



SCENIC CORRIDOR REVIEW for: Halsey Hewson
WHERE: corner of Hwy 33 and E 9500 S (Victor)
Prepared for the Planning & Zoning Commission
July 12, 2016

APPLICANT & LANDOWNER: Halsey Hewson

APPLICABLE COUNTY CODE: Teton County Zoning Ordinance Section 8-5-2-D (SC) Scenic Corridor Overlay Regulations.

REQUEST: Halsey Hewson is requesting to build a storage shed on his property south of Victor, in the Victor Area of Impact, located at the corner of Highway 33 and E 9500 S. The property is completely within the Scenic Corridor Overlay.

LEGAL DESCRIPTION: RP03N45E134210; TAX #6795 SEC 13 T3N R45E

LOCATION: Corner of Hwy 33 and E 9500 S

ZONING DISTRICT: A-2.5 – Victor Area of Impact

PROPERTY SIZE: 2.73 acres

VICINITY MAP:



PROJECT BACKGROUND: Mr. Hewson submitted a completed scenic corridor design review application on June 28, 2016, and is currently working on getting his building permit application together. Before the building permit can be approved, a scenic corridor design review must occur and be approved for the structure. The proposed storage shed will be 50 feet from the outer edge of Highway 33's right of way, and this proposal complies with all required setbacks. Construction of the addition has not begun. There is a small chicken coop on the property that was recently built. It is under 200 ft², so it did not require a building permit or a scenic corridor design review (only required with permit).

Mr. Hewson's property is currently zoned A-2.5 and located in the Victor Area of Impact, adjacent to city limits. The entire property is within the scenic corridor. Due to the size, location, and characteristics of the property, the building locations are very limited. The site plan (Attachment 8) identifies building envelopes on this property after considering the required setbacks and floodplain.

The proposed storage shed will be located close to the highway, which is partially screened by vegetation. The western side of the property, where the chicken coop is located, is screened slightly better by the existing vegetation. This location was not chosen for the shed because the applicant is intending to build a home in that spot. The applicant has stated that he intends to add additional vegetation near the highway to help screen the buildings when he builds the home. Currently, the property does not have access to water or power, so irrigating any new vegetation for successful growth will be difficult, if not impossible. When the applicant has stated that he intends to apply for the building permit and scenic corridor review for the home within the next year, so the landscaping would begin at that time when he gets water and power to the property.

The proposed structure will be 30 feet wide, 50 feet long, and 18 feet tall (Attachment 6). There will be windows along the wall that faces the highway. Attachments # show examples of the design of the building. Attachment # shows an example of the color design for the exterior. The applicant is intending to use metal siding in brown and gray (Attachment 7).

OVERVIEW OF SCENIC CORRIDOR REVIEW:

8-2-1-A. GENERAL DEFINITIONS: Scenic Corridor Overlay includes all lands lying within 330 feet of both sides of the rights-of-way for Idaho State Highways 31, 32, 33 and Ski Hill Road from Driggs City limits to the Wyoming state line.

8-5-1-D. PURPOSE: The purpose of this overlay area is to provide a design review procedure to ensure that key roads in Teton County are sufficiently protected from unsightly and incompatible land uses.

8-5-2-D (1) DESIGN REVIEW: All development shall be subject to design review to ensure that the location, scale, and appearance of buildings, structures, and development of land shall preserve the rural character of the areas bordering Idaho State Highways and Ski Hill Road and to prevent the construction of buildings that project upward beyond the ridgeline of any hill located within one (1) mile of major roads when viewed from those major roads.

Title 8 of the Teton County Code authorizes the Planning & Zoning Commission to make a final determination on scenic corridor applications. A development application shall only be approved if the Planning Commission finds that it meets the design review criteria.

8-5-2-D (3). DESIGN REVIEW CRITERIA:		STAFF COMMENTS:
SETBACKS	No permanent structures may be built within 50 feet of the outer edge of the road right of way, unless the parcel does not contain any buildable sites outside of the setback.	<i>The proposed structure will be located 50 feet from the outer edge of Highway 33's right of way. A-2.5 requires front and side setbacks of 30' and rear setbacks of 40', with which this complies.</i>
BUILDING ENVELOPE	1. Building envelopes shall be located so that existing topography and natural vegetation will screen buildings from view from the State Highways and Ski Hill Road to the maximum extent feasible.	<i>There is some existing vegetation on the property but none that could screen the proposed building entirely. The applicant has stated he plans to add additional landscaping between the Highway and the building when he builds the home. He does not currently have water or power to the property.</i>
	2. Where existing topography and natural vegetation cannot be used to screen buildings, building envelopes should be located at the rear or side edges of an open meadow or pasture, or at the foot of a hill or ridge, rather than in the middle of a meadow, pasture, or hillside.	<i>The location for the proposed structure is on the eastern side of the property. This location was chosen because of the limited building space on this property. There is some existing vegetation that can screen the building from view when traveling on Highway 33. However, the building will be visible from the highway when a vehicle is adjacent to the property. The applicant does intend to add vegetation in the future.</i>
	3. Building envelopes shall be located so that no portion of a building up to 30 feet tall shall be visible over the ridge of the hillside on which it is located when viewed from the State Highways and Ski Hill Road.	<i>The proposed building will not be located on a ridge or hillside.</i>
BUILDING MATERIALS	All non-agricultural buildings shall not be of highly reflective materials according to ASTM C6007, Light Reflectivity Index.	<i>The proposed structure will have brown and gray metal siding and roof, similar to the example in Attachment 7. The materials will not be highly reflective.</i>
ROADS & DRIVEWAYS	Roads and driveways shall be designed to eliminate the need to back out onto the State Highways or Ski Hill Road. Existing roads and driveways shall be used where practical. When it is not practical to use existing roads, then new roads and driveways shall be located to skirt the edge of meadows and pastures (i.e. avoid dividing them) to the maximum extent feasible	<i>This property is accessed from E 9500 S, not Highway 33, so there will be no issue with vehicles backing out onto Highway 33. Because of the location, size, and characteristics of this property, there is essentially one option for an access point for the driveway.</i>
SCREENING	Landscaping shall be used to screen the view of any resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes over two (2) meters in diameter, and areas with inoperable equipment or more than four (4) inoperable cars or trucks. Required landscaping should be high altitude, native plant material, trees and shrubs	<i>There are no resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes proposed with this application that would need to be screened.</i>
THERE ARE ADDITIONAL PROVISIONS FOR SATELLITE DISHES, REVEGETATION, UTILITIES, AND SIGNS.		<i>The applicant is not proposing a satellite dish, utilities, or signs. Disturbance will be minimal for construction, and the applicant will repair/reseed any land that is disturbed from grading.</i>

POSSIBLE CONDITIONS OF APPROVAL:

1. Must comply with all federal, state, and local regulations.
2. All structures require a Teton County Building Permit and must comply with the Teton County Building Code.
3. If outdoor lighting is desired, it must comply with Teton County Code lighting requirements.
4. Building materials shall not be highly reflective materials.
5. *An application for the scenic corridor design review of the future home, including landscaping, shall be applied for and approved within one year of this approval. (if concerned with the landscaping along Highway 33 – could also make the condition that landscaping is required with this approval)*

POSSIBLE PLANNING & ZONING COMMISSION ACTIONS:

- A. Approve the scenic corridor permit request with the recommended conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.
- B. Approve the scenic corridor permit request, with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.
- C. Deny the scenic corridor permit request and provide the reasons and justifications for the denial.
- D. Continue to a future PZC Meeting with reasons given as to the continuation or need for additional information.

POSSIBLE MOTIONS:

The following motions could provide a reasoned statement if a Commissioner wanted to approve or deny the application:

Approval

Having found that the proposed development for Halsey Hewson is consistent with the Teton County development ordinances, specifically Title 8-5-2-D, and Idaho State Statute, I move to approve the scenic corridor permit with the following conditions of approval:

1. *Must comply with all federal, state, and local regulations.*
2. *All structures require a Teton County Building Permit and must comply with the Teton County Building Code.*
3. *If outdoor lighting is desired, it must comply with Teton County Code lighting requirements.*
4. *Building materials shall not be highly reflective materials.*

Denial

Having found that the proposed development for Halsey Hewson is not consistent with the Teton County development ordinances, specifically Title 8-5-2-D, and Idaho State Statute, I move to deny the scenic corridor permit. The following could have been done to obtain approval...

1. ...

Prepared by Kristin Rader

Attachments:

1. Application (4 pages)
2. Deed (4 pages)
3. Site Plan (1 page)
4. Building Plan (3 pages)
5. Google Earth images (3 pages)
6. Building Design Options (2 pages)
7. Exterior/Color Design Options (2 pages)
8. Site Visit Photos (7 pages)

End of Staff Report



ATTACHMENT 1
RECEIVED
BY: K. Rader
DATE: 6-28-2016

SCENIC CORRIDOR OVERLAY APPLICATION

Teton County, Idaho

The Planning Staff will review this request for completeness. The Planning and Zoning Commission will make the final decision at their regularly scheduled meeting. The applicant is encouraged to discuss this application with the Planning Staff prior to submittal.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: HALSEY HEWSON

Applicant: SAME E-mail: HALSEYHEWSON@GMAIL.COM

Phone: (307) 413 6819 Mailing Address: PO BOX 766

City: Teton Village State: WY Zip Code: 83025

Location and Zoning District:

Address: _____ Parcel Number: _____

Section: NW 1/4 13 Township: T3N Range: R4SE Total Acreage: 2.7 ACRES

- Latest recorded deed to the property Affidavit of Legal Interest
- Fees in accordance with current fee schedule

I, the undersigned, understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Planning and Zoning Commission public meeting.

• Applicant Signature: [Signature] Date: 6/28/16

I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: [Signature] Date: 6/28/16

Fees are non-refundable.

SECTION II: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

In accordance with 8-5-2 (C) of the Teton County Zoning Ordinance the Scenic Corridor Overlay shall apply to those lands within 330' of both sides of the right-of-way for Idaho State Highways 31, 32, 33 and Ski Hill Road from Driggs city limits to the Wyoming stateline.

- **Design Review:** All development shall be subject to design review to ensure that the location, scale, and appearance of buildings, structures, and development of land shall preserve the rural character of the areas bordering Idaho State Highways and Ski Hill Road and to prevent the construction of buildings that project upward beyond the ridgeline of any hill located within one (1) mile of major roads when viewed from those major roads.
- **Documentation Required:** The applicant shall submit plans and drawings showing all existing structures, building envelopes for all proposed structures, setbacks from the closest State Highway or Ski Hill Road, as applicable, existing and proposed landscaping and fences, existing and proposed off-street parking areas, and drawings of exterior elevations of primary structures visible from the closest State Highway or Ski Hill Road. These materials will be submitted with a conditional use or building permit application, and at the preliminary plat stage of a subdivision or PUD application.
- **Design Review Criteria:** A development application shall only be approved if the Commission finds that it meets the following criteria:

Setbacks: No permanent structure shall be constructed within fifty (50) feet of the outer edge of the road right-of-way, unless the parcel does not contain any buildable site outside of the setback area in, which case primary structures shall be located as far from the outer edge of the road right-of-way as possible.

Building Envelopes: The development shall identify building envelopes for all primary and accessory structures. Building envelopes shall comply with the following requirements:

- 1) Building envelopes shall be located so that existing topography and natural vegetation, such as ridges, hills, and existing trees, will screen buildings from view from the State Highways and Ski Hill Road to the maximum extent feasible.
- 2) Where existing topography and natural vegetation cannot be used to screen buildings as described in Subsection 1 above, building envelopes should be located at the rear or side edges of an open meadow or pasture, or at the foot of a hill or ridge, rather than in the middle of a meadow, pasture, or hillside.

Notwithstanding Subsections 1 and 2 above, building envelopes shall be located so that no portion of a building up to thirty (30) feet tall shall be visible over the ridge of the hillside on which it is located when viewed from the State Highways and Ski Hill Road, and the applicant shall submit a sight line analysis in sufficient detail to confirm that this standard has been met.

Building Materials: All non-agricultural buildings shall not be of highly reflective materials according to ASTM C6007, Light Reflectivity Index.

Roads and Driveways: Roads and driveways shall be designed to eliminate the need to back out onto the State Highways or Ski Hill Road. Existing roads and driveways shall be used where practical. When it is not practical to use existing roads, then new roads and driveways shall be located to skirt the edge of meadows and pastures (i.e. avoid dividing them) to the maximum extent feasible.

Satellite Dishes: All satellite dishes in the proposed development shall be located to minimize visibility from the State Highways and Ski Hill Road and shall use earth tone colors and/or screening to minimize their visual impact.

Screening: Landscaping shall be used to screen the view of any resource extraction sites, outdoor storage areas, outdoor trash collection areas, satellite dishes over two (2) meters in diameter, and areas with inoperable equipment or more than four (4) inoperable cars or trucks. Required landscaping should be high altitude, native plant material, trees and shrubs.

Revegetation: The applicant shall revegetate all areas disturbed by grading or cut-and-fill activity with plants similar to those on the remainder of the development site as each stage of grading is completed, and no later than one (1) year after construction.

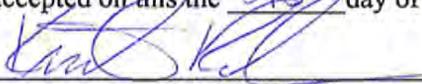
Utilities: All service utilities (including but not limited to electric and telecommunication lines) shall be placed underground.

SECTION III: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION IV: PLANNING AND ZONING COMMISSION ACTION

SECTION V: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Application is considered complete and accepted on this the 28 day of June, 2016.

Planning Administrator/Designee Signature: 



ATTACHMENT 1
RECEIVED
BY: K. Rader
DATE: 6-28-2016

SCENIC CORRIDOR OVERLAY APPLICATION

Teton County, Idaho

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Applicant: SAME E-mail: HALSEYHEWSON@GMAIL.COM

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City: TETON VILLAGE State: WY Zip Code: 83025

Location and Zoning District:

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- Fees in accordance with current fee schedule

I, the undersigned, understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Planning and Zoning Commission public meeting.

• Applicant Signature: [Signature] Date: 6/28/16

I, the undersigned, am the owner of the property to be my agent and represent application and property and

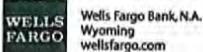
• Owner Signature: _____

HEWSON DESIGN
PO BOX 12323
JACKSON, WY 83002-2323

7462
99-109/1023 7674
0002210315

6/28/16 DATE

PAY TO THE ORDER OF Teton County \$ 200.00
Two hundred DOLLARS



[Handwritten signature]

Instrument # 239526

TETON COUNTY, IDAHO
01-13-2016 10:28:00 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - DRIGGS
MARY LOU HANSEN Fee: \$16.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED, WARRANTY

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **574272-T (tm)**

Date: **December 29, 2015**

For Value Received, **E. Vance Rasmussen and Janie Rasmussen, a married couple**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Halsey Hewson, a single man**, hereinafter called the Grantee, whose current address is **PO Box 766, Teton Village, WY 83025**, the following described premises, situated in **Teton County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Space Above This Line for Recorder's Use Only

WARRANTY DEED

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Date: 12/29/2015

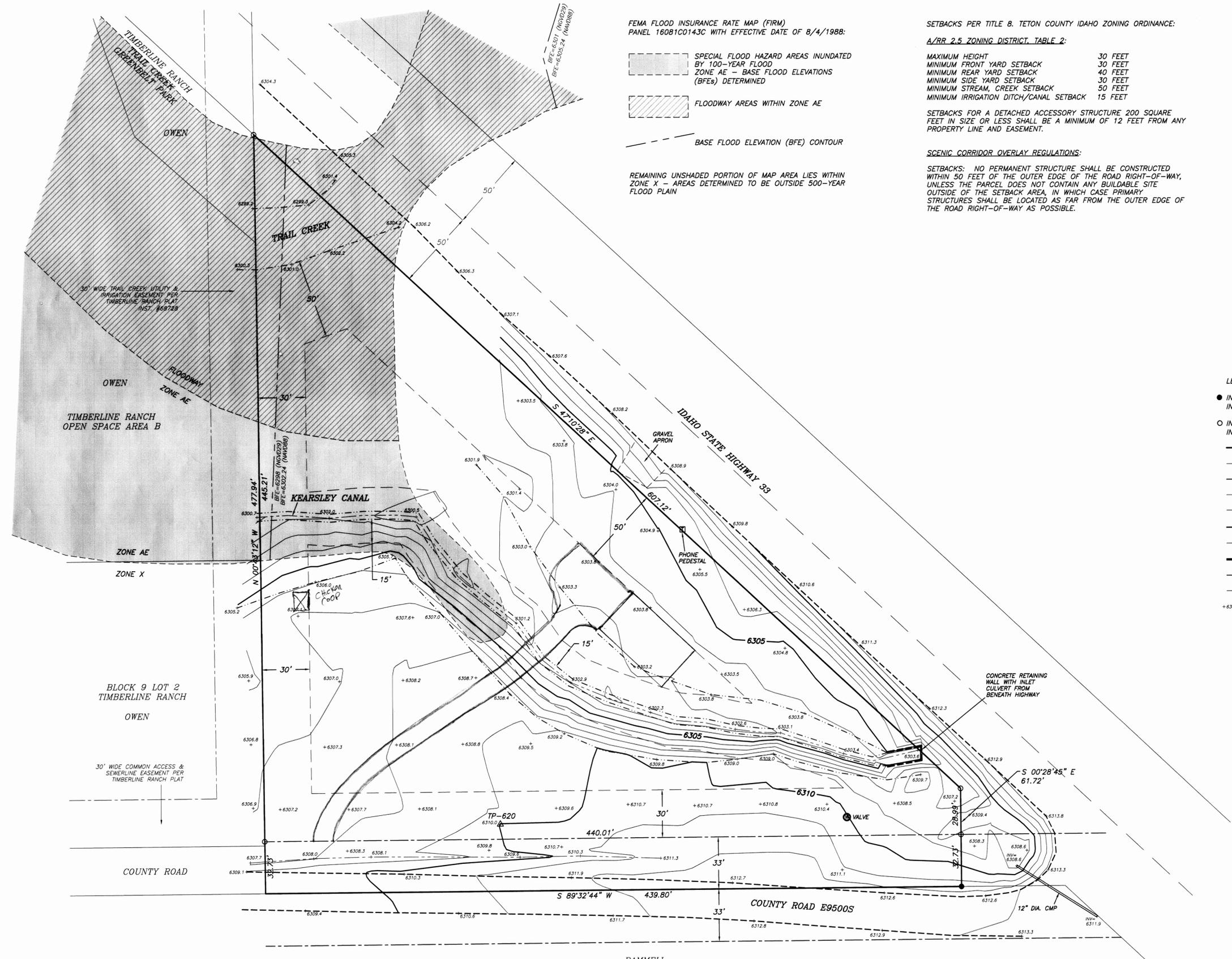
Warranty Deed
- continued

File No.: 574272-T (tm)

EXHIBIT A

BEGINNING AT THE SW CORNER OF THE E1/2NW1/4 OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, SAID POINT BEING THE SW CORNER OF THAT PARCEL OF LAND DESCRIBED IN THE WARRANTY DEED UNDER TETON COUNTY RECORDER'S INSTRUMENT NO. 75397; THENCE NORTH 00°11'37", EAST, ALONG THE WEST LINE OF SAID PARCEL UNDER INSTRUMENT NO. 75397, A DISTANCE OF 478.32 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 33; THENCE SOUTH 46°14'37", EAST, ALONG SAID RIGHT-OF-WAY LINE, 607.22 FEET TO THE EAST LINE OF SAID PARCEL UNDER INSTRUMENT NO. 75397; THENCE SOUTH 00°11'37", WEST, ALONG SAID EAST LINE, 61.96 FEET TO THE SE CORNER OF SAID PARCEL UNDER INSTRUMENT NO. 75397; THENCE NORTH 89°32'00", WEST, ALONG THE SOUTH LINE OF SAID PARCEL UNDER INSTRUMENT NO. 75397, A DISTANCE OF 440.01 FEET TO THE POINT OF BEGINNING.

SUBJECT TO THE EXISTING COUNTY ROAD RIGHT-OF-WAY ALONG THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.



FEMA FLOOD INSURANCE RATE MAP (FIRM)
 PANEL 16081C0143C WITH EFFECTIVE DATE OF 8/4/1988:

SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD
 ZONE AE - BASE FLOOD ELEVATIONS (BFEs) DETERMINED

FLOODWAY AREAS WITHIN ZONE AE

BASE FLOOD ELEVATION (BFE) CONTOUR

REMAINING UNSHADED PORTION OF MAP AREA LIES WITHIN ZONE X - AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN

SETBACKS PER TITLE 8. TETON COUNTY IDAHO ZONING ORDINANCE:
 A/RR 2.5 ZONING DISTRICT, TABLE 2:

MAXIMUM HEIGHT	30 FEET
MINIMUM FRONT YARD SETBACK	30 FEET
MINIMUM REAR YARD SETBACK	40 FEET
MINIMUM SIDE YARD SETBACK	30 FEET
MINIMUM STREAM, CREEK SETBACK	50 FEET
MINIMUM IRRIGATION DITCH/CANAL SETBACK	15 FEET

SETBACKS FOR A DETACHED ACCESSORY STRUCTURE 200 SQUARE FEET IN SIZE OR LESS SHALL BE A MINIMUM OF 12 FEET FROM ANY PROPERTY LINE AND EASEMENT.

SCENIC CORRIDOR OVERLAY REGULATIONS:
 SETBACKS: NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED WITHIN 50 FEET OF THE OUTER EDGE OF THE ROAD RIGHT-OF-WAY, UNLESS THE PARCEL DOES NOT CONTAIN ANY BUILDABLE SITE OUTSIDE OF THE SETBACK AREA, IN WHICH CASE PRIMARY STRUCTURES SHALL BE LOCATED AS FAR FROM THE OUTER EDGE OF THE ROAD RIGHT-OF-WAY AS POSSIBLE.

ON SIGHT

LAND SURVEYORS

GRAPHIC SCALE

1 INCH = 30 FEET
 1' CONTOUR INTERVAL
 VERTICAL DATUM:
 NAVD88

- LEGEND
- INDICATES A 1/2 INCH DIAMETER STEEL REBAR WITH A YELLOW PLASTIC CAP INSCRIBED "AW ENG 2860" FOUND THIS SURVEY
 - INDICATES A 1/2 INCH DIAMETER STEEL REBAR WITH AN ALUMINUM CAP INSCRIBED "D PLS 8609" FOUND THIS SURVEY
 - SUBJECT PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - EASEMENT
 - SETBACK LINE
 - CENTERLINE OF HIGHWAY
 - EDGE OF PAVEMENT
 - EDGE OF GRAVEL
 - CONCRETE RETAINING WALL
 - TOP OF BANK
 - FLOWLINE
 - +6303.3 TYPICAL SPOT ELEVATION

Received on 6-28-16 by KMR
 Draft # _____
 Submitted to the CO of P20 Planning
 Meeting
 Meeting Date: 7-12-2016

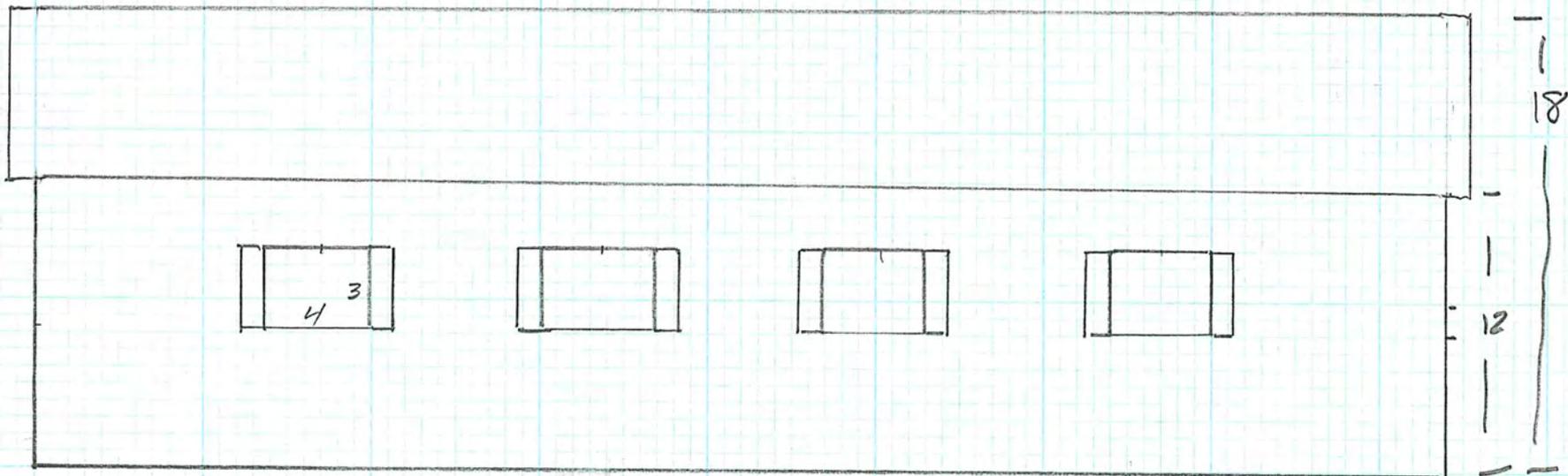
TOPOGRAPHIC MAP
 PREPARED FOR
HALSEY HEWSON
 SHOWING
 A PARCEL
 BEING PART OF
 NW1/4 SECTION 13
 T3N, R45E, B.M.
 TETON COUNTY, IDAHO

On Sight
 LAND SURVEYORS, INC.

155 West Gill Ave.
 P.O. Box 12290
 Jackson, WY 83002
 (307) 734-6131

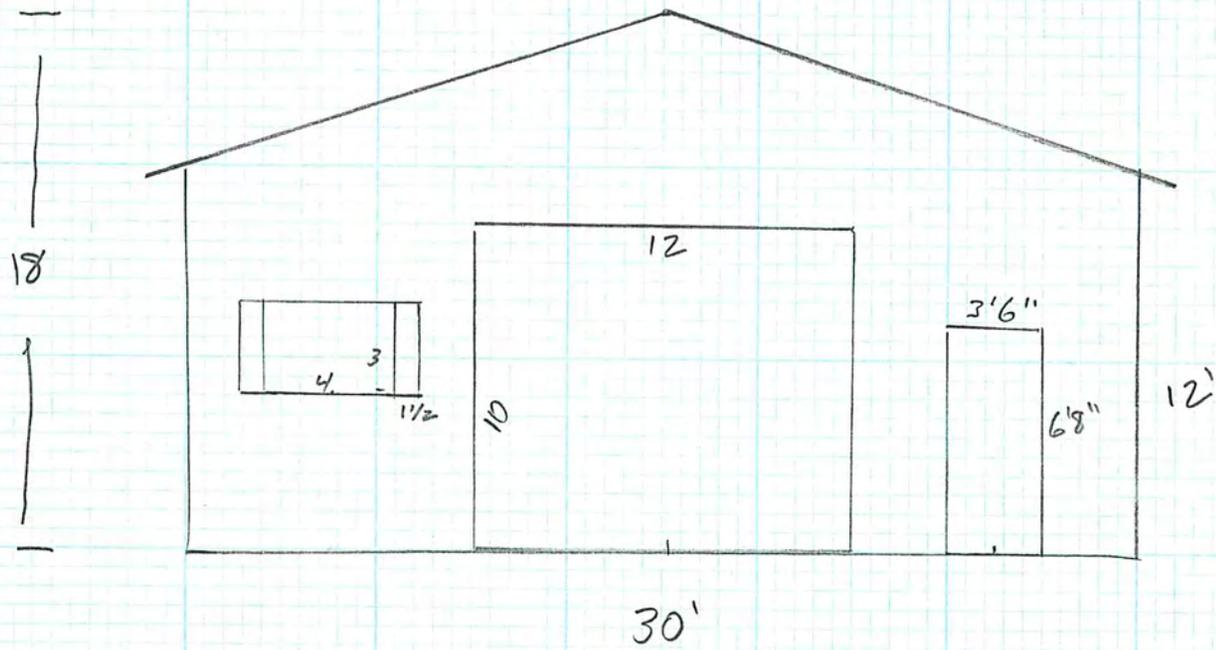
NORTH AND SOUTH FACING WALLS

ATTACHMENT 4
SCALE 60

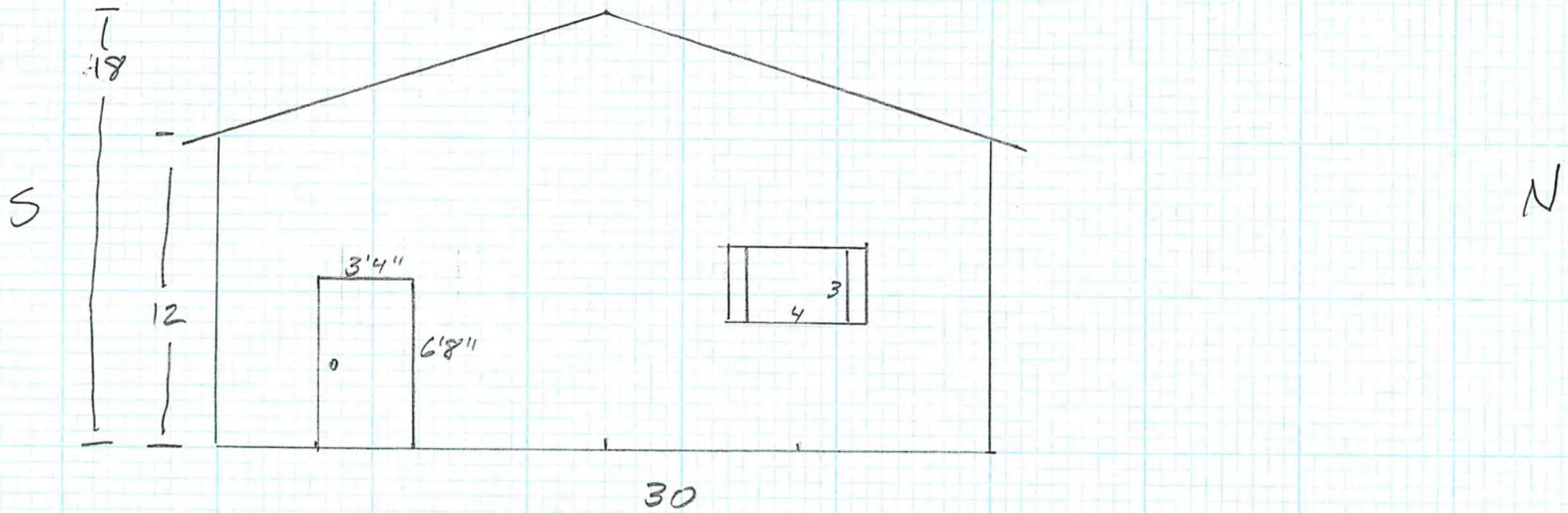


50

WEST FACING WALL



EAST FACING WALL





 land in victor

nw corner

33

well head

© 2016 Google

GO

corner

1994

Imagery Date: 8/2/2013 43°35'08.46" N 111°05'42.87" W elev 6312 ft





Google earth



WEST FACING WALL



NORTH & SOUTH FACING LONG WALLS



ATTACHMENT 7





Color selection

GREY WALLS

BROWN ROOF / TRIM / DOORS / SHUTTERS



View from 9500 to Highway 33

7/ 6/2016 9:08



View looking north toward Victor from Highway 33 at the proposed building site.

7/ 6/2016 9:12



View from Highway 33 looking west at proposed building site.

7/ 6/2016 9:13



View from Highway 33 looking south at proposed building site.

7/ 6/2016 9:13