$0
31H	R01	2020		-	\$416,024	\$416,024	\$117,755	\$0	\$0
32	R02	2020		-	\$19,659	\$0	\$0	\$0	\$0
Totals:				3.510	\$462,244	\$441,622	\$125,000	\$0	\$0

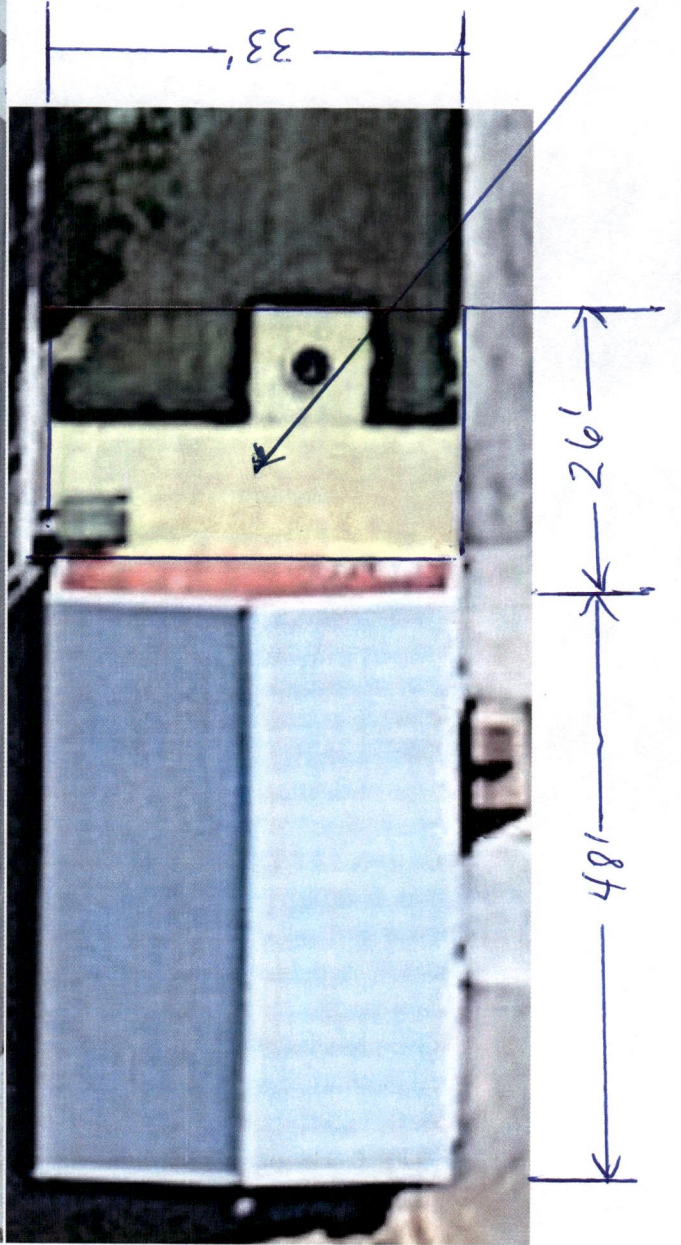
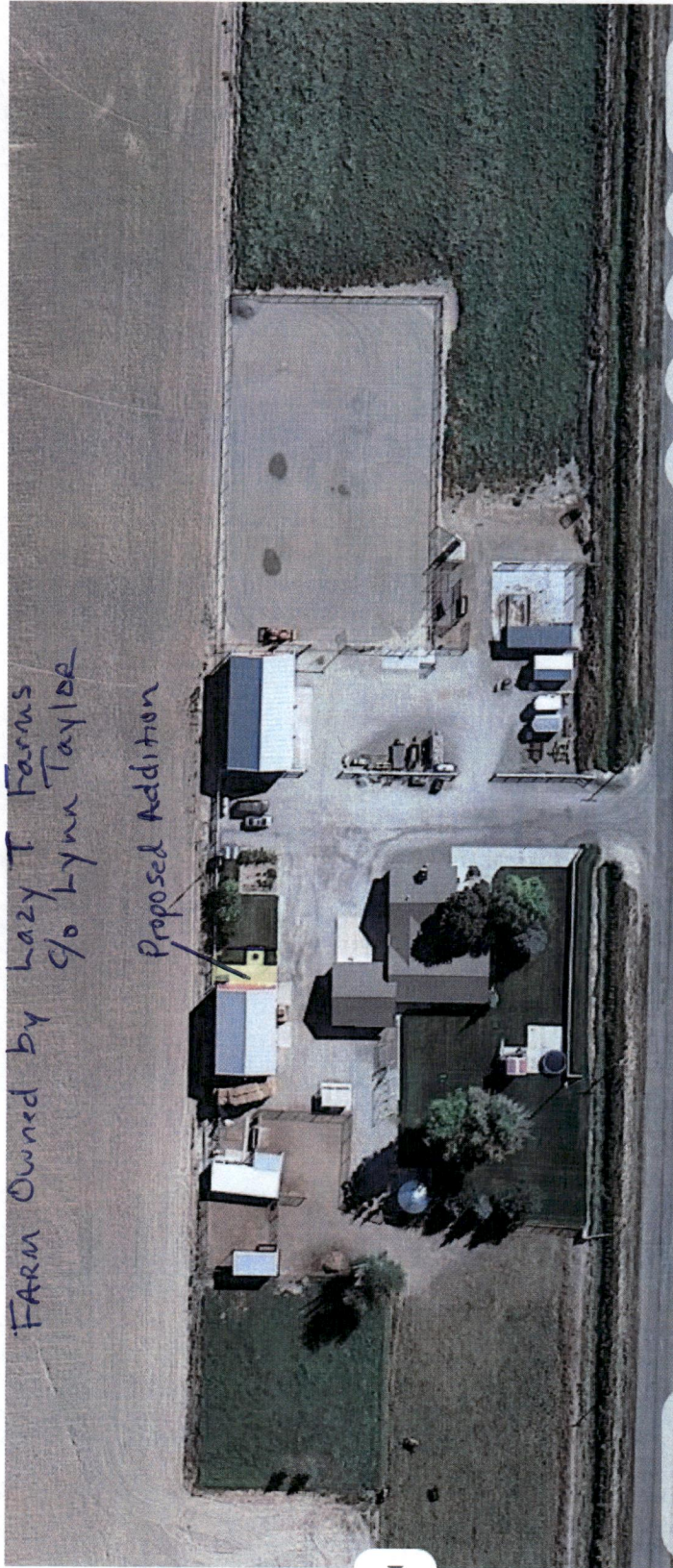
Deed Date	Deed Reference
8/25/1997	250833
8/25/1997	226376
8/25/1997	210265
8/25/1997	210251

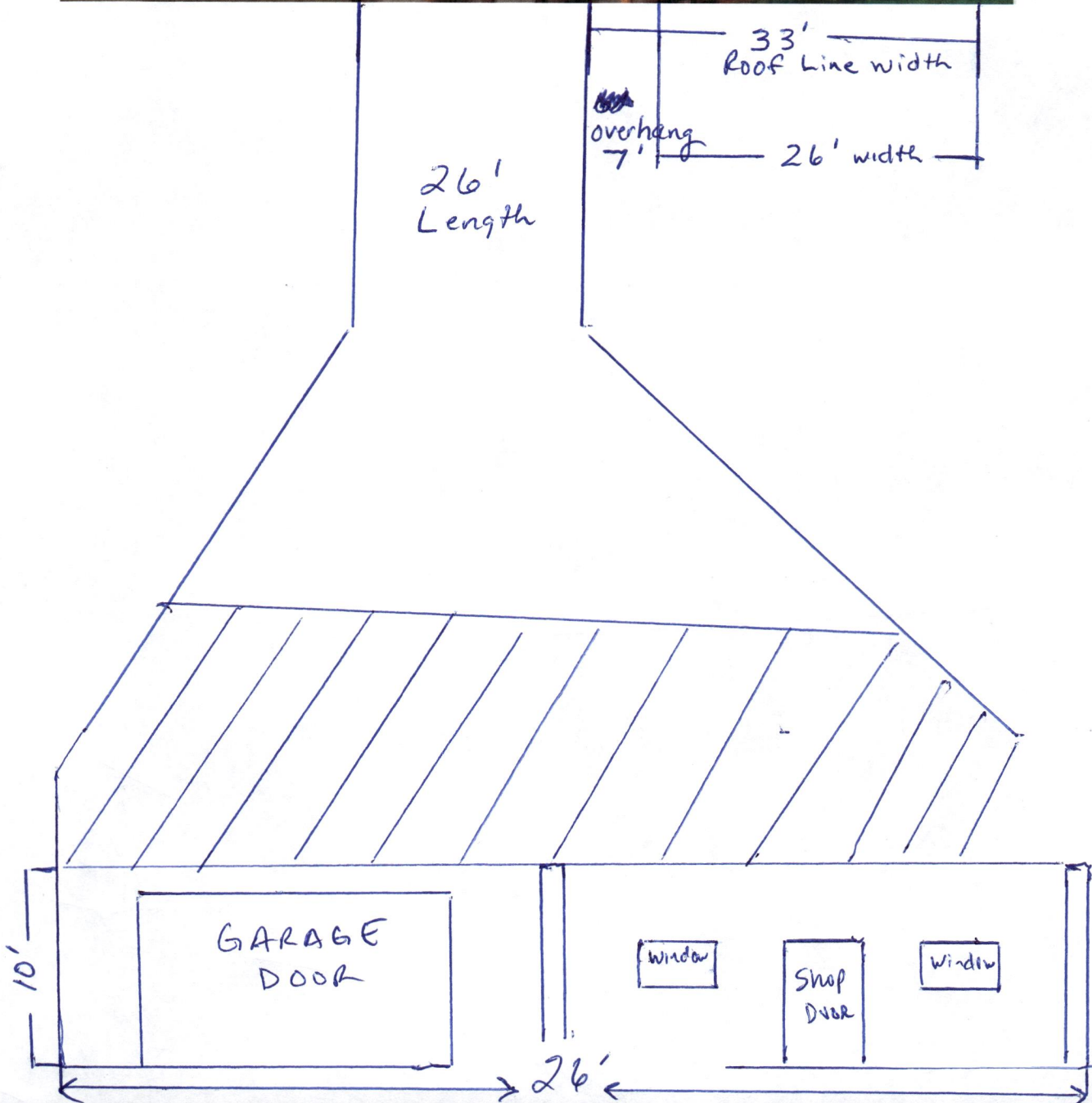
Zone Code:
Parcel Type: CL
Location Code: 0

Comments:
OREGON TRAIL REC
SPLIT FROM #> RP10S24E329400A

EXHIBIT

3





Statement of Conformity

3/6/2024

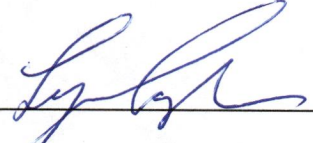
Planning and Zoning administration-

- A. Special Circumstances: The special circumstances in reference to this application have to do with the code changing several times in the past 25+ years. When the original building was erected, the set back at the time was 3' as per building inspector. Its an unusual request for me to add on to a building however limited storage space has become an issue. The location of this addition most appropriately aligns with current storage space and driveway to run Hyster and other equipment to the location while utilizing some already established infrastructure. The request is to add on to the current structure with a 3' variance as per set back requirements at the time of the original building.
- B. Deprivation of Rights: I live in a residential/ag zone however have been involved in Agriculture for the past 30 years as a profession. I will be storing beet seed, alfalfa seed, and commodities for my cows. I am limited on space based on a BID easement at the front of my property and my property runs East to West being spread out. Based on the constraints of space this location is the best available spot without further financial hardship. In visiting with my only neighbor to the North, Lynn Taylor has signed an affidavit expressing his desire for me to continue with this structure with NO hesitation.
- C. Circumstances Unavoidable: There have been NO special circumstances or conditions based upon this request. The request is based on past legal conformity to setbacks based upon the time of development. The desire is to add on to a building that has grandfathered conformity. It's not feasible to remove my current building and set it back 10' as per current set back restrictions and also there is a drain field immediately in front of this building obstructing an additional 10' setback. Because of this, the request is to add on to the current building.
- D. Not a Special Privilege: It's understood that the approval of this variance will not confer any special privilege. I have followed all building codes and rules based upon regulation as per period specific code. I understand that this variance will be specific to the building in question and no other buildings on my property.
- E. Minimum Change: I recognize the change request. If granted the request will be followed as per instructions from the county and building codes. The hardship is real to me and makes the most sense locationally and financially to add on to this building. To setback the new 10' code, would move my building directly on top of my drain field and I would have no driveway to manage through my property. If I was out of compliance at the time the original building was built, I would understand the challenge of approving this variance application. I do not have any other location to realistically place this addition on my property that will be close in proximity to the need. The addition is quite small however it would take the edge off for limited space. Based on the fact that I have no real border issues with anything other than farm ground and that owner (Lazy T Farms/Lynn Taylor) has signed an acknowledgement of the process and agreement of the setback knowledge, I respectfully request the approval of my application.

3/6/2024

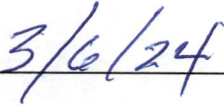
I, **Lynn Taylor**, of **Lazy T Farms**, have discussed the addition of a 26'x33' shop with **Burke Garner**. We border each others properties and have NO Issue with the addition Burke is proposing to build. I understand the setback restrictions and see no issue with Burke Garner proceeding with this addition.

Signed



Lynn Taylor of Lazy T Farms

Date



1 Mile Radius Property Owners to RP10S24E329401 Burke Garner Variance 3-6-2024

EXHIBIT
7

Parcel_Num	MailToName	MailToAddr	MailToAd_1	MailToCity	MailToStat	MailToPost
RP10S24E327000	ADAMS, KARA S	578 E 200 S		BURLEY	ID	83318
RP10S24E322400	ALVAREZ, SAMUEL	599 SPRING CREEK RD		BURLEY	ID	83318
RP10S24E320130	ALVES, AUSTIN	112 S 650 E		BURLEY	ID	83318
RP000650020060	ANAYA, BERNABE	131 S 558 E		BURLEY	ID	83318
RP11S24E056600	AROHA NUE LLC	229 S 550 E		BURLEY	ID	83318
RP10S24E320800	BEEL, BEVERLY J	601 E HWY 81		BURLEY	ID	83318
RP000650010030	BENITEZ, JESUS S	132 S 558 E		BURLEY	ID	83318
RP10S24E322410	BLACKER, JIMMY LAMAR	593 SPRING CREEK RD		BURLEY	ID	83318
RP11S24E051949	BOOMERANG TRUST	1037 RAYMOND RD		GENEVA	ID	83238
RP000650020120	BROWN, MITCHELL	557 E 145 S		BURLEY	ID	83318
RP10S24E320777	BURLEY HIGHWAY DIST	19 E 200 S		BURLEY	ID	83318
RP10S24E317525	BURTON, SHAWN	533 E 156 S		BURLEY	ID	83318
RP000650010020	CANNON, DAVID E	557 E 125 S		BURLEY	ID	83318
RP10S24E320775	CASTRO, JULIO F	601 SPRING CREEK RD		BURLEY	ID	83318
RP10S24E333600	CHRISTENSEN, EARL J	64 SOUTH 650 EAST		BURLEY	ID	83318
RPSS0010010040	CHRISTENSEN, JAY D	612 E 200 S		BURLEY	ID	83318
RPSS0020010040	CHRISTENSEN, LINDA	591 SPRING CREEK RD		BURLEY	ID	83318
RPSS0020010050	CHRISTENSEN, RODNEY J	573 E SPRING CREEK RD		BURLEY	ID	83318
RPSS0020010020	CHRISTENSEN, STEVEN DON	583 E SPRING CREEK RD		BURLEY	ID	83318
RP10S24E333175	CLARK, KAYE	103 S 650 E		BURLEY	ID	83318
RP10S24E320006	COLTRIN, HORACE	621 E HWY 81		BURLEY	ID	83318
RP10S24E320604	COLTRIN, JEFFREY A	621 E HWY 81		BURLEY	ID	83318
RP000950000020	COOPER, LARRY K	605 E HWY 81		BURLEY	ID	83318
RP000540010050	CORBRIDGE, SHAWN PAUL	665 E 122 S		BURLEY	ID	83318
RP10S24E336435	CORNER VIEW, LLC	654 E 200 S		BURLEY	ID	83318
RP10S24E336446	COUNTRYSIDE LLC	654 E 200 S		BURLEY	ID	83318
RP10S24E322375	CROCKETT, KEITH	138 S 650 E		BURLEY	ID	83318
RP10S24E320650	DAHLE, MARK NORMAN	607 E HWY 81		BURLEY	ID	83318
RP10S24E322405	DALLING, JEREMY J	595 E SPRING CREED RD		BURLEY	ID	83318
RP11S24E046000	DARRINGTON, ANDREW	2740 MT HARRISON DR		BURLEY	ID	83318
RP11S24E046101	DARRINGTON, ANDREW B	2740 MT HARRISON DR		BURLEY	ID	83318
RP11S24E045800	DARRINGTON, BLAKE	275 S 650 E		BURLEY	ID	83318
RP11S24E045102	DARRINGTON, BLAKE LEROY	275 S 650 E		BURLEY	ID	83318
RP10S24E319380	DARRINGTON, BRIAN, ETAL	887 EAST 500 SOUTH		DECLO	ID	83323
RP11S24E045400	DARRINGTON, DAN L	705 EAST 300 SOUTH		BURLEY	ID	83318
RP10S24E319302	DARRINGTON, JEFFREY, 1/2 INT	878 E 100 S		DECLO	ID	83323
RP10S24E324826	DARRINGTON, MARK L	930 EAST 390 NORTH		DECLO	ID	83323
RPSS005001004D	DENAUGHEL, BRENDA	571 E 155 S		BURLEY	ID	83318

1 Mile Radius Property Owners to RP10S24E329401 Burke Garner Variance 3-6-2024

RP10S24E324325	DRAPER, AARON D	PO BOX 13	HEYBURN	ID	83336
RP10S24E332590	DSCHAAK, TREVOR	677 E HWY 81	BURLEY	ID	83318
RPSS0010010030	DURFEE, SHANE V	616 E 200 S	BURLEY	ID	83318
RP000540010020	ELLIOTT, CHARLES	659 E 122 S	BURLEY	ID	83318
RP000650010010	ERICKSON, TONY J	553 E 125 S	BURLEY	ID	83318
RP10S24E319100	FARRAN, DAVID ALLAN	182 S 550 E	BURLEY	ID	83318
RP000650010080	FATE, TERESA	556 E 145 S	BURLEY	ID	83318
RP000540010010	FAWCETT, CODY A	655 E 122 S	BURLEY	ID	83318
RP10S24E317706	FENSTERMAKER, DON B	168 S 550 E	BURLEY	ID	83318
RP10S24E319025	FIRKINS, DENNIS W	PO BOX 147	DECLO	ID	83323-0147
RP10S24E323100	FOWLER, LARRY R	564 E HWY 81	BURLEY	ID	83318
RP11S24E052575	FRIEDRICH, RALPH E	579 E 200 S	BURLEY	ID	83318
RP000650020080	GANSKE, MARVIN	137 S 558 E	BURLEY	ID	83318
RP10S24E329500	GARNER, BURKE JAY	638 EAST 200 SOUTH	BURLEY	ID	83318
RP11S24E053402	GARRARD, JOHN R	508 RIVERSIDE DR	BURLEY	ID	83318
RP000650020040	GOMEZ, JAMES MICHAEL	560 E 125 S	BURLEY	ID	83318
RP000650020050	GRANT, EDWIN	PO BOX 190	DECLO	ID	83323
RP000650010090	GRISENTI, TYSON	552 EAST 145 SOUTH	BURLEY	ID	83318
RP10S24E327199	HALL, BRUCE, L/E	598 E 200 S	BURLEY	ID	83318
RP11S24E060451	HALL, JOSHUA	220 S 550 E	BURLEY	ID	83318
RP000650010060	HENDERSON, BRIAN J	136 S 558 E	BURLEY	ID	83318
RP000650020070	HENNEFER, SHAWN WILSON	133 S 558 E	BURLEY	ID	83318
RP11S24E050200	HERNANDEZ, HECTOR	629 E 200 S	BURLEY	ID	83318
RP10S24E319590	HEWARD, KURT M	192 SOUTH 550 EAST	BURLEY	ID	83318
RP10S24E317649	HIGGINS, DEBI	160 S 550 E	BURLEY	ID	83318
RP000540010060	HILL, AMANDA	669 EAST 122 SOUTH	BURLEY	ID	83318
RP10S24E286400	HILL, NATHAN S	658 EAST HWY 81	BURLEY	ID	83318
RP11S24E057200	HONDO, GAYLEN	4249 W QUAIL RIDGE DR	BOISE	ID	83703
RP10S24E286250	HOOPES, MICHAEL R	91 SOUTH 650 EAST	BURLEY	ID	83318
RP11S24E045600	HOSSELD, MICHAEL V	261 S 650 E	BURLEY	ID	83318
RPSS0020010030	HUNSAKER, JACK	589 EAST SPRING CREEK ROAD	BURLEY	ID	83318
RP10S24E298402	HURST, BRANDON	354 E 700 S	BURLEY	ID	83318
RP10S24E331802	HURST, SHAWN	436 S 750 E	BURLEY	ID	83318
RP11S24E051800	HURST, TYLER S	226 S 650 E	BURLEY	ID	83318
RP000650020010	HUTCHISON, ZACH	552 E 125 S	BURLEY	ID	83318
RP10S24E322398	JDG PROPERTIES LLC	26 W 200 S	BURLEY	ID	83318
RP10S24E320000	JEPPESEN, ANTON NEAL	649 E HWY 81	BURLEY	ID	83318
RP10S24E322500	JONES, CALVIN S	108 SOUTH 600 EAST	BURLEY	ID	83318
RP10S24E322397	JONES, CALVIN SCOTT	108 SOUTH 600 EAST	BURLEY	ID	83318

1 Mile Radius Property Owners to RP10S24E329401 Burke Garner Variance 3-6-2024

RP10S24E322850	JONES, CALVIN SCOTT, ETUX	108 SOUTH 600 EAST	BURLEY	ID	83318
RP10S24E321361	JONES, JASON C	131 S 600 E	BURLEY	ID	83318
RP10S24E317206	JONES, MATT	3634 OVERLAND AVENUE	BURLEY	ID	83318
RP10S24E320624	JONES, TRAE D	619 EAST HWY 81	BURLEY	ID	83318
RP10S24E319050	JORGENSEN, RUSSELL	178 S 550 E	BURLEY		83318
RP10S24E311975	JUDD, JIMMY D	140 SOUTH 550 EAST	BURLEY	ID	83318
RP10S24E326449	KNOPP, HEIDI	552 E 200 S	BURLEY	ID	83318
RP000650010040	KNOPP, KEEGAN J	PO BOX 567	BURLEY	ID	83318
RPSS0050010020	KOSSMAN, JUSTIN D	155 S 550 E	BURLEY	ID	83318
RP10S24E329300	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E322875	LEATHAM, CAROLE L/E	PO BOX 342	HEYBURN	ID	83336
RP10S24E311950	LIERMAN, BRADY L	136 S 550 E	BURLEY	ID	83318
RP10S24E319361	LILJENQUIST, CODY	530 E 200 S	BURLEY	ID	83318
RP11S24E067200	LIND, RODNEY E	279 SOUTH 450 EAST	BURLEY	ID	83318
RP10S24E320626	MAI, M HENRIETTA (MARY)	614 EAST HWY 81	BURLEY	ID	83318
RP000540010040	MALLORY, SHELDON ROY	663 E 122 S	BURLEY	ID	83318
RP000650020130	MARQUEZ, JESUS I	553 E 145 S	BURLEY	ID	83318
RP000650020030	MARTINEZ, JONATHAN L	556 E 125 S	BURLEY	ID	83318
RP10S24E332555	MAY, TYLER	P.O. BOX 111	DECLO	ID	83323
RP000540010070	MILLER, DANIEL CHARLES	673 EAST 122 SOUTH	BURLEY	ID	83318
RP10S24E332551	MONTOYA, AMPELIO L/E	681 EAST HWY 81	BURLEY	ID	83318
RP10S24E335401	MORGAN, JOHN O, TRUSTEE	3701 CRESCENT RIM DR APT 303	BOISE	ID	83706
RP10S24E322700	MOYLE, CYNTHIA L L/E	571 E HIGHWAY 81	BURLEY	ID	83318
RP10S24E324276	MOYLE, MARK RICHARD	571 E HWY 81	BURLEY	ID	83318
RP000650020110	NELSON, ALAN	561 E 145 S	BURLEY	ID	83318
RP11S24E067700	NIELSEN, ALAN ATKINSON	290 SOUTH 550 EAST	BURLEY	ID	83318
RP10S24E333401	PACKHAM, JOEL H	125 SOUTH 650 EAST	BURLEY	ID	83318
RP10S24E319141	PAGET, RONALD	540 E 200 S	BURLEY	ID	83318
RP10S24E333450	PETERSON, BROCK	121 SOUTH 650 EAST	BURLEY	ID	83318
RP000540010030	PETERSON, KYLE	661 EAST 122 SOUTH	BURLEY	ID	83318
RP10S24E332575	PONS, TINY LEE L/E	679 E HWY 81	BURLEY	ID	83318
RP10S24E322999	PREWITT, TONY T	116 S 600 E	BURLEY	ID	83318
RP10S24E317201	RAMSEY, MATTHEW ALLEN	154 SOUTH 550 EAST	BURLEY	ID	83318
RPSS0010010010	RIDGEWAY, JERRY N	624 E 200 S	BURLEY	ID	83318
RP000650010070	RIOS, HOMERO	140 S 558 E	BURLEY	ID	83318
RP10S24E319400	SEARLE, FRANCIS	524 E 200 S	BURLEY	ID	83318
RPSS0010010060	SETSER, CHASEN S	604 E 200 S	BURLEY	ID	83318
RP11S24E042400	SILCOCK, TYLER	699 EAST 200 SOUTH	BURLEY	ID	83318
RP11S24E043176	SIMKINS, BRODY	655 E 200 S	BURLEY	ID	83318

1 Mile Radius Property Owners to RP10S24E329401 Burke Garner Variance 3-6-2024

RP11S24E043182	SIMKINS, JARED	653 E 200 S	BURLEY	ID	83318
RP10S24E317651	SMITH-BLACK, CHERRY MAE	162 S 550 E	BURLEY	ID	83318
RP000650020100	SMYER, B TEAGUE	143 S 558 E	BURLEY	ID	83318
RP10S24E319000	SOUTHERN, KIRK	3437 E 1547 S	MALTA	ID	83342
RP11S24E053450	SPRENGER, TODD R	223 SOUTH 550 EAST	BURLEY	ID	83318
RP11S24E051200	SPRING CREEK LAND & LIVESTOCK LLC	PO BOX 152	DECLO	ID	83323
RP10S24E298800	STATE OF IDAHO	Address Not Provided			
RP10S24E322801	TAYLOR, JAMES AARON	925 EAST 500 SOUTH	DECLO	ID	83323
RP10S24E319475	TERRY, RANDALL L	190 SOUTH 550 EAST	BURLEY	ID	83318
RP11S24E040003	TURNER LAND & LIVESTOCK LLC	PO BOX 152	DECLO	ID	83323
RP11S24E040600	TURNER, CAMERON	723 E 200 S	BURLEY	ID	83318
RPSS0010010050	WEAVER, DEXTER A	608 E 200 S	BURLEY	ID	83318
RP11S24E048401	WEEKS, ROY C	296 S 750 E	BURLEY	ID	83318
RP10S24E336425	WEICHERS, HALEY	654 E 200 S	BURLEY	ID	83318
RP000650020090	WILLIAMS, DUSTIN J	141 S 558 E	BURLEY	ID	83318
RPSS0010010070	WILMOTH, MARSHA A	PO BOX 31	MALTA	ID	83342
RP10S24E317680	WORTHEN, LUDEAN, REV TRUST	11840 COTTAGE VIEW LN	DRAPER	UT	84020
RPSS0010010020	WORTHINGTON, ROBERT J	620 E 200 S	BURLEY	ID	83318
RPSS0050010030	YARBROUGH, NICOLE JEAN	554 EAST 155 SOUTH	BURLEY	ID	83318
RPSS0050010010	YARBROUGH, QUINN	555 E 155 S	BURLEY	ID	83318
RP10S24E320090	YELVERTON, MAURICE L	106 S 650 E	BURLEY	ID	83318
RP10S24E320025	YELVERTON, MAURICE L	106 SOUTH 650 EAST	BURLEY	ID	83318
RP11S24E060025	ZOLLINGER, BONNIE	229 S 550 E	BURLEY	ID	83318
RP11S24E061800	ZOLLINGER, GOLDEN	226 S 550 E	BURLEY	ID	83318
RP000650010050	ZOLLINGER, JOHN	137 S 550 E	BURLEY	ID	83318
RP11S24E053750	ZOLLINGER,THALES PRICE,TRSTE	229 S 550 E	BURLEY	ID	83318
RP10S24E333001					

This information is provided in regards to a public records request.

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 LOCATED WITHIN ONE MILE (OR AS REQUIRED) OF ANY EXTERNAL BOUNDARY OF SITE LISTED IN APPLICATION.
 CASSIA COUNTY ASSUMES NO LIABILITY OR RESPONSIBILITY FOR ERRORS OR OMISSIONS WHEN THE
 INFORMATION IS USED FOR ANY OTHER PURPOSE.

NOTICE OF HEARING
BEFORE CASSIA COUNTY PLANNING AND ZONING COMMISSION

#2024-05-VAR

NOTICE IS HEREBY GIVEN: that a public hearing will be held on **Thursday**, the **18th** day of **April, 2024**, at three (3) o'clock P.M., or as soon thereafter as the matter may be heard, 1459 Overland Avenue, Cassia County Commission Chambers Room 206, Burley, Idaho 83318, before the Cassia County Planning & Zoning Commission on the application filed by Burke Garner of 638 East 200 South Burley, Idaho.

This is an application for request for Variance, which application was filed with the County on the 6th day of March, 2024.

The nature of the proposed variance is: setbacks on an addition to an accessory building.

The property is located on lands at approximately: 638 East 200 South, Burley, Idaho.

Such lands are located within the **Residential Agricultural Zone**.

The applicant will appear at this hearing to provide to the Cassia County Planning & Zoning Commission all the information required for issuance of the requested variance permit for the proposed use under the Cassia County Zoning Ordinance, before such permit can be issued.

A copy of the Variance Application and information concerning the hearing process is available for review by the public at the office of the Zoning and Building Department, Room 210 of the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing, during normal business hours. Application and information are also available online at <https://www.cassia.gov/Zoning-Hearings>

All other interested persons are invited to attend the hearing on the question of issuance of the requested variance. Such other interested persons are advised that in order to participate in the hearing, the following regulations apply:

- A. Written Statements of Support Or Objection:** All persons to whom notice is mailed shall be advised in that notice that they and others who can establish that their substantial rights would be affected by the approval or denial of the permit may file written objections or supporting statements with the planning and zoning commission secretary, 1459 Overland Ave. Rm. 210, Burley, ID 83318, no later than ten (10) days prior to the hearing setting forth in that writing that person's support or objection to the issuance of the requested Variance permit.
1. Written objections shall set forth each requirement of law (local, state or federal) which the objecting party believes the requested variance would violate.
 2. Written statements shall also set forth either that the party making the statement owns property within:
 - one (1) mile of any external boundaries of the Variance permit site described in the application, or
 - in the designated Areas of City Impact only, within three hundred feet (300') of any external boundaries of the Variance permit site described in the application and/or otherwise setting forth the substantial rights that would be affected by the approval or denial of the permit.
 3. Additionally, any party desiring to file any document(s) exceeding one (1) one-sided, 8 ½" x 11" sized page, shall file such document(s) at least ten (10) days prior to the hearing, with the planning and zoning commission secretary. The planning and zoning commission reserves the right to reject any proffered documentation that violates the intent of this regulation.
- B. Providing Testimony at the Public Hearing:** Any person who files a statement in support or objection to the issuance of said variance shall indicate in such statement whether or not such person desires to testify at the hearing.
1. Prior to the hearing the planning and zoning commission shall determine which of those persons who desire to testify will be permitted to testify at the hearing.
 2. All statements of support or objections shall be made a part of the record at the hearing, but no person except the applicant shall be permitted to testify at the hearing unless they have previously filed a written statement of support for or objection to the issuance of the permit.

DATED this 9 day of March, 2024.

Applicant Signature: Burke Jay Garner

Applicant Printed Name: Burke Jay GARNER

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing document (*Notice of Hearing* - Please Attach signed copy) was on this date March 11, 2024 served upon the persons listed, at the addresses set out below their names, (list of mailing addresses attached) by mailing to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid.

Dated 11 day of March 20 24.

Burke Jay Garner
Authorized Signature

Burke Jay Garner
Authorized Printed Name

State of Idaho)
County of Cassia) ss

Subscribed and sworn to be before me this 11 day of March, 2024, personally appeared before me and proved to me on the basis of satisfactory evidence to be the person (s) whose name(s) are subscribed to this instrument, and acknowledged that they executed the same.



Sara Haynes
Notary Signature
Residing at Linidoka
Commission expires 2/23/30

NOTE: This form is general in nature. Users are responsible for any form that is used, and must ensure that it is accurate in content and should also ascertain that it meets the requirements of state statutes and county ordinances applicable thereto.

1 Mile Radius Property Owners to RP10S24E329401 Burke Garner Variance 3-6-2024

Parcel_Num	MailToName	MailToAddr	MailToAd_1	MailToCity	MailToStat	MailToPost
RP10S24E327000	ADAMS, KARA S	578 E 200 S		BURLEY	ID	83318
RP10S24E322400	ALVAREZ, SAMUEL	599 SPRING CREEK RD		BURLEY	ID	83318
RP10S24E320130	ALVES, AUSTIN	112 S 650 E		BURLEY	ID	83318
RP000650020060	ANAYA, BERNABE	131 S 558 E		BURLEY	ID	83318
RP11S24E056600	AROHA NUE LLC	229 S 550 E		BURLEY	ID	83318
RP10S24E320800	BEEL, BEVERLY J	601 E HWY 81		BURLEY	ID	83318
RP000650010030	BENITEZ, JESUS S	132 S 558 E		BURLEY	ID	83318
RP10S24E322410	BLACKER, JIMMY LAMAR	593 SPRING CREEK RD		BURLEY	ID	83318
RP11S24E051949	BOOMERANG TRUST	1037 RAYMOND RD		GENEVA	ID	83238
RP000650020120	BROWN, MITCHELL	557 E 145 S		BURLEY	ID	83318
RP10S24E320777	BURLEY HIGHWAY DIST	19 E 200 S		BURLEY	ID	83318
RP10S24E317525	BURTON, SHAWN	533 E 156 S		BURLEY	ID	83318
RP000650010020	CANNON, DAVID E	557 E 125 S		BURLEY	ID	83318
RP10S24E320775	CASTRO, JULIO F	601 SPRING CREEK RD		BURLEY	ID	83318
RP10S24E333600	CHRISTENSEN, EARL J	64 SOUTH 650 EAST		BURLEY	ID	83318
RPSS0010010040	CHRISTENSEN, JAY D	612 E 200 S		BURLEY	ID	83318
RPSS0020010040	CHRISTENSEN, LINDA	591 SPRING CREEK RD		BURLEY	ID	83318
RPSS0020010050	CHRISTENSEN, RODNEY J	573 E SPRING CREEK RD		BURLEY	ID	83318
RPSS0020010020	CHRISTENSEN, STEVEN DON	583 E SPRING CREEK RD		BURLEY	ID	83318
RP10S24E333175	CLARK, KAYE	103 S 650 E		BURLEY	ID	83318
RP10S24E320006	COLTRIN, HORACE	621 E HWY 81		BURLEY	ID	83318
RP10S24E320604	COLTRIN, JEFFREY A	621 E HWY 81		BURLEY	ID	83318
RP000950000020	COOPER, LARRY K	605 E HWY 81		BURLEY	ID	83318
RP000540010050	CORBRIDGE, SHAWN PAUL	665 E 122 S		BURLEY	ID	83318
RP10S24E336435	CORNER VIEW, LLC	654 E 200 S		BURLEY	ID	83318
RP10S24E336446	COUNTRYSIDE LLC	654 E 200 S		BURLEY	ID	83318
RP10S24E322375	CROCKETT, KEITH	138 S 650 E		BURLEY	ID	83318
RP10S24E320650	DAHLE, MARK NORMAN	607 E HWY 81		BURLEY	ID	83318
RP10S24E322405	DALLING, JEREMY J	595 E SPRING CREED RD		BURLEY	ID	83318
RP11S24E046000	DARRINGTON, ANDREW	2740 MT HARRISON DR		BURLEY	ID	83318
RP11S24E046101	DARRINGTON, ANDREW B	2740 MT HARRISON DR		BURLEY	ID	83318
RP11S24E045800	DARRINGTON, BLAKE	275 S 650 E		BURLEY	ID	83318
RP11S24E045102	DARRINGTON, BLAKE LEROY	275 S 650 E		BURLEY	ID	83318
RP10S24E319380	DARRINGTON, BRIAN, ETAL	887 EAST 500 SOUTH		DECLO	ID	83323
RP11S24E045400	DARRINGTON, DAN L	705 EAST 300 SOUTH		BURLEY	ID	83318
RP10S24E319302	DARRINGTON, JEFFREY, 1/2 INT	878 E 100 S		DECLO	ID	83323
RP10S24E324826	DARRINGTON, MARK L	930 EAST 390 NORTH		DECLO	ID	83323

1 Mile Radius Property Owners to RP10S24E329401 Burke Garner Variance 3-6-2024

RPSS005001004D	DENAUGHEL, BRENDA	571 E 155 S	BURLEY	ID	83318
RP10S24E324325	DRAPER, AARON D	PO BOX 13	HEYBURN	ID	83336
RP10S24E332590	DSCHAAK, TREVOR	677 E HWY 81	BURLEY	ID	83318
RPSS0010010030	DURFEE, SHANE V	616 E 200 S	BURLEY	ID	83318
RP000540010020	ELLIOTT, CHARLES	659 E 122 S	BURLEY	ID	83318
RP000650010010	ERICKSON, TONY J	553 E 125 S	BURLEY	ID	83318
RP10S24E319100	FARRAN, DAVID ALLAN	182 S 550 E	BURLEY	ID	83318
RP000650010080	FATE, TERESA	556 E 145 S	BURLEY	ID	83318
RP000540010010	FAWCETT, CODY A	655 E 122 S	BURLEY	ID	83318
RP10S24E317706	FENSTERMAKER, DON B	168 S 550 E	BURLEY	ID	83318
RP10S24E319025	FIRKINS, DENNIS W	PO BOX 147	DECLO	ID	83323-0147
RP10S24E323100	FOWLER, LARRY R	564 E HWY 81	BURLEY	ID	83318
RP11S24E052575	FRIEDRICH, RALPH E	579 E 200 S	BURLEY	ID	83318
RP000650020080	GANSKE, MARVIN	137 S 558 E	BURLEY	ID	83318
RP10S24E329500	GARNER, BURKE JAY	638 EAST 200 SOUTH	BURLEY	ID	83318
RP11S24E053402	GARRARD, JOHN R	508 RIVERSIDE DR	BURLEY	ID	83318
RP000650020040	GOMEZ, JAMES MICHAEL	560 E 125 S	BURLEY	ID	83318
RP000650020050	GRANT, EDWIN	PO BOX 190	DECLO	ID	83323
RP000650010090	GRISENTI, TYSON	552 EAST 145 SOUTH	BURLEY	ID	83318
RP10S24E327199	HALL, BRUCE, L/E	598 E 200 S	BURLEY	ID	83318
RP11S24E060451	HALL, JOSHUA	220 S 550 E	BURLEY	ID	83318
RP000650010060	HENDERSON, BRIAN J	136 S 558 E	BURLEY	ID	83318
RP000650020070	HENNEFER, SHAWN WILSON	133 S 558 E	BURLEY	ID	83318
RP11S24E050200	HERNANDEZ, HECTOR	629 E 200 S	BURLEY	ID	83318
RP10S24E319590	HEWARD, KURT M	192 SOUTH 550 EAST	BURLEY	ID	83318
RP10S24E317649	HIGGINS, DEBI	160 S 550 E	BURLEY	ID	83318
RP000540010060	HILL, AMANDA	669 EAST 122 SOUTH	BURLEY	ID	83318
RP10S24E286400	HILL, NATHAN S	658 EAST HWY 81	BURLEY	ID	83318
RP11S24E057200	HONDO, GAYLEN	4249 W QUAIL RIDGE DR	BOISE	ID	83703
RP10S24E286250	HOOPES, MICHAEL R	91 SOUTH 650 EAST	BURLEY	ID	83318
RP11S24E045600	HOSSFELD, MICHAEL V	261 S 650 E	BURLEY	ID	83318
RPSS0020010030	HUNSAKER, JACK	589 EAST SPRING CREEK ROAD	BURLEY	ID	83318
RP10S24E298402	HURST, BRANDON	354 E 700 S	BURLEY	ID	83318
RP10S24E331802	HURST, SHAWN	436 S 750 E	BURLEY	ID	83318
RP11S24E051800	HURST, TYLER S	226 S 650 E	BURLEY	ID	83318
RP000650020010	HUTCHISON, ZACH	552 E 125 S	BURLEY	ID	83318
RP10S24E322398	JDG PROPERTIES LLC	26 W 200 S	BURLEY	ID	83318
RP10S24E320000	JEPPESEN, ANTON NEAL	649 E HWY 81	BURLEY	ID	83318

1 Mile Radius Property Owners to RP10S24E329401 Burke Garner Variance 3-6-2024

RP10S24E322500	JONES, CALVIN S	108 SOUTH 600 EAST	BURLEY	ID	83318
RP10S24E322397	JONES, CALVIN SCOTT	108 SOUTH 600 EAST	BURLEY	ID	83318
RP10S24E322850	JONES, CALVIN SCOTT, ETUX	108 SOUTH 600 EAST	BURLEY	ID	83318
RP10S24E321361	JONES, JASON C	131 S 600 E	BURLEY	ID	83318
RP10S24E317206	JONES, MATT	3634 OVERLAND AVENUE	BURLEY	ID	83318
RP10S24E320624	JONES, TRAE D	619 EAST HWY 81	BURLEY	ID	83318
RP10S24E319050	JORGENSEN, RUSSELL	178 S 550 E	BURLEY		83318
RP10S24E311975	JUDD, JIMMY D	140 SOUTH 550 EAST	BURLEY	ID	83318
RP10S24E326449	KNOPP, HEIDI	552 E 200 S	BURLEY	ID	83318
RP000650010040	KNOPP, KEEGAN J	PO BOX 567	BURLEY	ID	83318
RPSS0050010020	KOSSMAN, JUSTIN D	155 S 550 E	BURLEY	ID	83318
RP10S24E329300	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E322875	LEATHAM, CAROLE L/E	PO BOX 342	HEYBURN	ID	83336
RP10S24E311950	LIERMAN, BRADY L	136 S 550 E	BURLEY	ID	83318
RP10S24E319361	LILJENQUIST, CODY	530 E 200 S	BURLEY	ID	83318
RP11S24E067200	LIND, RODNEY E	279 SOUTH 450 EAST	BURLEY	ID	83318
RP10S24E320626	MAI, M HENRIETTA (MARY)	614 EAST HWY 81	BURLEY	ID	83318
RP000540010040	MALLORY, SHELDON ROY	663 E 122 S	BURLEY	ID	83318
RP000650020130	MARQUEZ, JESUS I	553 E 145 S	BURLEY	ID	83318
RP000650020030	MARTINEZ, JONATHAN L	556 E 125 S	BURLEY	ID	83318
RP10S24E332555	MAY, TYLER	P.O. BOX 111	DECLO	ID	83323
RP000540010070	MILLER, DANIEL CHARLES	673 EAST 122 SOUTH	BURLEY	ID	83318
RP10S24E332551	MONTOYA, AMPELIO L/E	681 EAST HWY 81	BURLEY	ID	83318
RP10S24E335401	MORGAN, JOHN O, TRUSTEE	3701 CRESCENT RIM DR APT 303	BOISE	ID	83706
RP10S24E322700	MOYLE, CYNTHIA L L/E	571 E HIGHWAY 81	BURLEY	ID	83318
RP10S24E324276	MOYLE, MARK RICHARD	571 E HWY 81	BURLEY	ID	83318
RP000650020110	NELSON, ALAN	561 E 145 S	BURLEY	ID	83318
RP11S24E067700	NIELSEN, ALAN ATKINSON	290 SOUTH 550 EAST	BURLEY	ID	83318
RP10S24E333401	PACKHAM, JOEL H	125 SOUTH 650 EAST	BURLEY	ID	83318
RP10S24E319141	PAGET, RONALD	540 E 200 S	BURLEY	ID	83318
RP10S24E333450	PETERSON, BROCK	121 SOUTH 650 EAST	BURLEY	ID	83318
RP000540010030	PETERSON, KYLE	661 EAST 122 SOUTH	BURLEY	ID	83318
RP10S24E332575	PONS, TINY LEE L/E	679 E HWY 81	BURLEY	ID	83318
RP10S24E322999	PREWITT, TONY T	116 S 600 E	BURLEY	ID	83318
RP10S24E317201	RAMSEY, MATTHEW ALLEN	154 SOUTH 550 EAST	BURLEY	ID	83318
RPSS0010010010	RIDGEWAY, JERRY N	624 E 200 S	BURLEY	ID	83318
RP000650010070	RIOS, HOMERO	140 S 558 E	BURLEY	ID	83318
RP10S24E319400	SEARLE, FRANCIS	524 E 200 S	BURLEY	ID	83318

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RP11S24E043176	SIMKINS, BRODY	655 E 200 S	BURLEY	ID	83318
RP11S24E043182	SIMKINS, JARED	653 E 200 S	BURLEY	ID	83318
RP10S24E317651	SMITH-BLACK, CHERRY MAE	162 S 550 E	BURLEY	ID	83318
RP000650020100	SMYER, B TEAGUE	143 S 558 E	BURLEY	ID	83318
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RP000650020090	WILLIAMS, DUSTIN J	141 S 558 E	BURLEY	ID	83318
RPSS0010010070	WILMOTH, MARSHA A	PO BOX 31	MALTA	ID	83342
RP10S24E317680	WORTHEN, LUDEAN, REV TRUST	11840 COTTAGE VIEW LN	DRAPER	UT	84020
RPSS0010010020	WORTHINGTON, ROBERT J	620 E 200 S	BURLEY	ID	83318
RPSS0050010030	YARBROUGH, NICOLE JEAN	554 EAST 155 SOUTH	BURLEY	ID	83318
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RP10S24E320025	YELVERTON, MAURICE L	106 SOUTH 650 EAST	BURLEY	ID	83318
RP11S24E060025	ZOLLINGER, BONNIE	229 S 550 E	BURLEY	ID	83318
RP11S24E061800	ZOLLINGER, GOLDEN	226 S 550 E	BURLEY	ID	83318
RP000650010050	ZOLLINGER, JOHN	137 S 550 E	BURLEY	ID	83318
RP11S24E053750	ZOLLINGER,THALES PRICE,TRSTE	229 S 550 E	BURLEY	ID	83318
RP10S24E333001					

This information is provided in regards to a public records request.

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LOCATED WITHIN ONE MILE (OR AS REQUIRED) OF ANY EXTERNAL BOUNDARY OF SITE LISTED IN APPLICATION.

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INFORMATION IS USED FOR ANY OTHER PURPOSE.

*** Proof of Publication ***

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

1 Insertions

Burke Garner

638 EAST 200 SOUTH
BURLEY ID 83318

ORDER NUMBER 150005

Sherrri Davis

(Legals Clerk)

STATE OF IDAHO)
)SS
COUNTY OF TWIN FALLS)

On this 20th day of March in the year of 2024 before me, a Notary Public, personally appeared before me Sherrri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Morgan Shindle

Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 11/20/2029

Section: Legals

Category: 50 Legal

PUBLISHED ON: 03/19/2024

TOTAL AD COST: 173.25

FILED ON: 3/19/2024



NOTICE OF HEARING
BEFORE CASSIA COUNTY PLANNING AND ZONING
COMMISSION
#2024-05-VAR

NOTICE IS HEREBY GIVEN: that a public hearing will be held on Thursday, the 18th day of April, 2024, at three (3) o'clock P.M., or as soon thereafter as the matter may be heard, 1459 Overland Avenue, Cassia County Commission Chambers Room 206, Burley, Idaho 83318, before the Cassia County Planning & Zoning Commission on the application filed by Burke Garner of 638 East 200 South Burley, Idaho. This is an application for request for Variance, which application was filed with the County on the 6th day of March, 2024. The nature of the proposed variance is: setbacks on an addition to an accessory building. The property is located on lands at approximately: 638 East 200 South, Burley, Idaho. Such lands are located within the Residential Agricultural Zone.

The applicant will appear at this hearing to provide to the Cassia County Planning & Zoning Commission all the information required for issuance of the requested variance permit for the proposed use under the Cassia County Zoning Ordinance, before such permit can be issued.

A copy of the Variance Application and information concerning the hearing process is available for review by the public at the office of the Zoning and Building Department, Room 210 of the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing, during normal business hours. Application and information are also available online at <https://www.cassia.gov/Zoning-Hearings>

All other interested persons are invited to attend the hearing on the question of issuance of the requested variance. Such other interested persons are advised that in order to participate in the hearing, the following regulations apply:

A. Written Statements of Support Or Objection: All persons to whom notice is mailed shall be advised in that notice that they and others who can establish that their substantial rights would be affected by the approval or denial of the permit may file written objections or supporting statements with the planning and zoning commission secretary, 1459 Overland Ave. Rm. 210, Burley, ID 83318, no later than ten (10) days prior to the hearing setting forth in that writing that person's support or objection to the issuance of the requested Variance permit.

1. Written objections shall set forth each requirement of law (local, state or federal) which the objecting party believes the requested variance would violate.

2. Written statements shall also set forth either that the party making the statement owns property within:

- one (1) mile of any external boundaries of the Variance permit site described in the application, or
- in the designated Areas of City Impact only, within three hundred feet (300') of any external boundaries of the Variance permit site described in the application and/or otherwise setting forth the substantial rights that would be affected by the approval or denial of the permit.

3. Additionally, any party desiring to file any document(s) exceeding one (1) one-sided, 8 1/2" x 11" sized page, shall file such document(s) at least ten (10) days prior to the hearing, with the planning and zoning commission secretary. The planning and zoning commission reserves the right to reject any proffered documentation that violates the intent of this regulation.

B. Providing Testimony at the Public Hearing: Any person who files a statement in support or objection to the issuance of said variance shall indicate in such statement whether or not such person desires to testify at the hearing.

1. Prior to the hearing the planning and zoning commission shall determine which of those persons who desire to testify will be permitted to testify at the hearing.

2. All statements of support or objections shall be made a part of the record at the hearing, but no person except the applicant shall be permitted to testify at the hearing unless they have previously filed a written statement of support for or objection to the issuance of the permit.

DATED this 8 day of March, 2024.
Applicant Signature: Burke Jay Garner
Applicant Printed Name: Burke Jay Garner
Publish: March 19, 2024

Customer Ad Proof

164-60019592 **Burke Garner**

Order Nbr 150005

Publication

Times News

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 Address 1
 Address 2
 City St Zip
 Phone
 Fax
 Section
 SubSection
 Category
 Ad Key
 Keywords

Burke Garner
 638 EAST 200 SOUTH
 BURLEY ID 83318
 2084315101
 Legals
 50 Legal
 150005-1
 NOTICE OF HEARING BEFORE CASS

PO Number
 Rate
 Order Price
 Amount Paid
 Amount Due
 Start/End Dates
 Insertions
 Size
 Salesperson(s)
 Taken By

Legal Notice
 173.25
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 03/19/2024 - 03/19/2024
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 173
 Legal Notices
 James Meadows - NWI

Notes

Ad Proof

**NOTICE OF HEARING
 BEFORE CASSIA COUNTY PLANNING AND ZONING
 COMMISSION
 #2024-05-VAR**

NOTICE IS HEREBY GIVEN: that a public hearing will be held on Thursday, the 18th day of April, 2024, at three (3) o'clock P.M., or as soon thereafter as the matter may be heard, 1459 Overland Avenue, Cassia County Commission Chambers Room 206, Burley, Idaho 83318, before the Cassia County Planning & Zoning Commission on the application filed by Burke Garner of 638 East 200 South Burley, Idaho.

This is an application for request for Variance, which application was filed with the County on the 6th day of March, 2024.

The nature of the proposed variance is: setbacks on an addition to an accessory building.

The property is located on lands at approximately: 638 East 200 South, Burley, Idaho.

Such lands are located within the Residential Agricultural Zone.

The applicant will appear at this hearing to provide to the Cassia County Planning & Zoning Commission all the information required for issuance of the requested variance permit for the proposed use under the Cassia County Zoning Ordinance, before such permit can be issued.

A copy of the Variance Application and information concerning the hearing process is available for review by the public at the office of the Zoning and Building Department, Room 210 of the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing, during normal business hours. Application and information are also available online at <https://www.cassia.gov/Zoning-Hearings>

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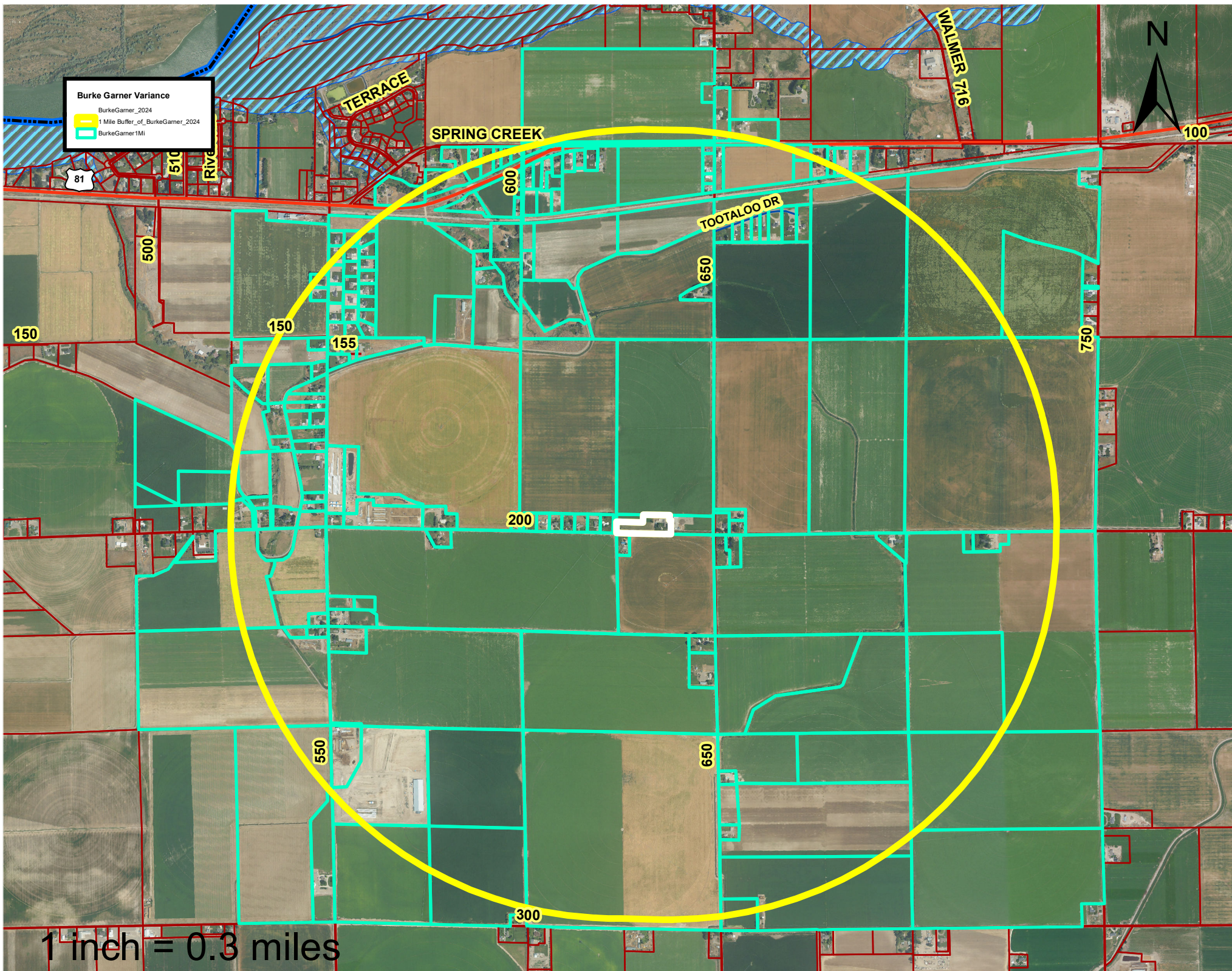
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DATED this 8 day of March, 2024.
Applicant Signature: Burke Jay Garner
Applicant Printed Name: Burke Jay Garner
Publish: March 19, 2024



Burke Garner Variance
BurkeGarner_2024
1 Mile Buffer_of_BurkeGarner_2024
BurkeGarner1MI



1 inch = 0.3 miles

BURKE GARNER VARIANCE

2024-05-VAR

638 E 200 S BURLEY, IDAHO

PARCEL: RP10S24E329401



Burke Garner Variance

BurkeGarner_2024



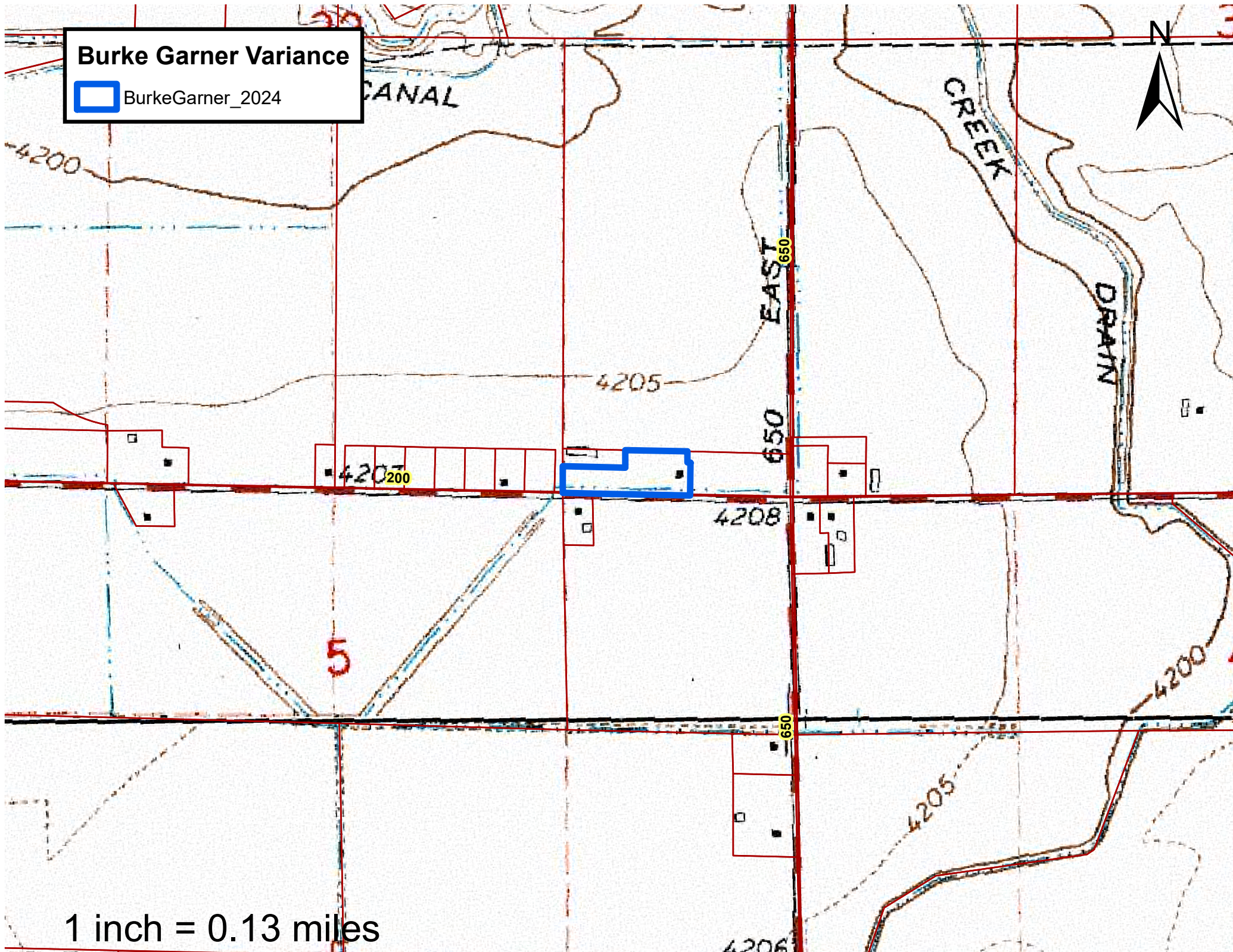
RP10S24E329401
GARNER, BURKE JAY
3.51 acres+/-

200

1 inch = 0.02 miles

Burke Garner Variance

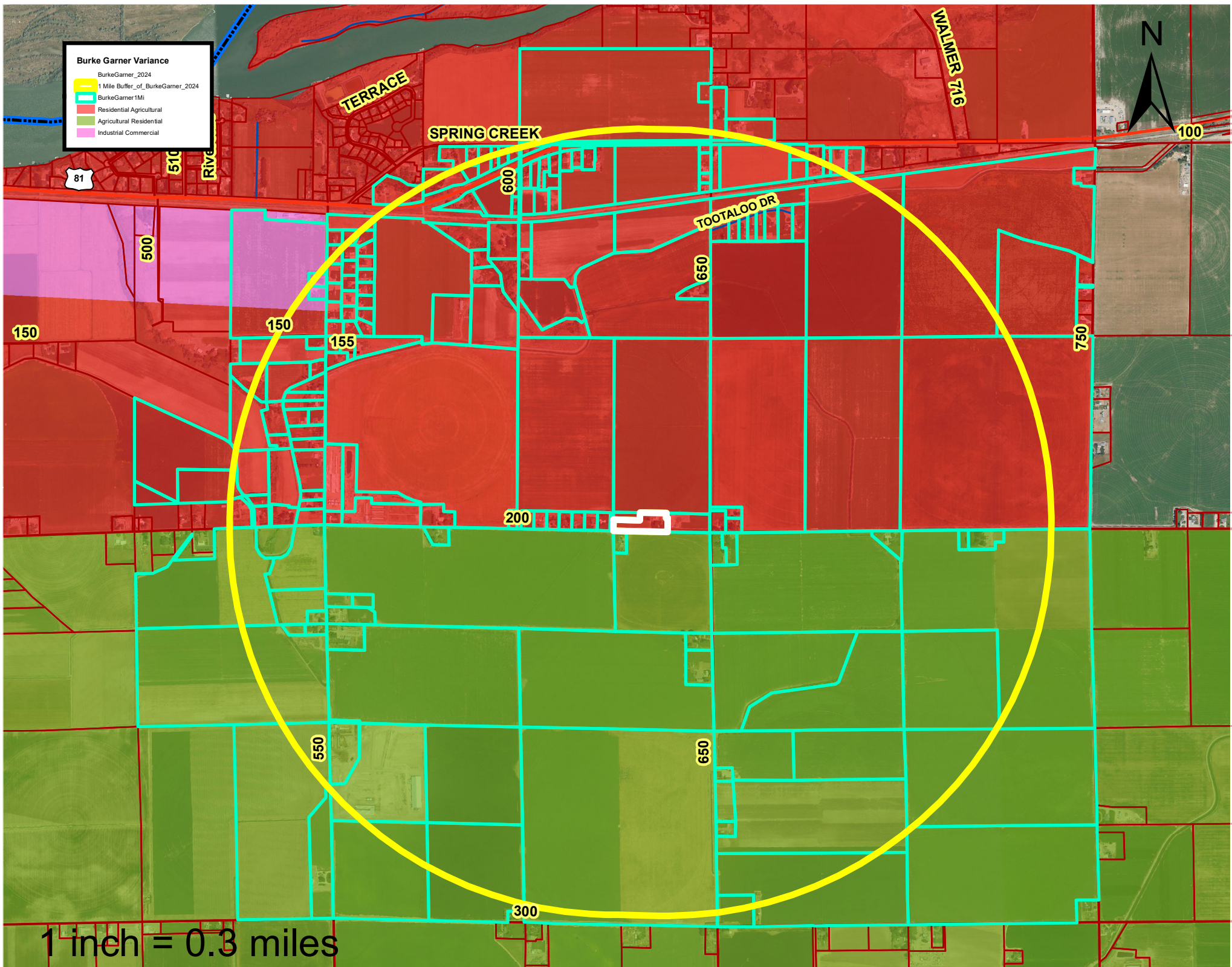
 BurkeGarner_2024



1 inch = 0.13 miles

Burke Garner Variance

- BurkeGarner_2024
- 1 Mile Buffer_of_BurkeGarner_2024
- BurkeGarner1Mi
- Residential Agricultural
- Agricultural Residential
- Industrial Commercial



1 inch = 0.3 miles