

NOTICE OF HEARING
BEFORE CASSIA COUNTY PLANNING AND ZONING COMMISSION
#2023-14-CU

NOTICE IS HEREBY GIVEN: that a hearing will be held on **Thursday**, the **21st** day of **December, 2023**, beginning at the hour of three (3) o'clock P.M., in the Cassia County Courthouse, 1459 Overland Avenue, Room 206, Burley, Idaho 83318, before the Cassia County Planning & Zoning Commission on the application of:

Applicant: **Shelly Mathisen /Supera Technical Services, 9120 Doc Bar CT, Sacramento, CA 95642**

Property Owner: **Shawn and Cindy Hurst, 436 South 750 East, Burley, Idaho 83318**

regarding an application for a Conditional Use Permit, which application was received by the County on the 10th day of October, 2023.

The Nature of the Proposed Conditional Use is: **Construction and operation of a 190 foot tall communications tower within a 3600 sq.ft. compound capable of supporting 4 national wireless carriers.**

The property is located on lands at approximately: **106 South 750 East, Burley, Idaho 83318.**

Such lands are located within the **Residential Agricultural Zone.** Pursuant to the Cassia County Zoning Ordinance a Conditional Use Permit is required for development in said zone.

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

A copy of the Conditional Use Permit and information concerning the hearing process is available for review by the public at the office of the Zoning Administrator, Room 210 of the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing 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 conditional use permit. 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 new conditional use permit.

1. Written objections shall set forth each requirement of law (local, state or federal) which the objecting party believes the conditional use permit 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 conditional use 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 conditional use 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 a new conditional use permit 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 **6th day of November, 2023**

Applicant Signature: 

Applicant Printed Name: **Shelly Mathisen**