STAFF REPORT – PUBLIC HEARING #3

Annexation and Zoning to RS 7 (Single Family Residential – 7,000 sq. ft.) at 2704 E. Amity Ave. for Arnulfo Romero for connection to city water and sewer services (ANN 113-19).

Applicant: Arnulfo Romero

File No: ANN 113-19

Prepared by: Rodney Ashby

Date: March 18, 2019

Requested Actions: Annexation & Zoning to RS 7 (Single Family Residential – 7,000 sq. ft.)

Purpose: To connect the property to city water and sewer.

GENERAL INFORMATION

Planning and Zoning History: The applicant has requested annexation and zoning to connect the enclaved rural residential property to city water and sewer service. As part of the Amity Widening project, City utilities were stubbed to the property for this purpose.

Status of Applicant: Owner

Annexation Location: 2704 E. Amity Ave. (A portion of the SE ¼ of Section 26, T3N, R2W, BM and Tax 98951 in the SE ¼ SE ¼ less the South 40 feet.)

Proposed Zoning: RS 7 (Single Family Residential – 7,000 sq. ft.)

Total Size: Approximately .46 acre or 19,726 sf.

Existing Zoning: County R1 (Single Family Residential)
Comprehensive Plan Designation: Medium Density Residential

Surrounding Land Use and Zoning:
North- Enclaved Single Family Residential, County- R1
South- Amity Road (BC)/Enclaved Single Family Residential, County – R1
East- Single Family Residential, City- RS 7
West- Enclaved Single Family Residential, County – R1

Applicable Regulations: In order for a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. The parcel connects with the city limits at its east and south boundaries. The parcel is part of a 10-parcel, 12.6-acre enclaved area.

Existing Uses: Residential parcel with single family dwelling and landscaped yard.

SPECIAL INFORMATION

Public Utilities:
12" water main in E. Amity Ave.
8" sewer main in E. Amity Ave.
12" irrigation main in E. Amity Ave.

Public Services: Police and fire already service city incorporated areas near the location.

Physical Site Characteristics: Existing rural residential parcel with single family residence and landscaped yard.

Transportation: Access to the property is from E. Amity Ave.

Correspondence: No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to RS 7.

STAFF FINDINGS AND DISCUSSION

From a land use standpoint, the location is shown on the comprehensive plan “future land use map” as being compatible with the zoning that has been requested. If the Planning & Zoning Commission recommends approval of the requested annexation and zoning the following findings are suggested:

1) The requested annexation parcel connects with the city limits along its east and south boundaries. The parcel is part of a 10-parcel 13.5-acre enclaved area.

2) The area can reasonably be assumed to be available for the orderly development of the city with the city limits having grown into the area and the adjacent lands have been annexed and developed.
3) The proposed zoning conforms with the city's comprehensive plan future land use map for medium density residential land use and is reasonably compatible with existing and proposed land uses in the area.

4) The property owner requested annexation and zoning to RS 7 to connect the property to city water and sewer service.

RECOMMENDED CONDITIONS OF APPROVAL

Staff suggests the Commission recommend approval of the Annexation and Zoning to the City Council subject to the following engineering required conditions of approval:

1) Abandonment of the existing septic system will be accomplished under the guidelines established by Southwest District Health Department.

2) Disconnection from the existing well to be verified by City Building Department Plumbing inspector with issuance and inspection of a City Building Department Plumbing permit.

ATTACHMENTS

1) Application (page 4)

2) Vicinity map with zoning (page 5)

3) Warranty Deed (page 6)

4) Aerial photo (page 7)

5) Street view of property (page 8)

6) Agency and other correspondence (pages 9-11)
**APPLICATION FOR ANNEXATION/ZONING**

**PLANNING AND ZONING DEPARTMENT**

411 3RD STREET S., NAMPA, IDAHO 83651  P: (208) 468-4487 F: (208) 465-2261

Nonrefundable Fee: **$452.00** (1 acre or less) Nonrefundable Fee: **$910.00** (more than 1 acre)

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<th>Applicant Name</th>
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<td>Arnulfo Romero</td>
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Please provide the following required documentation

- **X** Completed Application
- **X** A copy of one of the following: **X** Warranty Deed  **□** Proof Of Option  **□** Earnest Money Agreement
- **X** Signed & Notarized Affidavit of Legal Interest (attached). Form **must** be completed by the legal owner (If owner is a corporation, submit a copy of the Articles of Incorporation or other evidence to show that the person signing is an authorized agent)
- **□** Original Legal description of property AND a legible WORD formatted document with Closure Cates (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

**Project Description**

- State the zoning desired for the subject property: **Zone R57**
- State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for the use of the subject property: **Bigger family, septic and well won't work any more**

Dated this **27th** day of **February**, **2019**

**Applicant Signature**

**NOTICE TO APPLICANT**

This application will be referred to the Nampa Planning Commission for a recommendation on the requested zoning. The Planning Commission shall hold a public hearing and will then make its recommendation to the City Council. The City Council will then hold a second public hearing. Notice of the public hearings must be published in the Idaho Press-Tribune 15 days prior to said hearings. Notice shall also be posted on the premises of the subject property not less than 1 week prior to the hearings. Notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearings and should be present to answer any questions.

**OFFICE USE ONLY**

**FILE NUMBER:** ANN - **113** - 2019  **PROJECT NAME:** Annex + Zoning to R5.7
Exhibit

2704 E Amity Ave.

Annexation and Zoning to RS7
(Single Family Residential
- 7,000 sq. ft.)

Visit Planning & Zoning
at cityofnampa.us
for more info.

ANN-00113-2019

3/1/2019

for illustrative purposes only.
WARRANTY DEED

For Value Received

Janice A. Jones, a single woman
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Arnulfo Romero and Jeanet Romero, husband and wife
hereinafter referred to as Grantee, whose current address is 2704 E. Amity Ave., Nampa, ID 83686

The following described premises, to-wit:

The South 186.01 feet of the West 136 feet of the Southeast Quarter of the Southeast Quarter,
Section 26, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho.
EXCEPT the South 40.00 feet.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable,
and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 4, 2013

Janice A. Jones

State of Idaho, County of Canyon

On this 4th day of November in the year of 2013, before me, the undersigned, a Notary Public in and for
said State, personally appeared Janice A. Jones known or identified to me to be the person/persons whose
name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she they executed the
same.

Janice A. Jones

Residing at
Residing in Meridian, Idaho

Notary Public
My Commission Expires 05-17-2014
Date: March 14, 2019

To: Planning and Zoning
Cc: Daniel Badger, P.E., City Engineer
Cc: Tom Points, P.E., Nampa City Public Works Director

From: Jim Brooks – Engineering Division

Applicant: Arnulfo Romero

Applicant Address: 2704 E. Amity Avenue, Nampa, Idaho 83686

Owner: Arnulfo and Janet Romero

Owner Address: 2704 E. Amity Avenue, Nampa, Idaho 83686

Property Address: 2704 E. Amity Avenue, Nampa, Idaho 83686

Re: Annexation and Zoning to RS-7 to connect to City water and sewer.

ANN-00113-2098 for March 26, 2019 Planning & Zoning Meeting

Applicant is desirous to be annexed into the City of Nampa for the purpose of connecting to City Water and Sewer. With the Amity Widening project, City utilities were stubbed to the property for that purpose. The Engineering Division does not oppose the granting of this request with the following conditions:

General:
> Abandonment of the existing septic system will be accomplished under the guidelines established by Southwest District Health Department.
> Standard connection fees for water and sewer be paid prior to connections being made.
> With issuance of the plumbing permits, the residence will be disconnected from the existing shared well. Owners will retain the shared well for irrigation purposes as discussed.
Building Department will require permits to hookup to the water and sewer.

Arnulfo Romero for connection to city water and sewer has requested Annexation and Zoning to RS7 (Single Family Residential – 7,000 sq. ft.) at 2704 E. Amity Ave. (A .46 acre or 19,726 sq. ft. portion of the SE ¼ of Section 26, T3N, R2W, BM and Tax 98951 in the SE ¼ SE ¼ less the South 40 feet).

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the March 26, 2019 agenda.

Please find attached the ANN-00113-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than March 13, 2019.

Thank you & Have a great day!

Shellie A. Lopez, Planning Administrative Specialist
O: 208.468.4487, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook