



## A REQUEST FOR A CONCEPT PLAN REVIEW APPROVAL

**BY:** Cleon Ross  
**FOR:** Ross Meadow Subdivision  
**WHERE:** Victor AOI - along Old Jackson Hwy  
**PREPARED FOR:** Planning & Zoning Commission  
Public Hearing of October 18, 2016

**APPLICANT & LANDOWNER:** Cleon Ross, represented by AW Engineering

**REQUEST:** Cleon Ross is proposing a 2-lot subdivision on his property (8.22 acres) located south of Victor. Both lots are proposed as 4.11 acres. This parcel is zoned A-2.5, in the Victor Area of Impact. This property is located in the Scenic Corridor Overlay, Wetlands and Waterways Overlay, and Flood Plain Overlay.

**APPLICABLE COUNTY CODE:** Subdivision Concept Plan Review pursuant to Title 9, Chapter 3 Teton County Zoning Ordinance, (revised 5/16/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

**LEGAL DESCRIPTION:** RP03N45E134201; TAX #6791 SEC 13 T3N R45E

**ZONING DISTRICT:** A-2.5; Victor AOI

**PROPERTY SIZE:** 8.22 acres

**VICINITY MAP:**



### **PROJECT DESCRIPTION:**

Cleon Ross is proposing a 2-lot subdivision on 8.22 acres. Each lot will be approximately 4 acres. This property is located in the Scenic Corridor Overlay, Flood Damage Prevention Overlay, and the Wetlands and Waterways Overlay. This property is also located in the Victor Area of Impact.

Mr. Ross is splitting the property to give to his children. The One Time Only Land Split is not an option on this property because the parcel is less than 20 acres, and the One Time Only was used in the past.

This subdivision will have one access point – Old Jackson Highway. Highway 33 borders the property, but the applicant does not have an approved access from ITD. That portion of the property is also located in the floodplain and the Scenic Corridor. This development proposes that each lot owner would be responsible for an individual well and septic system. Fire suppression is not required because this proposal is fewer than 3 lots.

### **OVERVIEW OF CONCEPT APPROVAL:**

A concept review with the Planning Administrator or Planning and Zoning Commission is the required first step in the development process. The purpose of this review is to:

1. Acquaint the applicant with the procedural requirements of Title 9
2. Provide for an exchange of information regarding applicant's proposed development ideas and the regulations and requirements of Title 9, the Master Plan, and other subdivision requirements
3. Advise the applicant of any public sources of information that may aid the applicant or the application, and identify policies and regulations that create opportunities or pose significant restraints for the proposed development
4. Review the sketch plans, if any, and provide the applicant with opportunities to improve the proposed plan in order to mitigate any undesirable project consequences
5. Review the compatibility with nearby land uses, either proposed or existing
6. Provide general assistance by County staff on the overall design of the proposed development

It is not to determine the exactness of each item required in the checklists of the preliminary and final plat processes.

### **KEY ISSUES:**

#### *Studies/Plans Required to Preliminary Plat Application*

After Concept Review Approval, the applicant may begin the Preliminary Plat application process. As part of this process, Teton County may require several different studies to better understand the impacts of a development. The following studies have been identified as being required for Preliminary Plat based on the concept application information.

- Landscape Plan
  - A Landscaping Plan is required for all subdivisions. This shall include a vegetation/revegetation plan identifying locations where vegetation will be installed in order to replace existing vegetation or revegetate disturbed areas, a plan for weed management, a stabilization plan to cover any disturbed slopes, and a plan to provide screening from neighboring properties or from State Highways 31, 32, 33 or

Ski Hill Road 9-3-2-C-3-a). This plan has been incorporated into CC&Rs before, which could be an option.

▪ Nutrient Pathogen Evaluation

- There are 5 conditions that would trigger the NP Evaluation.
  1. The proposed development that lies wholly or partially within the WW Wetland and Waterways Overlay Area (Section 8-5-1-D of Title 8); or
  2. There is evidence that ground water, at some time of the year, comes within ten feet of the ground's surface at any location on the proposed development parcel; or
  3. There is evidence that soil depth to fractured bedrock is ten feet or less anywhere on the proposed development; or
  4. The development application includes a food service, a commercial facility, or an industrial facility generating 600 gallons or more of wastewater per day; or
  5. The proposed development is within an area where the concentration of nitrate-nitrogen in ground water is five (5) mg/L or higher.
- This property does lie within the Wetland and Waterways Overlay Area because Trail Creek is located on the property. Title 8 & 9 define the Wetlands and Waterways Overlay as:

(WW) Wetlands and Waterways Overlay: Includes all lands defined and regulated as wetlands through the federal clean water act as administered by the U.S. Army Corps of Engineers and the streams listed below. Because the existing WW Overlay as mapped does not accurately identify all such areas, the WW will be applied to: (1) all wetland areas identified on the U.S. Fish and National Wetland Inventory Maps, unless a jurisdictional determination is secured from the U.S. Army Corps of Engineers (USACE) indicating the area as uplands; (2) all areas delineated as wetlands and verified as such by the USACE; and (3) **those areas lying within 300 feet of the high water mark of the following waterways:**

Badger Creek	Dry Creek	Darby Creek
Mahogany Creek	South Leigh Creek	Packsaddle Creek
Bear Creek	Fox Creek	Drake Creek
Milk Creek	Spring Creek	Patterson Creek
Bitch Creek	Game Creek	Warm Creek
Moose Creek	Teton Creek	Little Pine Creek
Bull Elk Creek	Grouse Creek	Henderson Creek
North Leigh Creek	Teton River	Twin Creek
<b>Trail Creek</b>	Grove Creek	Horseshoe Creek

- **NOTE: The applicant is requesting a waiver from this study, which may be approved by the Board of County Commissioners as per Title 9. If the waiver is denied, the NP Evaluation will be required.**

▪ Natural Resource Analysis

- If the proposed subdivision contains any lands included in any of the Overlay Areas defined in Title 9 or in any of the overlay areas defined in Title 8, except the AV Airport Overlay Area, the applicant shall have a qualified professional approved by the Planning Administrator prepare a Natural Resources Analysis for the entire application parcel. This property is partially located in the Scenic Corridor Overlay and

the Wetlands and Waterways Overlay, which would trigger the Natural Resource Analysis. However, there are not Wildlife Habitat Overlays on this property, so the Wildlife Habitat Assessment would not be required.

#### **INTER-AGENCY AND DEVELOPMENT REVIEW COMMITTEE COMMENTS**

*DRC Meeting:* On September 21, 2016, we had a DRC meeting with AW Engineering (Arnold Woolstenhulme), Teton County Public Works Director (Darryl Johnson), and Teton County Planning Administrator (Kristin Owen). Other agencies were invited but did not attend. From this meeting, the following items were identified (more information can be found in Attachment 7).

- **Roads:** A shared access point must be used for the 2 lots, accessing from Old Jackson Highway.
- **Fire Protection:** This project does require Fire Protection.
- **Plans & Studies:** The following plans and studies were identified as being required/possibly required during the preliminary phase: Landscaping Plan, Natural Resource Analysis, and Nutrient Pathogen Evaluation. The applicant has the option to request a waiver from the Nutrient Pathogen Evaluation.

*City of Victor:* This application was sent to the City of Victor for review. We did not receive any comments from them on the application.

*Idaho Transportation Department:* ITD submitted comments that the applicant does not have an approved access from Highway 33 for the property (see Attachment #10)

#### **SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE:**

Idaho Code, Title 67; Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Zoning Ordinance. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, as well as all property owners in subdivisions that intersect with the 300-foot buffer. A notice was also posted on the property providing information about the public hearing.

#### **COMMENTS FROM NOTIFIED PROPERTY OWNERS & PUBLIC AT LARGE:**

One public comment was received. See Attachment 9.

**CONSIDERATION OF APPROVAL:**

For approval of Concept Review of a proposed subdivision (9-3-2(B-4)), the County shall consider the objectives of Teton County Title 9, application materials, and in a general way, at least the following:

<b>1. The conformance of the subdivision with the comprehensive plan.</b>	
Applicant Comments	The applicant addresses the conformance of this subdivision with the Comp. Plan in the narrative (attachment #3).
Staff Comments	<ul style="list-style-type: none"> <li>This property is located in the Area of Impact. The Comp. Plan identifies located higher densities near the cities and within the cities. Only 2 lots are proposed with this development, so the density is still relatively low.</li> <li>Open Space is not required for this application. This property also is not identified as a wildlife habitat. However, by requiring building envelopes near Old Jackson Highway, development will not occur along the creek or within the Floodplain. This is essentially creating open space, and the creek corridor can be protected from development.</li> <li>This property is located on Old Jackson Highway, next to city limits, so it could be used for pedestrian and bike traffic. It is also near Pioneer Park, which includes a bus stop for the START bus. This all contributes to goals in the Comp. Plan.</li> </ul>
<b>2. The availability of public services to accommodate the proposed development.</b>	
Applicant Comments	This subdivision will utilize private well and onsite septic systems. There are entities in the area to provide public services to this development.
Staff Comments	The subdivision will access from Old Jackson Hwy, which is a County road. Fire protection is not required. One new lot is being added. This property is located in the Area of Impact, adjacent to city limits, so it could also be annexed into city limits. The application was sent to the City of Victor for review, but they did not submit any comments on the project.
<b>3. The conformity of the proposed development with the capital improvements plan (CIP).</b>	
Applicant Comments	The applicant comments that no non-residential development is being proposed. Impact fees will be paid at the time a building permit is issued. No future public facilities will need to be constructed to serve this development.
Staff Comments	This proposal is adding one new lot. All applicable impact fees will be paid at the time of building.
<b>4. The public financial capability of supporting services for the proposed development.</b>	
Applicant Comments	The applicant comments on the capability to support to development in the Narrative (Attachment #3). With a 2 lot subdivision, the need for support would be minimal.
Staff Comments	This is a 2-lot subdivision, so the impact will be minimal. Each property owner will be responsible for their own well and septic system. Additional property taxes could be collected from these two lots if homes are built in the future.
<b>5. Other health, safety, or general welfare concerns that may be brought to the County's attention.</b>	
Applicant Comments	The applicant's narrative (attachment #3) states there are no other health, safety or general welfare concerns they are aware of.
Staff Comments	A portion of this property is located in the Wetlands and Waterways Overlay Area. This would trigger the Nutrient Pathogen Evaluation. It would also trigger the Natural Resource Analysis (not the Wildlife Habitat Assessment). This property also includes floodplain. No development should occur in the floodplain, as our ordinance states that if there is a location outside of the floodplain available for development, it must occur there. This property has space outside of the floodplain, and building envelopes should be identified in that area. A portion of this property is also located in the Scenic Corridor. This is mostly the floodplain area, so development should not be occurring there. If any development was proposed there, it would require a scenic corridor design review.

### **POSSIBLE CONDITIONS OF APPROVAL**

1. Identify building envelopes for both lots, outside of the Special Flood Hazard Area, on the plat.
2. Identify the Special Flood Hazard Area on the plat.
3. Obtain access approval from Teton County, ID Road & Bridge for Old Jackson Highway.
4. Begin working with Eastern Idaho Public Health for approval.
5. Conduct required studies/plans for Preliminary Review: Landscape Plan, Natural Resource Analysis, and Nutrient Pathogen Evaluation (if not waived).

### **PLANNING & ZONING COMMISSION ACTION:**

A. Approve the Concept Plan, with the possible conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.

B. Approve the Concept Plan, 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 Concept Plan application request and provide the reasons and justifications for the denial.

D. Continue to a future PZC Public Hearing 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 concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied with the inclusion of the following conditions of approval:*

1. Identify building envelopes for both lots, outside of the Special Flood Hazard Area, on the plat.
  2. Identify the Special Flood Hazard Area on the plat.
  3. Obtain access approval from Teton County, ID Road & Bridge for Old Jackson Highway.
  4. Begin working with Eastern Idaho Public Health for approval.
  5. Conduct required studies/plans for Preliminary Review: Landscape Plan, Natural Resource Analysis, and Nutrient Pathogen Evaluation (if not waived). *Cleon Ross can be justified and have been presented in the application materials, staff report, and presentations to the Planning & Zoning Commission,*
- *and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,*
  - *I move to APPROVE the Concept Plan for Ross Meadow Subdivision as described in the application materials submitted August 4, 2016 and as supplemented with additional applicant information attached to this staff report.*

**DENIAL**

*Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) have not been satisfied, I move to DENY the Concept Plan for Ross Meadow Subdivision as described in the application materials submitted August 4, 2016 and as supplemented with additional applicant information attached to this staff report. The following could be done to obtain approval:*

1. ...

Prepared by Kristin Owen

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**Attachments:**

- |   |  |
|---|--|
| 1. Application (3 pages)                | 6. Concept Drawings (1 page)                 |
| 2. Affidavit of Legal Interest (1 page) | 7. DRC Meeting Notes (1 page)                |
| 3. Narrative (5 pages)                  | 8. Adjacent Landowner Notification (2 pages) |
| 4. Warranty Deeds (3 pages)             | 9. Public Comment (1 page)                   |
| 5. Survey #240322 (1 page)              | 10. ITD Comment Letter (# pages)             |

**End of Staff Report**



AUG 04 2011

RECEIVED

by: S. Fox

NAME OF SUBDIVISION/PLANNED UNIT DEVELOPMENT

CONCEPT PLAN

SUBDIVISION/PLANNED UNIT DEVELOPMENT APPLICATION

The Concept Plan Review is the first of three steps in the development process. Upon receipt of the required materials the planning staff shall stamp the application received, review the application for completeness and then schedule a Concept Review Meeting between the Applicant and the Planning Administrator or his or her designee. The application is constituted accepted upon completion of the checklist items and the review meeting with the Administrator. The Administrator will prepare a staff report for the Applicant within sixty (60) days. It is recommended that the Applicant review Titles 6, 8 and 9 of the Teton County Code prior to submittal. These Titles along with application materials are located on the County website at www.tetoncountyidaho.gov. The planning staff is also available to discuss applications and answer questions prior to receiving an application.

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: Cleon Ross
Applicant: same E-mail: docross@aol.com
Phone: (208) 201-2944 Mailing Address: 4352 East 116 North
City: Idaho Falls State: ID Zip Code: 83401
Engineering Firm: A-W Engineering Contact Person: Arnold Wooten/hulme Phone: (208) 787-2952
Address: 255 South Main, Victor, ID E-mail: aweng@ida.net

Location and Zoning District:
Address: no assigned address Parcel Number: RP03N45E13H201
Section: 13 Township: 3N Range: 45E, B.M. Total Acreage: 9.22 acres
Proposed Units/ Lots: 2 Proposed Open Space Acres: 0 acres
Proposing a Subdivision [ ] Zoning: A 2.5 [x] A 20 [ ]
Proposing a Planned Unit Development [ ] Planned Community [ ] Rural Reserve [ ]

- Latest recorded deed to the property
Development name approved by GIS
10% of total base fee (see current fee schedule)
Affidavit of Legal Interest
Pre-application conference completed



TETON COUNTY  
PLANNING & ZONING

AUG 04 2016

RECEIVED

by: S.Fox

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Applicant: same E-mail: docross@aol.com

Phone: (208) 201-2944 Mailing Address: 4352 East 116 North

City: Idaho Falls State: ID Zip Code: 83401

Engineering Firm: A-W Engineering Contact Person: Arnold Woolstenhulme Phone: (208) 787-2952

Address: 255 South Main, Victor, ID E-mail: aweng@ida.net

Location and Zoning District:

Address: no assigned address Parcel Number: 00421155121001

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**A-W ENGINEERING**  
ARNOLD OR SHARON WOOLSTENHULME  
255 SOUTH MAIN/BOX 139 PH. (208) 787-2952  
VICTOR, ID 83455

THE BANK OF COMMERCE  
DRIGGS, ID 83422  
92-41/1241

9746

08/04/2016

Pay to the Order of EASTERN IDAHO PUBLIC HEALTH

\$ \*\*100.00

One hundred and 00/100\*\*\*\*\*

Dollars

EASTERN IDAHO PUBLIC HEALTH  
DRIGGS, ID 83422

Ross Meadow 1<sup>st</sup> half of

*Sharon Woolstenhulme*

I, the undersigned, have reviewed the attached information and found it to be correct. I also 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 hearing.

• Applicant Signature: Cleon W. Ross Date: 4/18/16

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: Cleon W. Ross Date: 4/18/16

*Fees are non-refundable.*

## **SECTION II: CONSIDERATION FOR APPROVAL**

*Please submit narrative referencing the following:*

- The conformance of the subdivision/PUD with the comprehensive plan.
- The availability of public services to accommodate the proposed development.
- The conformity of the proposed development with the capital improvements plan.
- The public financial capability of supporting services for the proposed development.
- Other health, safety or general welfare concerns that may be brought to the County's attention.

## **SECTION III: CHECKLIST OF ITEMS REQUIRED ON THE PLAN/PLAT DOCUMENT**

### **1. Number of Plan:**

- Two (2) Plans (11" X 17" or 18" X 24") and digital copy prepared by a professional land Surveyor/Engineer

### **2. Items on Plan/Plat:**

- Plat is labeled "Concept Master Plan" in the lower right corner
- Open space, as required
- Neighboring property boundaries and owners within 300 feet
- Date prepared and date of any revisions
- Scale of drawings
- North arrow
- Vicinity map
- Section(s), Township, Range
- Specific phase, if any, has been labeled

### **3. Topographical Information:**

- Contour lines
- Flood hazard area, if any
- Overlay areas

### **4. Design Requirements:**

- Total acreage
- Number of lots and size
- Street layout including width and designation of county road access with notation of approaches, if applicable, no closer than 300 feet to one another
- Existing streets and names within 200 feet
- Easements for irrigation, water, sewer, power and telephone



PLANNING AND BUILDING DEPARTMENT
AFFIDAVIT OF LEGAL INTEREST and
LETTER OF AUTHORIZATION

Cleon Ross, "Owner" whose address is
4352 East 116 North City Idaho Falls State ID Zip 83401

As owner of property more specifically described as:

Inst # 240103 - a portion of the E 1/2 NW 1/4 of Sec. 13, Twp. 3N, Rng. 45E, B. 11

HEREBY AUTHORIZES A-W Engineering as Agent to represent and act
for the Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Teton County
Commissioners, Teton County Planning and Zoning, Building, and or other County Departments relating to the modification, development,
planning, platting, re-platting, improvements, use or occupancy of land in Teton County, Idaho. Owner agrees that; Owner is or shall be deemed
conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application of any
Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or
modifications to such materials. Owner acknowledges and agrees that; Owner shall be bound and shall abide by the written terms or conditions of
issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platted
or re-platting, improvement, occupancy, or use of any structure or land involved in the application shall take place until approved by the
appropriate official of Teton County, Idaho, in accordance with applicable codes and regulations.

Owner agrees to pay any fines and be liable for any other penalties arising out of failure to comply with the terms of any permit or arising
out of any violation of applicable laws, codes, or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the forgoing is true and, if signing on the behalf of a corporation, partnership,
limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if
required.

OWNER:

X Cleon W. Ross
(Signature of Owner)

CLEON W. ROSS Title 4/18/16
(Print Name)

X
(Signature of Co-Owner)

(Print Name) Title

X
(Secretary or Corporate Owner)

(Print Name)

NOTARY:

STATE OF: SS.

COUNTY OF: Zip

Subscribed and sworn to before me by

this day of , 20

(seal)

WITNESS my hand and official seal.

X
Notary Public

Expiration Date

## SECTION II OF THE CONCEPT PLAN APPLICATION

### NARRATIVE

FOR:

### *ROSS MEADOW SUBDIVISION*

Ross Meadow Subdivision is a 2-lot subdivision being proposed by Mr. Cleon Ross, owner, in order to divide it into two parcels for each of two of his children. The land split ordinance is not an option since a land split has already been performed on this property.

This property is located in a portion of the East half Northwest quarter of Section 13, Township 3 North, Range 45 E., B.M. Teton County, Idaho.

In reference to its conformance to the goals and objectives of the Teton County Comprehensive Plan, please note the following:

Chapter 4, 4-5 addresses the establishment of a vibrant, diverse and stable economy. Guiding principles are to encourage, promote and support locally-owned businesses; incentivize local commerce; pursue economic diversity. Listed benefits re to provide long-term economic stability; provide gainful employment; provide independence; keep money in the valley.

Several types of valley businesses are supported through development that is supervised and governed by strict county ordinances: framers; carpenters; architects; plumbers; electricians; contractors; painters; excavators; landscapers; title companies; potential school students & staff; grocery stores; gas stations; professional services such as doctors and dentists, etc.

There has been a critical drain of money from the valley by being funneled into Jackson, Wyoming as these types of businesses have been forced to find work there. Responsible development can indeed be a means of returning many of those businesses to this county.

Chapter 4, 4-9 addresses respecting sensitive habitat and migration areas for wildlife.

There are no big game migration corridors or seasonal ranges on the subject property according to the Natural Resource Overlay Map. There are also no songbird/raptor breeding and wintering habitat; no sharp-tailed grouse breeding habitat nor any waterbird habitat.

Chapter 4, 4-13 addresses the agricultural and rural heritage of Teton Valley. Guiding principles include maintaining our small town feel and rural heritage; balancing property rights and rural character and managing invasive weeds.

Certainly one of the most significant ways of retaining the heritage of Teton Valley is the passing of family land to future generations. By retaining ownership in this property, the Ross children, who are each to receive these two lots, are 3<sup>rd</sup> generation Rosses and 4<sup>th</sup> generation Bresslers, and each of them in turn have children living in Teton Valley.

4-9: One of the guiding principles stated under the title “NATURAL RESOURCES + OUTDOOR RECREATION” is the conservation of dark skies.

“Ross Meadow” will include compliance to Teton County’s Dark Sky Lighting Ordinance within its covenants, conditions and restrictions.

4-13: Agricultural & rural heritage lists managing invasive weeds as a guiding principle. Each lot owner in Ross Meadow will be required to eradicate noxious weeds on their respective lots. Again, this will be a requirement listed in the covenants, conditions and restrictions. Non-compliance will be remedied through liens being placed on lots and the Homowners’ Association assuming the responsibility for any neglected weed control.

5-14 :Transportation, policy 1.3 – Although Ross Meadow accesses off both the Old Jackson Highway and Idaho State Highway # 33, only accesses from the Old Jackson Highway will be designed according to the directives of the Teton County Road and Bridge Dept. No new subdivision roads are needed which simplifies access for emergency services if there are any residences located on either of these 2 lots.

5-17: goal 1-4:, policy 4:2 – encourage pedestrian connectivity to appropriate areas.

As always in Teton Valley, the 3 critical issues affecting the viability of pedestrian connectivity are:

- 1) Weather
- 2) The spread out nature of the valley’s facilities
- 3) Time needed to reach the wide-spread facilities

The Old Jackson Highway, which Ross Meadow Subdivision fronts, is designated as a multiple use road, intended not only for vehicular traffic, but also bikers and walkers. It is a direct access to the City of Victor, as well as the Kotler Ice Rink and Pioneer Park.

.5 “ensure adequate wastewater treatment”.

As part of the subdivision process, one of the requirements that has to be met is obtaining the approval of the Eastern Idaho Public Health Agency. To ensure that approval is obtained, a separate application with soils test hole data is submitted to that agency. Environmental Specialist Mike Dronen will meet with the Engineer on the subject property to evaluate the test holes. Evidence of the approval of Eastern Idaho Public Health is the signature of their environmental specialist on the final plat prior to recording.

#### AGRICULTURE + RURAL HERITAGE

5-31 Policy 1.1 – “Ensure that planned growth maintains Teton Valley’s rural character”.

Ross Meadow complies with this policy by the size of its 2 lots which are 4.11 acres each. This size is definitely not the size of typical city lots such as Mountain Side Village and the Settlement, two developments with city size lots, which, even though they were illogically annexed into the City of Victor, would be considered to be located in the county rather than the City of Victor.

Policy 3.1 and 3.2: The right to farm act will be incorporated into the covenants, conditions and restrictions governing Ross Meadow.

These two lots are conveniently accessible for the Fire Department and Emergency Services, as well as the TRIPTA bus, which has a stopping point down the road from Ross Meadow. There are no public services that will need to be either increased or extended to this development.

a) Capital improvements plan

No future public facilities will need to be constructed to serve this small development, as referenced in part 1 of the capital improvements plan.

Impact fees will be collected at the time that building permits are issued for 2 new residences.

Part ii – land use assumptions & demographics

-land use and density assumptions: no non-residential development is being proposed.

Existing public services for these 2 lots, such as the public library; emergency service; school and health clinics are within practical distance from Ross Meadow. Therefore the public financial capability of supporting services for this development is basically a non-issue.

There are no other health, safety or general welfare concerns of which the owner is aware.

## SECTION IV OF THE CONCEPT PLAN APPLICATION

### 1. Water Issues

- Irrigation system – the Ross Meadow Subdivision property holds shares in the Trail Creek Sprinkler Irrigation Company and has existing irrigation field lines which water it as pasture land.
- Culinary water system – individual wells will serve the culinary water needs of the Ross Meadow Subdivision.
- Water Rights – see attached water rights research
- Waste System – Individual septic systems as approved by the Eastern Idaho Public Health Environmental Specialist.
- Storm and surface water drainage

### 2. Maps Required

- See accompanying soils report
- Geographical hazards – There are no known geographical hazards and this property appears to be in the low susceptibility to earthquakes classification.

### 3. Availability & Capability of Public Services

**Fire Protection:** Teton County has an abundance of trained fire fighters; state of the art fire equipment and full-time hired staff, which can more than meet any fire suppression needs of Ross Meadow Subdivision. In addition, it is within a short response time of the fire station in the City of Victor.

**Police Protection:** Teton County is served by a well-trained professional and staffed Sheriff's Department. Not being in a remote area of the valley, Ross Meadow Subdivision can quickly and easily be reached by the Sheriff's Department in case of emergencies.

**Public Road Construction & Maintenance:** The Old Jackson Highway is a well-maintained county road. Future taxes from the new residents of Ross Meadow, if there are residences built on these two lots at a future date, will add to the financial funds of the Teton County Road Department

**Central Water:** Individual wells will serve the needs for the 2 lots in Ross Meadow Subdivision.

**Central Sewer:** Individual septic systems as approved by Eastern Idaho Public Health will serve the needs for the 2 lots in Ross Meadow Subdivision.

**Parks and Open Space:** With only 2 lots being proposed,, each lot will have ample open space for each lot owner and no parks are being proposed, which is part of maintaining the rural character of this part of the valley.

Teton Valley abounds with recreational opportunities for all its residences, to enjoy including the future owners of lots in Ross Meadow Subdivision. These two lots are ideally located for easy access to the Kotler Ice Arena; Pioneer Park in the City of Victor and within minutes of the Trail Creek Fishing Pond; Moose Creek Canyon and others for hiking and camping. In addition, fronting on the Old Jackson Highway gives this property direct access to a network of bike paths.

**Infrastructure/open space maintenance:** No infrastructure is being designed to serve these lots. The open spaces will be under the ownership of each lot, with weed control being mandated by the "covenants, conditions, and restrictions."

**Schools:** There isn't a way at this point in time to determine the impact on Teton School District #401, by the lots in Ross Meadow Subdivision. There are several scenarios governing that data, including full-time residents versus second home-owners; full-time residents with children or not. Families are finding it increasingly difficult to afford to live in Teton Valley, so it is most likely a safe assumption that the impact will be minimal. What would be a bonus would be providing residential options for teachers and other school staff.

**Solid Waste Collection:** Is by RAD and as the monopoly waste collection service, they will be ecstatic to have another opportunity to increase their revenue if these lots are ever built on.

**Libraries:** More residents would be a two-fold bonus for the county library. First through increased tax revenue and second with additional patrons in this age of e-books.

Hospital: The impact on the local hospital would be minor with only a 2 lot development.

Estimate of Tax Revenue: Several unknown factors make it pre-mature at the concept application state to estimate tax revenue.

As a general rule, agricultural land that is changed to the subdivision tax category can see an increase of 2- times its current valuation.

However, if any of the lots submit an ag lease for more than 5 acres, it will be retained at agriculture valuation.

It is also impossible to estimate the tax revenue of any of the residential structures, since the type and size of the residence won't be known until application for a building permit.

AC

April 9, 2016

I, Cleon W. Ross, hereby form a personal contract with Kendall and Janine Jolley, husband and wife, to sell them for \$40,000 a half interest in 8.2 acres of property owned by me. This property lies between State Highway 33 and the Old Jackson Highway southeast of Victor, Idaho, and which also lies largely adjacent to and immediately east of the Town Canal. The legal description of this property is as follows:

A portion of the East half Northwest quarter of Section 13, Township 3 North, Range 45 E, T3M, Teton County, Idaho, being further described as: From the Southwest corner of the East half Northwest quarter of said Section 13, N 09°11'37"E, 616.36 feet to the point of beginning;  
Thence N 09°11'37"E, 1069.50 feet to a point;  
Thence S 53°12'19"E, 373.69 feet along the South boundary of the Old Jackson Highway to a point;  
Thence S 00°11'37"W, 919.93 feet to a point;  
Thence S 61°01'09"E, 32.73 feet to a point;  
Thence S 17°51'08"E, 52.54 feet to a point;  
Thence S 60°39'09"E, 41.56 feet to a point;  
Thence S 47°24'50"E, 35.73 feet to a point;  
Thence S 11°29'15"E, 36.73 feet to a point;  
Thence S 21°37'36"E, 9.96 feet to a point;  
Thence S 00°11'30"W, 148.67 feet to a point;  
Thence N 46°14'17"W, 607.22 feet along the North boundary of State Highway # 33 to the point of beginning.  
Contains 8.22 acres.

Terms of the contract are as follows: Kendall and Janine agree to pay a down payment of \$7,000 no later than April 15, 2006 and monthly payments of \$275 by the 15th of every subsequent month for a total of ten years to Cleon W. Ross. The last payment is therefore due March 15, 2026. The rate of interest to be paid on this loan is zero percent with the following exceptions: If two or more successive payments are not made by the dates due, a yearly rate of 5.0 percent interest must be paid by Kendall and Janine for each day these payments are late. If as many as four such consecutive payments are not paid by the due dates, the interest rate is agreed to be 10.0 percent per year for each date the payment is late. These aforementioned interest rates of 5.0 and 10.0 percent are to be made in addition to the regular monthly payments of \$275. Furthermore, if as many as six such consecutive payments are not made at all, this contract is thereby voided, and the only claim on the 8.2 acres of property afforded Kendall and Janine will be according to my most recent will prepared by Herb Heimerl at Teton Law Firm in Victor, Idaho.

A yearly accounting statement shall be sent to Kendall and Janine no later than January 30th, 2016 showing payments made during the year and amount left due.

Upon payment in full for this contract, a notarized, legal deed documented in Teton County Idaho shall be granted to Kendall and Janine and/or their heirs showing they are documented legal owners of 50% this property.

If I, Cleon Walter Ross, should die before March 15, 2026, all payments made to me, including the \$7,000 down payment and all monthly payments thereafter are to be credited to Kendall and Janine as partial payment toward the half-interest in the property valued presently at \$40,000. If Kendall and Janine should, within a period of 3 months from my death, pay my estate the difference between \$40,000 and the total amount they have paid (the Unpaid Loan Balance), I agree that they will immediately become 50% owners of the 8.2 acre parcel of property described above and a deed showing this shall be executed upon payment.

The perceived plan and goal at this time agreed to by all parties jointly is for Janine and Kendall to be purchasers of the approximately 4.1 acres on the East half of the property as platted by A&W Engineering in 2015-2016. Alternatively, I also agree that they are to become 50% owners of the entire

**Instrument # 240103**

TETON COUNTY, IDAHO

3-9-2016 01:28:00 PM No. of Pages: 2

Recorded for : HEIMERL LAW FIRM

MARY LOU HANSEN

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: DEED CORRECTION

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Heimerl Law Firm, P.C

P.O. Box 499

Victor, ID 83455

(Space Above For Recorder's Use)

## CORRECTING DEED

**THIS CORRECTING DEED IS MADE** this 29<sup>th</sup> day of February, 2016, by Chloe H. Ross, Trustee of the Ross Family Trust dated May 12, 2000, as amended, as **GRANTOR**, to Cleon Ross, a single man, whose address is 9488 Old Jackson Hwy, Victor, Idaho 83455, as **GRANTEE**.

WHEREAS, a Warranty Deed from Grantor to Grantee, dated November 13, 2008 and recorded in the real estate records of Teton County, Idaho dated November 13, 2008 as **Instrument # 201285**, which was not properly acknowledged and contained errors in the legal description (the "Erroneous Deed").

WHEREAS, this Correcting Deed corrects the acknowledgement as well as the errors in the legal description.

**NOW, THEREFORE**, said GRANTOR, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and conveyed, and by these presents do remise, release, sell, convey upon the GRANTEE, their heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the said County of Teton and State of Idaho, described on **EXHIBIT A** attached hereto.

SUBJECT TO and together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of the premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, Grantor has executed this Correcting Deed as of the date first written above.

Ross Family Trust Dated May 12, 2000, as amended

By: Chloe H. Ross  
Chloe H. Ross, Trustee

STATE OF IDAHO )  
 ) ss.  
COUNTY OF TETON )

The foregoing was acknowledged and sworn to before me by Chloe H. Ross, duly acting in her capacity as Trustee of the Ross Family Trust Dated May 12, 2000, as amended, this 29<sup>th</sup> day of FEBRUARY, 2016.

WITNESS my hand and official seal.

Nancy G. Jones  
Notary Public

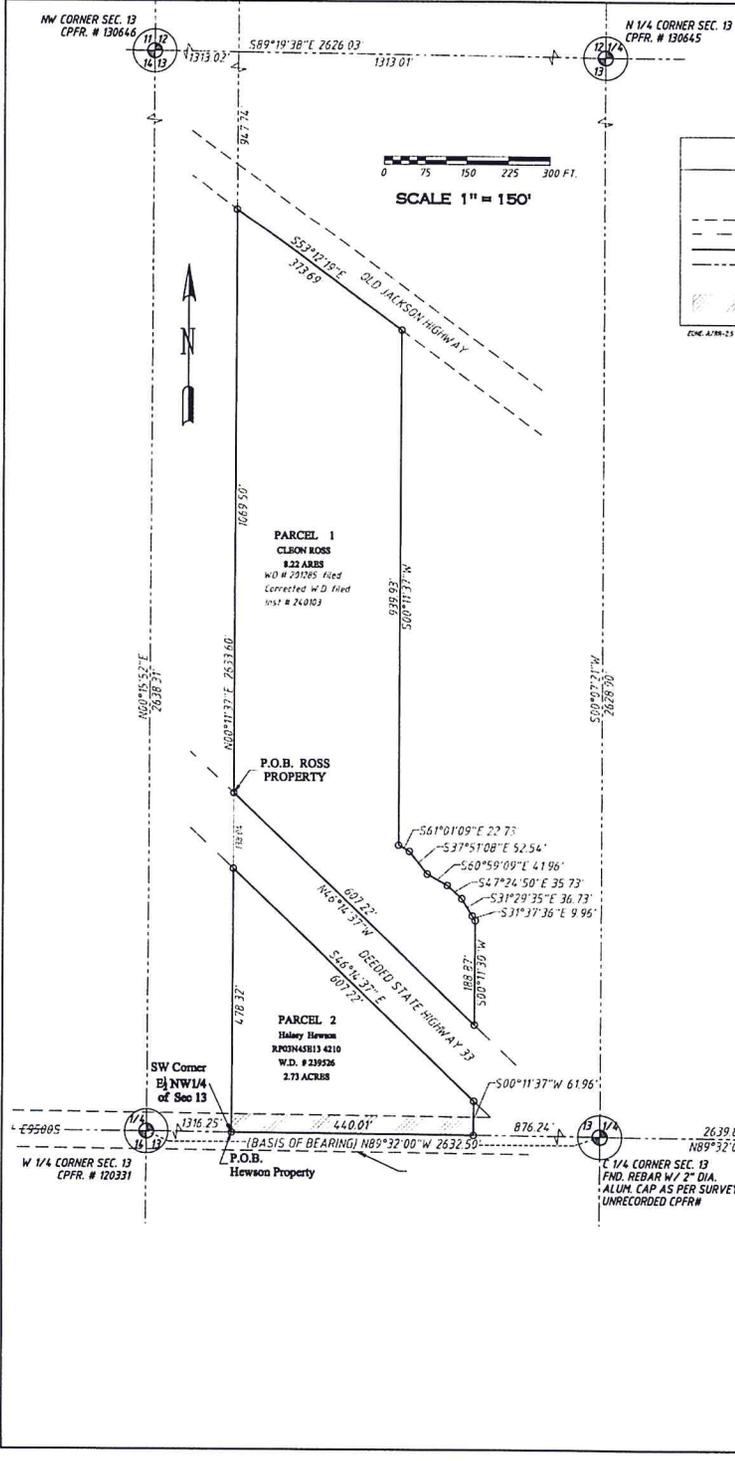
My Commission Expires:

SEAL



EXHIBIT A

A portion of the East half Northwest quarter of Section 13, Township 3 North, Range 45 E., B.M. Teton County, Idaho, being further described as: From the Southwest corner of the East half Northwest quarter of said Section 13, N 00°11'37"E, 616.36 feet to the point of beginning; Thence N 00°11'37"E, 1069.50 feet to a point; Thence S 53°12'19"E, 373.69 feet along the South boundary of the Old Jackson Highway to a point; Thence S 00°11'37"W, 939.93 feet to a point; Thence S 61°01'09"E, 22.73 feet to a point; Thence S 37°51'08"E, 52.54 feet to a point; Thence S 60°59'09"E, 41.96 feet to a point; Thence S 47°24'50"E, 35.73 feet to a point; Thence S 31°29'35"E, 36.73 feet to a point; Thence S 31°37'36"E, 9.96 feet to a point; Thence S 00°11'30"W, 188.87 feet to a point; Thence N 46°14'37"W, 607.22 feet along the North boundary of State Highway # 33 to the point of beginning.  
Contains 8.22 acres.



SCALE 1" = 150'

LEGEND	
	SECTION CORNER - FOUND OR SET AS NOTED
	PROPERTY CORNER - FOUND S/B IRON PIN
	EDGE OF COUNTY ROAD EASEMENT
	EDGE OF STATE HIGHWAY EASEMENT
	PROPERTY BOUNDARY
	SECTIONAL BREAKDOWN LINE
	ROAD & UTILITY EASEMENT - 33' WIDE OR AS NOTED

**PARCEL 1 PROPERTY LEGAL DESCRIPTION**

A PORTION OF THE E1/2 NW1/4 OF SECTION 13, TWP. 3N., RNG. 45E., B.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: FROM THE SOUTHWEST CORNER OF THE E1/2 NW1/4 OF SAID SECTION 13, NORTH 12° 07' E, 616.36 FEET TO THE POINT OF BEGINNING; THENCE NORTH 11° 37' E, 1069.50 FEET TO A POINT; THENCE S53° 12' 19" E, 373.69 FEET ALONG THE SOUTH BOUNDARY OF THE OLD JACKSON HIGHWAY TO A POINT; THENCE S00° 11' 37" W, 939.93 FEET TO A POINT; THENCE S64° 05' 09" E, 22.73 FEET TO A POINT; THENCE S37° 51' 08" E, 52.54 FEET TO A POINT; THENCE S60° 59' 09" E, 41.96 FEET TO A POINT; THENCE S47° 24' 50" E, 35.73 FEET TO A POINT; THENCE S31° 29' 35" E, 36.73 FEET TO A POINT; THENCE S31° 37' 36" E, 9.96 FEET TO A POINT; THENCE S00° 11' 30" W, 188.87 FEET TO A POINT; THENCE N45° 14' 37" W, 607.22 FEET ALONG THE NORTH BOUNDARY OF STATE HIGHWAY 33 TO THE POINT OF BEGINNING. CONTAINS 0.22 ACRES MORE OR LESS.

**PARCEL 2 PROPERTY LEGAL DESCRIPTION**

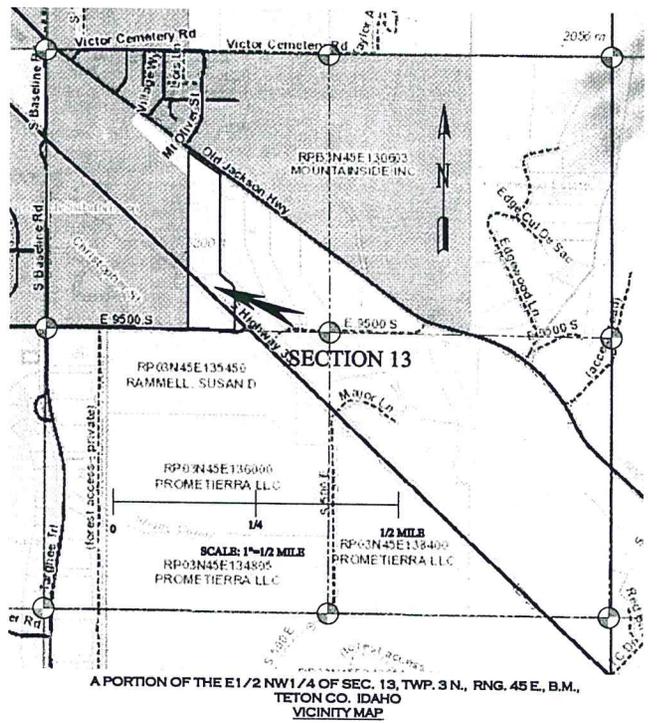
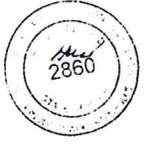
A PORTION OF THE E1/2 NW1/4 OF SECTION 13, TWP. 3N., RNG. 45E., B.M., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF THE E1/2 NW1/4 OF SAID SECTION 13, THENCE NORTH 11° 37' E, 478.52 FEET TO A POINT; THENCE S46° 14' 37" E, 607.22 FEET ALONG THE SOUTH BOUNDARY OF STATE HIGHWAY 33 TO A POINT; THENCE S00° 11' 37" W, 61.96 FEET TO A POINT; THENCE N89° 32' 00" W, 440.01 FEET TO THE POINT OF BEGINNING. CONTAINS 2.73 ACRES.

SUBJECT TO A 33 FOOT WIDE COUNTY ROAD AND UTILITY EASEMENT, LOCATED ALONG THE NORTH BOUNDARY LINE, BEING E 9500 S.

**SURVEYOR'S CERTIFICATE**

I, ARNOLD WOOLSTENHULME, BEING A LICENSED LAND SURVEYOR/ENGINEER IN THE STATE OF IDAHO #2860, DO HEREBY CERTIFY THAT I DID CAUSE THE SURVEY OF THESE PARCELS OF LAND AS HEREIN PLATTED AND DESCRIBED. THIS SURVEY WAS BASED ON A JORGENSEN ENGINEERING RES #182474 FILED IN TETON CO. IDAHO, AN RESURVEY TO THE IRON PINS SET BY JORGENSEN ENGINEERING AND FOUND THEY WERE WITHIN 0.20 FEET OF PLAT CALLS. THIS DEED WAS REQUESTED BY THE OWNER CLEON ROSS TO CORRECT THE DEED TO THE NORTH PROPERTY AND HAVE A PLAT FILED TO PROCEED WITH A FUTURE LAND SPLIT.

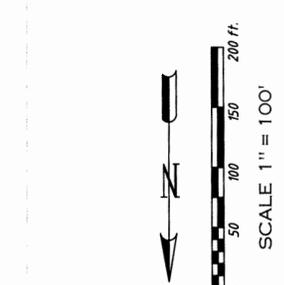
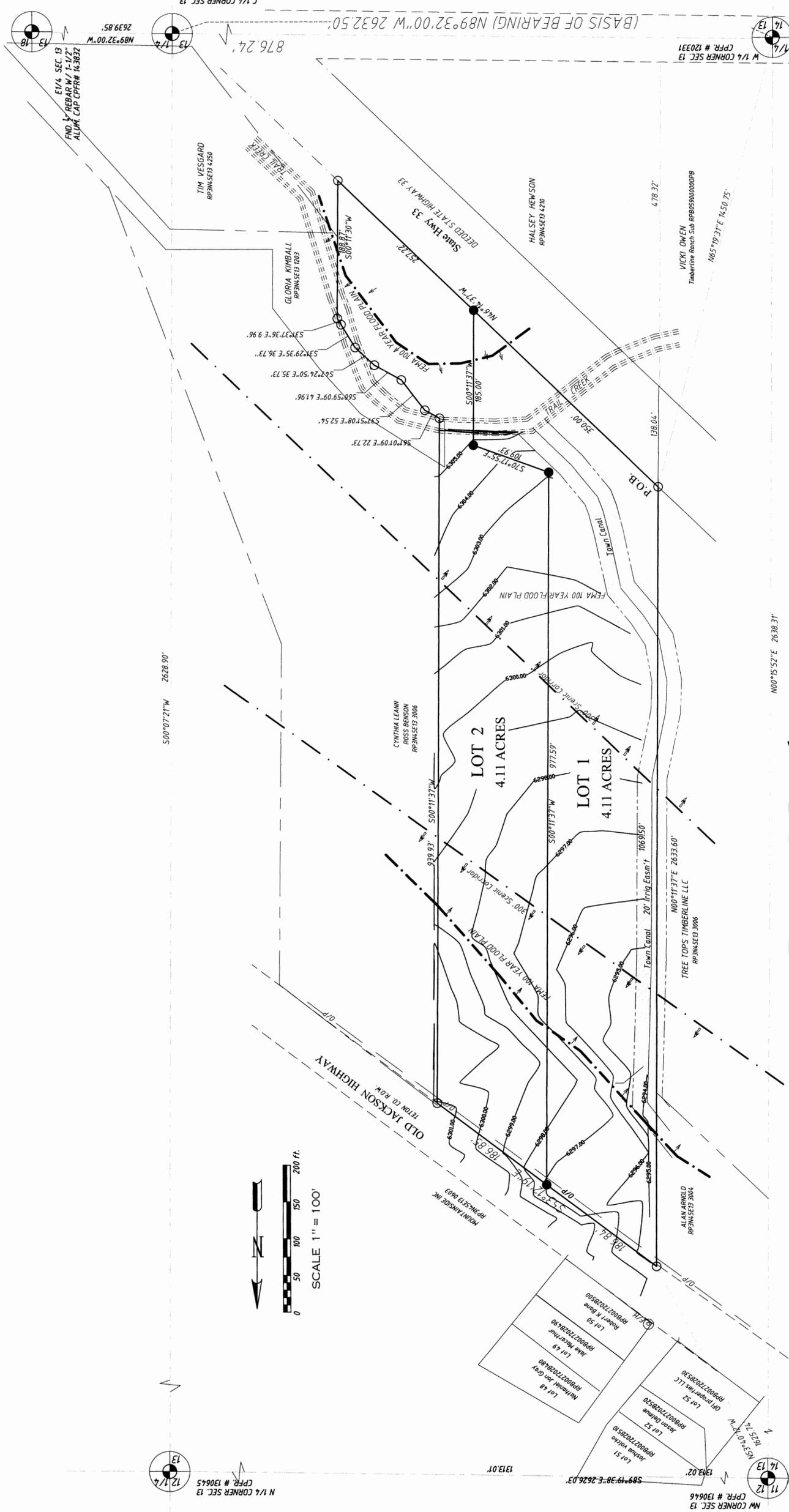
*Arnold Woolstenhulme*  
 ARNOLD WOOLSTENHULME SURVEYOR  
 3/2016



**RECORDER'S CERTIFICATE**

Instrument # 240322  
 TETON COUNTY, IDAHO  
 3-29-2016 02:45:00 PM No. of Pages: 1  
 Recorded for: AW ENGINEERING  
 MARY LOU HANSEN Fee: 5.00  
 Ex-Officio Recorder Deputy  
 Index to PROPERTY SURVEYS

- RECORD OF SURVEY -	
RESURVEY OF R.O.S. # 120474 BY JORGENSEN ENG	
A PORTION OF THE E1/2 NW 1/4 OF SECTION 13, TWP. 3 N., RNG. 45 E., B.M., TETON COUNTY, IDAHO	
OWNER: CLEON ROSS	4352 E. 116 N. IDAHO FALLS, ID 83401
DRAFTED: JAN. 2016 DRAFTED BY: RRN	SURVEY DATE: DEC. 2015
RECORDING OFFICE: AW ENGINEERING 255 SOUTH MAIN P.O. BOX 139 VICTOR, IDAHO 83455 (208) 787-2952 aweng@ida.net	RECORDING OFFICE: Proj # 2015-203 SURVEY



# Ross Meadow Subdivision

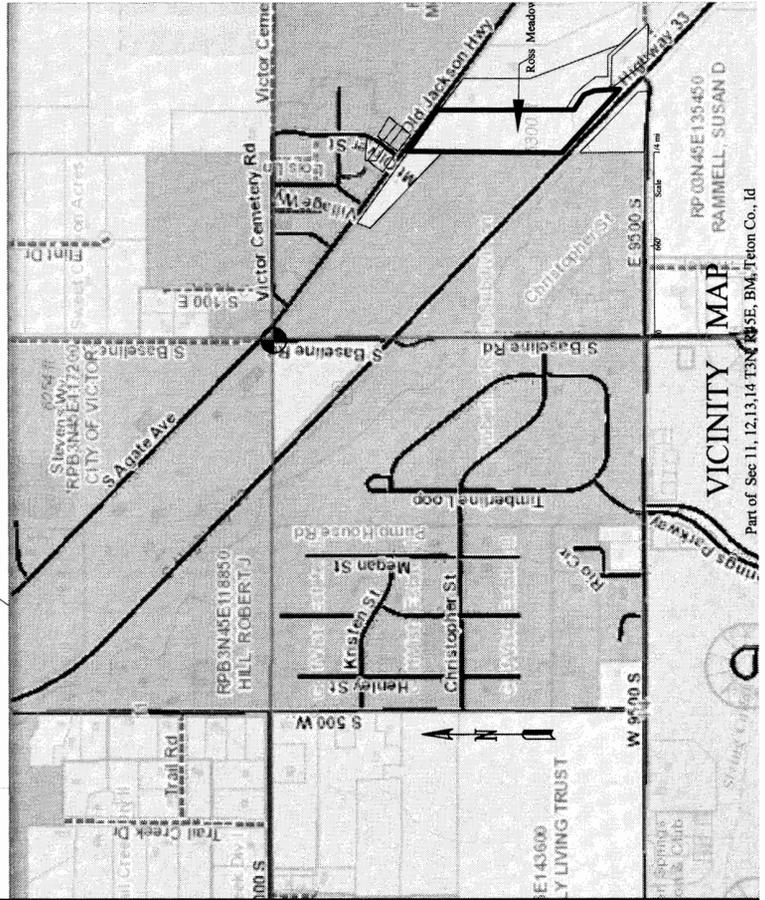
## LEGEND

- SECTION CORNER - FOUND OR SET AS NOTED
- PROPERTY CORNER - FOUND 5/8\"/>

## CONCEPT PLAN NOTES

- 1- MOST OF PROPERTY LIES WITHIN 100 YEAR FEMA FLOOD PLAIN
- 2- 300 FEET OF PROPERTY ON NORTH AND SOUTH SIDES LIES WITHIN SCENIC CORRIDOR
- 3- PROPERTY LIES ADJACENT TO VICTOR CITY LIMITS
- 4- PROPERTY LIES WITHIN VICTOR AREA OF IMPACT
- 5- PROPERTY HAS CANAL RUNNING ALONG THE WEST SIDE WITH 20 FOOT EASEMENT
- 6- VICTOR CITY TRUNK WATER LINE IS IN THE OLD JACKSON HIGHWAY R.O.W.
- 7- VICTOR CITY MUNICIPAL SEWER TRUNKLINE IS IN MOUNTAIN VILLAGE SUBDIVISION
- 8- ZONING IS AR / 25 TETON COUNTY ZONE
- 9- IRRIGATION - SHARES IN TRAIL CREEK IRRIG CO. FIELD LINE 700 FT EAST

Received on **8-4-2016** of **KMD**  
 Draft # **1** Supersedes previous **0**  
 Submitted to **BOCC of PZC Hearing**  
 Hearing Number: **11-18-2016**



## - CONCEPT / MASTER PLAN - ROSS MEADOW SUBDIVISION

A PORTION OF THE E1/2 NW 1/4 OF SECTION 13, TWP. 3 N., RNG. 45 E., B.M.,  
TETON COUNTY, IDAHO

OWNER:  
CLEON ROSS  
4352 E. 116 N.  
IDAHO FALLS, ID 83401



dwg: Aug 2, 2016  
by: AWW

survey / date  
Dec 2015

rev / date  
file - SUBDIV

Proj # 2016-057

E1/4 SEC. 13  
FND. REBAR W/ 1-1/2\"/>

S00°07'21\"/>

OLD JACKSON HIGHWAY  
TETON CO. R.O.W.

NW CORNER SEC. 13  
CPR. # 130646

(BASIS OF BEARING) N89°32'00\"/>

DEED STATE HIGHWAY 33  
S10°11'37\"/>

FEMA 100 YEAR FLOOD PLAN  
S37°26'50\"/>

LOT 2  
4.11 ACRES

LOT 1  
4.11 ACRES

Victor City Trunk Water Line

Victor City Municipal Sewer Trunkline

Scenic Corridor



Teton County Planning Department  
150 Courthouse Drive, Room 107 | Driggs, ID 83422  
Phone (208) 354-2593 | Fax: (208) 354-8410  
[www.tetoncountyyidaho.gov](http://www.tetoncountyyidaho.gov)

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FROM: Kristin Owen, Planning Administrator  
TO: Arnold Woolstenhulme, AW Engineering  
CC: Darryl Johnson, Teton County Public Works Director  
RE: Ross Meadow Subdivision, Concept Approval – DRC Meeting Notes  
DATE: September 21, 2016

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Arnold, the purpose of this letter is to summarize the DRC Meeting we had on September 21, 2016.

#### Roads

- This development must use a shared access point from Old Jackson Highway

#### Fire Protection

- This project does not require Fire Protect.

#### Plans & Studies

- **Natural Resource Analysis:** This property is located in the Scenic Corridor Overlay, Flood Damage Prevention Overlay, and the Wetlands and Waterways Overlay, so this study will be required for Preliminary Review. This property is not located in a wildlife habitat overlay, so the wildlife habitat portion of this study will not be required.
- **Landscaping Plan:** This plan will be required for Preliminary Review. This shall include a vegetation/revegetation plan identifying locations where vegetation will be installed in order to replace existing vegetation or revegetate disturbed areas, a plan for weed management, a stabilization plan to cover any disturbed slopes, and a plan to provide screening from neighboring properties or from State Highways 31, 32, 33 or Ski Hill Road.
- **Nutrient Pathogen Evaluation:** This property is located in the Wetlands and Waterways Overlay, so a Nutrient Pathogen Evaluation will be required. There is an option to request a waiver for this study.

*More information on the required studies can be found in the [Teton County Code, Title 9](#).*

#### Public Hearing Information

You are scheduled for the Teton County Planning and Zoning Commission public on **Tuesday, October 18, 2016 at 5:00 PM**. This public hearing is at the Teton County Courthouse, 150 Courthouse Drive, Driggs, Idaho. A notice, agenda, and meeting packet will be sent to you no later than the week before the meeting. Public hearings are required for the Preliminary and Final stages of this process. The scheduling of those will depend on your application submittal dates.



September 25, 2016

**RE:** Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a proposed subdivision.

Dear Property Owners:

This letter is to notify you that an application for Subdivision Concept Review has been submitted to the Teton County Planning Department by a nearby landowner. According to the Teton County Code (9-3-2B), the purpose of the Concept Review is to discuss, in general, the feasibility and possibility of building the proposed subdivision, including its conformity with the Comprehensive Plan, its relationship to surrounding development, any site conditions that may require special consideration or treatment, and to discuss and review the requirements of the Teton County Code. It is not to determine the exactness of each item required in the checklists of the preliminary and final plat process.

Because the proposed subdivision is located in Overlay areas, a public hearing with the Teton County Planning & Zoning Commission (PZC) is required for Concept Review approval. For approval of Concept Review of a proposed subdivision, the County shall consider the objectives of Teton County Title 9, in addition to the applicant's narrative explaining the impact of the development, and in a general way, at least the following:

- a. The conformance of the subdivision with the comprehensive plan.
- b. The availability of public services to accommodate the proposed development.
- c. The conformity of the proposed development with the capital improvements plan.
- d. The public financial capability of supporting services for the proposed development.
- e. Other health, safety, or general welfare concerns that may be brought to the County's attention.

The planning staff is soliciting comments from people in the vicinity of the applicant's property, so we can be aware of neighborhood issues related to the application and incorporate your comments into the staff report to the PZC. Please provide comments related to this application and the criteria of approval listed above.

**Applicant & Landowner:** Cleon Ross    **Zoning District:** A 2.5; Victor Area of Impact

**Legal Description:** RP03N45E134201, TAX #6791 SEC 13 T3N R45E

**Description of Application:** Cleon Ross is proposing a 2-lot subdivision on his property (8.22 acres) located south of Victor. Both lots are proposed as 4.11 acres. This parcel is zoned A-2.5, in the Victor Area of Impact. This property is located in the Scenic Corridor Overlay, Wetlands and Waterways Overlay, and Flood Plain Overlay.

#### **PUBLIC HEARING**

The Teton County Planning and Zoning Commission will hold a hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **October 18, 2016** on this matter. This application is scheduled as the first item on the agenda, at **5:00pm**.

Information on the above application is available for public viewing in the Teton County Planning Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at [www.tetoncountyidaho.gov](http://www.tetoncountyidaho.gov). To view these items, go to the Planning & Zoning Commission department page, then select the 10-18-2016 Meeting Docs item in the Additional Information Side Bar. Written comments will be included in the packet of information provided to the Commission for consideration prior to the hearing if they are received in the Planning Department no later than 5:00pm on October 11, 2016. Written comments may be e-mailed to [pz@co.teton.id.us](mailto:pz@co.teton.id.us), mailed to the address above, or faxed. You may also present your comments in person at the hearing.

**The public shall not contact members of Planning & Zoning Commission or the Board of County Commissioners concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.**

If you have any further questions, please do not hesitate to contact Kristin Owen, Planning Administrator ([kowen@co.teton.id.us](mailto:kowen@co.teton.id.us)).



**Kristin Rader**

---

**From:** [REDACTED]  
**Sent:** Tuesday, October 11, 2016 4:24 PM  
**To:** PZ  
**Subject:** Ross Meadows Subdivision Comment: Cleon Ross

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am writing this letter in favor of the Ross Meadows Subdivision whose hearing is scheduled for 10/18/2016. This land is adjacent to the City of Victor, and falls directly across the road from a very dense subdivision (Mountainside Village) with homes on small lots varying from 400 sq feet to a 2400 sq feet. On the opposite side is a parcel zoned heavy commercial. Between these lots and Hwy 33 is a heavily densely treed area. We can't see the highway from our lots.

I work for Larry Thal as the POA Administrator for Mountainside Village, and have answered neighboring questions regarding this subdivision with no bad feedback.

Retaining the land into two 4 acre lots, rather than having it be annexed into the City of Victor, will ensure that there will be open space within a dense area. I own land a few lots down from this proposed subdivision, and my family owns 7 or 8 parcels of land in the area. All are in favor of this subdivision. You probably won't hear from them, as they tend not to get involved in county affairs.

My spouse Kendall and I are purchasing this land from my father—the purchase agreement has been recorded in Teton County as of April, 2016, but has been in the works for a decade or more. If this subdivision is approved, the land will be able to stay in my family, as it has for at least 70 years.

My brother David Ross and his wife Kathy will be the other owner, and neither of us, nor our spouses, want to see the land pass out of the family. It's our dream to keep this land. We currently farm it, have done so for 40 years, and will continue to do so. Although we realize we have to plan for homes on the land at some point, there are NO current plans for either of us to build, and we truly want the land to stay as it is, but must have building rights per lot so we can afford to keep the land within the family.

Thank you for all you do,

Janine Jolley  
Oxbow Property Management LLC  
[REDACTED]  
Victor, ID 83455  
[REDACTED]



**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 97  
Rigby, ID 83442-0097

(208) 745-7781  
itd.idaho.gov

September 29, 2016

TETON COUNTY  
PLANNING & ZONING

SEP 30 2016

RECEIVED

Teton County Planning Department  
c/o Kristin Owen  
150 Courthouse Drive  
Driggs, ID 83422

RE: Public Hearing for the Ross Meadow Subdivision

Dear Kristin:

We received your notice of Public Hearing for the Ross Meadow Subdivision. Please include this letter as our comments of the public hearing.

Under Section 5-14 *Transportation* of the narrative portion of the application, it states, "Although Ross Meadow accesses off both the Old Jackson Highway and Idaho State Highway #33 only accesses from the Old Jackson Highway will be designed according to the directives of the Teton County Road and Bridge Dept."

We have no record of any permit for access to this property from State Highway 33.

Even though this application states that access will only be from the Old Jackson Highway, we want to ensure that the applicant understands that it is highly unlikely that ITD would permit an access to this property from State Highway 33. These parcels will have access to the Old Jackson Highway, which is a lesser classified public road.

Please call me at (208) 745-5630 if you have any other questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ben Burke'.

Ben Burke  
District Six Traffic Engineer

BB:eg