



**CITY OF TWIN FALLS**  
**PLANNING & ZONING COMMISSION**  
**Public Hearing Procedures for Zoning Requests**

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name and address, then commence with their comments. Following their statements, they shall write their name and address on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
  - **A complete explanation and description of the request.**
  - **Why the request is being made.**
  - **Location of the Property.**
  - **Impacts on the surrounding properties and efforts to mitigate those impacts.**The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.
4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
  - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
  - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
  - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
  - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
  - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed-**No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

**\*\* Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and thereafter removed from the room by order of the Chairman.**



Public Hearing: **WEDNESDAY, November 12, 2014**  
 To: Planning & Zoning Commission  
 From: Rene'e V. Carraway-Johnson, Community Development Department

## AGENDA ITEM V-1

**Request:** Request for a **Special Use Permit** to operate a beauty salon as a home occupation on property located at 2624 Carriage Way. c/o Tanille Olsen (App 2686)

**Time Estimate:**

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> 7,686 sf Lot; 4,276 sf home planned; 115 sf salon
Tanille Olsen 2644 Joshua Way Twin Falls, ID 83301 tanilleo@hotmail.com	<b>Current Zoning:</b> R-2	<b>Requested Zoning:</b> Special Use Permit for Home Occupation
	<b>Comprehensive Plan:</b> Medium Density Residential	<b>Lot Count:</b> 1 Lot
	<b>Existing Land Use:</b> Residential Home, under construction	<b>Proposed Land Use:</b> Residential Home w/ Home Occupation – Hair Salon
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
	<b>North:</b> Carriage Way; R-2, Residential	<b>East:</b> R-2 Residential
	<b>South:</b> R-2 Residential	<b>West:</b> R-2 Residential
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-2-1, 10-4-4.2(B)6b, 10-11-1 thru 8, 10-13	

**Approval Process:**

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval.

If an applicant or interested party appeals the decision of the Commission, the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

**Budget Impact:**

Approval of this request will have marginal impact on the City budget with the change of the property to a commercial use, and increased sales tax.

### **Regulatory Impact:**

Approval of this request will allow the applicant to operate an in home salon as a home occupation.

**A special use permit is for zoning purposes only.** Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

### **History:**

This property is located within the Cedar Park PUD and Cedar Park Subdivision #7. The PUD went through the public hearing process in 1996 and 1997 with a recordation date in 2004. The subdivision went through the public hearing process during 2005 and 2006 with a recordation date in 2006. The Building Department recently issued a building permit for the property in question and the home is currently under construction.

### **Analysis:**

The applicant has supplied a narrative detailing the operation of the home occupation. The applicant will be the sole owner and operator, as stipulated under a Home Occupation SUP. They will operate by appointment only Monday – Friday with 1-2 clients per day, which will amount to 1-2 cars per day with no expected overlap. The applicant does not anticipate any noise, odor, or glare impacting neighboring property owners. The operation will take place within a separate room in the home that encompasses 115 Square Feet.

**Per City Code 10-2-1 Definitions: HOME OCCUPATION:** A service, excluding daycare, offered by the resident of a household unit or the sale of items handcrafted on the premises by the resident of a household unit providing the service, sale or handcrafting is performed only by the resident therein and providing the area used in performing the home occupation does not exceed four hundred (400) square feet in area and providing there is no exterior indication of the home occupation.

*The operation outlined by the applicant meets the Home Occupation Definition found in our City Code.*

**Per City Code 10-4-4: R-2 Zoning District:** Prior to any home occupation being legally established in this zone a Special Use Permit is required.

**Per City Code 10-11-1 thru 8: Required Improvements:** All required improvements for the home were reviewed at the time of building permit submittal and will be enforced at the time of Final Inspection for the Certificate of Occupancy.

*In regards to the parking requirement, by virtue of this being a Home Occupation separate off street parking spaces are not required by code. In order to maintain a residential appearance, it is reasonable to leave the home owner responsible to provide an open off street space for customers who are arriving. If parking becomes an issue, staff can re-evaluate the establishment to ensure the business has not fundamentally changed and is operating within bounds set by the approved Special Use Permit.*

**Conclusion:**

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the owner providing a paved on-site parking space for customers during hours of operation.

**Attachments:**

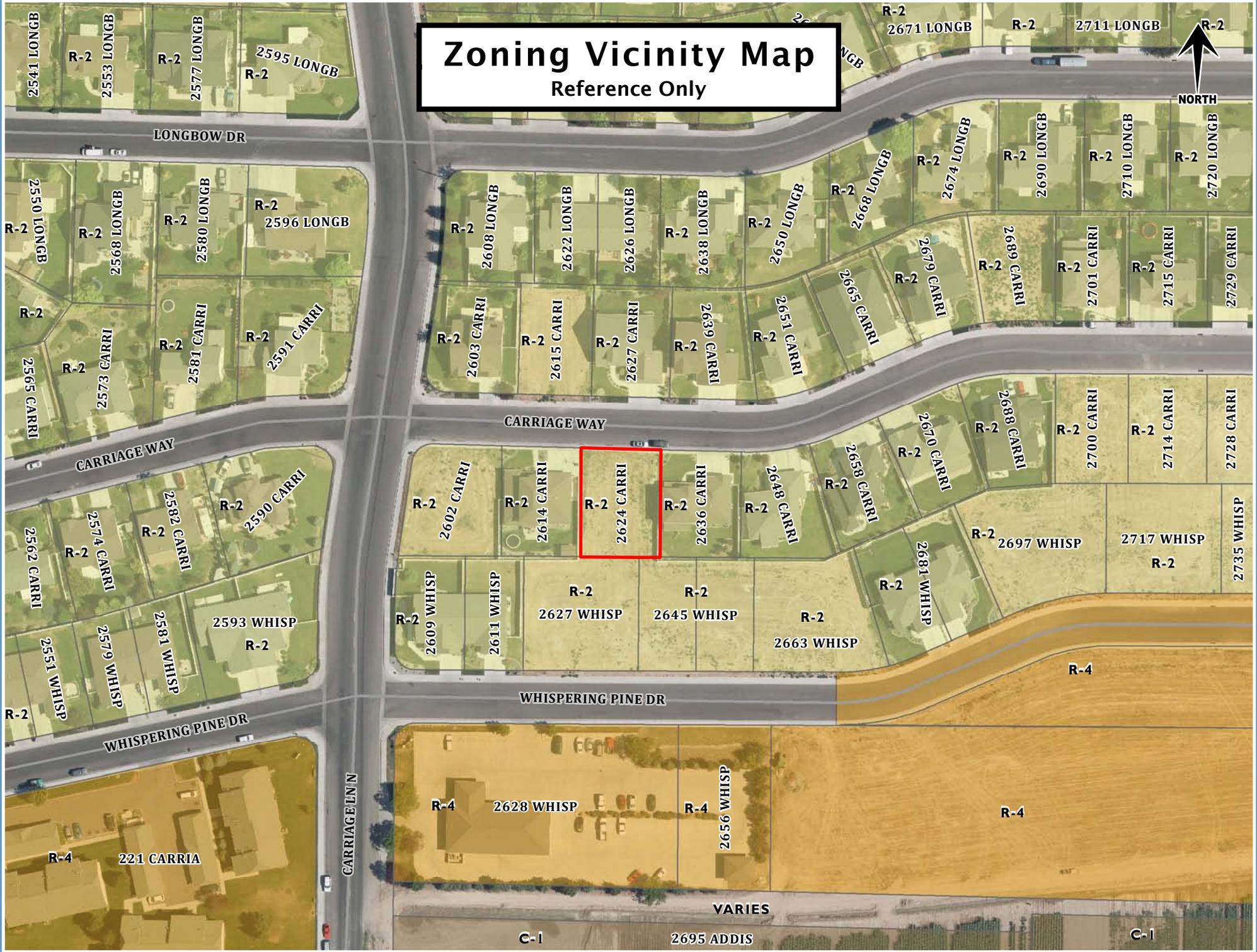
1. Letter of Request
2. Zoning Vicinity Map
3. Aerial Map
4. Applicant Submitted Site Plan
5. Applicant Submitted Elevations
6. Site Photos

I would like a special use permit for a ~~set~~ Beauty Salon in my home. I will work 2-3 hours per day Mon-Fri, but doing only 1-2 clients per day. There will only be 1-2 cars at the house per day and never more than one car at a time. I will ~~not~~ have any employees.

Noise will be kept to a minimum seeing how I will only have one client at a time. No glare will be coming from the salon and no odor since I will not be providing perm services. I will install a fan so any fumes will be taken care of.

# Zoning Vicinity Map

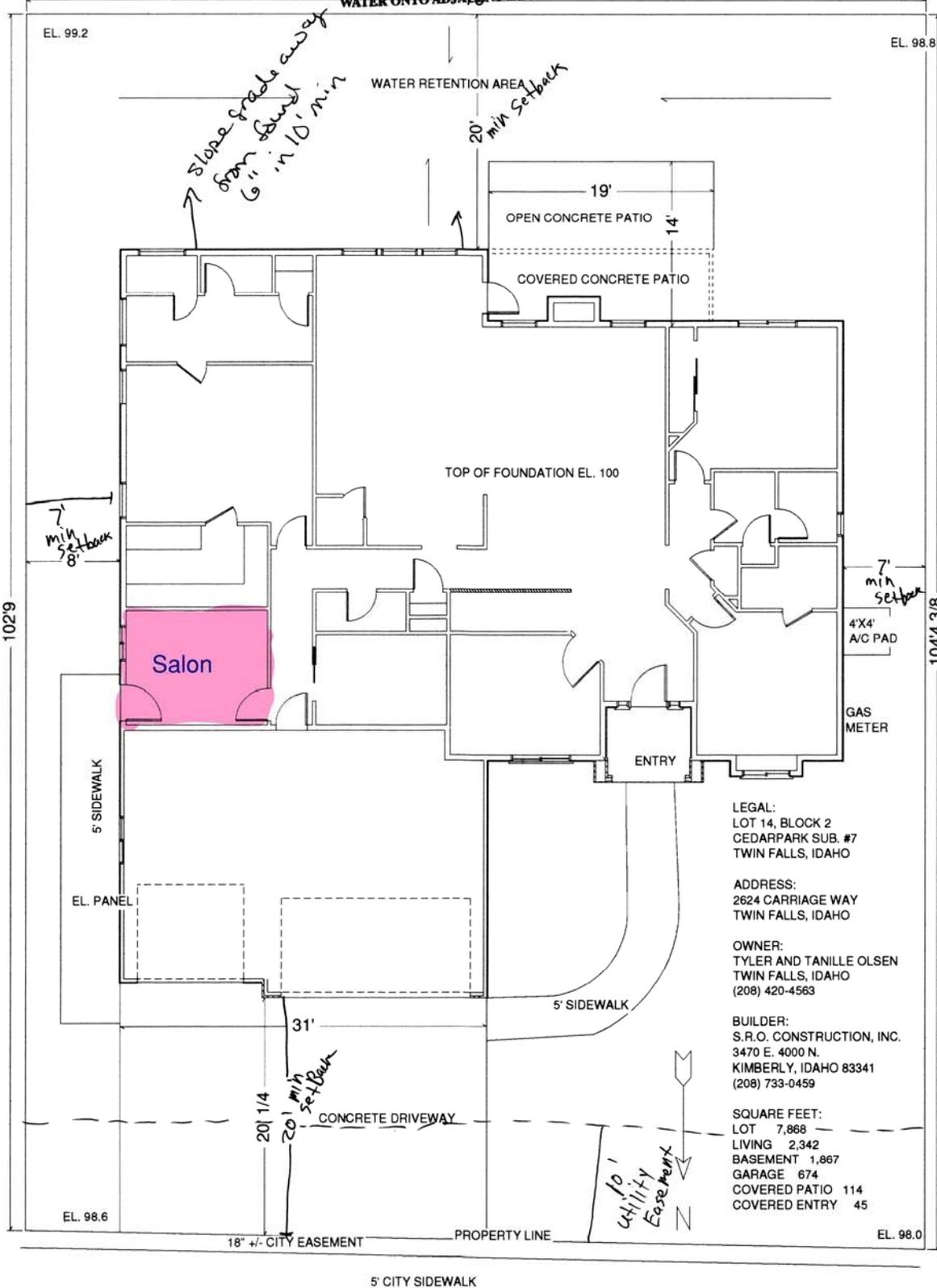
Reference Only



NORTH



DO NOT DRAIN STORM WATER ONTO ADJACENT LOTS



DO NOT DRAIN STORM WATER ONTO ADJACENT LOTS

DO NOT DRAIN STORM WATER ONTO ADJACENT LOTS

LEGAL:  
 LOT 14, BLOCK 2  
 CEDARPARK SUB. #7  
 TWIN FALLS, IDAHO

ADDRESS:  
 2624 CARRIAGE WAY  
 TWIN FALLS, IDAHO

OWNER:  
 TYLER AND TANILLE OLSEN  
 TWIN FALLS, IDAHO  
 (208) 420-4563

BUILDER:  
 S.R.O. CONSTRUCTION, INC.  
 3470 E. 4000 N.  
 KIMBERLY, IDAHO 83341  
 (208) 733-0459

SQUARE FEET:  
 LOT 7,868  
 LIVING 2,342  
 BASEMENT 1,867  
 GARAGE 674  
 COVERED PATIO 114  
 COVERED ENTRY 45

zone: L-2  
Sewer: 15488

SITE PLAN  
SCALE 1/8" = 1'

CARRIAGE WAY

USE BEST MANAGEMENT PRACTICE TO RETAIN 100 C.F. OF STORM WATER ON PROPERTY.











Public Hearing: **WEDNESDAY, November 12, 2014**

To: Planning & Zoning Commission

From: Rene'e V. Carraway-Johnson, Community Development Department

## AGENDA ITEM V-2

**Request:** Request for a Special Use Permit to operate a used automobile sales lot on property located at 818 Main Avenue South. (App 2687) c/o Steve Griffin

**Time Estimate:**

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Lease	<b>Size:</b> 21,000 sq ft Lot
Steve Griffin 126 S Lincoln St Jerome ID, 83338 <a href="mailto:Gamersworld_2@msn.com">Gamersworld_2@msn.com</a> 208-280-1855	<b>Current Zoning:</b> CB – Parking Overlay 1	<b>Requested Zoning:</b> Special Use Permit for Used Car Lot
	<b>Comprehensive Plan:</b> Town Site	<b>Lot Count:</b> 5 Lots, Original Townsite
	<b>Existing Land Use:</b> Vacant, Developed Car Lot	<b>Proposed Land Use:</b> Used Car Lot
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
	<b>North:</b> Main Ave S; CB, Small Equipment Rental	<b>East:</b> Blue Lakes Blvd; C-1, Commercial
	<b>South:</b> Minidoka/2 <sup>nd</sup> Ave S, Railroad; M-2, Manufacturing	<b>West:</b> Nevada St; CB, Vacant Building
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-7.2(B)10-b, 10-7-6, 10-10, 10-11-1 thru 8, 10-13-2.2	

**Approval Process:**

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval.

If an applicant or interested party appeals the decision of the Commission, the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

**Budget Impact:**

Approval of this request will have marginal impact on the City budget with the change of the property to a commercial use, and increased sales tax.

## **Regulatory Impact:**

Approval of this request will allow the applicant to operate a used automobile car sales lot on specific property within Twin Falls.

A special use permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

## **History:**

The City has some history on the building and property that includes various automotive type uses that occurred on the property off and on throughout the years. Some of those uses include car wash, refueling station, and most recently used automobile sales lot.

## **Analysis:**

The applicant has supplied a narrative detailing the proposed operation of a retail used automobile sales lot. He states he is planning on operating Tuesday – Sunday 11 am to 8 pm. He plans on being the sole owner/operator at this time. The applicant has acknowledged the need to update and address the landscaping/ “beautification” of the site including shrubbery and a fence or similar barrier.

*The site plan provided by the applicant is not to scale and shows a significant area that will be used for his business that is actually both city and state right-of-way. It needs to be noted that the area designated by the applicant as usable space contains a large amount of city and or state right-of-way. Staff has attempted to show the actual property lines and area that is privately owned. The Engineering Department has commented that the undeveloped/unused right-of-way may continue to be used by the adjacent private owner until such a time when the roadways are expanded to accommodate increased traffic or roadway projects.*

*Another item that needs clarification in the applicant submitted site plan is the limited location of cars for sale. The applicant has identified the western area of the lot for this purpose only. However, the eastern portion of the lot has not been identified for any specific purpose.*

**Per City Code 10-4-7:** The CB zone requires Automobile and truck sales and/or rentals to acquire a Special Use Permit prior to being legally established.

*This designation of Automobile Sales does entail a certain degree of service to be performed on vehicles prior to the sale occurring. The approval of this Special Use Permit would only allow service to be performed on vehicles owned and licensed to the Used Car Lot. It would not permit the location to be used for automobile service and/or repair. Due to this allowance of service, it would be appropriate to address the possible negative impacts that may occur, including the number of vehicles that may be “serviced” at any one time, screening or inside storage of inoperable or unlicensed vehicles and automotive parts. There is a different impact between a retail sales lot and an automobile service & repair business. – IF the plans are to purchase wrecked vehicles and repair them for resale on this site there should be conditions placed on this permit similar to an automobile repair business; no outside non-operable vehicles or parts.*

**Per City Code 10-10:** The parking requirements for this particular lot total zero spaces due to the property being located within the P-1 Parking Overlay.

**Per City Code 10-11-1 thru 9:** Required improvements for this site will include the maintaining of the parking lot asphalt. Landscaping requirements include 5% of the total parking area. Other improvements include drainage, access, screening and sanitation facilities.

*The lot is currently developed with asphalt, since this location is in the P-1 Parking Overlay, and the landscaping is tied to the parking requirement, the amount the applicant has supplied will satisfy the required amount. Drainage is an item the applicant will need to work with the Engineering Department to satisfy their drainage requirements for the area. Screening and sanitation facilities will also need to be addressed. It would be reasonable to address these items in a separate condition that will satisfy the need to bring this property up to current code standards due to the Special Use Permit.*

*Other specific items the Engineering Department expressed a concern were the multiple approaches located on the property. Engineering has placed a condition on this special use permit to permanently close the 2 furthest East approaches on the North and South side of the property. These particular approaches create a traffic hazard due to their proximity to the intersections.*

**Possible Impacts:** Staff does not foresee a significant increase in negative impacts to the surrounding properties with the establishment of this business as presented. Staff has recommended some conditions for this permit that should mitigate the visual impacts that this type of business have historically created.

**Conclusion:**

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to all inoperable, unlicensed, or junk vehicles and all vehicle parts being stored within a sight obscuring screened area or inside a building; screening material to be approved by staff prior to installation.
3. Subject to all required improvements being addressed by the applicant within six (6) months and approved by City Staff according to applicable codes and standards as listed in City Code 10-11-1thru 9.
4. Subject to the eastern most approaches on Minidoka Ave/2<sup>nd</sup> Ave S and Main Ave S being permanently closed in accordance with City Engineering standards.

**Attachments:**

- |                        |                                  |
|------------------------|----------------------------------|
| 1. Letter of Request   | 4. Applicant Submitted Site Plan |
| 2. Zoning Vicinity Map | 5. Site Photos                   |
| 3. Aerial Map          |                                  |

10-6-14

To Whom it may concern,

My name is Steve Griffin and I am starting a business called 24/7 Auto Sales.

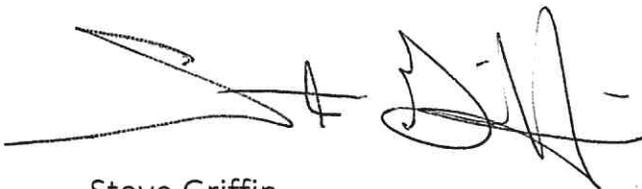
The location in Twin falls that we are applying for the special use permit is 818 Main Ave S. It is my intention to sell used vehicles at this location as it has been used for the past 30+ years.

Our base hours of operation are tentatively Tuesday – Sunday 11am to 8pm.

I have updated many items at the location. I have also provided a proposal for “beautification” to include shrubbery, and a “fence” type barrier

If I can be of any other assistance feel free to call me at 208.280.1855 or email me at [gamersworld\\_2@msn.com](mailto:gamersworld_2@msn.com)

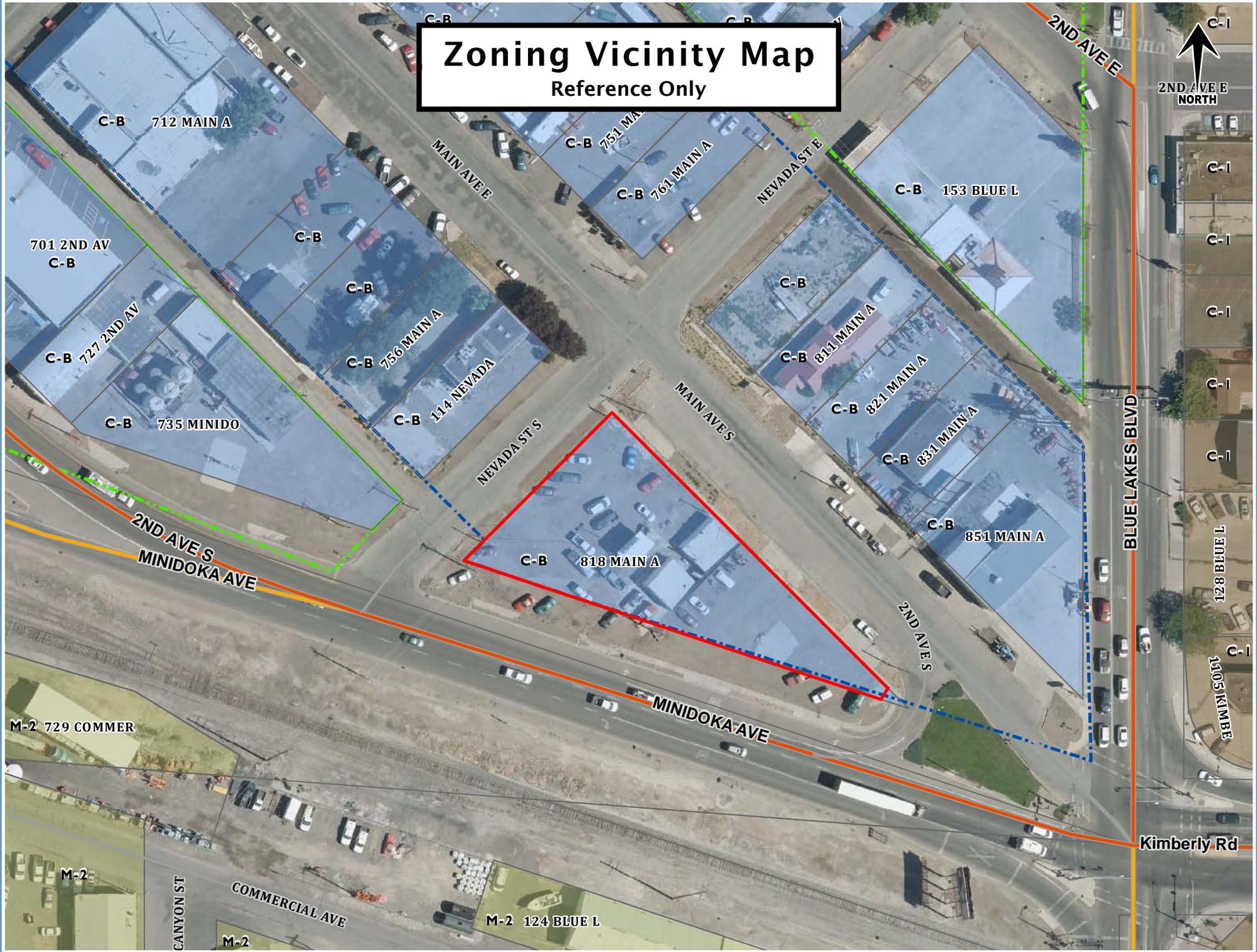
Thank you,

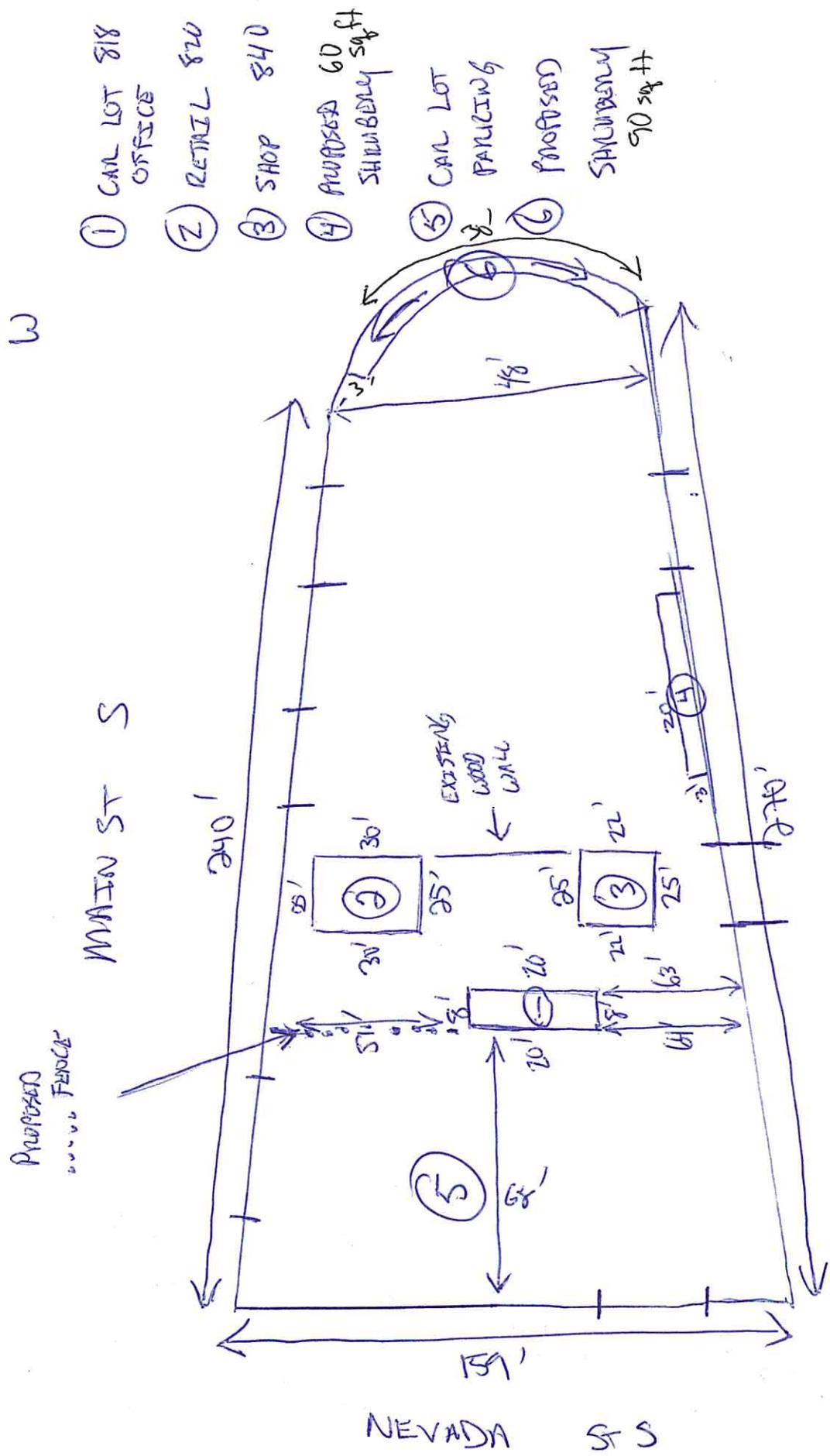
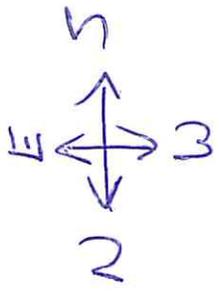
A handwritten signature in black ink, appearing to read 'Steve Griffin', with a long horizontal flourish extending to the left.

Steve Griffin

# Zoning Vicinity Map

Reference Only





WH7 AUTO SALES  
E/HR  
STEVE GASTEN

# Aerial Photo Map

Reference Only



756 MAIN A

114 NEVADA

811 MAIN A

821 MAIN A

Approximate Property  
Boundary

831 MAIN A

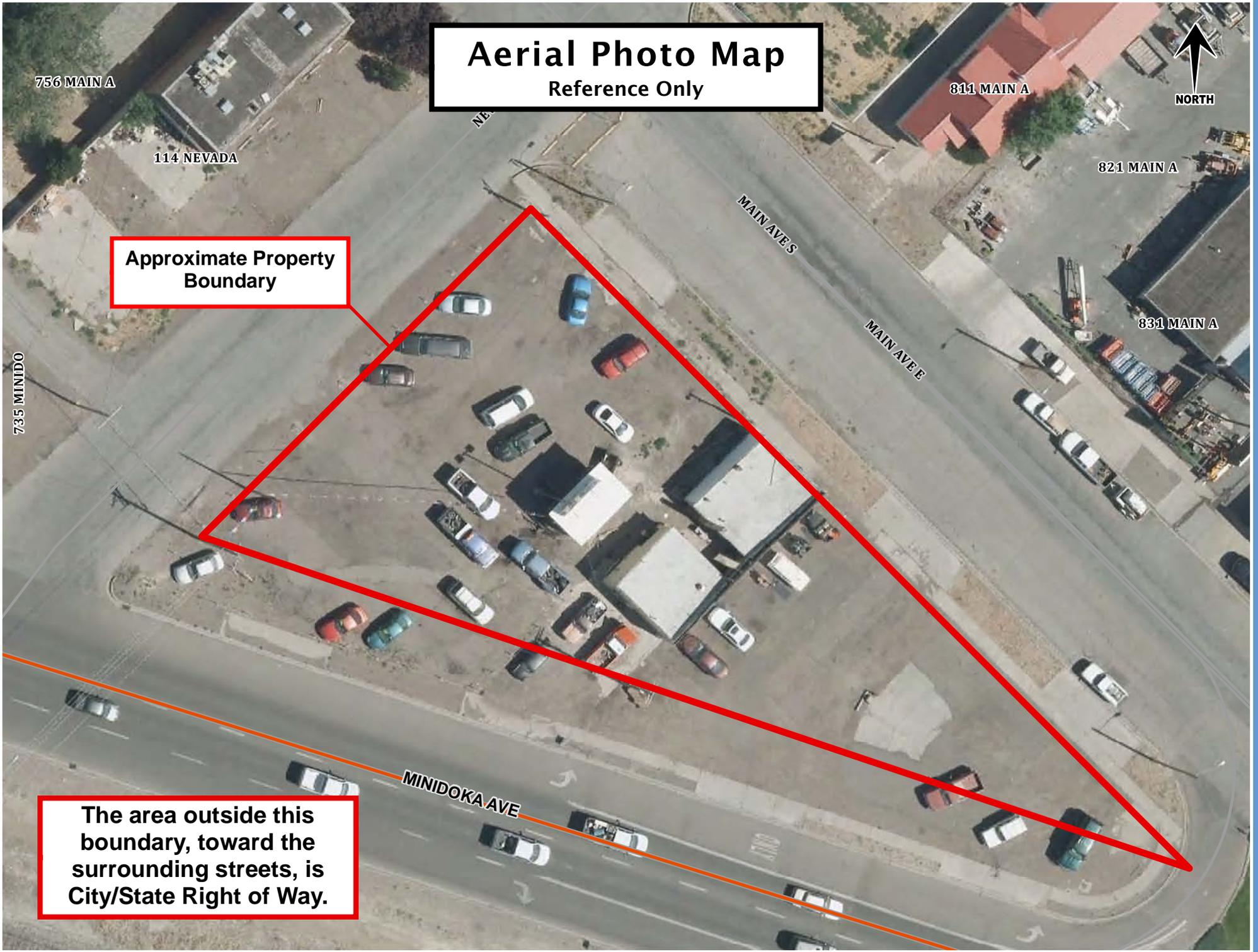
735 MINIDO

MAIN AVES

MAIN AVE E

MINIDOKA AVE

The area outside this  
boundary, toward the  
surrounding streets, is  
City/State Right of Way.







Frontage along 2<sup>nd</sup> Ave South/Minidoka 10/28/2014 11:13 AM

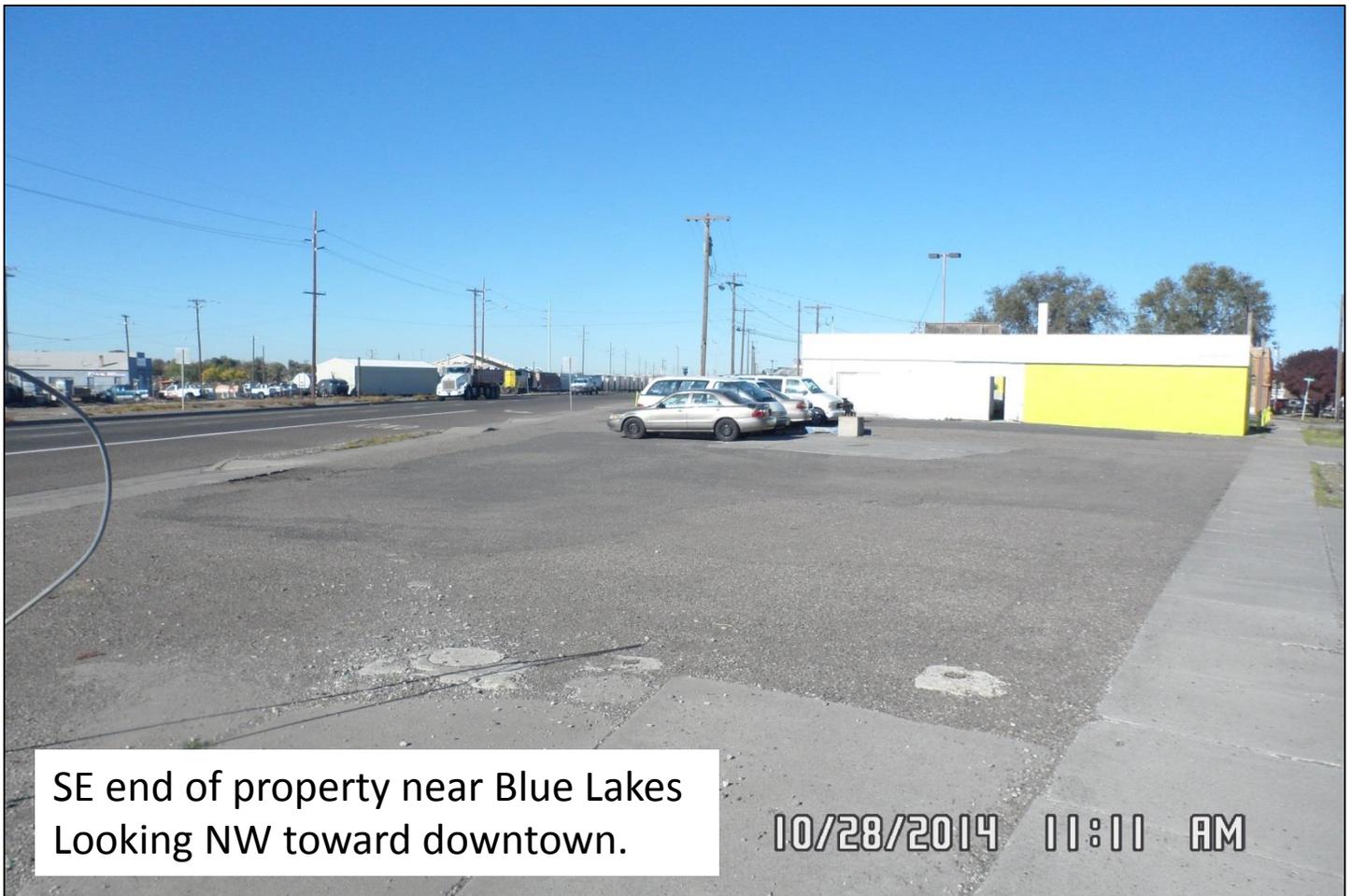


Eastern Portion of Property Unidentified on Site Plan 10/28/2014 11:12 AM



Eastern Portion of Property  
Unidentified on Site Plan

10/28/2014 11:12 AM



SE end of property near Blue Lakes  
Looking NW toward downtown.

10/28/2014 11:11 AM



Frontage along Main Ave, Potential Retail store?

10/28/2014 11:10 AM



Frontage along Nevada Street

10/14/2014