



FROM: Jason Boal, Teton County Planning & Building Administrator
TO: Public
RE: **Suspension of Property Inquires**
DATE: March 2, 2016

Teton County Board of County Commissioners (BoCC) instructed staff to suspend property inquiries as of today (3/2/2016). This memo is intended to explain the reasons for the suspension and the steps the County intends on taking.

Teton County Planning and Building Department started to do inquiries to help property owners better understand what they need to look at when they were considering splitting their property. (We created the "Dividing or Buying Parcels WHAT YOU NEED TO KNOW" flyer.) Unfortunately, this courtesy service, has expanded into a task that the County budget cannot support, County staff time cannot support, and places undue liability on the County.

While the County does possess the records to determine how and when a parcel was created, we are not the only ones who can do this research. Any property owner or interested party can utilize the County website (<http://www.tetoncountyidaho.gov/index.php>) to find the deeds and/or surveys that were utilized to create a specific parcel. They can also review the past & current land use codes to determine whether or not the parcel division/creation met the criteria in the code that was adopted at the time of creation.

There has been concern expressed about the taxpayers of Teton County paying for a service that is not required of the County and that benefits a specific individual as opposed to the community as a whole. The Teton County Planning & Building Department is required to determine whether the lot was legally created prior to the issuance of a building permit, or approval of a zoning application, and we will continue to do that. However, we will no longer be offering the service of making a determination on a property for speculation or valuation purposes. This places the County in an inappropriate legal position.

We do encourage all potential property owners to do their due diligence in property research such as: contacting a lending institution to make sure you can qualify for what you want to do, contacting a builder to understand the costs of what you want to do, review the County fee schedule for permit/impact fee amounts, review the deed history of the parcel to understand when and how it was created, review recorded documents to make sure there are no restrictions on the property that would limit your plans (CC&Rs, easements, or other restrictions), and contacting service providers to make sure services are available (electricity, telephone, etc).

Teton County is looking into the possibility of offering the service of reviewing deed history and land use codes, however there would be a fee attached to this service. This fee would pay for the additional staff and resources that are needed to fulfill this service. It would also place the financial burden of the service on those utilizing it, as opposed to the County as a whole.

Please watch for future BoCC meeting agendas for this topic as we work toward finding a solution.