

## 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 request by property owner Troy Halberg of Riverbend Contractors on a conditional use permit for a 4 unit apartment complex at 204 W Idaho Street.

### LEGAL DISCRIPTION

Lots 11 and 12 and East half of Lot 13 Block 21 of Watlington Addition

### GENERAL DESCRIPTION

204 W Idaho Street

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: Troy Halberg Riverbend Contractor  
PHONE NO.: (H) \_\_\_\_\_ 826 Haas Rd. Weiser Idaho  
(W) 208 718 0913  
ADDRESS: 204 W Idaho St. Weiser Idaho  
GENERAL LOCATION: \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPOSED SPECIAL USE (ATTACH IF NECESSARY): Attached

ZONING CLASSIFICATION: R, 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: 2-4-2026 ACCEPTED BY: Margie Jaggi  
RECEIPT NO: 2.000070005  
P&Z PUBLIC HEARING DATE: TBD 3-16-26

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: 2/4/26 \_\_\_\_\_



Instrument # 265894  
STATE OF IDAHO, COUNTY OF WASHINGTON  
2026-01-30 03:27:16 PM No. of Pages: 3  
Recorded for: AMERITITLE - WEISER  
DONNA WHITE Fee \$15.00  
Ex-Officio Recorder Deputy DLaird  
Index To: DEED  
Electronically Recorded by Simplifile

## WARRANTY DEED

Escrow No.: 1049953

### FOR VALUE RECEIVED

**Esther Cross, an unmarried woman**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Riverbend Contractor LLC, an Idaho Limited Liability Company**

whose current address is:  
826 Haas Rd  
Weiser, ID 83672

the grantee(s), the following described premises, in Washington County, Idaho,  
TO WIT:

**See Attached Exhibit 'A'**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 1-29-20  
Esther Cross  
\_\_\_\_\_  
Esther Cross

State of Nebraska } ss  
County of Adams }

On this 29 day of January, 2020, before me,  
Elaine L. Steinbeck, a Notary Public in and for said state, personally appeared  
Esther Cross, known or identified to me to be the person(s) whose name(s) is/are subscribed to  
the within Instrument and acknowledged that he/she/they executed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and  
year in this certificate first above written.

Elaine L. Steinbeck  
\_\_\_\_\_  
Notary Public for the State of Nebraska  
Residing at: Star Island  
Commission Expires: 8-16-29

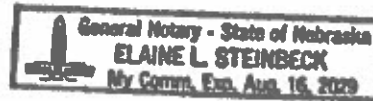


EXHIBIT 'A'

File No. 1049953

**Lots 11 and 12, and the East one-half of Lot 13, Block 21 of WATLINGTON ADDITION to the City of Weiser, Idaho, as the same appears on the official plat thereof on file in the office of the County Recorder of Washington County, Idaho.**

**204 W Idaho Street – Weiser, Idaho**  
**Request to Construct a 4-Unit Residential Building**

This application requests approval to construct a four-unit residential building at 204 W Idaho Street in place of a single-family residence.

The proposed four-plex is compatible with the surrounding area. Multi-family buildings, including four-plex structures, are located directly across the street and adjacent to this property. The project continues an existing residential pattern rather than introducing a new or incompatible land use.

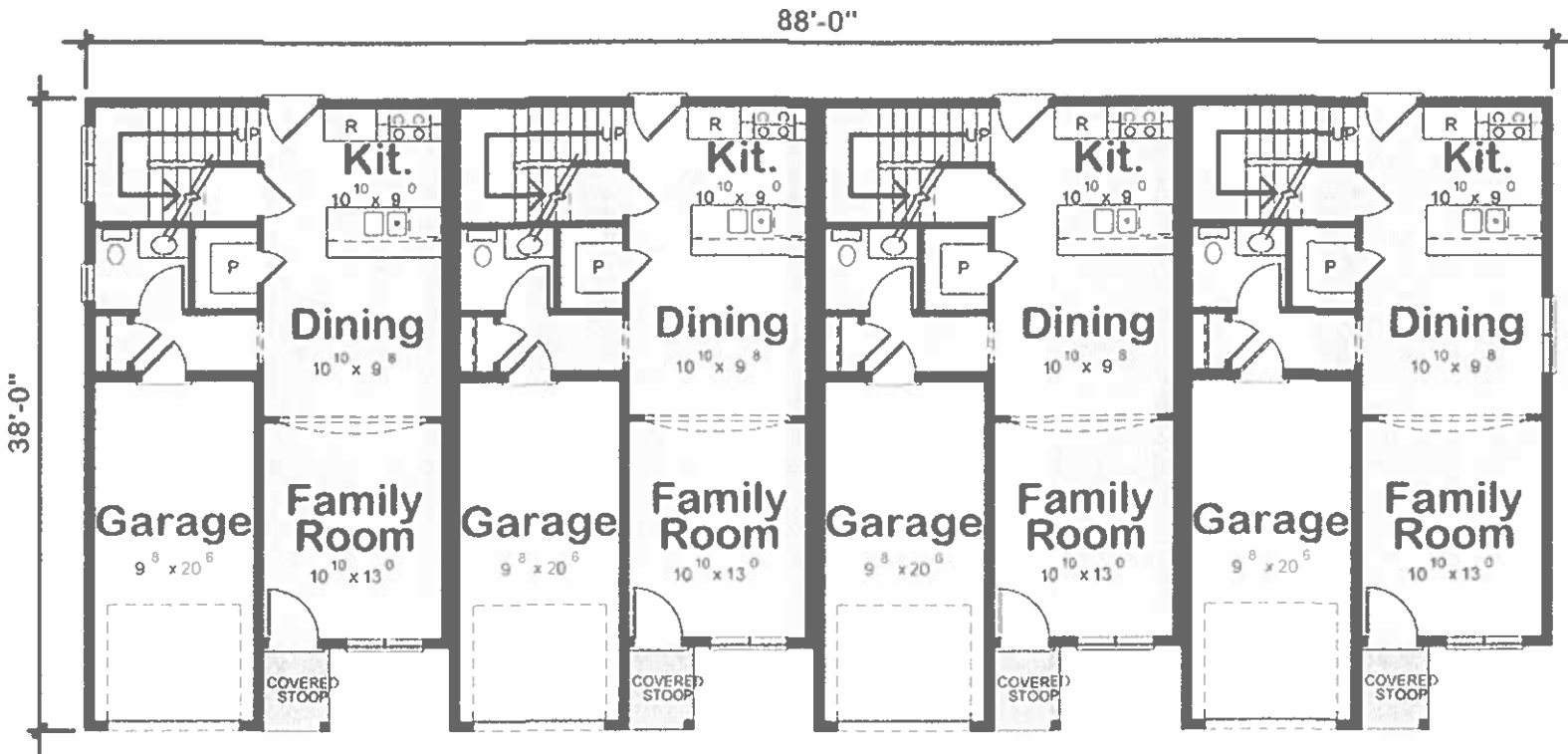
The site is served by existing streets, utilities, and municipal services capable of supporting this level of development. Constructing a four-plex makes efficient use of existing infrastructure without requiring expansion of services.

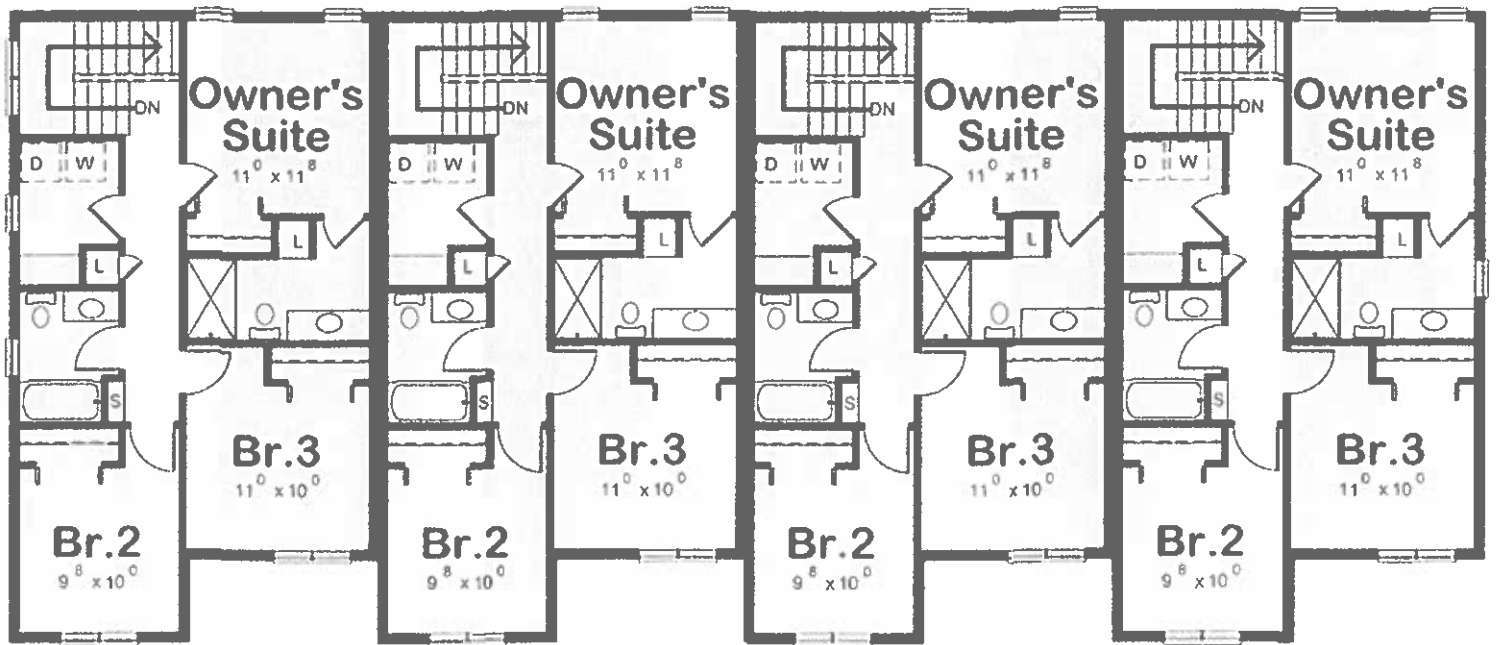
The project will provide additional housing within city limits at a scale consistent with neighboring properties. Weiser continues to experience demand for moderate-cost rental housing, and this development will help meet that need while maintaining the residential character of the area.

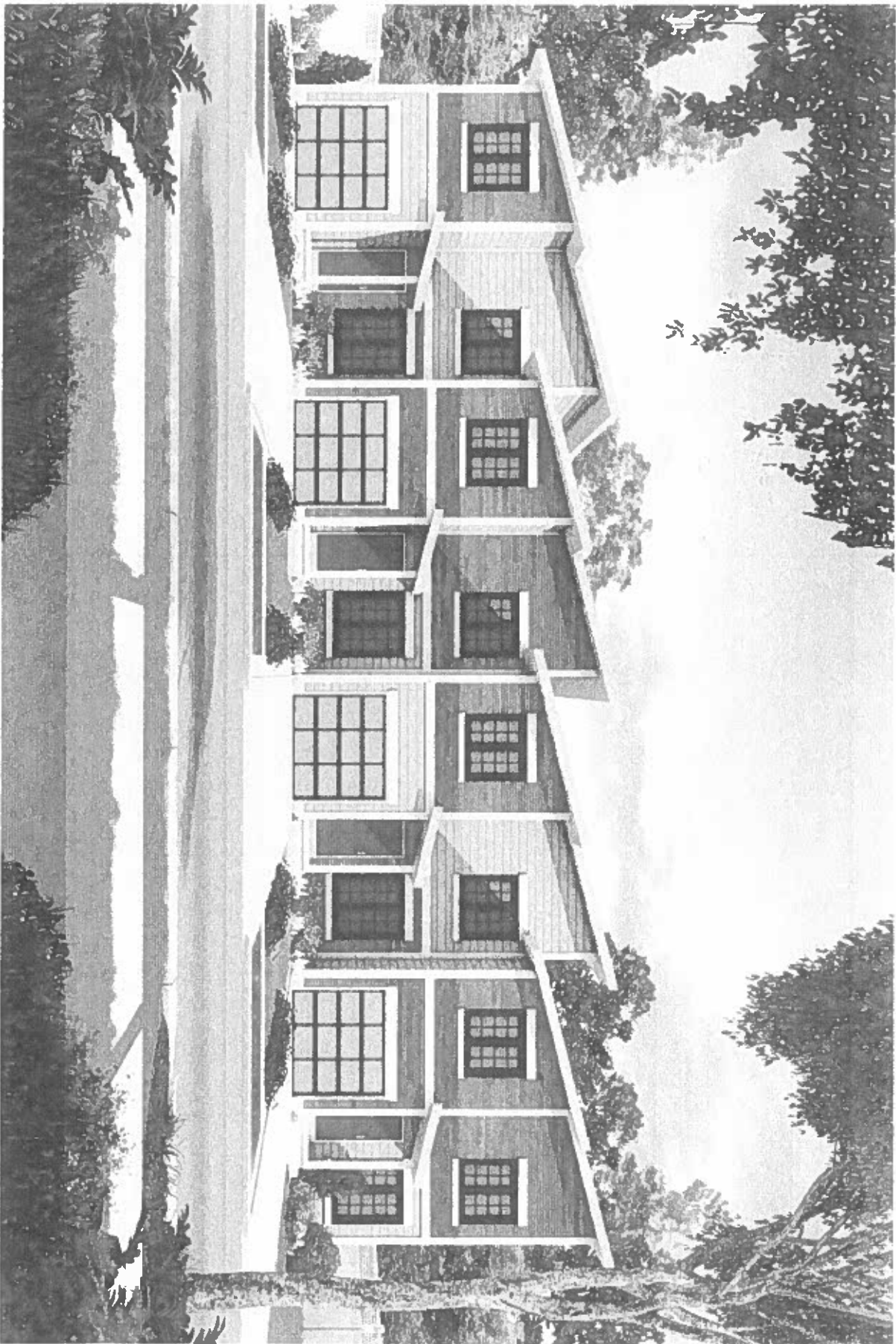
The building will meet all setback, parking, and landscaping requirements and will be designed to complement surrounding properties.

Given the presence of similar multi-family developments in the immediate vicinity and the availability of adequate infrastructure, approval of this Conditional Use Permit is a reasonable and appropriate use of the property.

Thanks,  
Riverbend Contractor







**10-9-1: USES PERMITTED:**

The following uses are hereby permitted in the B-1 residence district:

Accessory buildings and uses permitted in the A residence district, and those uses incidental to the permitted uses of this district except accessory living quarters, servant's quarters and stables.

All uses permitted in the A residence district.

City of Weiser public utilities and public service uses or structures.

Two-family dwellings (duplexes).

Two-family dwellings (townhouses), minimum lot size twenty percent (20%) larger than minimum area regulations (see subsection 10-9-3A of this chapter). (Ord. 1183, 12-12-2005)

**10-9-2: CONDITIONAL USES:**

The planning commission may, after notice and public hearing, permit the following uses where such uses are deemed essential or desirable to the public convenience or welfare. The commission shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood from damage, hazard, nuisance or other detriment:

The following conditional uses may be permitted in the B zone:

- A. All conditional uses permitted in an A residential district.
- B. Multi-family dwellings or multi-family dwelling groups.
- C. Auditoriums, stadiums, arenas and similar uses.
- D. Other uses deemed similar by the city to the uses above may be considered under a conditional use application.
- E. Public utilities and public service uses or structures other than the city of Weiser.
- F. Grazing of livestock on lots/parcels by the owner or person in possession of property or with the consent of such owner or person in possession of such property so long as:
  1. The number of livestock does not exceed three (3) animal units per acre, and in the event that the area size shall be less than one acre, then the number of animal units shall be reduced proportionately with relation to the size of the area compared to one acre.
  2. Feeding for commercial purposes is not conducted (commercial purposes shall not be deemed to include the keeping of an animal for household or domestic use or for private purposes such as 4-H and FFA projects, etc.).
  3. Conditions on the premises do not exist that would cause offensive and undesirable odors to be emitted therefrom or create circumstances amounting to a nuisance.
  4. The area wherein animals are kept and maintained is adequately enclosed so as not to allow the said animals to encroach upon the property of adjacent landowners.
  5. For violations of the provisions herein contained, the owners of the property or the person entitled to the control thereof shall be first warned and advised to comply with these provisions. If no action is taken in response, said owner or person entitled to control shall be fined the sum of twenty five dollars (\$25.00) for the first offense, one hundred dollars (\$100.00) for the second and three hundred dollars (\$300.00) for each offense thereafter. (Ord. 1183, 12-12-2005)

**10-9-3: LOT AREA REGULATIONS:**

- A. Minimum lot area, seven thousand two hundred (7,200) square feet.

- B. Minimum lot width, sixty feet (60').
- C. Front yard, not less than twenty five feet (25') from the property line or the established setback line in compliance with subsections 10-11-1D and E of this title.
- D. Side yard, not less than five feet (5') plus an additional two feet (2') for each story above the second story.
- E. Rear yard, not less than twenty feet (20') from the property line plus an additional two feet (2') for each story above the second story.
- F. Minimum open space, sixty percent (60%). Open space is that area of blue sky above, including driveway and parking area.
- G. No structure shall be placed on any utility easement of record. (Ord. 1183, 12-12-2005)

**Weiser**  
 33672  
 -1965

Account Number: 308

Receipt Number: 70005

Amount Paid: 200

Amount Tendered: \_\_\_\_\_

Change: 0

Denominations Entered:  \$5's  \$20's  \$10's  \$5's  \$1's

Payment Type:  Check  Money Order  Card

Riverbend Contractor LLC  
traditional use Permit

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

Horizon Credit Union  
 28-8250/3251

70005 1056

RIVERBEND CONTRACTOR LLC  
 826 HAAS RD  
 WEISER, ID 83672

02/04/2026

of Weiser \$ \*\*200.00

ind 00/100 \*\*\*\*\* DOLLARS

Weiser

DRAFT- bldg permit

VALID VALID VALID VALID VALID VALID VALID VALID

[Signature]  
 AUTHORIZED SIGNATURE

MP

⑈001056⑈ ⑆325182506⑆98910728112254⑈

**RECEIPT** DATE 2/4/26 No. \_\_\_\_\_

RECEIVED FROM Riverbend Contractor LLC \$ 200<sup>00</sup>

Two hundred dollars <sup>No.</sup> \_\_\_\_\_ DOLLARS

FOR RENT Conditional Use Permit 204 W Idaho

FOR #308 ck # 1056

ACCEPTED \_\_\_\_\_

PAYMENT \_\_\_\_\_

DATE DUE \_\_\_\_\_

CASH

CHECK

MONEY ORDER

CREDIT CARD

FROM \_\_\_\_\_ TO \_\_\_\_\_

BY [Signature]

3-11

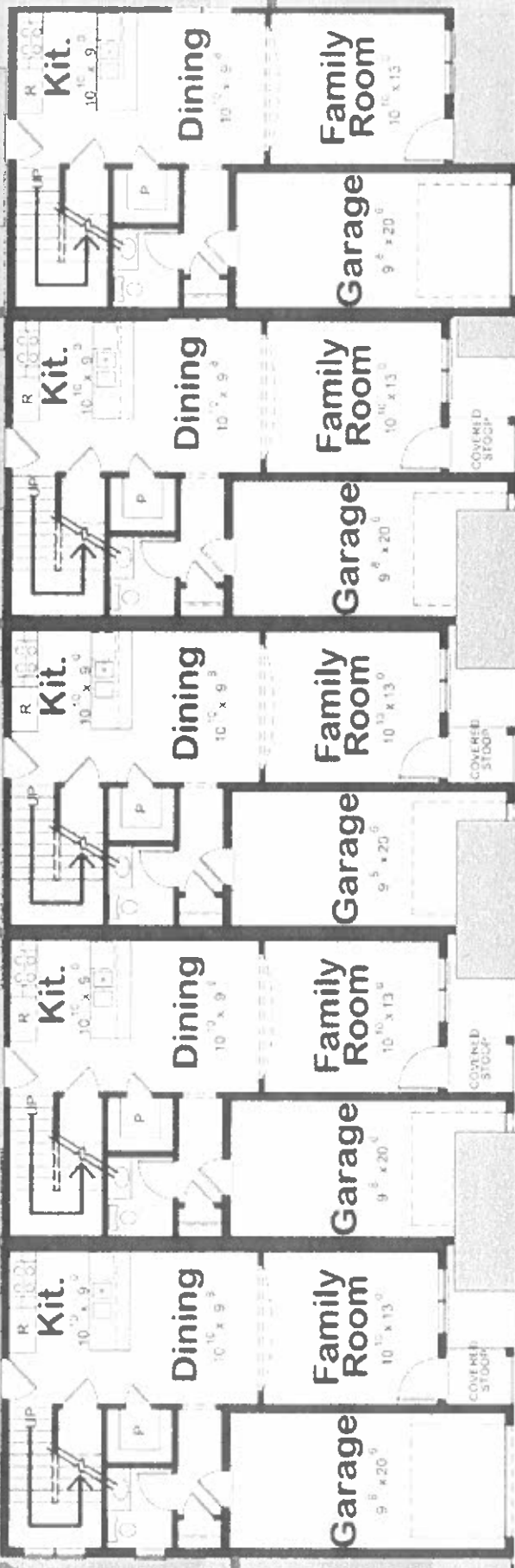
Grass and fences for the backyards

88'-0"

20'-3/4"

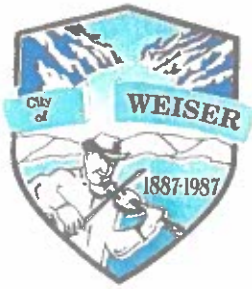
38'-0"

1'-5"



Concrete to the sidewalk

W 2nd Street



**CITY OF WEISER  
PLANNING & ZONING MEETING  
CITY COUNCIL CHAMBERS  
55 WEST IDAHO  
WEISER, IDAHO  
Regular Meeting  
Monday  
April 20, 2026  
7:00pm  
AGENDA**

**ROLL CALL**

**PRESENT:** John Jensen, Rikki Storelli, Clarence Stark, Rebecca Hale and Tony Edmondson.

**ABSENT:** Ken Lukehart.

**STAFF:** Brianna Chaney and Dave Loos.

**GUESTS:** Troy Halberg.

**MINUTES-ACTION ITEM**

Moved by Rebecca Hale and seconded by John Jensen to approve the minutes as amended.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**1. Public Hearing-Troy Halberg Conditional Use Permit**

Tony Edmondson went over the procedures of the hearing and invited the applicant to introduce himself. Troy Halberg, 204 W Idaho, stated his drawing showed a 4-plex, but he thinks he has room to do a 5-plex. They will be rentals and each will have a garage. There are 4-plexes right across the street as well. Rebecca asked if the pictures that were presented were the actual working design. He said yes. Clarence asked if there was enough room for 5 units. Troy said with the setbacks he believes he can fit 5. If he couldn't meet the setbacks he would only do 4. Clarence Stark said the application is only for a 4-plex and asked if he would he need to submit another application for a 5-plex. John Jensen asked what the dimension width was for each unit. He said 20ft. More discussion followed.

John asked what the zoning classification is for the property. Dave Loos said it is B-Residential. Tony asked if everything is concrete in front of the property would it be one solid piece of concrete or would there be concrete cuts in front of each one. Troy said he would think there would be concrete cuts. More discussion followed about whether or not a 5-plex could be placed on the lot.

Tony asked when Troy was wanting to get started on the project. Troy said within a year. John Jensen said they needed to have a plan that showed the setbacks. Troy asked if he was able to stick with the 4-plex if that would make a difference. He said the plans were generic, but he would build his building to meet all setbacks. Tony said they have a design review ordinance in place, and this build would be subject to that. Rebecca Hale asked if it met the open space requirements. Tony said he is stating he will make it meet all requirements. Tony said he is concerned about it being all concrete through there. More discussion followed regarding setbacks.

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

Lowell Grant, 206 W Main, said in some ways he is in support of the application, but his main concern is parking. He feels the lot needs to be developed; it is an eyesore. He can't imagine it being developed into anything other than a multifamily dwelling.

Tony asked if there was any more testimony. There was none.

Clarence Stark asked how rigid the setbacks were. Dave Loos said they have been enforced several times. Tony asked what the setback would be on W Idaho, Dave said 25ft. Clarence stated a 4-plex would be the only thing that could fit on the property, unless he made an adjustment. Rebecca asked if this application would come back before design review since it is a multifamily dwelling. Tony said yes it would. Clarence said looking at the numbers he determined that the units would be 660sqft for the footprint and asked Troy if that would be doable. He said it would. More discussion followed regarding setbacks. Clarence said the total size for each unit including the garage would be 1320sqft, which is doable. Tony asked if Troy was open to doing something other than just concrete along the property. Troy said he wrote concrete on the application but is not stuck on that. He wants to get his plans dialed in and then give them to design review. Tony said in the past, former city officials frowned on having a 100ft driveway apron. Dave said that he cannot, 40ft is allowed. Troy said no matter what it would have the bump up and bump down, and if they wanted strips to separate them with grass or decorative rock he would do that. On the application it says that it will meet landscape requirements, and there is a landscape ordinance.

Hearing closed.

## **2. Troy Halberg Conditional Use Permit-Action Item**

Clarence said looking through the proposal, and after their discovery in the hearing he believes the plan presented does not meet the setbacks, but it also states that the building will meet all

setback, parking and landscape requirements and be designed to complement surrounding properties. The drawing is just to show what can be put there. He doesn't know what the next step will be for approving the blueprints. Dave said it will go to him and then it will go to design review. Clarence asked if there would be personal cans or the big alley cans. It will be alley cans. Tony said he would like to know how everyone feels about the driveway and any kind of greenspace in the front. It does meet the open space, but in terms of public view he would like to see something else. Rebecca said she would also like to see something besides just concrete. Dave said the application is for a conditional use, so they would just need to make that one of the conditions.

Moved by Clarence Stark and seconded by Rebecca Hale to accept the application as presented for a 4-plex, meeting the required setbacks and conditional upon having curb cuts for the individual driveways and greenspace available for the driveways on 2<sup>nd</sup> street and also on Idaho street.

AYES: John Jensen, Rebecca Hale, Tony Edmondson, Rikki Storelli and Clarence Stark.

NAYES: None.

ABSTAINED: None

MOTION CARRIED.

**3. Public Hearing- Zoning Map Rezone**

Tony said they are all familiar with the fact that somewhere along the line a huge slot of commercial property got designated as C only. There are no allowed uses under a C designation. The allowed uses are stipulated under C1, C2 and C3. As a consequence, it means that the City has no choice but to allow any of the uses in those areas. The City pulled the City Zoning Committee together and they went through the zoning map to designate each of those areas. The Commissioners looked at the proposed map. More discussion followed.

Tony asked if there was any public testimony for, against or neutral to the application. There was none.

Hearing Closed.

**4. Zoning Map Rezone-Action Item**

Moved by Rebecca Hale and seconded by Clarence Stark to accept the Committee

recommendation to designate the C1, C2 and C3 from the formerly just C areas on the Weiser City Zoning map and forward it to City Council with their recommendation for approval.

AYES: John Jensen, Rebecca Hale, Tony Edmondson, Rikki Storelli and Clarence Stark.

NAYES: None.

ABSTAINED: None

MOTION CARRIED.

**5. Committee Reports**

Rebecca Hale said Design Review looked at a couple of proposed projects and as far as they know they have not gone beyond the basic review. They have not seen any come back to them with any update based on the parameters that they sent back to the applicant that they needed to meet for the guidelines.

**6. Adjournment**

07:58:23 Meeting adjourned.

## Findings of Fact and Conclusions

by P&Z Commissioner Tony Edmondson

### Conditional Use Permit to allow Troy Halberg to construct four Townhouses on Lot's 11, 12, & East ½ of Lot 13, Block 21 of Watlington Addition to 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: 204 West Idaho Street.
2. Current zoning: B residential which allows for multi-family residential by conditional use permit.
3. Parcel size: Not given.
4. Current parcel use: Vacant lot.
5. Surrounding use: Commercial, multi and single family residential.
6. Access: West Idaho Street, West 2<sup>nd</sup> Street, public alley on north side of parcel.
7. Fire protection: Weiser Area Rural Fire District.
8. Sanitation Requirements: City of Weiser.
9. Natural Hazards: None identified.
10. Water Rights: Not identified.
11. Zoning History: Not provided.

#### 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 development site is served by existing city streets, utilities, and services.
  4. The proposed project is compatible with surrounding uses.
  5. The building inspector confirmed proposal conforms to open space zoning requirements even though actual site dimensions were not evident in the information provided.
  6. The proposal provides one garage and one driveway parking space per unit, accessed from West Second St. Applicant agreed driveways would have individual curb cuts and be separated by green space.
  7. The applicant stated the elevation and floorplan images in the packet were “taken off the internet” and didn’t reflect a final plan. He was reminded that his final proposal would need to be approved by the Design Review Committee before a permit would be issued.
  8. Applicant stated the project would meet all setback, design, parking, and landscaping requirements even though this could not be confirmed since there was no detailed site plan provided as required in the application. It’s possible that the actual floor plans presented would have to be modified to meet site setback requirements.
  9. Only one public comment was received during the hearing in which concerns about parking congestion were expressed. There were no written comments.
  10. Applicant stated he had no start date for construction in mind and could be up to a year or more away.
  11. Property addresses would be changed to West Second Street.
  12. Applicant stated these would be rental units and not owner occupied.

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 on the condition that the design meets all requirements for setbacks, curb cuts, and landscaping/greenspace between driveways and along West Idaho Street.