

# Sterling Landscaping

Conditional Use Permit with Variances from Setbacks

C.U.P. 25-031

13965 Highway 55

Applicant – Jody Hurst

Representative – Mike Williams



# Agenda

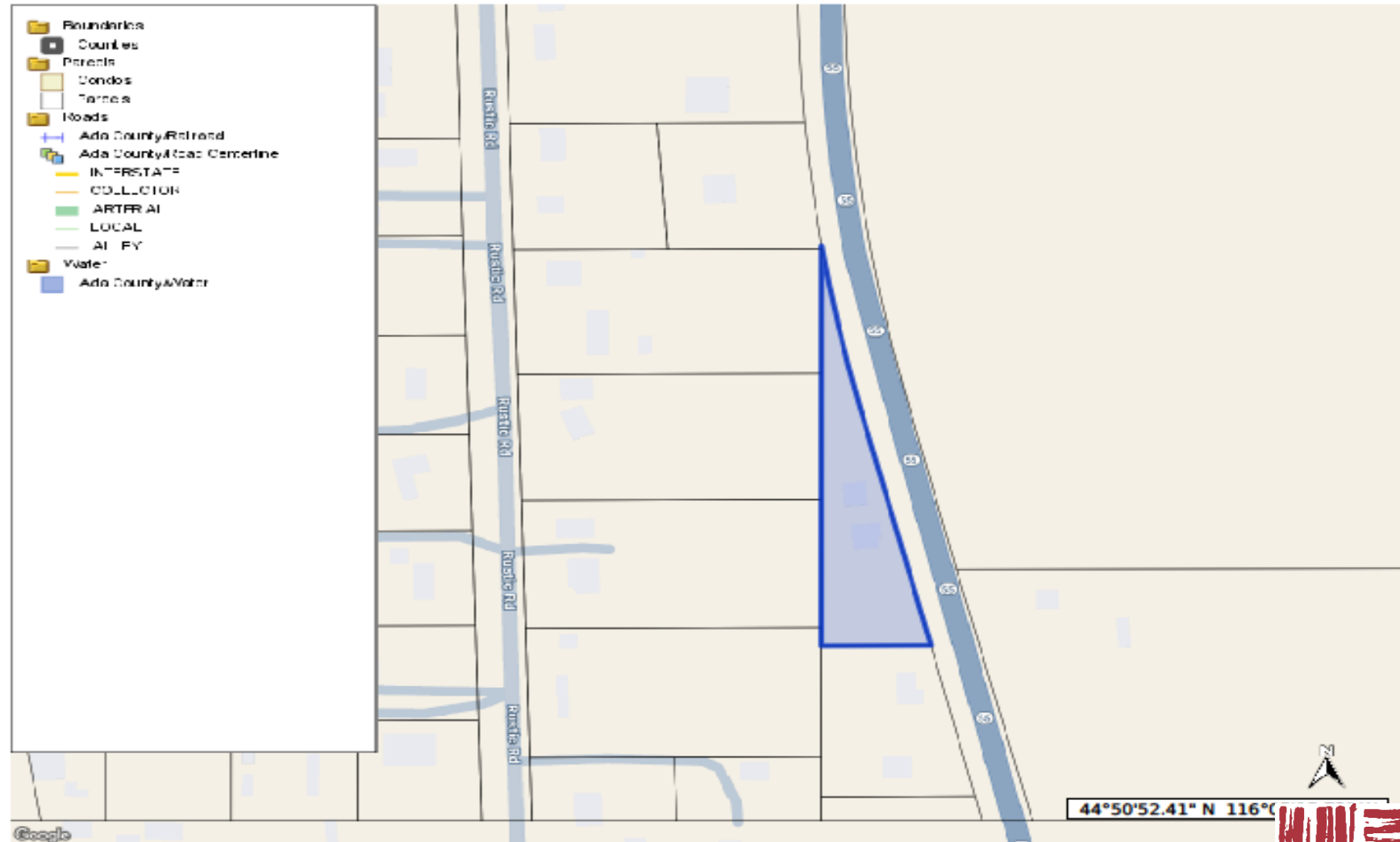
- Site History and Background
- Application Details
  - Conditional Use Permit
  - Variance of Setbacks

# Site History and Background

- The subject site is .968-acres is size.
- The site contains a single-family dwelling with two (2) access points to State Highway 55.
- The site is bordered by the following uses:
  - North and south by commercial uses (Ion Electric and Dyrud Construction).
  - East – State Highway 55
  - West – Residential subdivision – Eld's Country Subdivision (Four residential lots – Closest dwelling is approximately 300-feet from the shared property line).



## 13965 SH-55 - Vicinity Map





# Conditional Use Permit and Variance of Setbacks

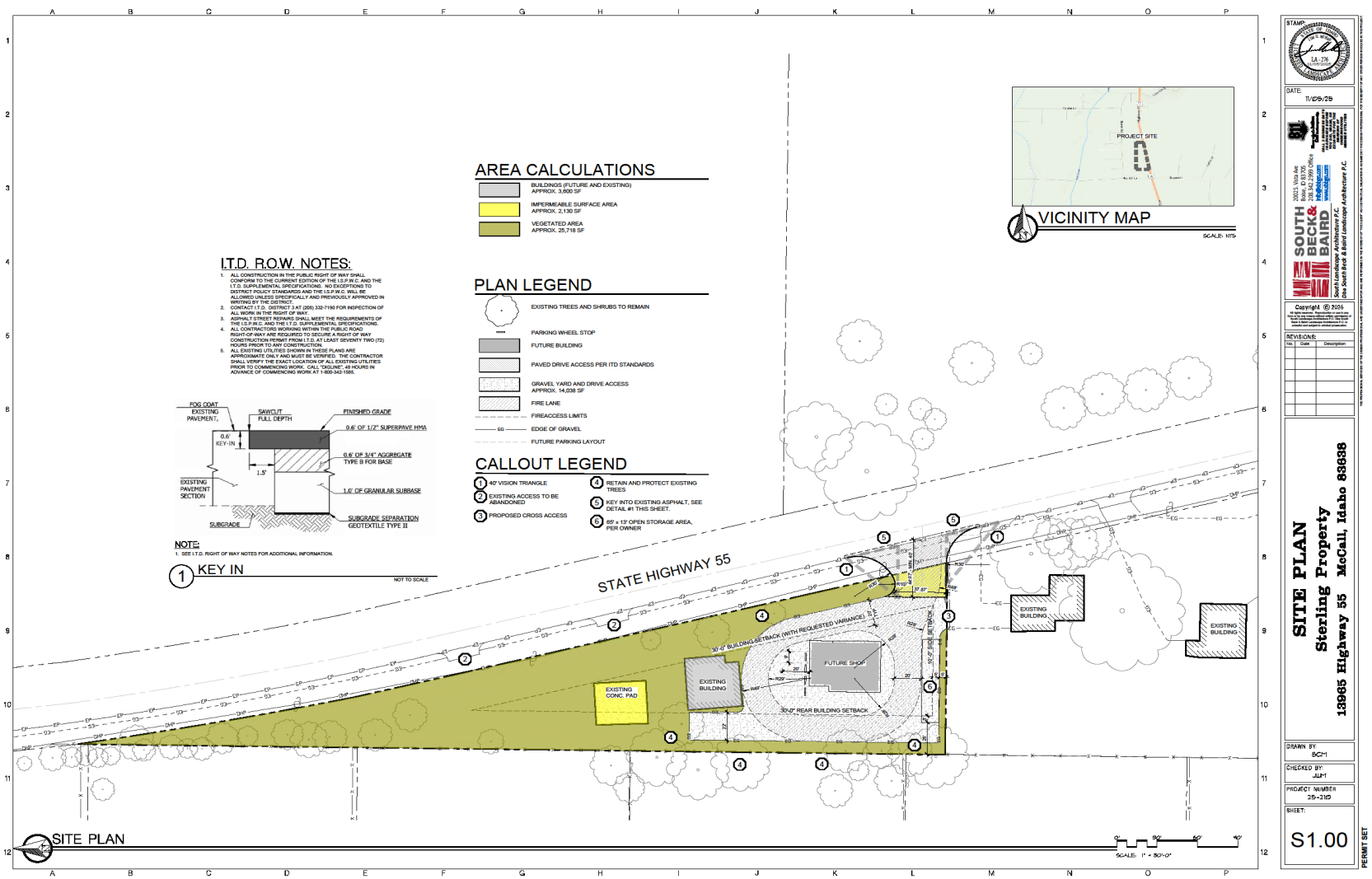
The applicant is requesting conditional use permit approval to operate a landscaping business from the subject property. Also, the applicant is requesting a variance to the front, rear, and side setbacks based on the unique shape of the property.

The variance request associated with the front setback is for a future shop due to the narrowness of the subject parcel.

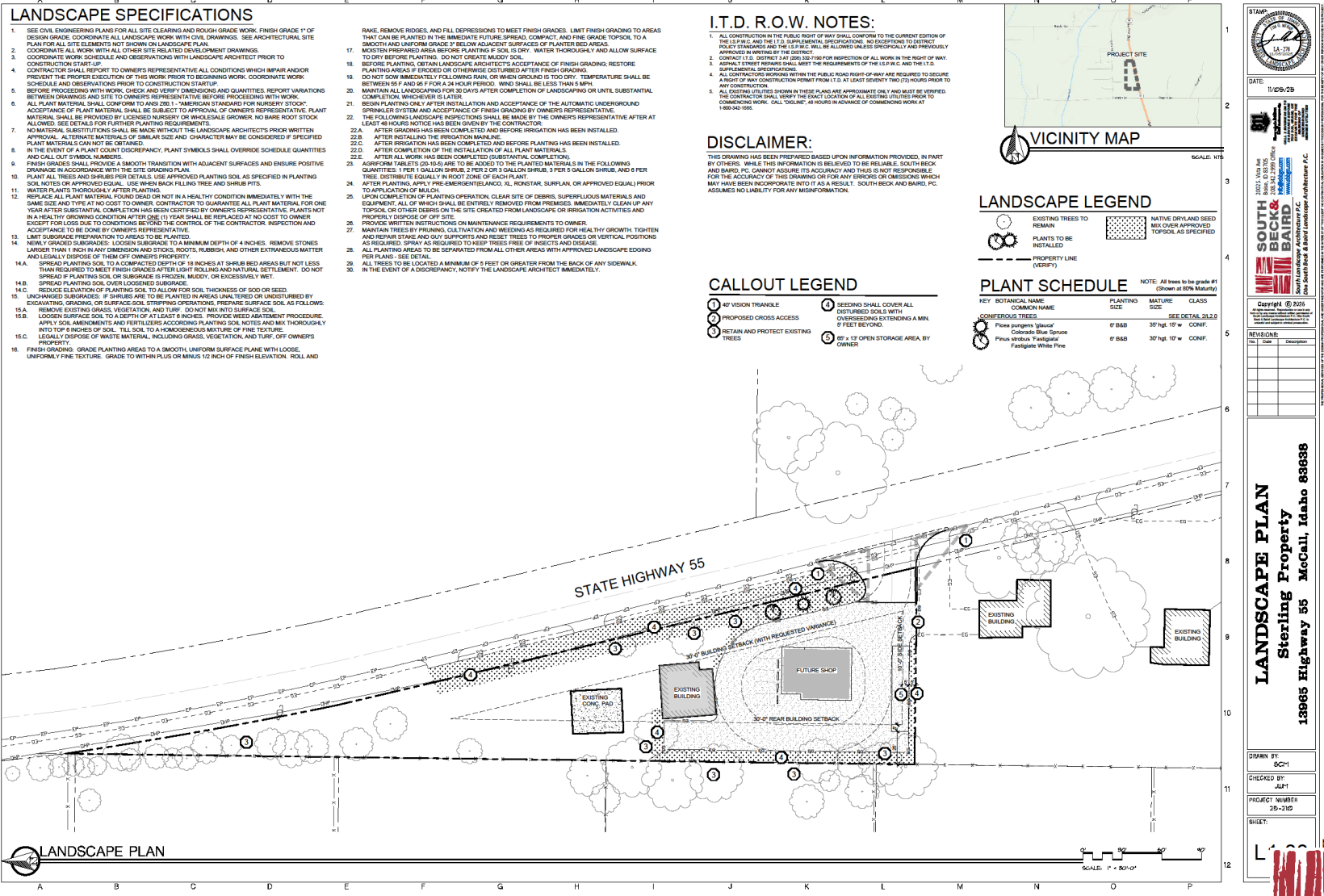
The variance request associated with the rear and side setbacks is associated with storage bins to contain landscaping materials. The reason for the request is due to providing the required fire access lane around the proposed shop.



# Site Plan



# Landscape Plan



# Staff Comments/Questions

1. Lake Irrigation District – Water Rights?
  2. Will the area north of house be used by the business?
  3. Where will be snow be stored?
  4. Was the residence included as part of the ITD permit?
  5. Where will residents of the home park vehicles?
  6. What are the hours of and days of operations?
1. We have reached out to the irrigation district to obtain a water right/share certificate.
  2. The applicant is proposing to landscape the area north of the existing dwelling. The pad site located north of the dwelling will be converted to a detached patio for the dwelling.
  3. Snow will be stored onsite along the western property line.
  4. The residence was included as part of the ITD permit. During the summer months it will be utilized by the employees. During the landscaping off season, the house may be rented to individuals.
  5. There will not be a conflict in parking between the employees or possible renters since the occupants time will not overlap.
  6. The landscaping crews typically arrive at 7:00 a.m. and work until early evening. We request hours of operation of 7:00 a.m. – 7:00 p.m. Monday – Friday.

# Variance request

- Staff report indicated variances are typically given for topographic reasons.
- Valley County Code Section 9-1-10: Definitions:

VARIANCE: A grant of relief from certain provisions of this title when, because of the particular physical surroundings, **shape**, or topographical condition of the property, compliance would result in undue hardship upon the owner as distinguished from a mere inconvenience or inability to receive greater profit.

- Valley County Code Section 9-4-6: Variances:

Variances with respect to lot size, **setbacks**, parking space, height of buildings or other provisions of this title affecting the size or shape of a structure **or the placement of the structure upon lots**, and other land use requirements may be granted by the commission and board.



# Variance Request (Continued)

- Valley County Code Section 9-5H-10: Variances:

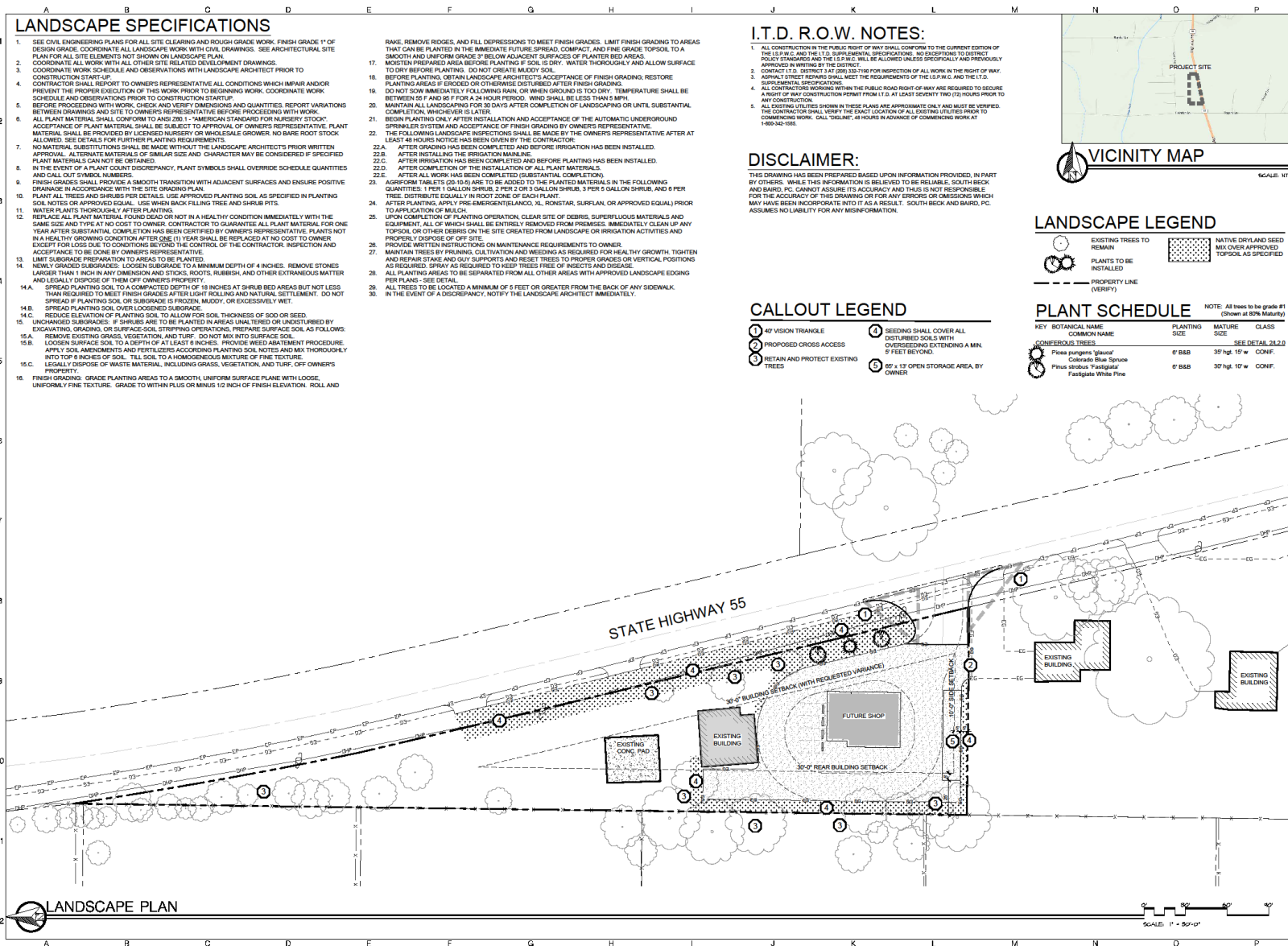
A. Conditions: Pursuant to Idaho Code section 67-6516, the commission shall be empowered to grant variances relaxing or modifying the requirements of this title with respect to lot size, **setbacks**, parking space, height of buildings, or other provisions of this title affecting the size or shape of a structure upon lots, and other land use requirements of this title.

B. Application:

1. A variance may be granted to an applicant only upon a showing of undue hardship as a result of characteristics of the site.
2. A written application for a variance shall be submitted to the administrator or staff containing:
  - a. Description of the nature of the variance requested.
  - b. A narrative statement and graphic material demonstrating:
    - (1) That special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
    - (2) That granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.



# Landscape Plan



STAMP: SOUTH BECK & BAIRD, P.C. 11/29/25

DATE: 11/29/25

13965 Highway 55, McCall, Idaho 83638

LANDSCAPE PLAN

Sterling Property

McCall, Idaho 83638

DRAWN BY: SC1

CHECKED BY: JLP1

PROJECT NUMBER: 25-202

SHEET: L1.00

PERMIT SET

# Storage Bins

The proposed storage bins will be similar to the bins shown in the photo; however, steel dividers will be utilized so the bins will be less bulky. (Approximately 13'x13')

The request for the setback variance is due to the location of the required fire lane around the proposed shop.



# Questions?

## THANK YOU

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