

ACKNOWLEDGMENT OF AGRICULTURAL ZONING
AND WAIVER OF
AGRICULTURE BASED NUISANCES

ZONE: Agricultural-Residential

I/We the undersigned property owners and applicants to Cassia County Idaho for a building Permit, do pursuant to the terms of chapter 7 of the Cassia County Zoning Ordinance, hereby acknowledge the following:

1. That I/we have requested a building permit to build a residence in the **Agricultural-Residential Zone** of Cassia County as the same is currently constituted by county ordinance.

2. That the area in which I/we intend to build our residence is primarily an agricultural area, and that it is zoned to permit and encourage agricultural and livestock confinement uses in the area.

3. That I/we recognize that as a result of the agricultural nature of the zone in which I/we desired to build this residence there is a strong likelihood that I/we will be subjected in our residence to the effects of agricultural practices in the area which could affect our lifestyle, be injurious or offensive to our senses or be an obstruction to the free use and comfortable enjoyment of our property. I/we recognize that such potential effects include but are not limited to, dust, smoke, noise, vibrations, lights, glare, odors, insect vectors, use of herbicides and pesticides, slow moving and wide vehicles on the roadways, late night and early morning hours of operation of surrounding agricultural activities, and other potential effects that could also result from residing in an agricultural area.

4. That in requesting a building permit from Cassia County to build a residence in this zone we are indicating that we are aware of these risks and potential detrimental effects upon our use of our property from the agricultural uses in the zone, and accept those risks as an integral part of living in such a zone.

We do further waive our right to complain to the County or the courts against said conditions as constituting a nuisance (public or private), when such conditions are created in the ordinary course of operating an agricultural or livestock confinement operation in a reasonable and non-negligent manner. We agree not to use the potential creation of said negative effects as a basis to oppose the granting of a conditional use permit for agricultural uses or a livestock confinement permit in the zone.

DATED this _____ day of _____, 20 ____.

Applicant (Signature)

Applicant (Please print)

Applicant (Signature)

Applicant (Please print)

Property location address, City

STATE OF IDAHO)
)ss.
County of Cassia)

On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said State, personally appeared _____, and known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this day and year first above written.

Notary Public for Idaho
Residing at: _____
Commission Expires: _____

STATE OF IDAHO)
)ss.
County of Cassia)

On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said State, personally appeared _____, and known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same.

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