

**NOTICE OF HEARING**  
**BEFORE CASSIA COUNTY PLANNING AND ZONING COMMISSION**

**#2023-13-CU/CAFO**

**NOTICE IS HEREBY GIVEN:** that a hearing will be held on **Thursday**, the **16<sup>th</sup>** day of November 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: AGPROfessionals, 213 Canyon Crest Drive, Suite 100, Twin Falls, ID 83301

Property Owner: Midway Dairy, LLC., 2150 E 403 S, Declo, ID 83323

regarding an **Application for a Conditional Use / CAFO Permit**, which applications were filed by the County on the 9th day of August 2023.

The Nature of the Proposed Conditional Use is: Confined Animal Feeding Operation (CAFO)

The property is located on lands at: 2150 E 403 S, Declo, Cassia County, Idaho more particularly described as follows:

Legal Description(s):

Being a part of the North Half of Section 13, Township 11 South, Range 26 East of the B.M., Cassia County, Idaho

Such lands are located within the **Prime 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 a conditional use permit for the proposed use under the Cassia County Zoning Ordinance before such permit can be issued.

A copy of the Application for Conditional Use Permit, including relevant maps and drawings, 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.

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 5<sup>th</sup> day of October, 2023.

Signature:  \_\_\_\_\_

Applicant Printed Name: Hannah Dutrow, AGPROfessionals \_\_\_\_\_