

Frank Nipples Winkler

NAME OF SUBDIVISION/PLANNED UNIT DEVELOPMENT

### FINAL PLAT & MASTER PLAN

SUBDIVISION/PLANNED UNIT DEVELOPMENT APPLICATION

The Final Plat is the last of three steps in the development process. Upon receipt of the required materials the planning staff shall stamp the application received and prepare a staff report. Once the Planning Administrator has reviewed the staff report and deemed the application complete a public hearing will be scheduled with the Board of County Commissioners. 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](http://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:** Frank Winkler

**Applicant:** Jorgensen Associates, P.C. E-mail: [djohnson@jorgensenassociates](mailto:djohnson@jorgensenassociates)

Phone: ( ) 208.354.8330 Mailing Address: PO Box 584

City: Driggs State: ID Zip Code: 83422

**Engineering Firm:** Jorgensen Associates, PC Contact Person: Darryl Johnson Phone: ( ) 208.354.8330

Address: PO Box 584 Driggs ID 83422 E-mail: [djohnson@jorgensenassociates.com](mailto:djohnson@jorgensenassociates.com)

**Location and Zoning District:** RP001340010050

Address: 663 & 775 Teton Vista Drive Parcel Number: RP001340010060

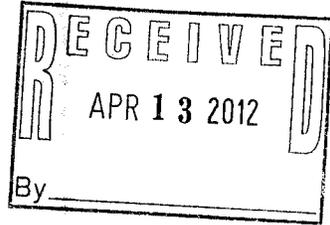
Section: 13&24 Township: 5 North Range: 45 East Total Acreage: 10.00

Proposed Units/ Lots: 4 Proposed Open Space Acres: 0.00

Proposing a Subdivision       Proposing a Planned Unit Development   
 Zoning: A 2.5  A 20       Planned Community  Rural Reserve

- Latest recorded deed to the property
- 30% of total base fee (see current fee schedule)
- Platting process expires on \_\_\_\_\_
- Preliminary Plat and required materials approved by Planning and Zoning Commission on \_\_\_\_\_
- Affidavit of Legal Interest
- Engineer/Surveyor review

Fees are non-refundable.



PLANNING AND BUILDING DEPARTMENT  
LETTER OF AUTHORIZATION

Frank D Winkler Revocable Trust, "Owner" whose address is  
3834 Spring Hill Rd City Japlin State MO Zip 64804

As owner of property more specifically described as: LOTS 5 & 6 SWEETWATER SUBDIVISION

HEREBY AUTHORIZES JORGENSEN ASSOCIATES P.C. 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.

Frank D. Winkler Revocable Trust

OWNER: X [Signature] Title Trustee  
(Signature of Owner) Frank Winkler (Print Name)

X \_\_\_\_\_ Title \_\_\_\_\_  
(Signature of Co-Owner) (Print Name)

X \_\_\_\_\_  
(Secretary or Corporate Owner)  
(Print Name)

NOTARY: STATE OF: Missouri SS. \_\_\_\_\_  
COUNTY OF: Newton Zip 64804

Subscribed and sworn to before me by Frank Winkler  
this 10th day of April, 2012.

STEPHANIE D. MASON  
Notary Public - Notary Seal  
State of Missouri, Jasper County  
My Commission Expires Dec. 15, 2013  
Commission # 09809754

WITNESS my hand and official seal.  
X [Signature] 12/15/13  
Notary Public Expiration Date

**LETTER OF AUTHORIZATION**

Frank D. Winkler as Trustee of the Frank D. Winkler Revocable Trust utta dated June 29, 2009 "Owner" whose address is: 3834 Springhill, Joplin, MO 64804; As owner of property more specifically described as:

Lots 5 and 6 in Sweetwater Subdivision, according to the official plat thereof, filed in Official Records of Teton County, Idaho;

**HEREBY AUTHORIZES** Julie Stomper and the Law firm of Beard St. Clair, Gaffney, PA as Agent to represent and act for the Owner in making application for zone change, subdivision or any other related actions and receiving and accepting on Owners behalf, any permits or other action by the Driggs City Council, Driggs City Planning Office or any agency or department of the City of Driggs, 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, weather 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   
(Signature of Owner)

Frank D. Winkler Title: Trustee  
(Print Name)

**NOTARY:**

STATE OF Missouri  
County of Newton

ss.

On this 6<sup>th</sup> day of September, 2011, before me Cindy A Barth, a Notary Public in and for said state, personally appeared Frank D. Winkler, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Frank D. Winkler Revocable Trust utta dated June 29, 2009 and acknowledged to me that he executed the same as such Trustee.



Notary Public for ~~Idaho~~ Missouri  
Residing At:  
Commission Expires:  
(SEAL)

**CINDY A. BARTH**  
Notary Public - Notary Seal  
State of Missouri, Jasper County  
My Commission Expires Dec. 15, 2013  
Commission # 09809727

Instrument # 213228

TETON COUNTY, IDAHO  
9-17-2010 12:13:00 No. of Pages: 1  
Recorded for: ALLIANCE TITLE  
MARY LOU HANSEN Fee: 10.00  
Ex-Officio Recorder Deputy  
Index to: DEED WARRANTY

*Conrad*

ALLIANCE TITLE & ESCROW CORP. INC.  
P.O. BOX 644 / 78 N. MAIN STREET  
DRIGGS, IDAHO 83422

WARRANTY DEED

Order No.: 3051017281BL

FOR VALUE RECEIVED

~~XXXXXX~~  
The Thoenig Family Trust dated April 14, 1989, Richard S. Thoenig as  
Successor Trustee  
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Frank D. Winkler as trustee of the Frank D. Winkler Revocable Trust utta dated June 29, 2009,

whose current address is: 3834 Springhill Joplin, MO 64804

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

Lots 5 & 6 in Sweetwater Subdivision, according to the official plat thereof, filed in Official Records of Teton County, Idaho.

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.

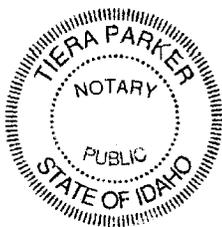
Dated: 9-17-10

Thoenig Family Trust  
*Richard S. Thoenig*  
By: Richard S. Thoenig, Successor Trustee

State of Idaho }  
County of Teton } ss.

On this 17<sup>th</sup> day of September 2010, before me, a Notary Public in and for said state, personally appeared Richard S. Thoenig known or identified to me to be the person whose name is subscribed to the foregoing instrument as successor trustee of the Thoenig Family Trust and acknowledged to me that he executed the same as Trustee.

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



*Tiera Parker*  
Notary Public for the State of  
Residing at: \_\_\_\_\_ Residing in Teton County  
Commission Expires: \_\_\_\_\_ Commission Expires on 06/08/2013

BLUE, BRENT ALAN  
PO BOX 15240  
JACKSON, WY 83002

CITY OF DRIGGS  
P O BOX 48  
DRIGGS, ID 83422

FILLMORE FARMS LLC  
500 HUNTSMAN WAY  
SALT LAKE CITY, UT 84108

STETTLER, CHAD A  
PO BOX 221  
DRIGGS, ID 83422

VETSCH, RAYMOND REV TRST  
PO BOX 4000  
JOPLIN, MO 64803

WADE, STEPHEN D REVOCABLE TRST  
822 OAKMONT DRIVE  
JOPLIN, MO 64804

WINKLER, FRANK D REVCBLE TRUST  
3834 SPRINGHILL  
JOPLIN, MO 64804

**DRAFT DOCUMENT**

**WARRANTY DEED WITH  
RESTRICTION ON OWNERSHIP**

**1. Date**

\_\_\_\_\_, 2012.

**2. Parties**

Grantor: Frank D. Winkler, Trustee of the Frank D. Winkler Revocable Trust, utu dated June 29, 2009

Current address: 3834 Spring Hill Road, Joplin, Missouri 64804

Grantee: Frank D. Winkler, Trustee of the Frank D. Winkler Revocable Trust, utu dated June 29, 2009

Current address: 3834 Spring Hill Road, Joplin, Missouri 64804

**3. Property**

Idaho County: Teton

Transferred interest: Grantor's entire fee simple

Street Address: 663A and 663B, Teton Vista Drive, Driggs, Idaho 83422

Description: Lots 5A and 5B of the Frank "Nipples" Winkler Subdivision as the same appears on the official plat thereof recorded in the Office of the Recorder of Teton County, Idaho, on \_\_\_\_\_, 2012, as Instrument No. \_\_\_\_\_, and all amendments thereto.

SUBJECT TO the restriction and requirement that unity of interest and unity of ownership must be maintained at all times. For purpose of ownership and conveyance the property must be treated as one parcel and must be conveyed together to the same party or parties. This restriction is appurtenant to and runs with the land. This restriction is required by Teton County, Idaho and may only be removed by obtaining permission from the Board of County Commissioners of Teton County, Idaho.

FURTHER SUBJECT TO Building and zoning ordinances and other governmental use regulations, taxes and assessments for 2012 and all subsequent years, existing easements, rights-of-way, unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance,

County Recorder Use Only

unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

TOGETHER WITH all improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

**4. Consideration**

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

**5. Grant**

Grantor, for the consideration listed above hereby grants, bargains, sells, conveys and confirms to grantee, its heirs, successors and assigns, the transferred interest in the property described in this deed.

**6. Warranties**

Grantor, for itself, its heirs, successors and assigns, covenants with grantee, its heirs, successors, and assigns as follows:

Grantor is currently the owner of the property as described in this deed.

Grantor has good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed or of record.

Grantor will warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, his heirs, successors and assigns against the lawful claims of all persons.

**DRAFT DOCUMENT**

**Frank D. Winkler Revocable Trust, uta dated  
June 29, 2009**

By: \_\_\_\_\_  
Frank D. Winkler, Trustee

STATE OF IDAHO

ss.

County of Teton

On this \_\_\_\_ day of \_\_\_\_\_, in the year 2012, before me \_\_\_\_\_, personally appeared Frank D. Winkler, known or identified to me, to be the person whose name is subscribed to the within instrument as Trustee of the Frank D. Winkler Revocable Trust, uta dated June 29, 2009, and acknowledged to me that he acknowledge the same as such Trustee.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public for Idaho

Residing At:

Commission Expires:

(SEAL)

**DRAFT DOCUMENT**

**WARRANTY DEED WITH  
RESTRICTION ON OWNERSHIP**

**1. Date**

\_\_\_\_\_, 2012.

**2. Parties**

Grantor: Frank D. Winkler, Trustee of the Frank D. Winkler Revocable Trust, utd dated June 29, 2009

Current address: 3834 Spring Hill Road, Joplin, Missouri 64804

Grantee: Frank D. Winkler, Trustee of the Frank D. Winkler Revocable Trust, utd dated June 29, 2009

Current address: 3834 Spring Hill Road, Joplin, Missouri 64804

**3. Property**

Idaho County: Teton

Transferred interest: Grantor's entire fee simple

Street Address: 755A and 755B, Teton Vista Drive, Driggs, Idaho 83422

Description: Lots 6A and 6B of the Frank "Nipples" Winkler Subdivision as the same appears on the official plat thereof recorded in the Office of the Recorder of Teton County, Idaho, on \_\_\_\_\_, 2012, as Instrument No. \_\_\_\_\_, and all amendments thereto.

SUBJECT TO the restriction and requirement that unity of interest and unity of ownership must be maintained at all times. For purpose of ownership and conveyance the property must be treated as one parcel and must be conveyed together to the same party or parties. This restriction is appurtenant to and runs with the land. This restriction is required by Teton County, Idaho and may only be removed by obtaining permission from the Board of County Commissioners of Teton County, Idaho.

FURTHER SUBJECT TO Building and zoning ordinances and other governmental use regulations, taxes and assessments for 2012 and all subsequent years, existing easements, rights-of-way, unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance,

County Recorder Use Only

unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

TOGETHER WITH all improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

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Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

**5. Grant**

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**6. Warranties**

Grantor, for itself, its heirs, successors and assigns, covenants with grantee, its heirs, successors, and assigns as follows:

Grantor is currently the owner of the property as described in this deed.

Grantor has good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed or of record.

Grantor will warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, his heirs, successors and assigns against the lawful claims of all persons.

**DRAFT DOCUMENT**

**Frank D. Winkler Revocable Trust, uta dated  
June 29, 2009**

By: \_\_\_\_\_  
Frank D. Winkler, Trustee

STATE OF IDAHO

ss.

County of Teton

On this \_\_\_\_ day of \_\_\_\_\_, in the year 2012, before me \_\_\_\_\_, personally appeared Frank D. Winkler, known or identified to me, to be the person whose name is subscribed to the within instrument as Trustee of the Frank D. Winkler Revocable Trust, uta dated June 29, 2009, and acknowledged to me that he acknowledge the same as such Trustee.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public for Idaho

Residing At:

Commission Expires:

(SEAL)

## **Declaration of Covenants, Conditions and Restrictions of the Frank “Nipples” Winkler Subdivision**

### **1. Effective Date**

The effective date of these Covenants, Conditions and Restrictions (CCRs) shall be the recording date.

### **2. Statement of Purpose**

Frank D. Winkler, trustee of the Frank D. Winkler Revocable Trust, utd dated June 29, 2009 (Declarant) submits, declares, and establishes that the property described in the Plat and Master Plan of the Frank “Nipples” Winkler Subdivision (Plat and Master Plan), attached as Exhibit 1 is the subject to the CCRs. The entire property is from now on referred to as the Subdivision.

The Subdivision is created to enable the Declarant, and its successors in interest to use the property for its approved purpose as residential hangar property within the Sweetwater Subdivision, Phase 1, Teton County, Idaho (Sweetwater Subdivision) and to obtain a Through the Fence Agreement without violating any of the City of Driggs’ obligations to the Federal Aviation Administration (FAA) under the FAA’s grant assurance program.

### **3. Deed Restriction**

Ownership of and title to Lots 5A and 5B must, at all times, be vested in the same person. Ownership of and title to Lots 6A and 6B must, at all times, be vested in the same person. This restriction on ownership is required by Teton County, Idaho. The restriction shall run with the land and shall be stated in the deeds executed by the Declarant and in all subsequent deeds unless otherwise approved by the Board of County Commissioners of Teton County, Idaho.

### **CCRs run with the land**

All of the provisions of the Declaration shall run with the land and shall burden and benefit the Declarant, its successors and assigns in interest, and all subsequent owners or other persons holding any ownership or possessory interest in the Subdivision. All rights, interests, obligations and restrictions created under the CCRs shall be appurtenant to each lot in the Subdivision and shall not be separable from that lot. Any conveyance or encumbrance of a lot shall be considered a conveyance or encumbrance of the lot and its associated rights, interests, obligations and restrictions even though

such rights, interests, obligations and restrictions are not expressly referred to in the conveyance or encumbrance.

#### **4. Zoning of Subdivision Lots**

Lots 5A and 6A are residential lots as defined by ordinance of Teton County, Idaho. No hangar or commercial building shall be constructed, maintained or operated on Lots 5A or 6A.

Lots 5B and 6B are zoned as Light Industrial (M-1) and may be used for the construction, maintenance and operation of an airplane hangar and the approved uses under the applicable zoning codes and regulations.

#### **5. Governance Subject to Sweetwater Subdivision CCRs**

The Subdivision is part of the Sweetwater Subdivision as identified and described on that plat recorded by the Recorder of Teton County Idaho as Plat No. 111887 and any amendments thereto. Lots 5A and 5B of the Subdivision are collectively identified as Lot 5 on the plat of the Sweetwater Subdivision. Lots 6A and 6B of the Subdivision are collectively identified as Lot 6 on the plat of the Sweetwater Subdivision.

Except as otherwise stated in these CCRs, all provisions of the Declaration of the Covenants, Conditions and Restrictions, Sweetwater Subdivision, recorded by the Recorder of Teton County, Idaho as Instrument No. 111964, on January 8, 1993, Amendment to Declaration of Covenants, Conditions and Restrictions for Sweetwater Subdivision, recorded by the Recorder of Teton County, Idaho as Instrument No. 184907, on February 8, 2007, any subsequent amendments thereto are hereby adopted and incorporated into these CRRs by reference.

The lot owners of the Subdivision shall continue to be members of the homeowners association of the Sweetwater Subdivision and shall not be required to form an additional association for the governance of the Subdivision. Upon the written consent of the owners of three of the four lots in the Subdivision, a homeowners association may be formed to govern the Subdivision in a manner compatible with the CCRs, rules and regulations of the Sweetwater Subdivision homeowners association. Each lot, including any lot owned by multiple owners, shall have one vote.

#### **6. Access for Driveway and Utilities**

Access to Lot 5B shall be through Lot 5A as designated on the Master Plan for the purposes of ingress, egress, and the installation and maintenance of the driveway and utilities servicing Lot 5B. Declarant shall install the driveway prior to, or at the time a hanger is built on Lot 5B. Declarant shall install utility and service lines to Lot 5B prior to, or at the time a hanger is built on Lot 5B.

Access to Lot 6B shall be through Lot 6A for the purposes of ingress, egress, and the installation and maintenance of the driveway and utilities servicing Lot 6B. Declarant has the right, but not the obligation, to install the driveway and/or utilities for Lots 6A and 6B prior to offering the lots for sale.

**7. Utilities Water and Septic Systems**

Lots 5A and 5B shall share a well situated on Lot 5A designated on the Master Plan. Lots 5A and 5B share a leach field as designated on the Master Plan.

Lots 6A and 6B shall share a well situated on Lot 6A as designated on the Master Plan. Lots 6A and 6B share a leach field as designated on the Master Plan. Declarant has the right, but not the obligation, to install the leach field and well for Lots 6A and 6B prior to offering the lots for sale.

**8. Amendments**

These CCRs may be amended by the written consent of the owners of three of the four lots in the Subdivision. Each lot, including any lot owned by multiple owners, shall have one vote. A duly approved amendment shall be binding upon every owner and every lot whether the burdens on the lot are increased or decreased and whether the owner of each lot consents to the amendment. Also, each amendment shall be recorded in the Teton County Recorder's Office.

**9. Miscellaneous**

These CCRs shall be governed by, construed and enforced under the laws of the state of Idaho without giving effect to the principals relating to conflicts or choice of laws, and shall be enforceable only in the Seventh Judicial District of the State of Idaho or the United States District Court for the State of Idaho, which are the exclusive proper venue for any court proceeding involving the CCRs.

Dated: \_\_\_\_\_, 2012.

**Declarant:**

Frank D. Winkler Revocable Trust, utd dated June 29, 2009

By: \_\_\_\_\_  
Frank D. Winkler, Trustee

STATE OF IDAHO

ss.

County of Teton

On this \_\_\_ day of \_\_\_\_, in the year 2012, before me \_\_\_\_\_, personally appeared Frank D. Winkler, known or identified to me, to be the person whose name is subscribed to the within instrument as Trustee of the Frank D. Winkler Revocable Trust, uted dated June 29, 2009, and acknowledged to me that he acknowledge the same as such Trustee.

Witness my hand and official seal.

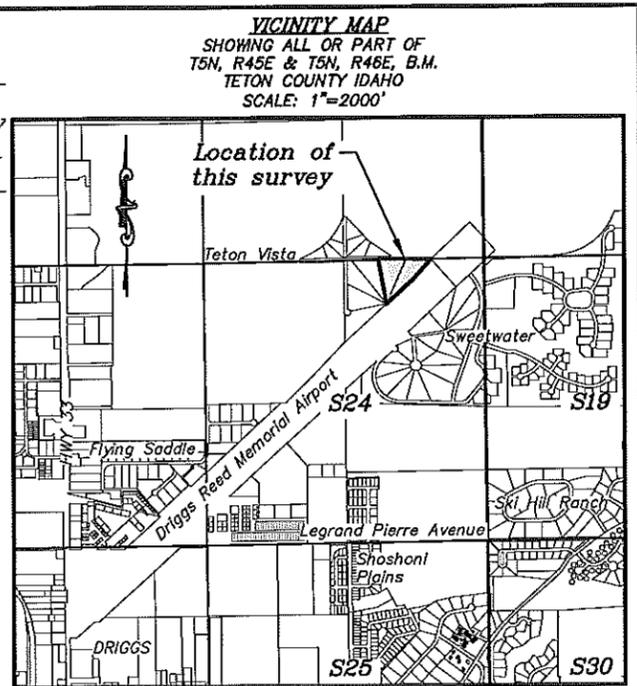
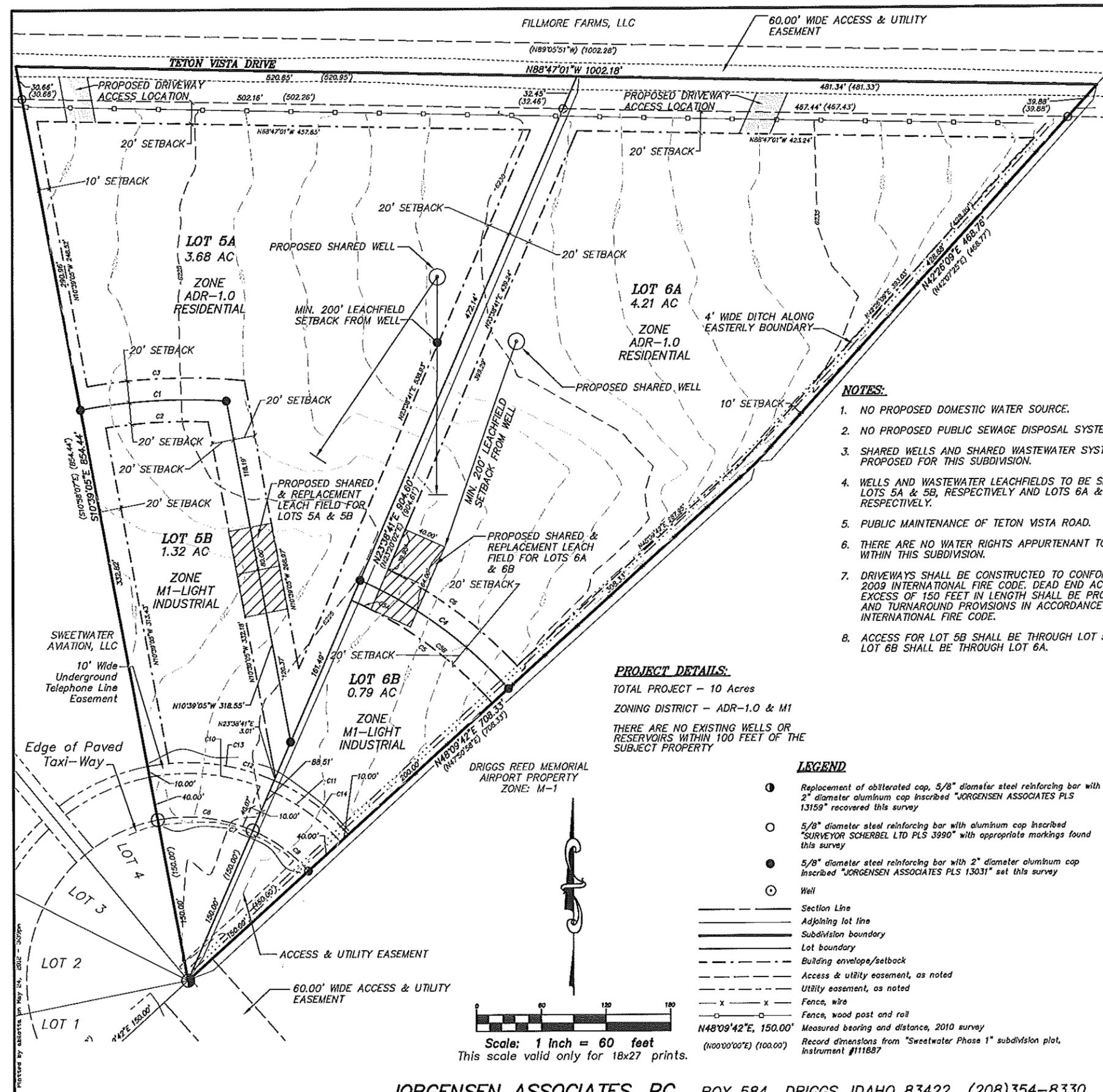
\_\_\_\_\_  
Notary Public for Idaho

Residing At:

Commission Expires:

(SEAL)

TETON COUNTY  
PLANNING & ZONING  
MAY 24 2012  
RECEIVED



- NOTES:**
1. NO PROPOSED DOMESTIC WATER SOURCE.
  2. NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM.
  3. SHARED WELLS AND SHARED WASTEWATER SYSTEMS ARE PROPOSED FOR THIS SUBDIVISION.
  4. WELLS AND WASTEWATER LEACHFIELDS TO BE SHARED BETWEEN LOTS 5A & 5B, RESPECTIVELY AND LOTS 6A & 6B, RESPECTIVELY.
  5. PUBLIC MAINTENANCE OF TETON VISTA ROAD.
  6. THERE ARE NO WATER RIGHTS APPURTENANT TO THE LANDS WITHIN THIS SUBDIVISION.
  7. DRIVEWAYS SHALL BE CONSTRUCTED TO CONFORM WITH THE 2009 INTERNATIONAL FIRE CODE. DEAD END ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH WIDTH AND TURNAROUND PROVISIONS IN ACCORDANCE WITH THE INTERNATIONAL FIRE CODE.
  8. ACCESS FOR LOT 5B SHALL BE THROUGH LOT 5A. ACCESS FOR LOT 6B SHALL BE THROUGH LOT 6A.

Curve Table			
Curve	Length	Radius	Delta
C1	135.86	532.82	14°36'33"
C2	95.36	512.82	10°39'14"
C3	146.47	552.82	15°10'51"
C4	171.16	400.00	24°31'01"
C5	162.60	380.00	24°31'01"
C5A	20.01	380.00	03°01'01"
C5B	142.59	380.00	21°30'00"
C6	149.71	420.00	20°25'24"
C7	153.97	150.00	58°48'47"
C8	89.79	150.00	34°17'46"
C9	64.19	150.00	24°31'01"
C10	103.73	190.00	31°16'45"
C11	81.30	190.00	24°31'01"
C12	205.30	200.00	58°48'47"
C13	119.72	200.00	34°17'46"
C14	85.58	200.00	24°31'01"

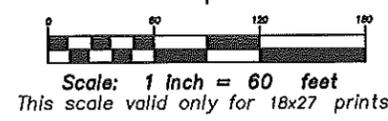
**PROJECT DETAILS:**  
TOTAL PROJECT - 10 Acres  
ZONING DISTRICT - ADR-1.0 & M1  
THERE ARE NO EXISTING WELLS OR RESERVOIRS WITHIN 100 FEET OF THE SUBJECT PROPERTY

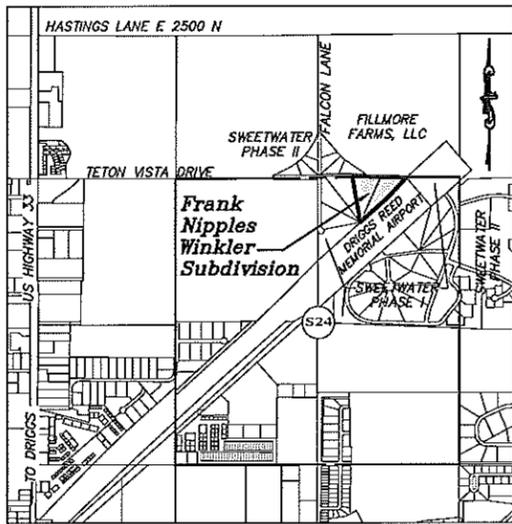
- LEGEND**
- ① Replacement of obliterated cap, 5/8" diameter steel reinforcing bar with 2" diameter aluminum cap inscribed "JORGENSEN ASSOCIATES PLS 13159" recovered this survey
  - 5/8" diameter steel reinforcing bar with aluminum cap inscribed "SURVEYOR SCHERBEL LTD PLS 3990" with appropriate markings found this survey
  - 5/8" diameter steel reinforcing bar with 2" diameter aluminum cap inscribed "JORGENSEN ASSOCIATES PLS 13031" set this survey
  - Well
  - Section Line
  - Adjoining lot line
  - Subdivision boundary
  - Lot boundary
  - Building envelope/setback
  - Access & utility easement, as noted
  - Utility easement, as noted
  - x-x- Fence, wire
  - Fence, wood post and rail
  - N48°09'42"E, 150.00' Measured bearing and distance, 2010 survey
  - (N00°00'00"E) (100.00') Record dimensions from "Sweetwater Phase 1" subdivision plat, instrument #111887

**Surveyor's Certificate**  
I, Darryl W. Johnson, a Professional Land Surveyor in the State of Idaho, Number 13031, do hereby certify that this map and the survey referred to hereon were performed under my responsible charge in accordance with Idaho State Code, Title 55, Chapter 19.  
Darryl W. Johnson, PLS 13031



**MASTER PLAN  
SHOWING  
FRANK NIPPLES WINKLER  
SUBDIVISION  
BEING IDENTICAL WITH  
LOT 5 & LOT 6 OF  
SWEETWATER PHASE I, PLAT 111887  
LOCATED WITHIN  
SECTIONS 13 & 24 T5N, R45E, B.M.  
TETON COUNTY, IDAHO**





VICINITY MAP  
1"=2000'

**CERTIFICATE OF SURVEYOR**

I, Darryl W. Johnson, a Professional Land Surveyor in the State of Idaho, Number 13031, do hereby certify that this map and the survey referred to hereon were performed under my responsible charge in accordance with Idaho State Code, Title 55, Chapter 19.

Darryl W. Johnson, PLS 13031



**CERTIFICATE OF REVIEW**

I hereby certify that I have examined this plat and find it to be correct and acceptable as required in Section 50-1305 of the Idaho Code.

Date \_\_\_\_\_ Surveyor \_\_\_\_\_

- NO PUBLIC MAINTENANCE OF STREETS OR ROADS
- NO PUBLIC SEWAGE DISPOSAL SYSTEM
- NO PROPOSED DOMESTIC WATER SOURCE

SHARED WELLS AND SHARED WASTEWATER SYSTEMS ARE PROPOSED FOR THIS SUBDIVISION.

ACCORDING TO PANEL 100 OF THE TETON COUNTY, IDAHO AND INCORPORATED AREAS FLOOD INSURANCE RATE MAP (FIRM) WITH EFFECTIVE DATE OF AUGUST 4, 1988 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THE LANDS OF THIS SUBDIVISION LIE WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE OF THE 500-YR FLOOD PLAIN.

THIS SUBDIVISION LIES WITHIN THE IMMEDIATE PROXIMITY OF THE DRIGGS REED MEMORIAL AIRPORT.

**LEGAL DESCRIPTION**

A parcel of land situated within the South Half of the Southeast Quarter (S1/2SE1/4) of Section 13 and the North Half of the Northeast Quarter (N1/2NE1/4) of Section 24 within Township 5 North, Range 45 East, B.M., Teton County, Idaho. Said parcel is identical with Lot 5 and Lot 6 of Sweetwater Phase I, a subdivision of record in the Office of the Recorder of Teton County, Idaho as Plat 111887; being more particularly described as follows:

BEGINNING at the corner common to Lots 1, 2, 3, and 4 of said Sweetwater Phase 1 subdivision; monumented with a 5/8" diameter steel reinforcing bar with a 2" diameter aluminum cap inscribed "JORGENSEN ASSOCIATES PLS 13159"; said Point of Beginning lies S65°27'08"W, 2047.05' from the Section Corner common to Sections 13, 18, 19, and 24 of said Township and Range; said Section Corner is monumented as described in that corner perpetuation and filing of record in said Office as Instrument no. 89764;

thence proceeding N10°39'05"W, 150.000' on the easterly boundary of said Lot 4 of said Sweetwater Phase 1 subdivision, of said Sweetwater Phase I subdivision to a 5/8" diameter steel reinforcing bar with an aluminum cap inscribed "SURVEYOR SCHERBEL LTD PLS 3990" on the boundary of an Access and Utility Easement described in said subdivision of record as Plat 111887;

thence continuing on said easterly boundary of said Lot 4 of said Sweetwater Phase 1 subdivision, N10°39'05"W, 382.82' to a 5/8" diameter steel reinforcing bar with a 2" diameter aluminum cap inscribed "JORGENSEN ASSOCIATES PLS 13031", set this survey;

thence continuing on said easterly boundary of said Lot 4 of said Sweetwater Phase 1 subdivision, N10°39'05"W, 290.96' to a 5/8" diameter steel reinforcing bar with an aluminum cap inscribed "SURVEYOR SCHERBEL LTD PLS 3990" on the boundary of an Access and Utility Easement for Teton Vista Drive described in said subdivision of record as Plat 111887;

thence continuing on said easterly boundary of said Lot 4 of said Sweetwater Phase 1 subdivision, N10°39'05"W, 30.86' to the unmonumented northeasterly corner of said Lot 4;

thence departing said easterly boundary of said Lot 4 of said Sweetwater Phase 1 subdivision, proceeding S88°47'01"E, 1002.18' on the north boundary of said Lot 5 and Lot 6 of said Sweetwater Phase I subdivision to the unmonumented most easterly corner of said Lot 6;

thence departing said north boundary of said Lot 6 of said Sweetwater Phase 1 subdivision and proceeding on the easterly boundary of said Lot 6, S42°26'09"W, 39.88' to a 5/8" diameter steel reinforcing bar with an aluminum cap inscribed "SURVEYOR SCHERBEL LTD PLS 3990" on the boundary of said Access and Utility Easement for Teton Vista Drive;

thence continuing on said easterly boundary of said Lot 6 of said Sweetwater Phase 1 subdivision, S42°26'09"W, 428.88' to an unmonumented angle point;

thence continuing on said easterly boundary of said Lot 6 of said Sweetwater Phase 1 subdivision, S48°09'42"W, 308.33' to a 5/8" diameter steel reinforcing bar with a 2" diameter aluminum cap inscribed "JORGENSEN ASSOCIATES PLS 13031", set this survey;

thence continuing on said easterly boundary of said Lot 6 of said Sweetwater Phase 1 subdivision, S48°09'42"W, 250.00' to a 5/8" diameter steel reinforcing bar with a 2" diameter aluminum cap inscribed "JORGENSEN ASSOCIATES PLS 13159" on the boundary of said Access and Utility Easement described in said subdivision of record as Plat 111887;

thence continuing on said easterly boundary of said Lot 6 of said Sweetwater Phase 1 subdivision, S48°09'42"W, 150.00' to the POINT OF BEGINNING;

The above-described parcel encompasses an area of 10.00 acres, more or less.

The BASIS OF BEARING for this description is N88°58'18"E between the Quarter Corner common to said Sections 13 and 24 and the Section Corner common to Sections 13, 18, 19, and 24 of Township 5 North, Range 45 East, B.M., Teton County, Idaho.

This description is based on data collected during field surveys in April 2011 and from data of record in said Office of the Recorder.

**IRRIGATION CERTIFICATE**

No water right shares were transferred with transfer of ownership for Sweetwater Phase I subdivision. Property included in this plat does not have any water share rights pertinent to the Grand Teton Canal Company.

**CERTIFICATE OF OWNERS**

Be it known that I, the undersigned owner, do hereby certify that I am the legal owner of the parcel of land shown on this plat and have caused the same to be platted as a subdivision as required by the Teton County, Idaho Subdivision Ordinance; and, that it is with the free consent and in accordance with the desire of said owner and proprietor of said described lands;

that said subdivision is identical with Lot 5 and Lot 6 of Sweetwater Phase I, a subdivision of record in the Office of the Recorder of Teton County, Idaho as Plat 111887;

that the name of the foregoing subdivision shall be known as the FRANK NIPPLES WINKLER SUBDIVISION;

that said subdivision is SUBJECT TO a Declaration of Covenants, Conditions, and Restrictions to be recorded in the Office of the Recorder of Teton County, Idaho concurrently with this plat;

that all utility easements are granted to the public utility providers for installation and maintenance of the utility;

that the undersigned owners, their heirs, successors, and assigns reserve the right to grant unto themselves or in the favor of third parties a non-exclusive easement, over, under, across, and through any of the roads or access and utility easements within said subdivision;

that all the roads within said subdivision are private and shall serve as non-exclusive easements for access and underground utilities for each owner of a lot within said subdivision;

that buildings within the lots are restricted to building envelopes as defined hereon;

that the foregoing subdivision is SUBJECT TO any other easements, rights-of-way, covenants, conditions, restrictions, reservations, agreements, or encumbrances of sight and/or record and as dedicated by this plat;

Frank D. Winkler, Trustee Date \_\_\_\_\_  
Frank D. Winkler Revocable Trust

State of Idaho )  
County of Teton ) ss

The foregoing instrument was acknowledged before me by Frank D. Winkler as Trustee of the Frank D. Winkler Revocable Trust on this day of 2012.

Witness my hand and official seal.

My commission expires:

**LAND USE SUMMARY**

PROJECT AREA SUMMARY:  
Total Gross Site Area: 10.00 Acres

NUMBER OF LOTS: 4 Lots

- 2 Residential Lots (5A & 6A)
- 2 Light Industrial (5B & 6B)

**ZONING DISTRICTS**

ADR-1.0 (1.0 ACRE AVG DENSITY RESIDENTIAL) 2 LOTS  
M-1 LIGHT INDUSTRIAL 2 LOTS

**MINIMUM SETBACK REQUIREMENTS FROM SUBDIVISION BOUNDARY:**

<b>WITHIN ADR-1.0 ZONE</b>	
FRONT STREET YARD (Teton Vista Dr)	20'
SIDE YARD	10'
REAR YARD	20'
<b>WITHIN M-1 ZONE</b>	
FRONT STREET YARD	0'
SIDE YARD	0'-20'
REAR YARD	20'

**RECORDER'S CERTIFICATE**



**HEALTH DEPARTMENT CERTIFICATE**

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied subject to the information contained in the attached sanitary rules and regulations. Sanitary restrictions may be imposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a Certificate of Disapproval.

Date \_\_\_\_\_ District Health Department, EHS

**TREASURER'S CERTIFICATE**

I hereby certify that all taxes due have been paid on the tract of land as shown on this plat.

Date \_\_\_\_\_ County Treasurer

**ASSESSOR'S CERTIFICATE**

Presented to the Teton County Assessor on the following date for approval and acceptance.

Date \_\_\_\_\_ County Assessor

**TETON COUNTY FIRE MARSHALL**

I hereby certify that the provisions for fire protection for this plat meet the Teton County Fire Code and have been approved by my department.

Date \_\_\_\_\_ Teton County Fire Marshall

**CITY OF DRIGGS CERTIFICATE**

Presented to the City of Driggs Planning and Zoning Chair on the following date at which time this subdivision was approved and accepted.

Date \_\_\_\_\_ Chair, City of Driggs Planning and Zoning

**COMMISSIONERS' CERTIFICATE**

Presented to the Teton County Board of Commissioners on the following date at which time this subdivision was approved and accepted.

Date \_\_\_\_\_ Chair, County Commissioners

**SURVEYOR & ENGINEER**

Jorgensen Associates, P.C.  
105 N. Little Avenue  
P.O. Box 584  
Driggs, Idaho 83422  
208-354-8330

**SUBDIVIDER & OWNER**

Frank D. Winkler Revocable Trust  
3834 Springhill  
Joplin, Missouri 64804  
469-831-8385

**SHEET INDEX**

SHEET	CONTENTS
1	CERTIFICATES, LAND USE INFORMATION & VICINITY MAP
2	SUBDIVISION DETAIL & NOTES

**FINAL PLAT  
FRANK NIPPLES WINKLER  
SUBDIVISION**

BEING IDENTICAL WITH  
LOT 5 & LOT 6 OF  
SWEETWATER PHASE I, PLAT 111887  
LOCATED WITHIN  
SECTIONS 13 & 24 T5N, R45E, B.M.  
TETON COUNTY, IDAHO

SHEET 1 OF 2  
CERTIFICATES, LAND USE INFORMATION & VICINITY MAP

Map Prepared: May 24, 2012 Project No.: 11519.00



Printed by adobe on May 24, 2012 10:53 AM

City of Driggs

Planning & Zoning

APPLICATION FOR SUBDIVISION  
(Not a business license or building permit)

OWNER/APPLICANT NAME: FRANK D. WINKLER PHONE: (209) 557-5211  
FRANK D WINKLER REVOCABLE TRUST UTA DATED JUNE 29, 2009

REPRESENTATIVE:  
JULIE STAMPER, ESQ

\*\*A statement authorizing a representative to apply for owner/applicant must accompany this form if applicable.

PROPERTY ADDRESS: 663 & 755 PETON VISTA DRIVE, DRIGGS, ID

LEGAL DESCRIPTION OF PROPERTY (ATTACH IF NECESSARY):  
PLEASE SEE ATTACHED WARRANT DEED

MAILING ADDRESS: 2105 WILSON ROAD, IDAHO FALLS, ID 83404

SURVEYOR/ENGINEER NAME/ADDRESS/PHONE: JORGENSEN ASSOCIATES, PC  
P.O. BOX 584, DRIGGS, ID 83422

NOTE: If Surveyor/Engineer or Real Estate Representative will represent owner/applicant at P&Z meetings, a statement authorizing such must accompany this form.

ZONING DISTRICT OF PROPERTY: APR-1; M-1 SUBJECT TO PENDING APPLICATION FOR ZONE CHANGE

PROPOSED SUBDIVISION/PUD NAME: FRANK "NIPPLES" WINKLER SUBDIVISION  
(Subject to P&Z approval; same or similar names to existing projects may not be approved.)

NO. OF LOTS/UNITS: 4 AVERAGE LOT SIZE: 2.5

FEE: \$1420 (Plus any additional cost incurred) must accompany this completed application.

This application is considered *officially accepted* only upon such time that the Planning & Zoning Commission has completely reviewed the application and deemed that all required information has been submitted. After acceptance of the application the P&Z commission will set a date for Preliminary Plat Hearing and instruct the City Clerk to notify all neighbors of record.

The P&Z Commission reserves the right to take photographs and/or videos of the property under consideration for a subdivision/PUD as deemed necessary as an addendum to the file.

I have read and understand the subdivision/PUD procedures and responsibilities which accompany this application.

[Signature] Date 09-06-2011  
Applicant Signature Date

**\*OFFICE USE ONLY\***

Date Received at Driggs City Hall: \_\_\_\_\_ Received by: \_\_\_\_\_

Fees received \$ \_\_\_\_\_ Date \_\_\_\_\_ Pymt Method \_\_\_\_\_ Rec d by \_\_\_\_\_

Date P&Z Commission officially accepts: \_\_\_\_\_ Signed: \_\_\_\_\_

PRELIMINARY PLAT HEARING APPROVAL DATE & TIME:



? FIRE  
- DA - ?  
✓ - CCR - ?  
ok BP - ?  
ACCESS ok?

Inc. 1910

Planning and Zoning Department

60 S Main St | PO Box 48 - Driggs, ID 83422 | Ph: 208-354-2362 | Fax: 208-354-8522 | www.driggs.govoffice.com

March 21, 2012

**Curt Moore**  
**Planning Department**  
**Teton County, Idaho**  
**150 Courthouse Drive**  
**Driggs, ID 83422**

MAR 21 2012

**RE: Frank and Justine Winkler Short Plat (Frank "Nipples" Winkler Subdivision) for Lots 5 and 6, Sweetwater Subdivision Phase I**

Curt:

This letter accompanies the City of Driggs files for the above referenced application, located in the Driggs Area of Impact. The Driggs City Council is recommending approval of the short plat application as presented to the Council on March 6, 2012.

The file contains the following:

**CITY DOCUMENTS**

- City Council Findings, Conclusions and Recommendation
- City Council Meeting Minutes (3/6/12)
- Planning and Zoning Commission Minutes (11/9/11 and 2/8/12)
- City Council Hearing Notice
- List of Property Owners w/in 300ft

**MATERIAL SUBMITTED BY APPLICANT:**

- Application
- Legal Description
- Letter of Authorization
- Short Plat dated 1/23/12
- CC&RS

**WRITTEN COMMENTS**

- Peter Doyle, FAA
- Mike Dronen, Eastern Idaho Public Health
- Chad and Jill Stettler, Neighboring Property Owners (chain of emails)
- Ray Vetsch, President Sweetwater HOA
- LOV Christensen, AIRPORT BOARD CHAIRMAN

This application was received prior to the effective date of the recently adopted ordinance amending the Driggs Area of City Impact. Therefore, the previous Area of Impact agreement / code should be followed, and a final hearing should be scheduled for this application with the Board of County Commissioners.

The Plan and Ordinances applicable within the Driggs Area of City Impact at the time of application are: Driggs Comprehensive Plan adopted by Driggs Resolution 264-10, Driggs Zoning Ordinance #281-07 (both adopted by the Teton Board of County Commissioners on February 10, 2010), and the Driggs Subdivision Ordinance 259-05.

The applicant has been informed of the need to file a county application and pay the associated fee.

Please contact me at City Hall if you have any questions.

Sincerely,

Doug Self, AICP  
Planning & Zoning Administrator

## City Council Findings, Conclusions and Recommendations



**Application:** SUB11-1\_Winkler (Area of City Impact)

**Hearing Date:** 3/6/12

### SUMMARY

**Proposal:** The applicant is proposing to split, via the Short Plat subdivision process, lots 5 (5.0ac) and 6 (5.0ac) of Sweetwater, with lots 5B (1.32ac) and 6B (0.79ac) being adjacent to the Driggs Airport, and lots 5A (3.68ac) and 6A (4.21ac) to the North (see attached plat).

**Location:** The subject property consists of lots 5 and 6 in the Sweetwater Phase I Subdivision, which lies along the NW side of the Driggs Airport, in the Driggs Area of Impact.

**Zoning:** The subject property is currently zoned ADR-1.0. A related, but separate application requests to rezone the proposed lots 5B and 6B to M1 in order to build airplane hangars and obtain authorization to enter and use the Driggs airport from parcels 5B and 6B.

**Applicable Plans and Ordinances:** The Plan and Ordinances applicable within the Driggs Area of City Impact at the time of application are: Driggs Comprehensive Plan adopted by Driggs Resolution 264-10, Driggs Zoning Ordinance #281-07 (both adopted by the Teton Board of County Commissioners on February 10, 2010), and Driggs Subdivision Ordinance 259-05 (adopted by the Teton Board of County Commissioners on October 23, 2006).

**Access:** Access to lots 5A and 6A remains from Teton Vista Drive, as in the original Sweetwater plat. Access to lots 5B and 6B is via a 30ft access easement (15ft either side of the shared lot line between 5A and 6A. Note 4 on the preliminary plat reads: Shared access shall be 24' min width, year round access per Teton County Fire Protection District minimum standards. Fire Marshal Marc Anderson has verbally stated to the city Planning Administrator that with the addition of this plat note, all fire protection requirements would be met.

**Utilities:** Water and sewer is proposed to be provided by private individual well and septic systems

#### Issues Raised at Planning and Zoning Commission Hearing:

The Planning and Zoning Commission conducted a public hearing on 11/9/2011 and identified three concerns:

1. Lot 6B appears too small in size to accommodate an average 50'x50' hangar, given required property line setbacks, the new Object Free Area, and existing and proposed easements. The Commission suggested that lot 6B be increased in size.
2. Lot 6B may also be too small to accommodate individual water well and septic system. The Commission requested that comments from Eastern Idaho Public Health be obtained to satisfy this concern.
3. Owners of lots 2 and 3 (Wade and Stettler) expressed concern about the building envelope on lot 5B prescribing a hangar location that would interrupt views of the Grand Teton from their properties. The Commission requested that the applicant meet with these owners to see if a mutually agreeable solution could be found.

**Application Revisions:** The applicant submitted the following items for the 2/8/12 Commission meeting:

1. Revised Preliminary Plat, with the following changes:
  - a. Lot 6B increased in size from 0.44 acres to 0.79 acres.
  - b. Lot 5B increased in size from 1.10 to 1.32 acres, with a reconfigured boundary that has a "v" shape or wedge of Lot 5A extending South between lots 5B and 6B.
2. A letter from Mike Dronen, District 7 Health Department, approving the subdivision application and noting that easements may be required for on-site subsurface sewage disposal, and that such easements, if required, would have to be in place prior to the issuance of individual septic permits.

**Agency Comments:** The following written agency comments have been received and are attached:

1. Mike Dronen, Eastern Idaho Public Health
2. Peter Doyle, Federal Aviation Administration
3. Louis Christensen, Driggs Airport Board Chairman

**Public Comments:** The following written public comments have been received and are attached:

## City Council Findings, Conclusions and Recommendations



**Application:** SUB11-1\_Winkler (Area of City Impact)

**Hearing Date:** 3/6/12

1. Chad Stettler, owner of Sweetwater lot 3, and representing the Sweetwater HOA
2. Ray Vetsch, President of Sweetwater HOA

### Driggs City Council Findings and Conclusions:

1. The proposed short plat conforms with the applicable zoning and subdivision regulations, as shown in the conformance reviews below, and would not conflict with the Driggs Comprehensive Plan, which recommends Airport Land Use for the subject property.
2. The Eastern Idaho Public Health has approved the application, with the condition that any required easements for subsurface sewage disposal be in place prior to a septic permit being issued. It has been suggested to the applicant that it be determined prior to final plat whether such easements will be required and where they should be located so that, if at all possible, these sewage disposal easements can be created on the final plat itself.
3. The Sweetwater HOA, via President Ray Vetsch, has stated its support of the application.
4. A question has been raised by the applicant about whether fencing will be required (by the city or FAA) between the residential lots and the M1/hangar lots. According to discussions between Mr. Self and Lillian Bowen, contract Engineer for the Airport Board, and Peter Doyle at the FAA, fencing between these lots is likely to be required as a condition of granting Through the Fence access to the airport. The details of the fencing and gates would be requested by the Airport Board at the time a TTF Agreement is requested. Once the Airport Board is satisfied with the proposed fencing and gate(s), it would submit the TTF Agreement and fencing plan to FAA for approval.

### Driggs City Council Recommendation:

*The Driggs City Council recommends approval of the Frank "Nipples" Winkler Subdivision Plat, as considered on this date (March 6, 2012).*

## CONTENTS

- I. CONFORMANCE WITH DRIGGS ZONING ORDINANCE #281-07
- II. CONFORMANCE WITH DRIGGS SUBDIVISION ORDINANCE #259-05

## ATTACHMENTS

- I. APPLICATION MATERIALS
  - a. APP-1A: Application Form
  - b. APP-1B: Preliminary Plat (1/23/11)
  - c. APP-1C: Declaration of CC&Rs of the Frank "Nipples" Winkler Subdivision (5/5/10)
- II. WRITTEN COMMENTS
  - Mike Dronen, Eastern Idaho Public Health
  - Peter Doyle, Federal Aviation Administration
  - Louis Christensen, Chairman, Driggs Airport Board
  - Chad Stettler, owner of Sweetwater lot 3, and representing the Sweetwater HOA

**ZONING ORDINANCE REVIEW (Ordinance 281-07, amended 3-2-10) UPDATED 1/31/12:**

**NOTE:** THIS REVIEW USES THE EXISTING ADR-1.0 ZONE, WHICH IS MORE RESTRICTIVE THAN THE M1 ZONE FOR BEING APPLIED FOR LOTS 5B AND 6B. WHERE THERE IS ANY CONFORMANCE ISSUE, THE M1 ZONE REQUIREMENTS ARE ALSO DISCUSSED.

STANDARD	ALLOWED / REQUIRED	PROPOSED	CONFORMANCE / COMMENTS
LOT AREA CH 2 SEC 4C3	The minimum lot area is 9,000sf (.207ac)	The smallest lot proposed (6B) is 0.79ac	Conforms. The Driggs Airport Layout Plan (May 2010) shows a Future Land Acquisition across parcels 5B and 6B. This area, 40ft wide along and parallel to the existing airport property line, is necessary to acquire as the change to CII standards at the Driggs airport has resulted in the Object Free Area being extended out 40ft. The 40ft strip would result in a 12,000SF (40ft x 300ft) or 0.2755ac reduction in the proposed lot 6B area (0.79ac), leaving 0.51ac, which meets the minimum land area required in the ADR-1.0, and allows for an appropriately sized lot for locating an airplane hangar.
SETBACKS CH 2 SEC D	20FT FRONT / REAR 10FT SIDES	No buildings exist on any of the four proposed lots.	CONFORMS. NO SETBACK VIOLATIONS.
HEIGHT IN AIRPORT OVERLAY SEC 15	MUST MEET FAA REGULATIONS – PART 77, OBJECTS AFFECTING NAVIGABLE AIRSPACE	No details of structures are proposed, but intended use is for airplane hangars.	CONFORMS. HOWEVER: The 7:1 transitional surface, as shown on the Driggs ALP would limit the height of future construction on lot 6B to around 30ft – depending on where the roof peak was located. <u>Staff recommends that the owner consider this limitation in allowable height and revise (enlarge) the 6B lot if a taller hangar will be desired.</u>
ACCESS CH 3, SEC 1B	EACH LOT, IN ORDER TO ALLOW A BUILDING PERMIT TO BE ISSUED, MUST HAVE AT LEAST 30FT OF FRONTAGE ON A PUBLIC RIGHT OF WAY AND REASONABLY EFFICIENT ACCESS THERETO (AS REQUIRED BY TC FIRE MARSHAL)	Lots 5A and 6A front upon Teton Vista Drive for more than 30ft. Lots 5B and 6B have a shared 40ft access easement from Teton Vista Drive.	CONFORMS. The TC Fire Marshal (Marc Anderson) has verbally approved of the access plan, as modified by Jorgensen Engineering with plat note 4 stating “Shared access shall be 24’ minimum width year-round access per Teton County Fire Protection District minimum standards.”

**SUBDIVISION CODE REVIEW:**

√ = conforms; X = does not conform; ; N/A = not applicable; TBD = conformance to be determined by Approval Body; * = special issue; ? = more information needed		
REGULATION	COMPLIANCE	COMMENTS
<b>PRELIMINARY PLAT INFO</b>		
Identification and Descriptive Data	√	
Existing Conditions Data	√	
Proposed Conditions Data	√	
Proposed Utility Methods	√	Recommended to applicant that sewage disposal easements be created on the final plat if possible (rather than creating them at the time of septic permit).
Proposed CC&Rs	√	
Preliminary Development Agreement	*	None required with the City of Driggs, since no city infrastructure improvements are proposed. <u>Applicant will need to obtain Teton County Development Agreement Template from the Teton County Planning and Zoning Department.</u>
<b>DESIGN STANDARDS</b>		
Street Arrangement	√	Streets are existing. Access easement has been approved by the TC Fire Marshal
Frontage Streets	N/A	
Half Street Dedications	N/A	
ROW Widths	N/A	
Cul-de-sac Streets	N/A	
Dead End Streets	N/A	
Loop Streets	N/A	
Street Intersections and Alignments	N/A	
Street Grades	N/A	
Street Names	N/A	
Block Length & Design	N/A	
Pedestrian Ways	√	

Lot Design	*	See comments under Zoning Ordinance Review.
Double-Frontage Lots	N/A	
Parks - Contribution	N/A	
Parks - Improvements	N/A	
Parks - Required Standards	N/A	
Parks - Dedication & Maintenance	N/A	
Non-Park Open Space	N/A	
Natural Features	*	The area is vegetated with sagebrush and grasses. The only proposed construction is the 24ft wide access road to lots 5B and 6B. The county development agreement template contains language requiring soil protection during construction.
<b>REQUIRED IMPROVEMENTS</b>		
Curb, gutter, street	*	The Teton County Fire Marshal has approved the access plan. Where it is a shared private drive and not a public road, the city street standards do not need to be met, so long as the Teton County Fire Protection District's standards are met. The Teton County Fire Marshal and Engineer may require drawing, specifications and bonding for the access drive (but the city does not).
Sidewalks	N/A	No streets are being constructed (only a private shared driveway), so no sidewalks are required.
Bike Lanes	N/A	
Stormwater	*	The amount of stormwater runoff from the construction of the shared driveway is not a concern. Future development of lot 6B, because of its small size, may require developed stormwater detention area(s), but this would best be handled at the time and level of the building permit.
Water / Sewer	*	Mike Dronen has conditionally approved the subdivision application and use of individual sewage disposal (with easements possibly required prior to septic permits being issued).
Fire Hydrants	*	The subdivision is not served by city water, but the Fire Marshal has verbally approved that there is adequate fire protection water sources in the vicinity to serve the proposed subdivision.
Street Signs	N/A	Existing street.
Street Lights	N/A	Not required.
Cluster Box Unit	N/A	Not required if number of lots is less than 5.

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
MARCH 6, 2012**

Pursuant to adjournment of the City Council meeting held February 21, 2012, and the call of the Mayor, the Driggs City Council met **Tuesday, March 6, 2012**, at 7:15 p.m. A roll call was taken and present were council members: George Mosher and Ralph Mossman, Mayor Daniel Powers, City Attorney Stephen Zollinger, and Planning and Zoning Administrator Doug Self. Mayor Powers led the Pledge of Allegiance.

**2012 FAIR HOUSING PROCLAMATION FOR THE MONTH OF APRIL**

Mayor Powers read the Proclamation.

**DANIEL KING / JUDO ACADEMY – REQUEST FOR LEASE IN DRIGGS RECREATION CENTER**

Doug Self presented information to the Council. He stated this business currently had space on Johnson Avenue with 200 square feet. Yama Judo would like to expand and Mr. Self assumed 400 square feet would be adequate. He further stated it was a use that would benefit children and was in the approved Resolution for the Community Center.

Mr. Self explained that the city would rather see businesses in viable space in the downtown area, but in this case they are outgrowing their current space. There are other spaces available, according to Daniel King's summary, but which are less than ideal and more expensive.

Mayor Powers requested to know what other spaces had been researched because he did not want to compete with private space. He felt that there may be private spaces that would be suitable and wanted to know why they had ruled them out.

Council Member Mosher questioned if the space they used would be available for other larger city functions.

**PLANNING AND ZONING REPORT**

**Policy on Public Lighting Standards (Recommendations from Driggs Outdoor Lighting Standards Committee)**

Council Member Mossman explained that the proposed lighting standards would change the current standards drastically and would mean that over time, some of the lighting that was in place now would be lost. He further explained that some money would be saved by turning lights off sooner, but that timers would be needed, costing money to put those in place.

Mayor Powers was concerned with the limited options for LED lights that do not exceed 3200 kelvins. Council Member Mossman felt that street lights should be kept as low as possible and didn't feel the kelvins should be increased. Mayor Powers questioned what the current color temperature was on Main Street. Mr. Self stated he would check to see

call vote; Council Member Mossman, aye; Council Member Mosher, aye; Council Member Jones, aye.

**Council Member Mosher made a motion** to approve Ordinance 332-12. Council Member Mossman seconded the motion. The motion passed with all in favor.

**PUBLIC HEARING - WINKLER ZONE CHANGE REQUEST – PORTIONS OF LOTS 5 AND 6 IN THE SWEETWATER SUBDIVISION – PHASE 1 - 7:45PM**

Darryl Johnson, from Jorgensen Associates, presented information to the Council. Currently the two subject lots were zoned ADR1.0. Mr. Johnson stated that the original intent of the subdivision was to build hangars on the lots with residential units to the north. Because of the Driggs Corrective Action Plan, residentially zoned lots no longer have the capability to access the runway.



It was being proposed that the southern portion of Lots 5 and 6 be rezoned to M1 (Industrial) to allow for hangar use and providing a means to access the runway with a Through the Fence Agreement with the airport.

Mike Dronen, from Eastern Idaho Public Health, had reviewed and approved the proposed shared well and septic for lots 5a and 5b and 6a and 6b. The Fire Marshal had approved the subdivision and the Home Owners Association and neighbors were in favor of the configuration of building envelopes.

Mr. Self presented his staff report. He presented a letter from Ray Vetsch stating all owners in Sweetwater Subdivision were in favor of the Winkler Subdivision short plat. The Comprehensive Plan dedicates the entire Sweetwater Subdivision as airport land use and the M1 zone was essentially the airport land use zone at this time.

The Planning Commission recommended rezoning the properties with two conditions; that the allowed uses on the property are limited to airplane hangars and all other uses are treated as conditional uses and that the applicant consents to allow a future rezone to Airport Land Use zone, once such a zone was created. Mr. Stephen Zollinger stated he would feel more comfortable if the applicant signed a letter giving the City permission to change the zone once that was established and not have it as a condition of the zone change. He further stated that the State Statute for the new zone would include all of the above conditions and given the change in circumstances, no conditions would be needed on the current zone change.

Mayor Powers opened the Public Hearing at 9:12pm. There were no comments and the Public Hearing was closed.

**WINKLER SHORT PLAT – SPLITTING LOTS 5 AND 6 IN SWEETWATER SUBDIVISION, PHASE 1**



There was no additional information for the short plat.

4 CC 3-6-12

**Council Member Mosher made a motion** to recommend to the County the approval of the zone change for Lots 5b and 6b in Sweetwater Subdivision as presented. Council Member Jones seconded. The motion passed with all in favor.

**Council Member Mosher made a motion** to recommend to the County the approval of the short plat for Lots 5 and 6 in Sweetwater Subdivision as presented. Council Member Jones seconded. The motion passed with all in favor.

**PUBLIC HEARING - PLAT AMENDMENT IN DRIGGS FLY-IN SUBDIVISION  
- SHIFT IN LOT G1 - 8:00PM**

Mr. Self presented the information to the Council. He stated the building was misplaced on the lot by approximately 9.5 feet. The application was to move the G1 hangar envelope to the east to correct this issue. There were no written comments. Mr. Self also spoke with Mark LaJohn, representative from Teton Aviation, who did not have any concerns.

Mayor Powers opened the Public Hearing at 9:20pm. There were no comments and the Public Hearing was closed.

**Council Member Mossman made a motion** to approve the plat amendment for the Driggs Fly-In Parkway Third Amendment as presented. Council Member Jones seconded the motion. The motion passed with all in favor.

**PLANNING AND ZONING REPORT**

**Tiger IV Grant**

Mr. Self reported the Tiger IV Grant was a total of \$1.4 million with a minimum Federal grant amount of \$1 million. This grant would include the Victor Transit Facility, the Driggs Transit Facility, the LINX Central Office, and the Driggs Park and Ride Lot. There are matches that would be included.

Council Member Jones voiced his concerns regarding the LINX Central Office taking "a big chunk" of the Community Center. He was uncomfortable with reducing space for the gymnastic center, the Judo Academy, the climbing wall and various other recreation activities. Mayor Powers felt that square footage was larger than originally discussed. Mr. Self stated it would include the call center with offices for 5 staff members, a reservations desk, break room and waiting room for riders. Mayor Powers felt there was space to include this and did not feel 2,500 square feet would need to be "taken away from anyone else."

Mayor Powers stated it was discussed that the LINX Central Office could use the Industrial Building for the interim, but for the long term it made more sense for them to be where the transit center was located.

Council Member Mossman questioned what the local contribution was to the projects. Mr. Self stated other grants would be found to help supplement and reserve funds could be used.

5 CC 3/6/12

**City of Driggs**  
**PLANNING AND ZONING COMMISSION MEETING**  
**MINUTES**  
MEETING HELD AT CITY HALL  
**February 8, 2012**  
**6:30pm**

**MEMBERS PRESENT:** Rene Lusser (Conducting), Rick Baldwin, Chris Valiante, and Jen Calder.

**OTHERS PRESENT:** Planning and Zoning Administrator Doug Self and Deputy Planning and Zoning Administrator Kreslyn Schuehler and other community members.

**1) Approval of Minutes**

The Commission reviewed the minutes from January 11, 2012.

**Commissioner Chris Valiante made a motion to approve the minutes from January 11, 2012. Commissioner Rick Baldwin seconded the motion. The motion passed with all in favor.**

**2) Zone Change and Short Plat for Lot 5 and 6 in Sweetwater Subdivision as submitted by Frank Winkler – Tabled from 11-9-11**

Jeff Bates, from Jorgensen and Associates, presented information to the Commission. He explained the history of the application and stated that a zone change had been granted once before, but the property had since been sold to Frank Winkler. At the previous meeting, the Home Owners Association expressed concerns regarding the view corridors and building envelopes. The applicant had reconfigured the lots to accommodate those concerns. Mr. Bates stated the Fire Marshal had approved the plat and the fire access width would be maintained. The shared well and septic had been approved by District Health and the HOA members had reviewed the new configuration and were in support of it.

Doug Self presented the staff report to the Commission. He stated and reviewed the reasons for tabling the application at a previous meeting and felt those had been addressed. Lot 6B increased in size from .44 acres to .79 acres and Lot 5B increased in size from 1.10 to 1.32 acres, with a reconfigured boundary that had a “v” shape or wedge of Lot 5A extending south between lots 5B and 6B. A letter from Mike Dronen, District 7 Health Department, approved the subdivision application with a note that the easements may require on-site subsurface sewage disposal, and that such easements, if required, would have to be in place prior to the issuance of individual septic permits.

Mr. Self read a letter from Chad and Jill Stettler who expressed their support for the revised plat. Mr. Self stated he felt the issues of the short plat had been satisfactorily addressed.

Regarding the zone change, Mr. Self stated, there were no issues during the previous discussion. He felt a few conditions should be placed on the zone change; once the airport land use zone was

adopted, the owners should allow their property to be rezoned and that all other uses besides hangar use would require a conditional use permit.

Commissioner Lusser questions if it was possible for Lots 5A and 5B to have separate owners. Mr. Self stated it was possible and if that was the case, the FAA and Airport Board may require separation by fences. The fly-in subdivision was originally approved by the FAA and the logic was by creating separate parcels, it would allow someone to move into the "A" lots and be separated from the airport.

**Commissioner Rick Baldwin made a motion to approve the zone change for Lots 5 and 6 in Sweetwater Subdivision as submitted by Frank Winkler with the conditions listed in the staff report which include: the allowed uses on the property be limited to airplane hangars and all other uses be treated as conditional uses and the applicant consents to allow a future rezone to Airport Land Use zone, once such zone is created. Commissioner Jen Calder seconded the motion. The motion passed with all in favor.**

**Commissioner Chris Valiante made a motion to recommend approval to the City Council of the short plat for Lots 5 and 6 in the Sweetwater Subdivision considered on February 8, 2012. Commissioner Jen Calder seconded the motion. The motion passed with all in favor.**

**3) Plat Amendment for G1 Hangar at 253 Warbird Lane as submitted by Keith Stoltz/Ellsworth Associates – Public Hearing 7:15pm**

Mr. Self presented information to the Commission. He stated the building was in the wrong location by about 9.5 feet and the applicant wanted to move the lot line to accommodate the building. The changes conformed to the zoning code. There were no setbacks in the M1 zone and the only concern Mr. Self had was with the adjacent subdivision, since the new lot line was one foot away. Mr. Self spoke with Teton Aviation and they voiced no concerns about the adjustment as development had already occurred. Mr. Self also questioned whether the building code would be met with fire walls since it was closer to the other hangars. Jason Letham, Driggs Building Inspector, would review this, but the amended plat would not change the situation so there would be no necessary condition, Mr. Self stated.

Commissioner Rene Lusser opened the Public Hearing at 7:20pm. There were no comments and the Public Hearing was closed.

**Finding that the proposed plat amendment conformed to the Driggs Subdivision and Zoning Codes, Commissioner Chris Valiante made a motion to recommend to the Driggs City Council that the Driggs Fly-In Parkway Third Amended Plat be approved. Commissioner Rick Baldwin seconded the motion. The motion passed with all in favor.**

**4) Annexation of Clubhouse Site in Huntsman Springs – Public Hearing 7:45pm**

Bob Ablondi, from Rendezvous Engineering, presented information to the Commission. He felt it made more sense for the property of the future clubhouse to be in the city limits and "ultimately more of the project will be annexed" in the future, Mr. Ablondi stated. He explained how the annexation area was determined, stating it was to include all facilities (clubhouse, fitness building and pool) and hoped they would be able to start construction this summer.

City of Driggs  
**PLANNING AND ZONING COMMISSION MEETING**  
**MINUTES**  
MEETING HELD AT CITY HALL  
November 9, 2011  
6:30pm

**MEMBERS PRESENT:** Rick Baldwin (Conducting), Delwyn Jensen, Chris Valiante, and Ralph Mossman.

**OTHERS PRESENT:** Planning and Zoning Administrator Doug Self and Deputy Planning and Zoning Administrator Kreslyn Schuehler and other community members.

**1) Approval of Minutes**

The Commission reviewed the minutes from October 12, 2011.

**Commissioner Ralph Mossman made a motion to approve the minutes from October 12, 2011. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor.**

**2) Appointment of Ray Pond and Re-Appointment of Carl Jordan to the Driggs Lighting Standards Committee**

Commissioner Mossman commented on the appointments, stating the Committee was agreeable to those that are being appointed.

**Commissioner Delwyn Jensen made a motion to appoint Ray Pond and Carl Jordan to the Driggs Lighting Standards Committee. Commissioner Chris Valiante seconded the motion. The motion passed with all in favor.**

**3) Appointment of Three Commission Members to the Joint Driggs-Teton County Planning Commission**

Doug Self explained that the responsibility of this commission would be to review subdivisions in the Area of Impact.

**Commissioner Ralph Mossman made a motion to appoint Rick Baldwin, Delwyn Jensen and Chris Valiante to the Joint Driggs-Teton County Planning Commission. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor.**

**4) 6:45pm – Public Hearing for a Zone Change from ADR1.0 to M1 for Lots 5b and 6b as submitted by The Frank D. Winkler Revocable Trust**

Julie Stomper was present, representing the applicant. She stated the purpose for the zone change was to allow the property to be used for the intended purpose of having residential hangers. If the zone change took place, the City could grant a Through the Fence Agreement without being in violation of the Corrective Action Plan with the FAA.

Mr. Self presented his staff report. He stated the lot size was an issue, but could be dealt with when reviewing the subdivision application. The zone change should just deal with a change in the zoning and the potential uses in those zones, Mr. Self stated. The Comprehensive Plan includes Sweetwater Subdivision in the airport land use zone and the city wanted to encourage airplane compatible uses in the area.

Mr. Self stated he recommended approval of the zone change with the condition that allowed use on the property was only for an airplane hangar and all other uses would require a Conditional Use Permit. He also recommended that the owner allows the future airport land use zone to be placed on the property once the zone was developed.

Commissioner Valiante questioned if a fence would be placed between the property and the runway. Mr. Self stated there was currently no fence between the lots and the runway. However, the Master Plan Steering Committee and the Airport Board were working on a Master Plan to determine where the fences need to be placed. Mr. Self continued, stating that the FAA may require fences between hangars and residential lots. However, those issues should be dealt with through the Airport Board and the Through the Fence Agreement requests.

Commissioner Rick Baldwin opened the Public Hearing at 6:56pm.

Chad Stettler, owner of Lot 3 in Sweetwater Subdivision, spoke to the Commission. He stated he did not receive a notice regarding this application. He understood why the applicant was moving forward in this direction, but was concerned with the small lot size and the building envelopes. He stated the homeowners meet when Sweetwater Subdivision was first developed, and discussed where hangars would be placed as to not obstruct the views of others. Based on the proposed information, the hangars would obstruct Mr. Stettler's views. He requested that lot 5B be expanded to the north to give more space to place a hangar.

Kreslyn Schuehler verified the Stettler's address as being correct and indicated their address was included in the list of notices that was sent.

Ms. Stomper questioned if a rezone application could be processed without doing a short plat application. Mr. Self stated it would be unclear to the FAA if the parcels were not split in regards to approving Through the Fence Agreements.

**Commissioner Delwyn Jensen made a motion to table the application until the information on the subdivision was presented. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor.**

**5) 7:00PM – Public Hearing for a Short Plan for Lot 5 and 6 in Sweetwater Subdivision as submitted by the Frank D. Winkler Revocable Trust**

Mr. Self presented the information for the short plat to the Commissioners. He stated the proposal was to create 4 lots and described where the easement for access would be placed. He stated Marc Anderson, Teton County Fire Marshal, was agreeable to the application in regards to emergency access. Mike Dronen, from District 7 Health Department, had reviewed the application and it was discussed where the property leach fields should be placed.

Mr. Self questioned if there was any reason as to why the original building envelopes for Sweetwater Subdivision were not placed on this plat, which would move the lot line for 6b back. The Sweetwater Home Owners Association could possibly enforce that and if so, the subdivision, as drawn, would not work. He continued to state that the City and County could require that all buildings be placed within the appropriate envelopes on the original plat.

Mr. Self explained why Lot 6b was too small. There must be an object free area which is a little over 40 feet. In addition to that, there was a required transition area that would not leave room for the hangar. It appeared that a typical 50 x 50 foot hangar would not fit on the lot as it was presented. Mr. Self concluded his report by stating that septic issues would also have to be addressed.

Commissioner Rick Baldwin opened the Public Hearing at 7:26pm. There were no comments and the Public Hearing was closed.

**Commissioner Ralph Mossman made a motion to table the subdivision application until the next meeting. Commissioner Chris Valiante seconded the motion. The motion passed with all in favor.**

**6) Lot Split – Gabe Rogel, for Val Christensen Property (80 acres) S 1.2 of NW Quarter of Section 36, Township 5 North, Range 45 East**

Val Christensen was present at the meeting. He stated he had a letter from Gabe Rogel agreeing to the 24 foot easement.

Mr. Self stated that the access road would need to be 24 feet wide. However, for snow removal, a bigger access may be desired. He also stated that if more than one home was to be developed on that lot, the road width would have to increase to 30 feet.

Commissioner Mossman questioned the direction of the lot line. Mr. Christensen stated it followed the canal. He further stated he would agree to the 30 foot easement.

**Commissioner Delwyn Jensen made a motion to approve the Lot Split with the condition that the easement be increased to 30 feet. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor.**

**Commissioner Delwyn Jensen made a motion to adjourn. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor and the meeting was adjourned at 7:41pm.**

# LEGAL NOTICE OF PUBLIC HEARING

CITY OF DRIGGS, IDAHO  
Planning and Zoning Commission

Pursuant to established procedure, NOTICE IS HEREBY GIVEN that the Driggs Planning and Zoning Commission will hold a public hearing in the Driggs City Hall, 60 S. Main Street, Driggs, Idaho on Wednesday, December 14, 2011 at 7:00 PM.

The Purpose of the hearing is to consider an application for a **SHORT PLAT SUBDIVISION, dividing Lot 5 and 6 in Sweetwater Subdivision as submitted by Frank D Winkler Revocable Trust.**

The Planning and Zoning Commission decided to table this application to obtain more information.

Information pertinent to this application, including a preliminary plat map is available for review at Driggs City Hall. The current Driggs Zoning Map and Subdivision Ordinance is available at City Hall or on the web at [www.driggs.govoffice.com](http://www.driggs.govoffice.com).

**Written comments must be received by 5 p.m. Wednesday, December 7, 2011,** at Driggs City Hall P.O. Box 48, Driggs, Idaho 83422. You may also FAX your written response to 208-354-8522 or email a response to [pzdriggs@ida.net](mailto:pzdriggs@ida.net). Verbal and written comments will be heard during the public hearing.



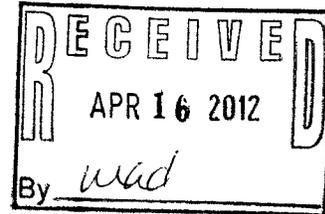
TETON COUNTY OFFICE

820 Valley Centre Drive  
Driggs, Idaho 83422  
208.354.2220 • fax 354.2224  
www.idaho.gov/phd7

Promoting the Health of People & Their Environment

16 April 2012

Julie Stomper  
189 North Main Street  
Driggs, Idaho 83422



RE: Frank "Nipples" Winkler Subdivision

Dear Ms Stomper,

Eastern Idaho Public Health District approves the Subdivision Application and Final Plat (dated 13 April 2012) for the Frank "Nipples" Winkler Subdivision. Attached are the Sanitary Rules/Regulations specific to this development. Please ensure this sanitary information is properly recorded with the final plat.

A copy of the final plat is to be provided to the Health District at the time the Health Certificate is signed. The application fee balance, if any, will also be collected prior to signing the Health Certificate.

Please give me a call if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to be "Michael Dronen".

Michael Dronen, EHS  
Eastern Idaho Public Health District

Atch: Sanitary Rules and Regulations

cc. City of Driggs, Planning and Building  
Teton County, Planning and Building  
Darryl Johnson, Jorgensen Associates, PC

**SANITARY RULES AND REGULATIONS  
FRANK "NIPPLES" WINKLER SUBDIVISION  
(Range 45E, Township 5N, Section 24)**

The subject land development has been reviewed for sanitary restrictions described in Idaho Code Section 50-1326. The following comments are intended to inform and educate all parties as to the sewage disposal and/or potable water situations particular to this development. **These comments are to be recorded and available for review with the final plat.**

Sewage Disposal:

An on-site evaluation, plat review and records search has confirmed individual subsurface sewage disposal systems will be allowed in accordance with IDAPA 58.01.03 and the Technical Guidance Manual (TGM) for Individual and Subsurface Sewage Disposal. All Idaho Rules must be met. Site suitability criteria and required separation distances are to be maintained. **A septic permit application must be submitted to the Eastern Idaho Public Health District, and a permit approved, prior to building on any lot.** Permits can be issued for the disposal of domestic grade waste only. To receive a permit, the applicant will be required to submit a detailed plot plan and building plans. Sewage disposal to an easement, off the property, must comply with minimum requirements stipulated in the TGM. An evaluation of site specific test holes will be necessary for permit approval.

Potable Water:

Individual well drilling is authorized by the Idaho Department of Water Resources.

These lots are subject to all applicable public health and sanitation regulations, as well as, county ordinances. No inhabitable dwelling shall be constructed without a valid sewage disposal permit.



\_\_\_\_\_  
EHS Signature

16 APRIL 2012

\_\_\_\_\_  
Date



**TETON COUNTY OFFICE**

820 Valley Centre Drive  
Driggs, Idaho 83422  
208.354.2220 • fax 354.2224  
www.idaho.gov/phd7

Promoting the Health of People & Their Environment

17 January 2012

Julie Stomper  
189 North Main Street  
Driggs, Idaho 83422

RE: Frank "Nipples" Winkler Subdivision

Dear Ms Stomper,

Eastern Idaho Public Health District approves the subdivision application and exhibit (dated 10 January 2012) for the Frank "Nipples" Winkler Subdivision.

On-site subsurface sewage disposal can be permitted for "domestic waste" only. If recorded easements are required for the disposal of waste generated on lots 5A and 6A, and disposed on lots 5B and 6B, these easements must be in place prior to issuing individual septic permits.

We will be able to provide you specific sanitary rules/regulations, along with the appropriate health certificate for this development, after having an opportunity to review the final plat. Any future changes to this application or exhibit will require a subsequent review and approval.

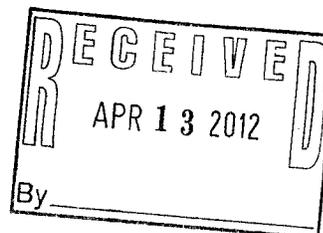
Please give me a call if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Dronen", with a long horizontal line extending to the right.

Michael Dronen, EHS  
Eastern Idaho Public Health District

cc. City of Driggs, Planning and Building  
Teton County, Planning and Building  
Darryl Johnson, Jorgensen Associates, PC



**Subject:** Re: Sweetwater Lot Split and Rezone  
**From:** Peter.Doyle@faa.gov  
**Date:** 11/10/2011 3:49 PM  
**To:** Doug Self <pzdriggs@pdt.net>

Doug,

I have reviewed these information regarding the splitting of lots 5 and 6, and it appears as if it could be a workable solution for these lots in the Sweetwater subdivision.

This proposal will need to have a review completed by HQ to insure compliance with the grant assurances via the Access Plan submittal. Here a two points that should be addressed in the Access Plan with respect to this proposal

How will the residential lot be separated (physically) from the nonresidential lot.  
If these sublots are truly separate how will one access the nonresidential lot?

Thanks,



**Peter Doyle**  
FAA - Northwest Mountain Region  
Airports Division  
(425) 227-2652  
peter.doyle@faa.gov

From: Doug Self <pzdriggs@pdt.net>  
To: Peter Doyle/ANM/FAA@FAA  
Date: 11/01/2011 04:12 PM  
Subject: Sweetwater Lot Split and Rezone

---

Peter -

I have received an application for a short plat subdivision and rezone, which propose to split lots 5 and 6 in Sweetwater Phase I into 4 lots, and to rezone the 2 lots adjacent to the Driggs airport to M1, Light Industrial, so that they may have access to the airport and have hangars (without homes) built on them.

I have attached the proposed short plat. Lots 5B and 6B would be rezoned to M1, Light Industrial.

## Curt Moore

---

**From:** Dunn, Dennis [Dennis.Dunn@idwr.idaho.gov]  
**Sent:** Thursday, April 26, 2012 3:45 PM  
**To:** Curt Moore  
**Subject:** Winkler Subdivision Final Plat

Good Afternoon Curt.

The Department of Water Resources has reviewed the proposed final plat for the Winkler Subdivision that Teton County provided to the Department.

It is proposed that lots 5a & 5b share a domestic well and 6a & 6b also share a well. Idaho Code 42-111 only exempts a single family home from the requirement that a water right be obtained. Therefore any lots sharing a well would be required to obtain a water right before a well may be drilled and use of the well commences.

If a well has already been drilled and is in use by a single user a water right would have to be obtained before the second user may connect to the well.

Idaho Code 42-111a restricts a single family home to the irrigation of one half acre of lawn and garden, and use in the home. The diversion rate is not restricted but the total volume may not exceed 13,000 gallons per day. 42-111b restricts all other uses (a business) to a diversion rate of 18 gpm and a total daily volume of 2500 gallons.

If you have any questions please contact me.

Dennis M. Dunn  
Sr. Water Resource Agent, IDWR  
900 N. Skyline, Suite A  
Idaho Falls, Idaho 83406

Ph. (208) 525 7161  
[dennis.dunn@idwr.idaho.gov](mailto:dennis.dunn@idwr.idaho.gov)



Inc. 1910

100 Years

60 S Main St | PO Box 48 - Driggs, ID 83422 | Ph: 208-354-2362 | Fax: 208-354-8522 | www.driggs.govoffice.com

November 3, 2011

Lou Christensen  
Driggs Reed Memorial Airport  
PO Box 146  
Driggs, ID 83422

Mr. Christensen:

Please review the attached information regarding a subdivision application for the Frank "Nipples" Winkler Subdivision. The Public Hearing is scheduled for November 9, 2010 at 7:00pm. If you have any comments regarding this subdivision, please have a representative attend the meeting.

Thank you,

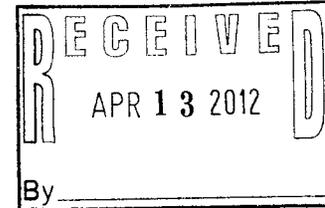
Kreslyn Schuehler  
Deputy Planning and Zoning Administrator  
City of Driggs  
PO Box 48  
Driggs, ID 83422  
pz2driggs@pdt.net  
(208) 354-2362

This looks good. I like the  
division and separation for  
Hangers & Homes - I am guessing  
a single home and single Hangers.  
Lewis



TETON COUNTY FIRE PROTECTION DISTRICT

P.O. Box 474  
911 North Hwy. 33  
Driggs, ID 83422



10 April 1012

**Marc Anderson, Fire Marshal**  
Phone: 208-354-2760  
Fax: 208-354-2764

Darryl Johnson  
Jorgensen Associates, PC  
PO Box 9550  
270 E. Simpson Ave.  
Jackson, WY 83002

Re: Winkler Subdivision

Dear Mr. Johnson,

As discussed, with regards to the Winkler Subdivision, the Teton County Fire Protection District has consideration over two factors: water supply and road access. Since there are ample water supply systems within close proximity, there will not be a need to address this issue. Access roads will need consider the following:

- » If each lot has its own driveway, it will need to conform to the following standards:
  - The width of the driveway shall be no less than 16'. Driveways in excess of 150' shall provide an approved turnaround. Approved turnarounds shall conform to the 2009 International Fire Code, Appendix D (a copy of Appendix D has been included with the memo).<sup>1</sup>
- » If the roadway for the two lots share a driveway, it is considered an access road and will need to conform to the following standards<sup>2</sup>:
  - Road width shall be 24' and shall meet the requirements as outlined in Appendix D of the 2009 International Fire Code.
  - Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with width and turnaround provisions in accordance with the International Fire Code.

If you have any further questions, please feel free to contact me at your convenience.

Sincerely,

Marc G. Anderson, Fire Marshal

cc: Curt Moore, Teton County Planning and Zoning  
Attachment: 2009 International Fire Code, Appendix D

<sup>1</sup> Teton County Subdivision Resolution, April 2011.

<sup>2</sup> 2009 International Fire Code & Teton County Subdivision Resolution, April 2011.

TETON COUNTY  
PLANNING & ZONING  
MAY 17 2012  
RECEIVED

May 17, 2012

Teton County Planning & Zoning  
PO Box 48  
60 S. Main Street  
Driggs, Idaho 83422

To Whom It May Concern,

In request to your inquiry of Sweetwater Subdivision, Lots 5 & 6, water rights.  
Mr. Frank Winkler, trustee of Lots 5 and 6, has no water right shares pertinent to the Grand Teton Canal Company.

However, there is a ditch easement located on the South East border of these properties of which Grand Teton Canal owns the easement. Grand Teton Canal uses this instrument for water delivery.

Respectfully,

John Letham  
Manager

  
Grand Teton Canal Company

Cc: GTCC  
Daryl Johnson, Jorgenson Engineering

April 29, 2012

Frank Nipples Winkler Subdivision

Gerald, my comments on this subdivision.

Sheet 1 of 2

1. The plat needs a legal description, one that closes mathematically and has acreage. The reference to an existing plat in the Owners Certification does not meet the requirement of having a legal description of lands being subdivided, the Assessors office and all other parties would have to have that document in hand in order to see what the boundary looks like?
2. Is there an instrument number for the petition out of the irrigation district? If there is an instrument, show that on the plat.
3. Idaho code 50-1334 has to do with a statement of water supply. The note as shown states "proposed", once the plat is accepted is the water supply still proposed? I would remove the wording proposed on the final plat.

Sheet 2 of 2

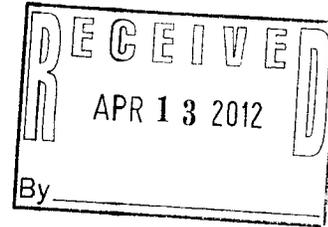
1. The detail of the Basis of Bearings does not close mathematically. Check your bearing and distance from the Point of Beginning to the North quarter section corner. What was set or found for the Point of Beginning?

Jeff Williams PLS

  
**JORGENSEN ASSOCIATES, PC**  
Engineering • Land Surveying • Planning

April 12, 2012

Mr. Curt Moore  
Teton County Planning Department  
150 Courthouse Drive  
Driggs, Idaho 83422



RE: Frank Nipples Winkler Final Plat Application

Dear Mr. Moore:

Attached please find the Final Plat & Master Plan Subdivision Application Package for the Frank Nipples Winkler Subdivision. The City of Driggs has provided you with the application package that was recommended for approval. Per our meeting on Wednesday, April 4, this final plat application includes:

- Final Plat & Master Plan Application
- Eight copies of the Final Plat 3-18"x27" and 5-11"x17"
- Eight copies of the Master Plan 3-18"x27" and 5 11"x17"
- Approval letter from Eastern Idaho Public Health
- Approval letter from Teton County Fire District
- Letter of Authorization
- Application Fee of \$855.60 as determined by Teton County Planning

Items that were deemed not necessary as a part of this final plat application are:

- Letter of Credit
- Engineer's cost of public improvements
- Construction drawings

Being in the Driggs Area of Impact, a preliminary and final plat application was submitted to the City of Driggs and it has been recommended for approval by the Driggs City Council. Please place this final plat & master plan subdivision application on the next available agenda.

Sincerely,  
Jorgensen Associates, P.C.

  
Darryl Johnson, P.E., P.L.S.  
Driggs Branch Manager

**Subject:** Re: Fwd: Subdivision application

**From:** "stettlercj@juno.com" <stettlercj@juno.com>

**Date:** 1/31/2012 8:54 PM

**To:** pzdriggs@ida.net

**CC:** chadstettler@gmail.com, brentblue@emergacare.com, skyacro@skyacro.com, swade@oasiscarwashsystems.com, michellewade@wadler.com, mandyvetsch.rn@gmail.com

Hi Doug,

Thank you for the email. Steve Wade had forwarded to Jill and me the proposed new plan. It looks good and we look forward to having Frank and Justine as neighbors. Sorry this took awhile to get resolved. I think Frank and Justine will be happy as this was their original hangar and house plan locations. Hopefully this is a win-win for everyone involved.

Thanks for your time and involvement in this matter.

Sincerely,  
Chad & Jill Stettler

Please note: message attached

From: Doug Self <pzdriggs@ida.net>  
To: Chad Stettler <chadstettler@gmail.com>  
Cc: Brent Blue <brentblue@emergacare.com>, Ray Vetsch <skyacro@skyacro.com>, Stephen Wade <swade@oasiscarwashsystems.com>, Jill Stettler <stettlercj@juno.com>, Michelle Wade <michellewade@wadler.com>, Mandy Vetsch <mandyvetsch.rn@gmail.com>  
Subject: Re: Fwd: Subdivision application  
Date: Tue, 31 Jan 2012 14:45:21 -0700

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Please find attached a revised preliminary plat for the Winkler subdivision on Sweetwater lots 5 and 6. The Driggs Planning Commission will meet at 6:45pm next Wednesday, February 8th, to consider the revised plat and the related zone change application. Your comments are appreciated - in particular, on the issue raised at the 11/9/11 hearing regarding the conflict between building envelopes and Grand Teton views from Sweetwater lots 1, 2, 3 and 4.

Call or email if you have any questions.

Thank you,

Doug Self, AICP  
Planning and Zoning Administrator  
City of Driggs

**Subject:** HOA Sweetwater  
**From:** Raymond Vetsch <skyacro@skyacro.com>  
**Date:** 3/3/2012 5:09 AM  
**To:** pzdriggs@ida.net  
**CC:** frank.d.winkler@gmail.com

February 11, 2012

To: Mr. Doug Self, AICP  
Planning and Zoning Administrator  
City of Driggs

From: Sweetwater West Property Owners' Association

Regarding: Frank & Justine Winkler's property

Doug,

All of the members of the Sweetwater West Property Owners' Association have had the opportunity to review the revised preliminary plat for the Winkler subdivision on Sweetwater lots 5 & 6.

The proposed changes and locations of the hangar and house are in accordance with the CC&Rs of our HOA and the members do not have any objections to their locations as long as the two building locations are not changed. The current locations have restored the Stettler's view of the Tetons from their house. We appreciate the city and Winkler's effort in addressing this issue.

With the recent passage of H.R. 658 and likely signing by president Obama, collectively we do not see the need to rezone lots 5 and 6. However, we do not have any objection if it is the Winkler's decision to continue to do so.

Thank you again for your time spent on making this a win-win situation for all involved. We all look forward to having Frank and Justine as neighbors and will all enjoy the beautiful home they are planning to build.

Sincerely,

Ray Vetsch, MD  
President of Sweetwater West Property Owners; Association