

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING: On June 8, 2026 at 7:00 p.m. in the City Council Chambers at 55 W Idaho the City Council will hold a public hearing to receive comment on a conditional use permit by property owner Jessica Asaro to operate a home bakery.

LEGAL DISCRPTION

Lot 5 Block 4 Lloyds 2nd Addition

GENERAL DESCRIPTION

105 Gladhart ave

ALL INTERESTED PERSONS are invited to attend the hearing, or submit written comment seven (7) days before public hearing.

FOR MORE INFORMATION: Please contact Dave Loos, Planning & Zoning Administrator, at City Hall, 55 West Idaho Street, Monday through Friday, from 8:00 A.M. to 5:00 P.M., at (208) 414-1965. Thank you.



THE CITY OF WEISER, IDAHO

55 WEST IDAHO 83672 • (208) 414-1965

OFFICE OF THE CLERK

APPLICATION FOR CONDITIONAL USE PERMIT

(Not a business license or building permit)

NAME: Jessica Asaro

PHONE NO.: (H) 619-244-8875
(W) _____

ADDRESS: 105 Gladhart Ave Weiser

GENERAL LOCATION: side of house

LEGAL DESCRIPTION OF PROPOSED SPECIAL USE (ATTACH IF NECESSARY):
LOT 5 BLOCK 4 LLOYDS 2nd Addition

ZONING CLASSIFICATION: A, COMPREHENSIVE PLAN DESIGNATION: _____

FEE: A \$200.00 fee must accompany this completed application.

PLAN: A plan of the proposed site for the special use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs and yards.

NARRATIVE: A narrative statement evaluating the effects of such elements as; hours of operation, days of operation, signage, lighting, number of employees, and off street parking, as well as noise, glare, odor, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the Comprehensive Plan.

COMMISSION EVALUATION: The Commission shall review the particular facts and circumstances of each proposed special use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location;

1. Will, in fact, constitute a special use as established on the Official Schedule of District Regulations for the Zoning District involved;
2. Will be harmonious with and in accordance with the general objectives or with any specific objective of Comprehensive Plan and / or the Zoning Ordinance;

3. 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:
4. Will not be hazardous or disturbing to existing or future neighboring uses:
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services:
6. Will not create excessive additional requirements at public cost for public facilities and services and not be detrimental to the economic welfare of the community:
7. Will not involve uses, activities, processes, materials, equipment and conditions of 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:
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The Planning & Zoning Administrator reserves the right to not officially accept this application until total review is accomplished and all required information is submitted. The Planning & Zoning Commission upon the acceptance of a complete application will establish the date of the public hearing.

- OFFICE USE ONLY -

DATE RECEIVED: 4/13/26 ACCEPTED BY: A Breant
RECEIPT NO: 979862
P&Z PUBLIC HEARING DATE: _____

Fees and regulations of the City as established by City Code are not negotiable and may not be waived by any City Official. The City has declared policy that City revenues are not to be used to subsidize private development and no City employee may commit municipal funds for private development.

SIGNED:  _____

DATED: 4-13-26 _____

Plan:

I would like to have a mobile 80 quart ice chest to roll out on to my driveway with homemade baked goods.

I would roll it back into my garage at 7p or once I sell out.

I would like to be available from 7a-7p 7 days a week.

It would be self serve honestly stand. I will have Idaho cottage law stickers on each item.

I will have small yard signs. And street parking.

I am the only employee

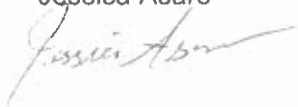
My driveway has lighting if needed.

I don't have anything that will make noise, glare, fumes, or vibration.

*I am flexible on the days and hours if the above is an issue.

I can provide pictures of proposed cart, and sign if needed.

Thank you,
Jessica Asaro

A handwritten signature in cursive script that reads "Jessica Asaro".



**CITY OF WEISER
PLANNING & ZONING MEETING
CITY COUNCIL CHAMBERS
55 WEST IDAHO
WEISER, IDAHO**

Regular Meeting

May 18, 2026

7:00pm

AGENDA

ROLL CALL

PRESENT:

Clarence Stark, Rebecca Hale and Tony Edmondson.

*Ken Lukehart joined meeting at [7:12:00](#)

Minutes

Minutes of Planning and Zoning Meeting-Action Item

Moved by Rebecca Hale and seconded by Clarence Stark to approve the amended minutes.

AYES:

Rebecca Hale, Tony Edmondson, Ken Lukehart and Clarence Stark.

NAYES:

None.

ABSTAINED:

None

MOTION CARRIED.

Unfinished Business

1. None

New Business

1. Public Hearing-Jessica Asaro Conditional Use Permit

Tony Edmondson went over the hearing procedures.

Jessica Asaro, 105 Gladhart, introduced herself and said she is looking to get a conditional use permit. She said it is not actually an at home bakery, it is a cart that will be in her driveway with a QR code. It will be self serve. She showed pictures to the Commissioners. Tony asked if she

would be baking the goods onsite. She said she would, but she would not be having people coming in and out of her house. She will be baking onsite according to Idaho cottage laws. Everything will be labeled. Ken asked if the kitchen was approved. She said that Idaho does not require you to have an approval, she will just have to have allergy labels that state it was made homemade. She will be serving baked goods, nonperishable cookies, cakes and things like that. There would be a small a-frame sign on her property. If the driveway is an issue, she has another space that is for RV parking that she could place it on as well. It will be rolled into the garage in the evening. There will be no lighting on the sign.

Tony read her application for the audience.

He asked if there was any testimony in favor of the application. Caroly Wessner, 1322 W 2nd street, said she has lived in a lot of other places and has seen little kiosks for baked goods that are on the honor system like this. She thinks it is good for people to use their skills to try to make a little more income. She is in favor of it.

Georgia Plischke, 1292 W 1st, said after talking with her neighbor she is for the application. She asked if conditional uses had a time limit or renewable. Tony said they could put that condition on it, and they are not transferable. She said is not against the cart but she would be against a full-fledged bakery.

Jane Reeves, 196 Gladhart, said there is a van that parks on the corner that makes it hard to see, she doesn't know how much traffic this would generate. She likes the fact that neighbors with kids and dogs feel free to walk around the neighborhood and she doesn't want that to disappear.

John Miller, 1322 W 2nd, said he thinks it is a great idea because you see fruit stands and things like this in the country. He and his neighbors are looking forward to the dessert.

Tony asked if there was any testimony neutral or against the application.

Roberta Raby, 1284 W 1st, said her concern is there are a lot of cars that make U-turns right there. There are a lot of kids playing basketball or riding scooters and she would hate to see that go away. This may also be an issue with backing up if people aren't use to the neighborhood. Other than that, it sounds like a great idea.

Tony asked if there was any more testimony. There was none. He invited Jessica to rebut.

Jessica said, addressing the issues with driving, she would be fine with putting it on the Gladhart side.

Hearing Closed.

2. Jessica Asaro Conditional Use Permit-Action Item

Rebecca Hale said she feels like this is low impact on the neighborhood. Ken said he doesn't feel like there would be more than one car there at a time. Tony said he doesn't recall a time when they have ever put a time limit on a conditional use permit. Clarence also thought the impact would be low. If she wanted to expand beyond the cart she would come back before P&Z. Tony asked if the city had any concern. Dave Loos said no.

Moved by Clarence Stark and seconded by Ken Lukehart to approve the application as is and forward it to City Council.

AYES: Rebecca Hale, Tony Edmondson, Ken Lukehart and Clarence Stark.

NAYES: None.

ABSTAINED: None

MOTION CARRIED.

3. Adjournment-Action Item

Findings of Fact and Conclusions

by P&Z Commissioner Tony Edmondson

Conditional Use Permit to allow Jessica Asaro to operate a small honor box home baked products at her home within City of Weiser

Public Hearing 04-20-26

As stated in the Givens Pursley Land Use Handbook “The Comprehensive Plan has one purpose and one purpose only: to guide planning and zoning decisions”.

- LLUPA requires that “zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan.” Idaho Code 67-6511(1).
- Amendments to zoning ordinances shall occur only “after considering the comprehensive plan.” Idaho Code 67-6511(2)(b).
- In addition to zoning changes, the conditional use permits (aka special use permits) may be issued only if found to be “not in conflict with the (comprehensive) plan.” Idaho Code 67-65129A).
- Finally, LLUPA references comprehensive plans in the context of the requirement for a reasoned statement by the decision-maker explaining the basis for the approval or denial of a land use application. Idaho Code 67-6535(1) and 67-6535(2).

Site Details:

1. Location: 105 Gladhart Avenue.
2. Property identification: Lot 5 Block 4 Lloyds 2nd addition
3. Current zoning: A residential which allows for “Neighborhood commercial uses serving the local residents” by conditional use permit.
4. Parcel size: Not given.
5. Current parcel use: Residential.
6. Surrounding use: Single family residential.
7. Access: West First or Second Street.
8. Fire protection: Weiser Area Rural Fire District.
9. Sanitation Requirements: City of Weiser.
10. Natural Hazards: None identified.
11. Water Rights: Not identified.
12. Zoning History: Residential.

Findings of Fact:

1. Weiser future land use map designates this area for low density residential use.

2. Weiser Comprehensive Plan dated January 2024 states:
 - a. Property Rights Element, Page 20, Goal 1.D states “Weiser will respect and protect private property rights”.
 - b. Housing Element, Page 19, Goal 1C states “Encourage the development of a diverse housing inventory and strong neighborhoods”.
 - c. Land Use Element, Page 16, Goal 1.B states “Land use and development continue to support a diversity of interests and populations”.
3. The site is served by existing city streets, utilities, and services.
4. The proposed use is compatible with surrounding uses.
5. Applicant explained she wanted to roll out a mobile 80-quart ice chest onto her driveway which accesses West First Street in which customers could access self-service baked goods. She provided a written list of hours and other operational details.
6. Five neighbors spoke in favor of the proposed use. A few cited minor concerns about traffic or safety impacts from customers’ automobiles, but most agreed it would not be a problem. Several expressed their concerns that they had only received written notice the Saturday before the public hearing, leaving them insufficient time to submit written testimony, thereby necessitating them attending the meeting in person. No one spoke in opposition to the application and there was no written testimony.
7. There were no concerns expressed by City staff.
8. As presented, the proposal appears to have minimal impact to the residential qualities of the neighborhood, and the applicant has agreed to relocate placement of the ice chest to an RV site on her property accessed from Gladhart Avenue if traffic or safety issues result from her driveway location.

Conclusions:

1. Request conforms to values and directives established in our Comprehensive Plan and City Code.
2. It is recommended that the City Council approve this request with the conditions outlined in the applicant’s written narrative.