

MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- ☐ APPEAL
- ☐ COMPREHENSIVE PLAN TEXT AMENDMENT
- ☐ COMPREHENSIVE PLAN MAP AMENDMENT
- ☐ DESIGN REVIEW
- ☐ DEVELOPMENT AGREEMENT
- ☐ PLANNED UNIT DEVELOPMENT
- ☐ PLANNED COMMUNITY
- ☐ REZONE
- ☒ SPECIAL USE PERMIT
- ☐ SPECIAL USE PERMIT (MINERAL EXTRACTION)
- ☐ SUBDIVISION, PRELIMINARY
- ☐ SUBDIVISION, MODIFICATION
- ☐ SUPPLEMENTAL AMENDMENT ☐ VACATION
- ☐ VARIANCE
- ☐ ZONING TEXT AMENDMENT

PROJECT NAME: Little Tikes Daycare

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: _____ Section: _____ Township: _____ Range: _____ Total Acres: 7.0720

Subdivision Name (if applicable): _____

Lot: _____ Block: _____

Site Address: 1490 E. Gem Estates Lane

City: Emmett

Tax Parcel Number(s): RPD7N02W250863 Current Zoning: _____ Current Land Use: _____

PROPERTY OWNER:

Name: Jess and April Dillwith

Address: 1490 E. Gem Estates Ln

City: Emmett State: ID Zip: 83617

APPLICANT:

Name: April Dillwith

Address: Same

City: _____ State: _____ Zip: _____

Telephone: (208) 800-2925

Telephone: _____

Email: tikesdaycare@gmail.com

Email: _____

I consent to this application and allow Development Services staff to enter the property for site inspections

I certify this information is correct to the best of my knowledge.

January 31, 2023

To whom it may concern,

I April Dillwith, owner of Little Tikes Daycare would like to expand my daycare from 12 kids to 24+. I have been asked time and time again, "why run a daycare, or they might say I'm amazed on what you do", My answer is simple, I love doing what I do.

When I was 21 years old, I had my daughter, at that time I tried my hand at daycare. My husband was in the Airforce, I was a new mom and I had nothing better to do except watch military babies. I'm not going to lie; I did not enjoy it. I was young and not ready to watch other kids. I wanted to give all my energy and love to my daughter.

Years has past and I found myself working again in the daycare business, this time around I was a mother of three kids working at Target and working at a local daycare center. The daycare center decided to go into a different direction.

As my husband always said, "when one door closes another one opens", and boy he was right. I was offered a job working at Purple Sage Elementary with special ed. I fell in love with the teaching aspects. Those special ed students opened my eyes to a whole new world. I loved working with these students. Working at Purple Sage helped me make a big life decision, I decided to go back to school and get my teaching credentials. I worked at Purple Sage Elementary for about 2 years until Covid hit.

Again, I was lost. After talking to my husband, we decided to open a daycare. We have a daylight basement with a bathroom, kitchen, front room and two rooms. The daycare also has its own entrance and playground. Little Tikes Daycare is separate from our living area. I want my daycare to be separate from any other daycare. We have farm animals that my kids interact with, we take them on hikes around the property, weather permitting a course. My daycare parents and their kids are family and I want to be able to open my daycare up and expand my family. I have four incredible employees, who are background checked, CPR certified, and Idaho Stars trained.

Even though I have my bachelors in elementary education, this is what I want to do. There are not enough daycares in the Gem County valley. And the daycares that are here, they have no room for more kids. I want to give these families a chance of finding a local daycare and helping our community out, instead of having them find care over the hill.

January 31, 2023

Letter of Intent

I April Anne Dillwith, owner of Little Tikes Daycare located at 1490 E. Gem Estates Lane, Emmett, ID 83617. I, April, and my husband Jess Dillwith are sole owners of this property. By owning Little Tikes Daycare, we would like to expand my daycare license to 24 plus children, I am currently licensed to have 12 children. Little Tikes Daycare currently has 3 full time employees and 1 part time employee. My part time employee will be full time during the summer months. Our hours of operation are from 6:30 to 6:30.

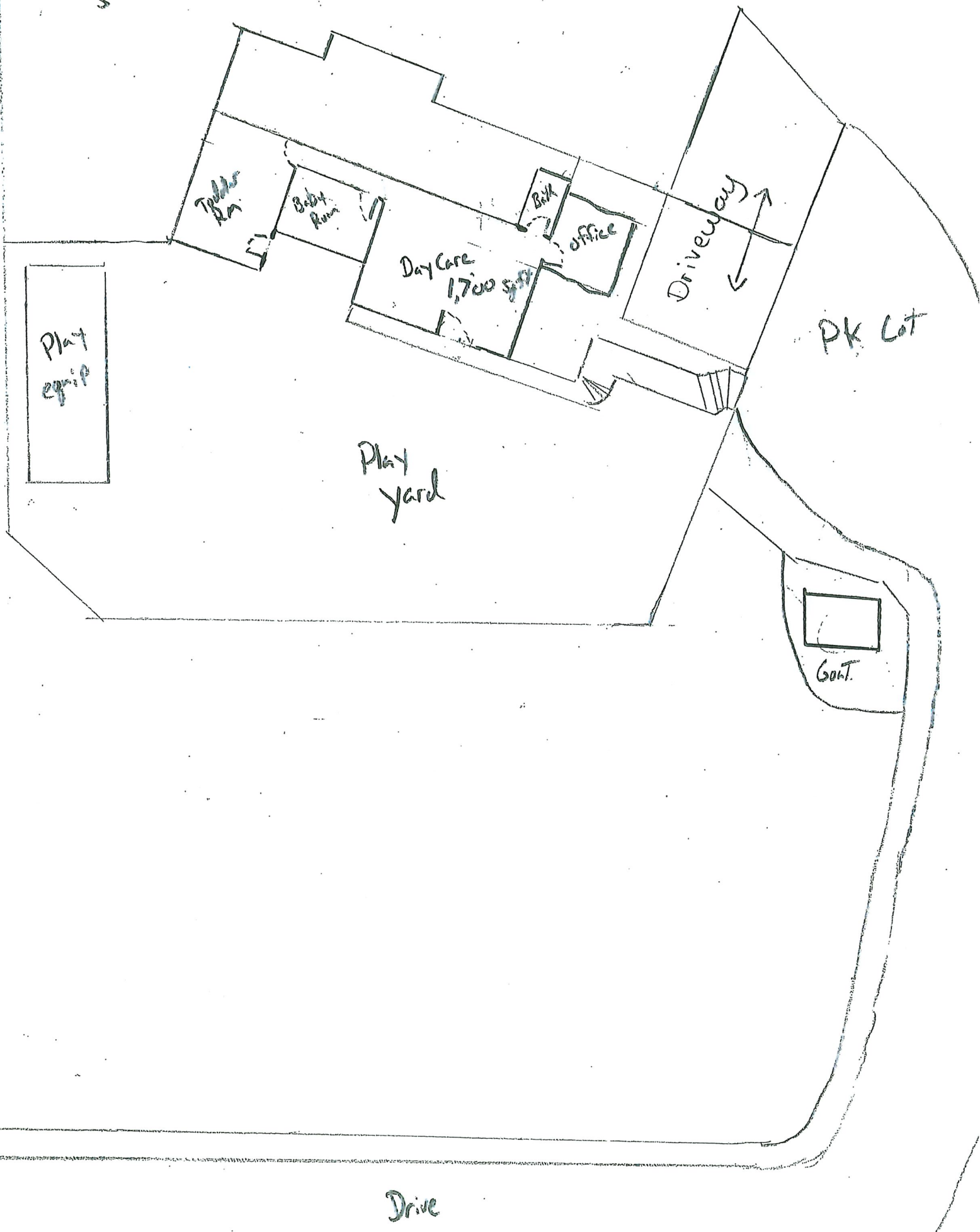
I assure the county that we have the space to take care of 24 plus children. We will not be in violations of disturbing current or new neighbors. The road to our daycare is a private road that does not get in the way of our neighbors. There will be no excess traffic noise, smoke, odors, or disturbance to my neighbors.

Jess and I will make sure that the proper authorities will have access to our property in case an emergency should arise. There will be no added cost or additional requirements to the public by having my daycare extended.

Little Tikes Daycare will not result in the destruction, loss, or damage of a natural, scenic, or historical feature of major importance.

A handwritten signature in cursive script, reading "April Dillwith", written over a horizontal line.

April Dillwith, Owner





GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

OFFICE OF THE ADMINISTRATOR

PLANNING & ZONING

PHONE: (208) 365-5144

WEB PAGE: WWW.GEMCOUNTY.ORG

STAFF REPORT

DESCRIPTION: SPECIAL USE PERMIT APPLICATION – DAYCARE

FILE NUMBER: SUP-23-002

PLANNING AND ZONING COMMISSION HEARING DATE: AUGUST 14, 2023

APPLICANT: JESS WILLIAM AND APRIL DILLWITH
1490 E GEM ESTATES LANE
EMMETT, ID 83617

PROPERTY OWNER: SAME AS APPLICANT

SUBJECT PROPERTY: 1490 E GEM ESTATES LANE, IN T 07N, R 02W, SECTION 25

STAFF PLANNER: JENNIFER KHARRL

1. APPLICATION SUMMARY

The applicant, April Dillwith, is requesting approval of a Special Use Permit (SUP) to allow the operation and expansion of an in-home daycare to allow for 24+ children. The daycare, *Little Tikes Daycare*, is proposed at 1490 E Gem Estates Lane and is located in the A-2, Rural Transitional Agriculture zone. Hours of operation are proposed to be 6:30 AM to 6:30 PM Monday through Friday. The property lies within the "County Residential Area, Priority Growth Area #3" land designation of the 2007 Future Land Use Map.

The applicant received a Home Occupation Permit, approved by the Planning Director in 2020 that allowed for 5 children to be cared for. A SUP should have been applied for when the number of children increased.

"Daycare" is listed as a "Special Use Permit" in the A-2 zone per Gem County Code (GCC) 11-5-5, Zoning Matrix. The property lies within the "County Residential Area, Priority Growth Area #3" land designation of the 2007 Future Land Use Map. This designation does allow for daycares if a Special Use Permit is approved.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located at 1490 E Gem Estates Lane. The property is located in a portion of Section 25, T 07N, R 02W. (Tax parcels RP07N02W250863)

B. Current Owner(s): Jess William and April Dillwith
1490 E Gem Estates Lane
Emmett, ID 83617

C. Applicant(s): Same as owner

D. Present Zoning: A-2, Rural Transitional Agriculture

E. Present Comprehensive Plan Designation: County Residential Area, Priority Growth Area #3

F. Property Size: 7.07+/- acres

3. APPLICATION PROCESS FACTS

A. Application Submittal:

The application for this item was received and deemed complete by the Development Services Department on February 3, 2023.

B. Notice of Public Hearing:

Notice of Public Hearing on the application for the Gem County Planning and Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-15-5 on July 26, 2023. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on July 20, 2023. The physical property was posted for the public hearing on June 16, 2023. Requests for all impact agencies' reviews were mailed on July 20, 2023.

We received one (1) response letter from impact agencies – Southwest District Health (with a few conditions).

Public hearing notices were mailed to six (6) parcels in the immediate vicinity. Three (3) written comments in opposition have been received.

C. Relevant Ordinances and Required Actions:

The subject application constitutes a Special Use as determined by Gem County Code (GCC). By reason of the provisions of the GCC Title 11, Chapter 7, a public hearing is required before the Planning and Zoning Commission on this matter.

4. LAND USE

A. Existing Land Use(s): Single-family dwelling.

B. Description of Character of Surrounding Area: Irrigated pastureland, hillside and rural single-family dwellings.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

| | 2007 COMP PLAN DESIGNATION | ZONING DESIGNATION | LAND USE |
|---------------|--|--------------------------------------|--|
| North of site | County Residential Area, Priority Growth Area #3 | A-2, Rural Transitional Agricultural | Hillside |
| South of site | County Residential Area, Priority Growth Area #3 | A-2, Rural Transitional Agricultural | Rural Residential, Irrigated Pastureland |
| East of site | County Residential Area, Priority Growth Area #3 | A-2, Rural Transitional Agricultural | Rural Residential, Irrigated Pastureland |
| West of site | County Residential Area, Priority Growth Area #3 | A-2, Rural Transitional Agricultural | Rural Residential, Irrigated Pastureland |

5. COMPREHENSIVE PLAN POLICIES & GOALS [Staff comments and analysis are shown in *italics*.]

The 2007 Comprehensive Plan Future Land Use Map identifies the subject property as County Residential Area, Priority Growth Area 3.

The Comprehensive Plan defines the “County Residential Area, Priority Growth Area 3” category (in **Chapter 12**) as follows:

The County Residential Area is set aside for primarily residential development. The long-term vision for this planning area is to maintain the uniquely rural character and to preserve non-conforming uses. The Priority Growth Area 3 allows densities down to one (1) unit per five (5) acres, or as the Zoning and Subdivision Ordinances currently allow.

This property is located in an A-2 zone and within the County Residential Area, Priority Growth Area 3 designation of the Future Land Use Map. The proposed use is only allowed in the existing zone (A-2) if the Commission grants a SUP.

6. ZONING ORDINANCE [Staff comments and analysis are shown in *italics*.]

- A. Schedule of Zoning Regulations: Gem County Code 11-5-5, Zoning Matrix, permits a Daycare with a Special Use Permit in the A-2 zone.
- B. Purpose Statement of Zone: Gem County Code 11-4-2.A. lists the purpose of the A-2, Rural Transitional Agricultural, zone as follows: “Lands lying within those unincorporated portions of Gem County that are likely to undergo a more intensive urban development. The regulations governing this zone are designed to protect agricultural pursuits and provide guidelines for conversion to suburban development.”

The Commission must find that the proposed use is consistent with the purpose of the zone.

7. REQUIRED FINDINGS & STAFF ANALYSIS [Staff comments and analysis are shown in *italics*.]

- A. Will in fact, constitute a special use as established on the Official Schedule of District Regulations for the zoning district involved;

Staff finds that the proposed daycare lies within the A-2, Rural Transitional Agricultural zone. Gem County Code 11-5, Zoning Matrix does allow daycares within the A-2 zone and is, therefore, found to constitute a special use as established on the Official Schedule of District Regulations.

- B. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the Zoning Ordinance;

Staff finds that the proposed use, if operated according to the proposed conditions of approval, will be in accordance with the objectives and policies of the "County Residential Area, Priority Growth Area #3" designation on the Future Land Use Map of the Comprehensive Plan, as outlined in Section 5 of this report.

- C. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

Staff finds the existing character of the area is rural and agricultural, with scattered single-family residential and hobby farm uses in the vicinity. The intended character of the area (as defined by the Comprehensive Plan) is to retain the uniquely rural character of the area and to preserve non-conforming uses. Depending upon the level of traffic, dust and noise from the children playing outside, the proposed use has the potential to change the character of the area. For this reason, staff finds some special conditions are necessary in order to protect the character of the area if the Commission chooses to approve the SUP.

Staff finds that determining what is "harmonious" in a particular neighborhood relies strongly on the residents of that neighborhood. As such, the Commission should review this finding after hearing from both existing residents and the applicant and their plans to address any compatibility concerns. Several written comments were submitted by neighboring property owners in response to the public notice for this application. They were filed in opposition to the request. Their concerns were related to the traffic, increased speeding, dust and the wear and tear on the gravel private road.

- D. Will not be hazardous or disturbing to existing or future neighboring uses;

Staff finds that the proposed use has the potential to be disturbing to neighboring uses with the increased traffic, dust and noise generated from the kids playing outside (as compared to residential or agricultural uses). The Commission should review this finding in relationship to the proposed conditions and other evidence presented at the hearing.

- E. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such services;

Staff finds that the proposed use could be adequately served by the Gem County Sheriffs Department, Mosquito Abatement District, Emmett Sanitation and Gem Rural Fire District #1. The Commission should also refer to any comments submitted from impact agencies during the course of the open public hearing.

- F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff finds that the proposed use will not significantly increase demands on public facilities or services, assuming all conditions of approval are met. No public service providers raised this as a concern during the public comment period. The applicant is responsible for paying all improvement and other costs

associated with ensuring the operation complies with public requirements. There are no anticipated negative impacts on the public facilities and services. If operated in accordance with county regulations, it should not be detrimental to the economic welfare.

- G. Will not involve uses, activities, processes, materials, equipment and conditions or operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

As noted in finding D above, the main foreseeable detriment to the general welfare could be the increased noise from kids playing outside and increased traffic and dust along the private road. For this reason, staff finds some special conditions are necessary in order to protect the character of the area if the Commission chooses to approve the SUP.

Staff finds that determining what is "detriment" in a particular neighborhood relies strongly on the residents of that neighborhood. As such, the Commission should review this finding after reviewing the written comments and hearing from existing residents and the applicant and their plans to address any such concerns. Several written comments were submitted by neighboring property owners in response to the public notice for this application. They were filed in opposition to the request. Their concerns were related to the traffic, increased speeding, dust and the wear and tear on the gravel private road.

- H. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

There should be no new vehicular access points created with this project and none are proposed. The existing driveway is found to be adequate for the proposed daycare.

- I. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Staff finds that the application would not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance. There are no known historical structures in the area.

8. IMPACT AGENCIES NOTIFIED

Gem County Road Department
Gem County Mapping
Fire District #1
Idaho Transportation Department
Gem County Sheriff
Health and Welfare
Southwest District Health

9. STAFF RECOMMENDATION

The Commission must consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application. Staff has raised questions concerning findings "C", "D", and "G", based on the letters of concern that have been received, that the Commission should address at the public hearing. Should the Commission make positive findings of fact and vote to approve this application, staff recommends that the approval be subject at a minimum to the Site-Specific Conditions of Approval attached in Exhibit A. If the Commission cannot make positive findings for all 9 findings, the application shall

be denied.

EXHIBIT A

SITE SPECIFIC CONDITIONS OF APPROVAL DILLWITH FILE #SUP-23-002

♦ *These conditions of approval, if the SUP is granted, shall be met prior to the operation of the business.* ♦

1. This permit is subject to an annual review by the Development Services Department.
2. The permit is non-transferable to another property and is only valid at 1490 E Gem Estates Lane.
3. No off-premise signs are allowed for the purpose of advertising the daycare. Any new signs for the business shall comply with the standards of GCC 11-10-6 (Sign Ordinance). A sign permit shall be approved by Development Services Department.
4. The applicant shall secure and maintain a Basic Day Care License from the State of Idaho Department of Health and Welfare – Family and Children’s Services Division. Proof of said license shall be provided to the Development Services Department.
5. On-site vehicle pick-up, parking and turnaround areas shall be provided and continuously maintained to ensure safe discharge and pick-up of clients.
6. The daycare hours shall be Monday – Friday 6:30 AM to 6:30 PM.
7. The daycare facility shall have no more than twenty-four (24) children on the premises at any given time during the hours of business operation. **The Commission can discuss the number at the hearing.**
8. Outdoor play equipment for the daycare business shall not be located in the front yard.
9. The applicant shall install & maintain a 6-foot tall fence along the perimeter of the outdoor play area in the backyard to secure against exit/entry by small children and to screen the neighboring property.
10. The applicant shall enter into an agreement with all users of the private road regarding the additional maintenance from the daycare traffic.

GCC 11-7-11: LAND USE TIME LIMITATIONS:

- (1) Commencement: When a special use permit is granted, the land use or construction of its facility proposed in the application must have commenced within one (1) year of the date of the final decision by the Commission, or the Board or a court of appropriate jurisdiction (if appealed) and completed within two (2) years of the same date. Upon expiration of the use or the approval of that use as provided by this section, the applicant can seek approval of the use only by filing a new initial application for review by the Commission.
- (2) Expiration: After the one (1) year period has expired, if any person, including staff or member of the Commission, files a written notice presenting sufficient evidence, as determined by the Administrator, to establish that the land use or construction of its facility provided for in the special use permit, has not commenced, or after the two (2) year period that said use has been abandoned or has ended, the Commission may find that the use has not been implemented or has been abandoned or has ended. If so, the Commission shall set aside the prior approval and order the property to revert to its prior status. An aggrieved person may

appeal any Commission decision made under this section to the Board pursuant to Chapter 11-7-9 of this chapter.

GCC 11-7-12: REQUEST FOR EXTENSION:

- (1) Request: An applicant may request extension of the time period provided by this section by filing an application for extension with the Administrator. Such application must be filed at least sixty (60) calendar days prior to expiration of the one (1) year period for commencement of the land use or sixty (60) calendar days prior to the expiration of the two (2) year period for completion of the project. The matter shall be heard at a public hearing before the Commission or the Board, whichever made the final decision, in accordance with the notice and hearing procedures of this chapter. If the application is not timely filed, it shall be denied. A renewal extension, if granted, may be limited to three hundred sixty five (365) calendar days, which shall commence at the expiration of either period.
- (2) Decision: The Commission or the Board may extend the commencement period or the completion period as provided above upon proof of good cause by the applicant. The burden of proof as to the showing of good cause for the extension shall be on the applicant, and good cause shall be determined at the discretion of the Commission or the Board.

Stephanie Crays

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Tuesday, July 25, 2023 8:55 AM
To: Stephanie Crays
Subject: **RE: Transmittal for a Special Use Permit Dillwith**

Good Morning, Stephanie –

After careful review of the transmittal submitted to ITD on July 24, 2023 regarding Special Use Permit Dillwith, the Department has no comments or concerns to make at this time. The outcome of this application will not affect transportation.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Stephanie Crays <scrays@co.gem.id.us>
Sent: Monday, July 24, 2023 10:27 AM
To: Neal Capps <ncapps@co.gem.id.us>; Road & Bridge Office <gcrb@co.gem.id.us>; Donnie Wunder <dwunder@co.gem.id.us>; Mike Welch <mwelch@gemfireems.org>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; publichealthidaho@phd3.idaho.gov
Subject: Transmittal for a Special Use Permit Dillwith

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Please see attached.

Please respond by August by 7th with a comment or without a commit so we can have it on file. Thanks

Be Blessed

Stephanie Crays
Development Services Coordinator
109 South McKinley
Emmett, Id 83617
(208)365-5144

Stephanie Crays

From: Briauna Malouf <Briauna.Malouf@phd3.idaho.gov>
Sent: Thursday, July 27, 2023 8:32 AM
To: Stephanie Crays
Cc: Jeff Buckingham; Mitch Kiester
Subject: Southwest District Health Response for Little Tikes Daycare Special Use Permit
Attachments: LittleTikesSepticCalculation.pdf

Good Morning Stephanie,

After further review by our septic team, the team has determined that the septic system for this facility does not meet the DEQ requirements with the proposed added number of kids. I have attached the additional flow calculations and what the facility is approved for, so without modification to their septic system, they would not be approved by us.

Please let me know if you have any further questions.

Thank you,

Check out our new online self-service portal here! [PORTAL](#)



Bri Malouf, REHS/RS | Environmental Health Specialist, Sr. | Southwest District Health
13307 Miami Lane | Caldwell ID 83607 | ph: 208.455.5449 | fx: 208.454.7722
Briauna.Malouf@phd3.idaho.gov | **Healthier Together** | www.swdh.org



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Southwest District Health

920 Main Street
Caldwell, Idaho 83605
(208) 455-5400 • FAX (208) 455-5405

Document Number _____

Date 2-10-05 Receipt 4903

Site Eval. or Handling Charge 210-

Septic Permit Fee 90-

Legal Description T7N R2W Sec 35

Site Location: Left Back Canyon Rd Gen A
across bridge go left

INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL APPLICATION/PERMIT

Property Owner Jamie Watts
Property Address Gen Estates Ln
City Emmett County 23
Phone 315-7658

Applicant Signature Jamie Watts

☒ New ☐ Replacement Lot Size 7
of Bedrooms 3 Flow 350 Gal.
Septic Tank 1250 Eff. Area 583 Sq. Ft.
Type Dwelling S Type System G
Soil Texture Classification: B.
Test Hole Evaluation Results:

0-5' clay
rock
5'-9' sand
B.

Drainfield Distance from Adjacent Wells 2100 ft.
Distance to Temporary Surface Water 750 ft.
Distance to Permanent Surface Water _____ ft.
Static Water Table Depth 210 ft.
Site Evaluation Inspection:

Robert Poutner 75 2-16-05
EHS Signature EHS Code Date

Septic Tank 1250 gal. Mfr. Vulcan Precast
Standpipe 24" manhole depth 30 ins.
Absorption area: 600 sq. ft.
Dimensions: Width 6 ft. Length 100 ft.
Gravel: 30 yds Depth under pipe 6 ft.
Sand: 45 yds Well installed _____ Yes ☒ No
Depth to pipe 36 ins. Dist. to well _____ ft.
Licensed Installer
or owner installed Jim Stephens 25734
Final EHS Approval

Jim Stephens 011 3/23/05
EHS Signature EHS Code Date

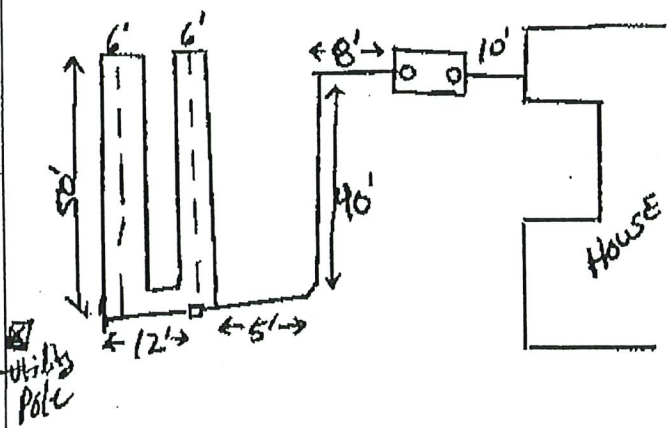
| | | |
|---------|----------------|----------------|
| Date | <u>2-16-05</u> | <u>3-23-05</u> |
| Travel | <u>20</u> | <u>10</u> |
| Inspect | <u>30</u> | <u>30</u> |

Permit Issued

Robert Poutner 75 2-16-05
EHS Signature EHS Code Date

This application must be signed by a licensed Environmental Health Specialist before it is considered a valid permit.
This application will expire 12 months from the application date unless renewed. Two renewals are allowed.

↑ NOT TO SCALE
N



Remarks: Dig to 5' backfill to
4' with Astm C-33 sand

Installation shall comply with all applicable rules, regulations, and standards.
NOTE: This is not a building permit, a building permit may

MAR 31 2005

1490 Hem Estates Ln. (Little Tykes Daycare)

25 students + 4 Resident Staff

No showers:

$$(25 \text{ students})(20 \text{ gpd/student}) = 500 \text{ gpd}$$

$$(4 \text{ staff})(40 \text{ gpd/staff}) = 160 \text{ gpd}$$

$$500 \text{ gpd} + 160 \text{ gpd} = 660 \text{ gpd}$$

No showers,
no cafeteria

No showers w/ cafeteria:

Extra 3 gpd/student

$$25 \text{ students} = 500 \text{ gpd}$$

$$(25 \text{ students})(\text{extra } 3 \text{ gpd}) = 75 \text{ gpd}$$

$$4 \text{ staff} = 160 \text{ gpd}$$

$$(500 \text{ gpd}) + (75 \text{ gpd}) + (160 \text{ gpd}) = 735 \text{ gpd}$$

No showers
w/ cafeteria

With Showers:

$$(25 \text{ students})(25 \text{ gpd/student}) = 625 \text{ gpd}$$

$$(4 \text{ staff})(40 \text{ gpd/staff}) = 160 \text{ gpd}$$

$$625 \text{ gpd} + 160 \text{ gpd} = 785 \text{ gpd}$$

With showers,
no cafeteria

With Showers w/ cafeteria:

Extra 3 gpd/student

$$(25 \text{ students})(\text{extra } 3 \text{ gpd/student}) = 75 \text{ gpd}$$

$$625 \text{ gpd} + 75 \text{ gpd} + 160 \text{ gpd} = 860 \text{ gpd}$$

With Showers
and cafeteria

1490 Grem Estates Ln. (continued)

Soil type: B-1 or 0.6 soil loading rate

No shower, no cafeteria:

$$(660 \text{ gpd})(0.6) = 1100 \text{ ft}^2 \text{ Drainfield area min.}$$

$$(660 \text{ gpd})(2) = 1320 \text{ gal Tank min.}$$

No shower, w/ cafeteria:

$$(735 \text{ gpd})(0.6) = 1225 \text{ ft}^2 \text{ Drainfield area min.}$$

$$(735 \text{ gpd})(2) = 1470 \text{ gal Tank min.}$$

Shower, no cafeteria:

$$(785 \text{ gpd})(0.6) = 1308 \text{ ft}^2 \text{ Drainfield area min.}$$

$$(785 \text{ gpd})(2) = 1570 \text{ gal Tank min.}$$

Shower, w/ cafeteria:

$$(860 \text{ gpd})(0.6) = 1433 \text{ ft}^2 \text{ Drainfield area min.}$$

$$(860 \text{ gpd})(2) = 1720 \text{ gal Tank min.}$$

Stephanie Crays

From: Donnie Wunder
Sent: Monday, July 24, 2023 10:44 AM
To: Stephanie Crays
Subject: RE: Transmittal for a Special Use Permit Dillwith

I see no problem with this application. Sheriff Wunder

From: Stephanie Crays <scrays@co.gem.id.us>
Sent: Monday, July 24, 2023 10:27 AM
To: Neal Capps <ncapps@co.gem.id.us>; Road & Bridge Office <gcrb@co.gem.id.us>; Donnie Wunder <dwunder@co.gem.id.us>; Mike Welch <mwelch@gemfireems.org>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; publichealthidaho@phd3.idaho.gov
Subject: Transmittal for a Special Use Permit Dillwith

Please see attached.

Please respond by August by 7th with a comment or without a commit so we can have it on file. Thanks

Be Blessed

Stephanie Crays
Development Services Coordinator
109 South McKinley
Emmett, Id 83617
(208)365-5144

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JUL 28 2023

BY: **Stephanie Crays**

From: John <bronco72@safelink.net>
Sent: Thursday, July 27, 2023 5:24 PM
To: Stephanie Crays
Subject: Little Tykes Daycare : Request for special use permit

To Whom it may concern,

My name is John Stowell. My address is 1530 Gem Estates Ln. here in Emmett ID.
I am against the proposed expansion of Little Tykes Daycare!

Here are my reasons:

- 1: Clients parents have been known to speed in delivering their children to the facility! To such an extent that there have been large signs posted stating to slow down for the sake of the children that live along Gem Avenue.
- 2: The dust that is increased by the extra traffic, and their speed on the gravel road north of the canal bridge.
- 3: The gravel road degrades more rapidly with the increased traffic! Who is going to maintain the road ??
- 4: There are a lot of people who will be impacted well beyond the 300 foot distance that the notification requires. Out here 300 feet, lots range about 400 feet by 500 feet or more in size means, only a few household are notified and not the majority who will be affected!

Thank You
John M. stowell

To whom it may concern,

JUL 28 2023

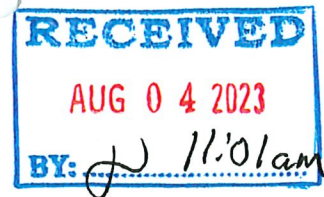
BY: J. J. 10:00 AM

My wife & I Are not in FAVOR OF Jess & April Dillwith receiving A special use Permit For A Day care Facility For their Property At 1490 East Gem Estates Lane. They say they have 12 children now & want A-permit For 24 plus children. It makes us wonder if they have a permit now. When these People drop off & Pick their children up they Are in A Hurry. Gem Ave is A county Rd. & this speed Limit is Posted At 35 mph. There have been several complaints from People on Gem Ave About them speeding. The CANAL Bridge has become congested with the traffic. The Rd. from the canal to Dillwith's is gravel & there is A lot more dust flying because OF ALL OF the traffic.

Mr & Mrs. Scott Peterson

3800 Gem Ave.

August 4, 2023



To: Gem County Planning and Zoning Commission

Re: Expansion of Little Tykes Daycare, 1490 E. Gem Estates Lane, Emmett, ID 83617

We agree that daycare services at reasonable costs are needed, that the children's voices at play are welcome, and that we have little doubt the facility is adequate and enjoyable for the children. We also agree that the hiring of others and the initiative to seek employment and contribute to the growth of both the county and country through working and earning a living is admirable, certainly in this time period.

The objection we have is the statement in the letter of intent that the business is reached only by the owner's private road. Possibly 1/3 of the distance is the owner's private road; approximately 2/3 of the distance belongs to other owners and is not maintained by the Little Tykes owner. At the time a person crosses the canal bridge, he or she enters private property. The roads are clearly marked as private and are privately maintained. At the present time with 12 children, the approximate number of trips to deliver and collect those children could be as many as 50 cars per day on a privately owned and maintained road from the bridge to E. Gem Estates Lane. That number could increase to as many as 100 cars per day if the daycare were expanded to 24+ (note the plus) children.

We do not live within 300 feet of this facility, nor were we notified by the owners, nor by the commission of the expansion request. Only through another neighbor were we made aware of the application. (It should also be noted that we were not notified of the first application or the start of the daycare.)

We hesitate to walk down our road or to leave for appointments at the time daycare persons are arriving as some have been known to speed (15 mph on the private road, 35 mph on Gem Avenue), to raise dust, and to fail to acknowledge right-of-way on the privately funded bridge (Some have actually sped up).

The graveling and grading on the roads is done by private homeowners. An enforceable maintenance of the road by the daycare would help to alleviate the disturbance of our quiet country atmosphere by an additional 50+ car trips per day, but that does not help with our privacy.

Please do consider other neighborhood homeowners' interests in your decision on this request. Thank you.

Sincerely,

J.R. Wieden, Homeowner
1505 Gem Estates Lane
Emmett, ID 83617

CERTIFICATE OF MAILING

I hereby certify that on the 20 day of July, 2023, I served a true and correct copy of the foregoing upon:

PROPERTY OWNER LIST WITHIN 300 FEET

Dillwith

T 07N, R 02W, Section 25

V Dot Catle Co.
P.O. Box 55
Emmett, Id 83617

Lana Lowere
3750 Gem Ave
Emmett, ID 83617

Keith Shumaker
3777 Gem Ave
Emmett, ID 83617

Scott Peterson
3800 Gem Ave
Emmett, ID 83617

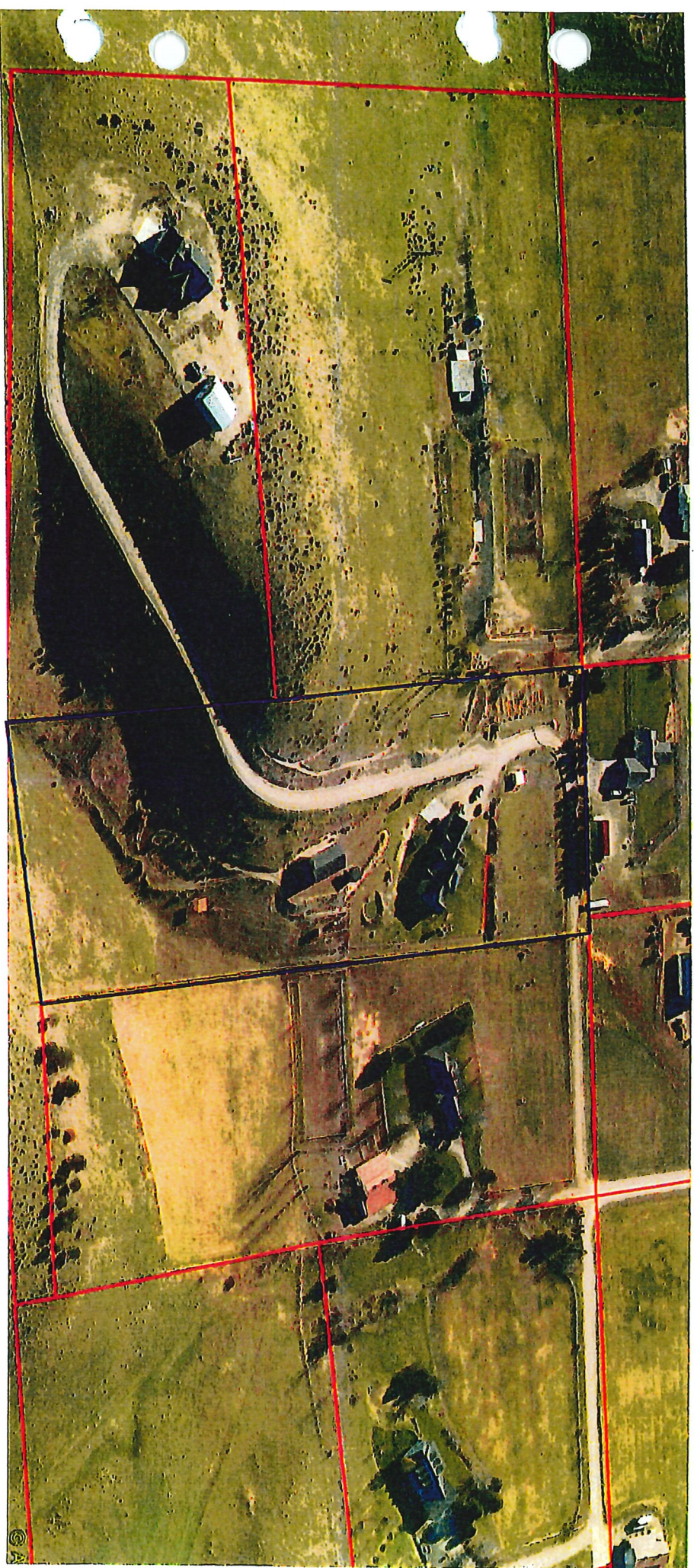
Ian Despatis
1480 Gem Estates
Emmett, ID 83617

Tina McGuffey
1500 Gem Estates Lane
Emmett, ID 83617

By depositing a copy thereof in the United States mail, with first class postage prepaid.



Stephanie Crays,
Development Services Coordinator



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