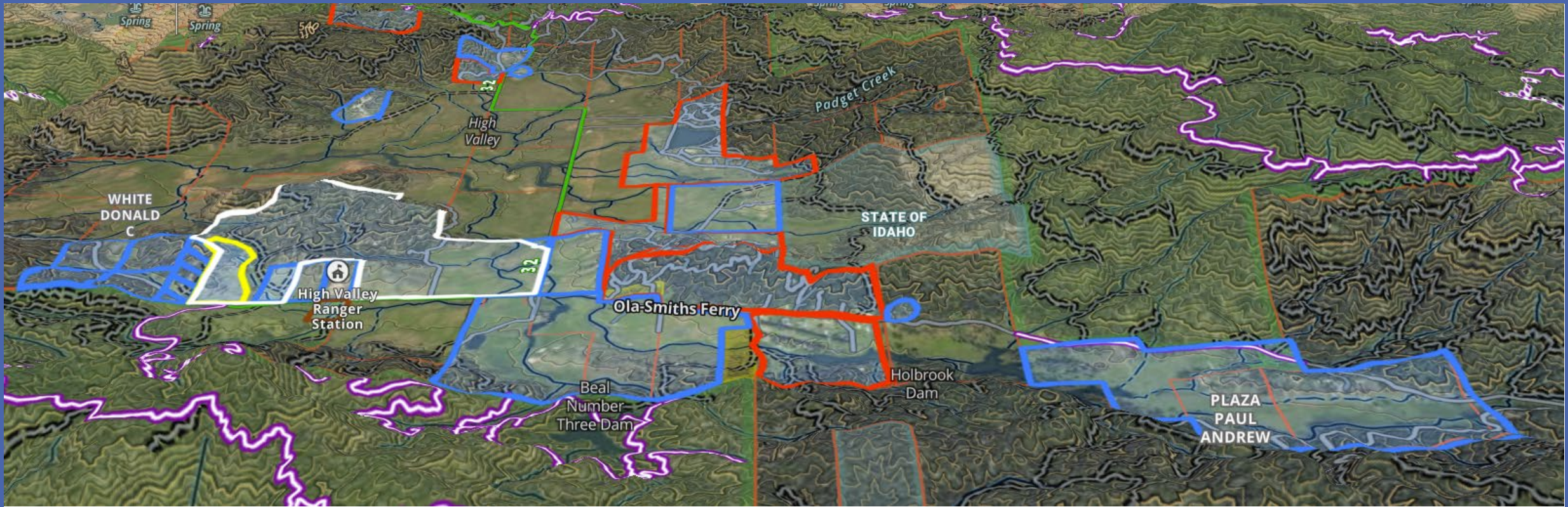




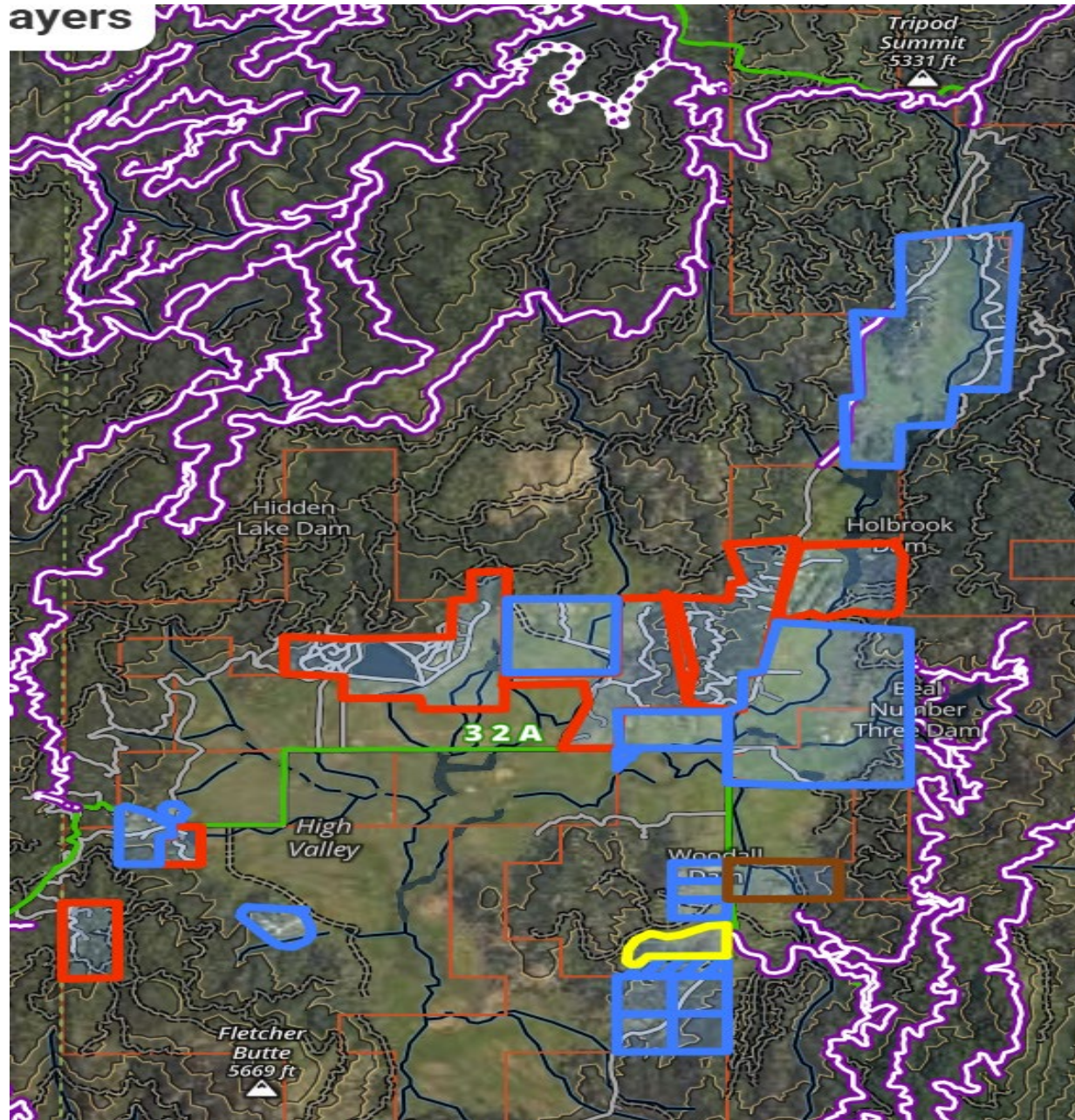
APPEAL OF SUB-25-018 TRIPOD VIEW

- Presented by Abigail R. Germaine
 - Elam & Burke, PA
 - January 12, 2026

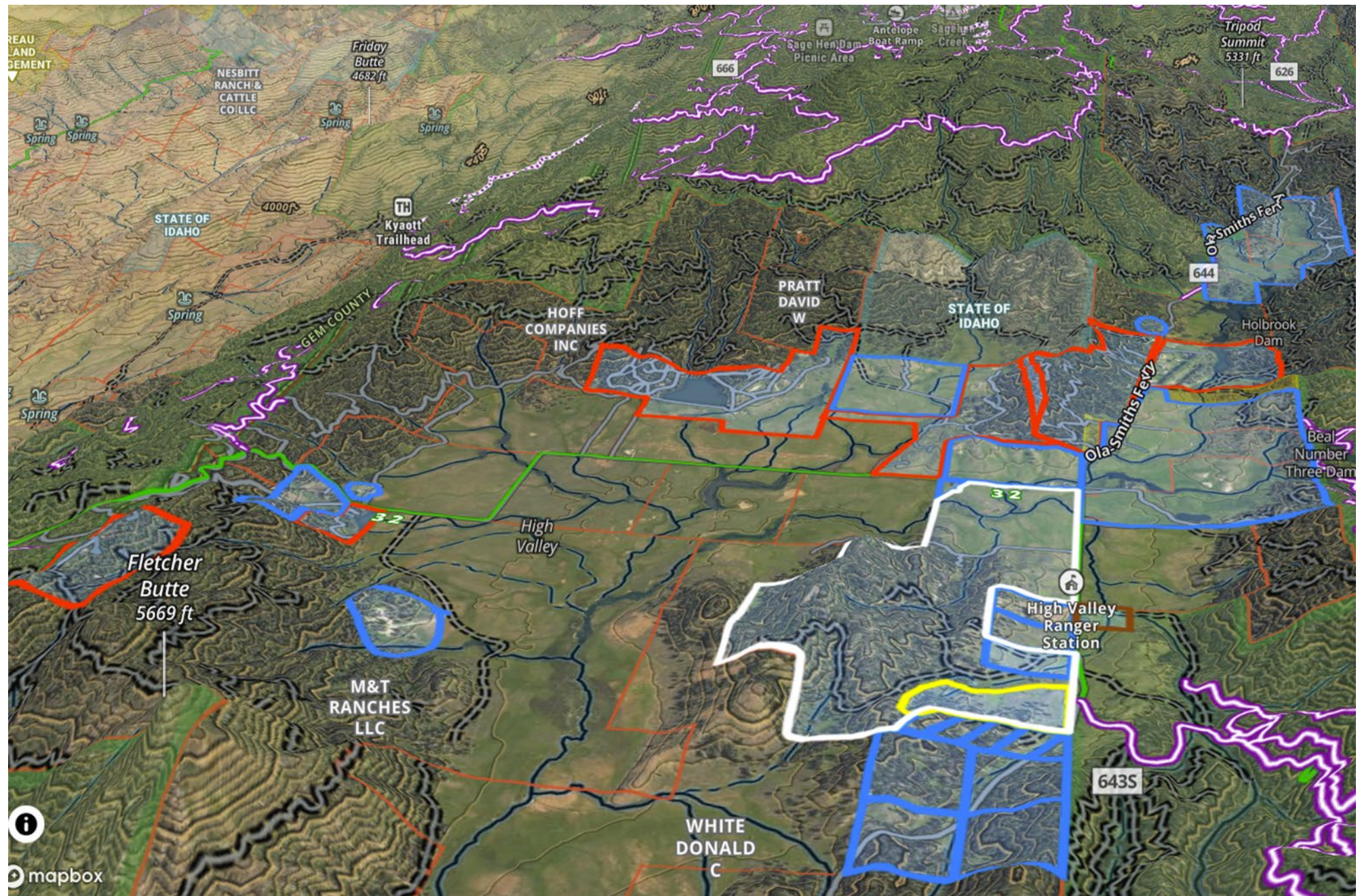


PROJECT OVERVIEW

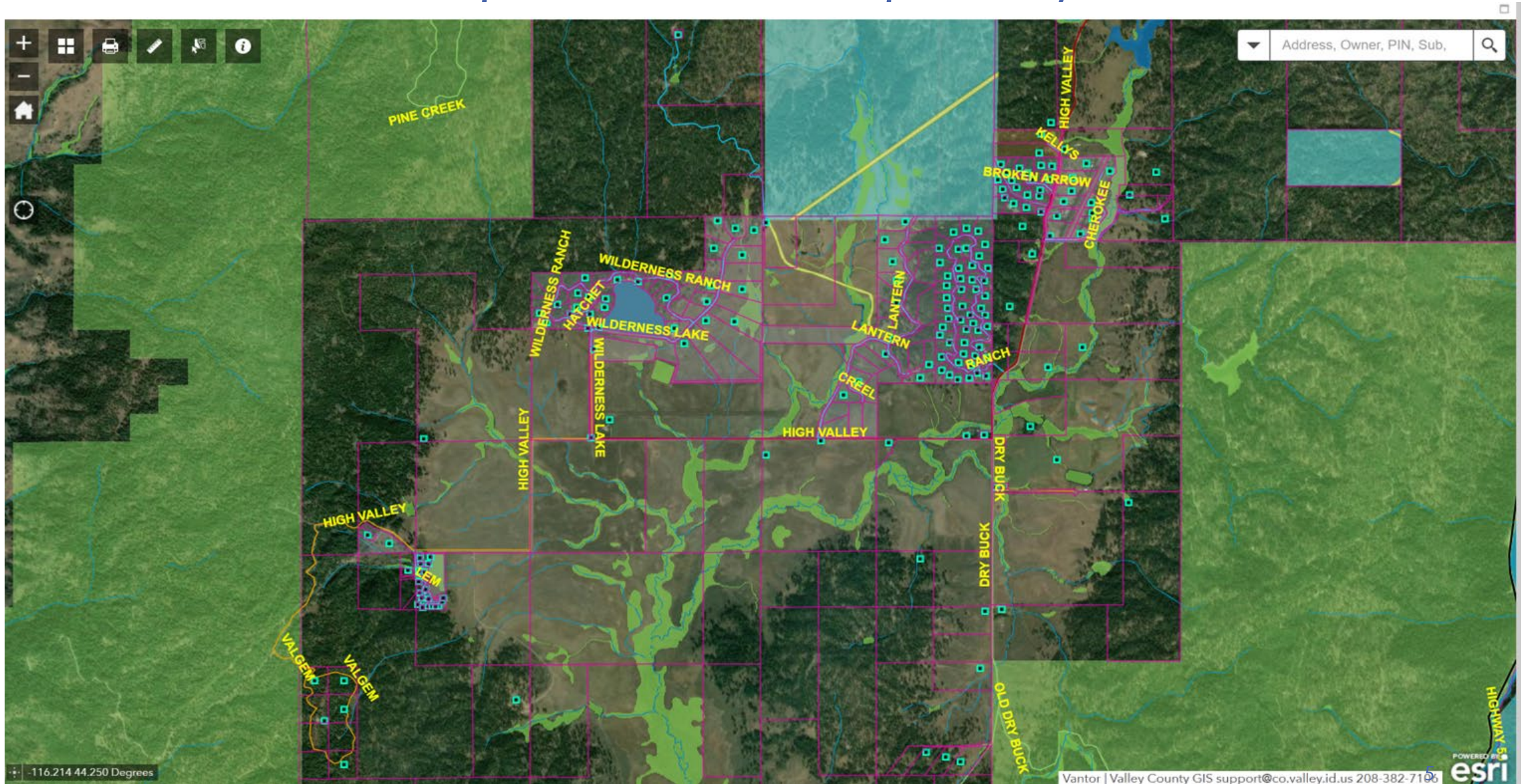
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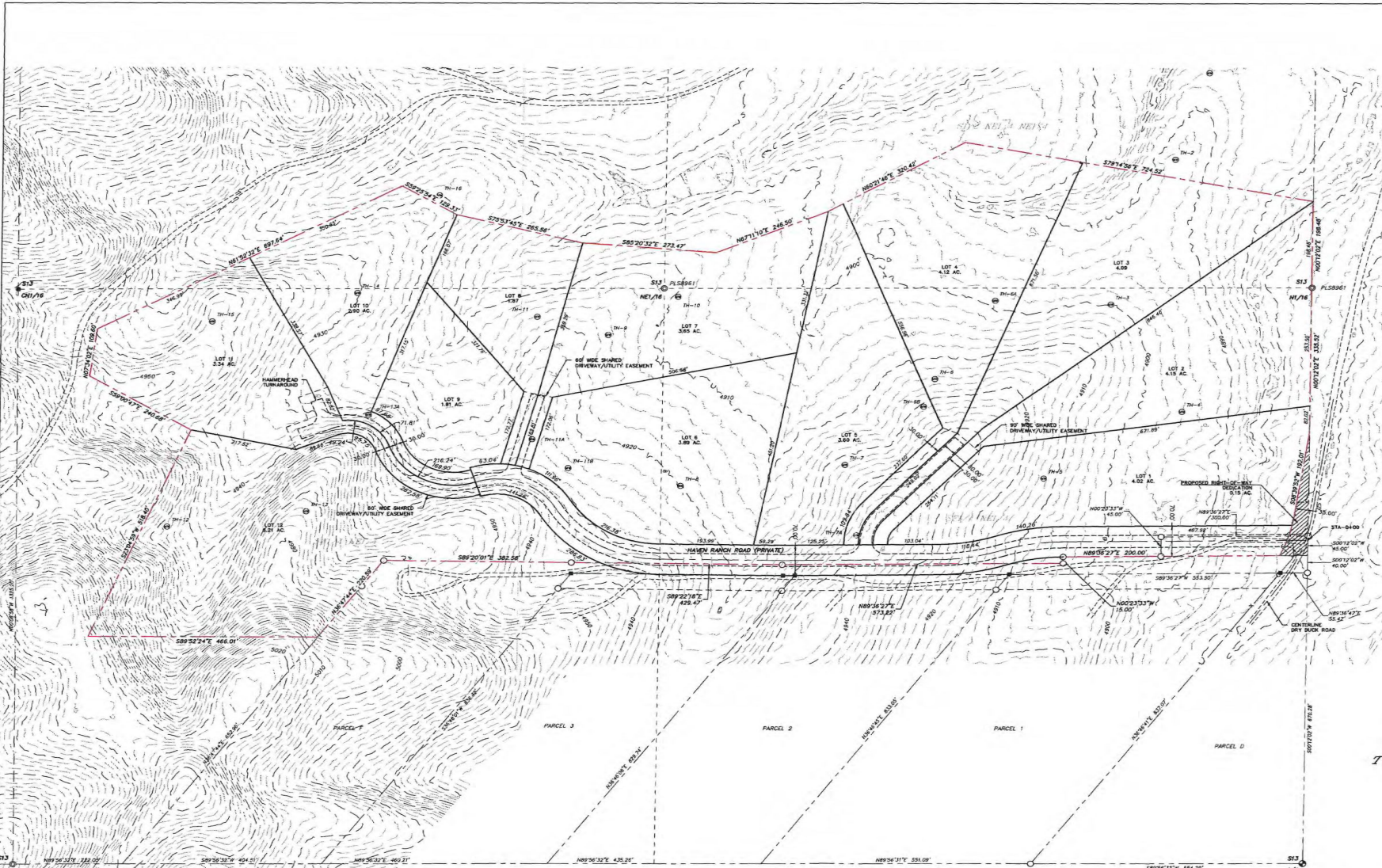


EXISTING SUBDIVISIONS AND RESIDENTIAL DEVELOPMENT



Over 200 existing residences in High Valley



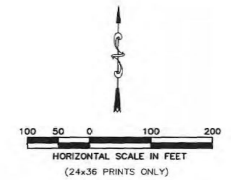


FOUND ALUM. CAP
CRAP INST. NO. 139034

Utility Warning

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated, although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

These drawings, or any portion thereof, shall not be used on any project or extension of this project except by agreement in writing with Dunn Land Survey, Inc.
\\DUNN-LAND-SURVEYS\Server\Projects\2024\Pre\2024 Prelim\PLAT-2024012015.dwg



NOTES

CONTOUR INTERVALS ARE 2 FOOT MINOR AND 10 FOOT MAJOR
TOTAL AREA 48.03 ACRES
AREA OF PRIVATE ROAD 2.78 ACRES

NOTES

- MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AT THE TIME OF ISSUANCE OF ANY BUILDING PERMIT.
- ALL UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED TO PUBLIC UTILITIES.
- ALL LOTS SHOWN ON THIS PLAT ARE SUBJECT TO A PERMANENT PERPETUAL AND NON-EXCLUSIVE DRAINAGE EASEMENT FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING DRAINAGE, SUB-DRAINAGE AND SURFACE WATER MANAGEMENT FEATURES, FACILITIES AND IMPROVEMENTS DESCRIBED IN THE DEED AND THE ASSOCIATION. SEE FROM WATER DRAINAGE REPORT FOR TRIPOD VIEW SUBDIVISION ON FILE IN THE OFFICE OF THE VALLEY COUNTY PLANNING AND ZONING ADMINISTRATOR.
- SEE DECLARATION OF INSTALLATION OF UTILITIES RECORDED AS INSTRUMENT NO. 11085C2222C.
- THE LAND WITHIN THIS PLAT IS NOT WITHIN AN IRRIGATION DISTRICT AS DEFINED IN LAND CODE 31-3805 AND THE REQUIREMENTS IN I.C. 31-3805 ARE NOT APPLICABLE.
- LOTS WILL BE SERVED BY INDIVIDUAL SEPTIC DRAIN FIELDS AND INDIVIDUAL WELLS.
- NO ADDITIONAL DOMESTIC WATER SUPPLY SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN THE SANITARY RELEASE.
- LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY.
- UTILITY AND DRAINAGE EASEMENTS SHALL BE 12 FEET WIDE ON THE INTERIOR SIDE OF ALL LOT LINES ADJOINING ROADS AND SHALL FURTHER SERVE AS SNOW STORAGE AND REMOVAL.
- PRIVATE ROAD RIGHTS-OF-WAY WILL ALSO SERVE AS A UTILITY EASEMENT.
- THIS SUBDIVISION SHALL BE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR SOUTH HAVEN SUBDIVISION RECORDED AS INSTRUMENT NO. 2025-000000.
- THE ROADS CONSTRUCTED WITHIN TRIPOD SUBDIVISION WILL BE PRIVATE ROADS. VALLEY COUNTY SHALL HAVE NO RESPONSIBILITY FOR THE MAINTENANCE OF SAID ROADS.
- THE VALLEY COUNTY BOARD OF COMMISSIONERS HAVE THE SOLE DISCRETION TO SET THE LEVEL OF SERVICE FOR ANY PUBLIC ROAD. THE LEVEL OF SERVICE CAN BE CHANGED.
- SURROUNDING LAND USES ARE SUBJECT TO CHANGE.
- ONLY ONE WOOD BURNING DEVICE PER LOT WILL BE ALLOWED.
- AGRICULTURAL USES AND LIVESTOCK ACTIVITY MAY BE ADJACENT ACTIVITIES.
- FEMA FIRM PANEL(S) 11085C2222C
FIRM EFFECTIVE DATE(S) 2/1/2019
FLOOD ZONE(S) ZONE X
BASE FLOOD ELEVATION(S) NA
FLOOD ZONES ARE SUBJECT TO CHANGE BY FEMA & ALL LAND WITHIN A FLOODWAY OR FLOODPLAIN IS REGULATED BY TITLE 5 AND TITLE 11 OF THE VALLEY COUNTY CODE.

**PRELIMINARY PLAT
TRIPOD VIEW SUBDIVISION**

A PORTION OF TAX NO. 8
IN THE NE1/4 OF SECTION 13
T.10N., R.2E., B.M.,
VALLEY COUNTY, IDAHO



25 COYOTE TRAIL
CASCADE, ID 83611
PHONE: (208) 634-6886
WWW.DUNNLANDSURVEYS.COM

NO.	REVISION	DATE	BY
1	REMOVED CALDESACAS-CHEATE SHARED DRIVEWAYS	6/26/25	DTD
2	MOVED ROAD TO SOUTH BOUNDARY PARCEL F	6/26/25	DTD
3	REVISION		
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DRAWN BY:	DTD	CHECKED:	CB	JOB NO.	SHEET NO.
DATE:	29 JUNE 2025	DATE:	10 MARCH 2025	3746	1 of 1

Criteria of Valley County Code is Met

- Valley County Code Title 9 and 10
 - Title 9, Chapter 5 – Criteria for Conditional Use
 - In areas and to standards that will increase the value of privately owned property;
 - Without undue adverse impact on the environment, adjoining properties, or governmental services; and
 - Where consistent with the Comprehensive Plan.
 - Title 10 –Subdivision Regulations

Valley County Code Section 9-5-2(C)



“[t]he interpretation of the standards and procedures herein *shall be to encourage conditional uses*, where in the opinion of the commission [or Board on appeal] noncompatible aspects can be satisfactorily mitigated through development agreements....”

STAFF RECOMMENDATION /COMMENTS

All Standards have been met.

Planning and Zoning Commission Decision

- Tie vote on approval of the Project
- Motion was made to approve the Project.
- Quite possible the Project would have been approved at the Commission level if a full Commission had been present at the hearing.

BASIS FOR APPEAL AND APPROVAL

Planning and Zoning
Commission Decision not
substantiated

Idaho Code Requirements

- Idaho Code § 67-6519 – “Whenever a governing board or zoning or planning and zoning commission grants or denies an application, it shall specify:
 - a. The ordinance and standard used in evaluating the application; and
 - b. The reasons for approval or denial; and
 - c. The actions if any, that the applicant could take to obtain approval

Two of the Four Commissioners Supported the Project

- The two Commissioners who supported the project found that any impacts of the subdivision could be mitigated and were minor in proportion to the effects of all development in the High Valley Area.
- The basis for the denial by the other two Commissioners is not clearly articulated in the written decision, but appears to relate to:
 - Fire concerns
 - Water

Fire Concerns have been addressed



Wildland Urban Interface Fire Protection Plan has been submitted.



Firewise building materials will be utilized, as well as defensible space integrated.



Steven Hull, Cascade Rural Fire Chief – December 29, 2025 Comments



Commissioner Mabe Comments



All current subdivisions in High Valley were approved without a fire district and with existing water conditions.

Water Concerns Unsubstantiated



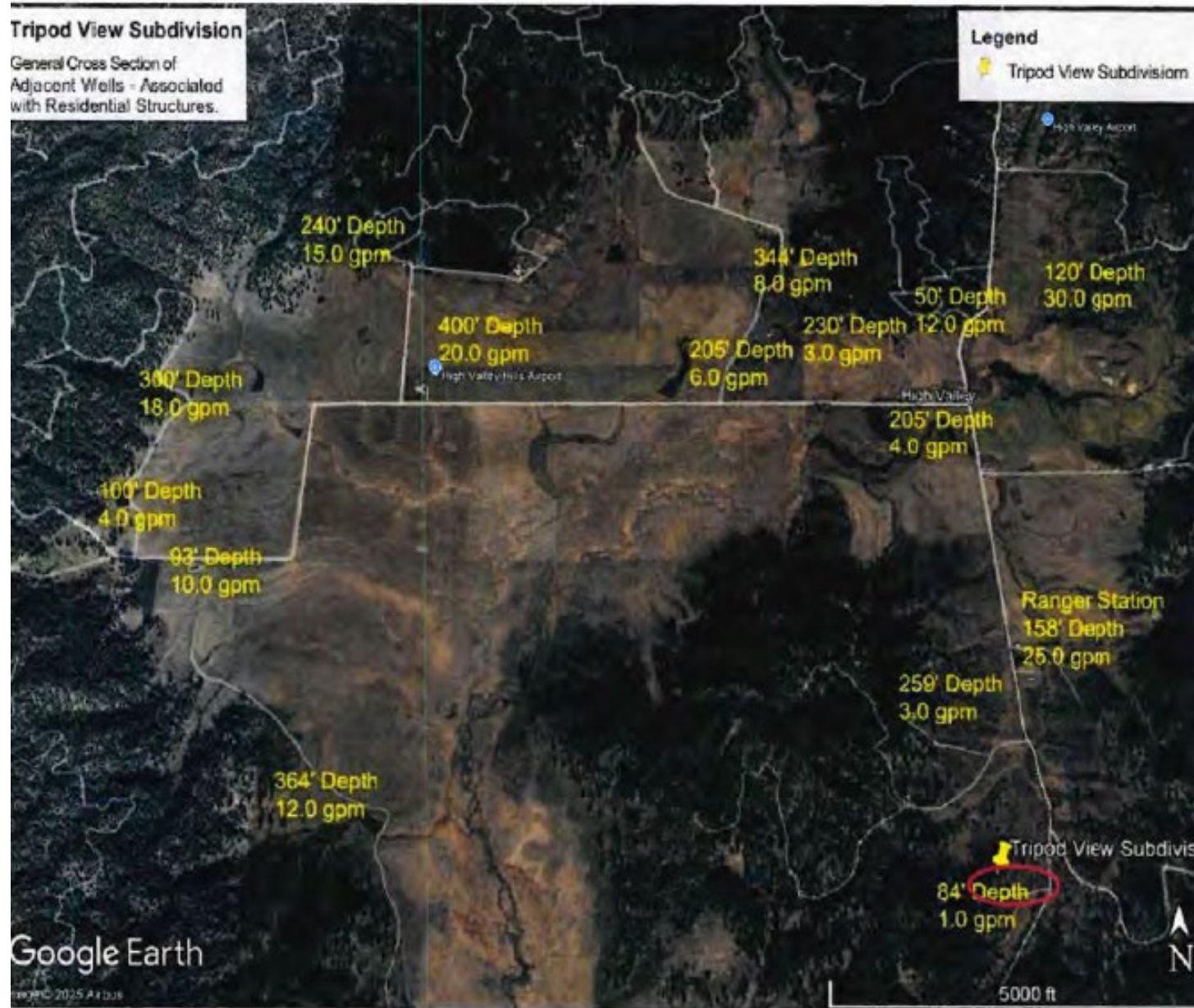
Proposed project makes up less than 6.0% of the population in the High Valley area.



Water issues related to the depth of the aquifer not impacts from adjacent users.



No evidence has been presented related to water impacts from 12 additional homes.



WELL DATA IN AREA

Concerns of members of the public are not unique to development and can be mitigated

Fire

Water

Traffic

Population

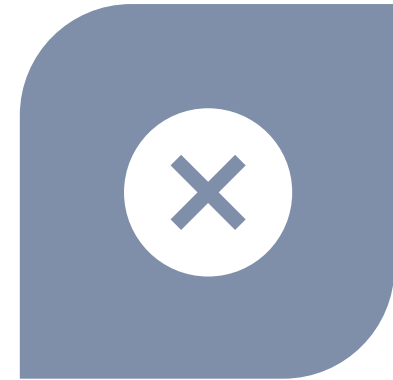
Traffic Issues Preexisting



EXISTING ROAD ISSUES; NOT
NEW ISSUES CAUSED SOLELY
BY THIS PROJECT

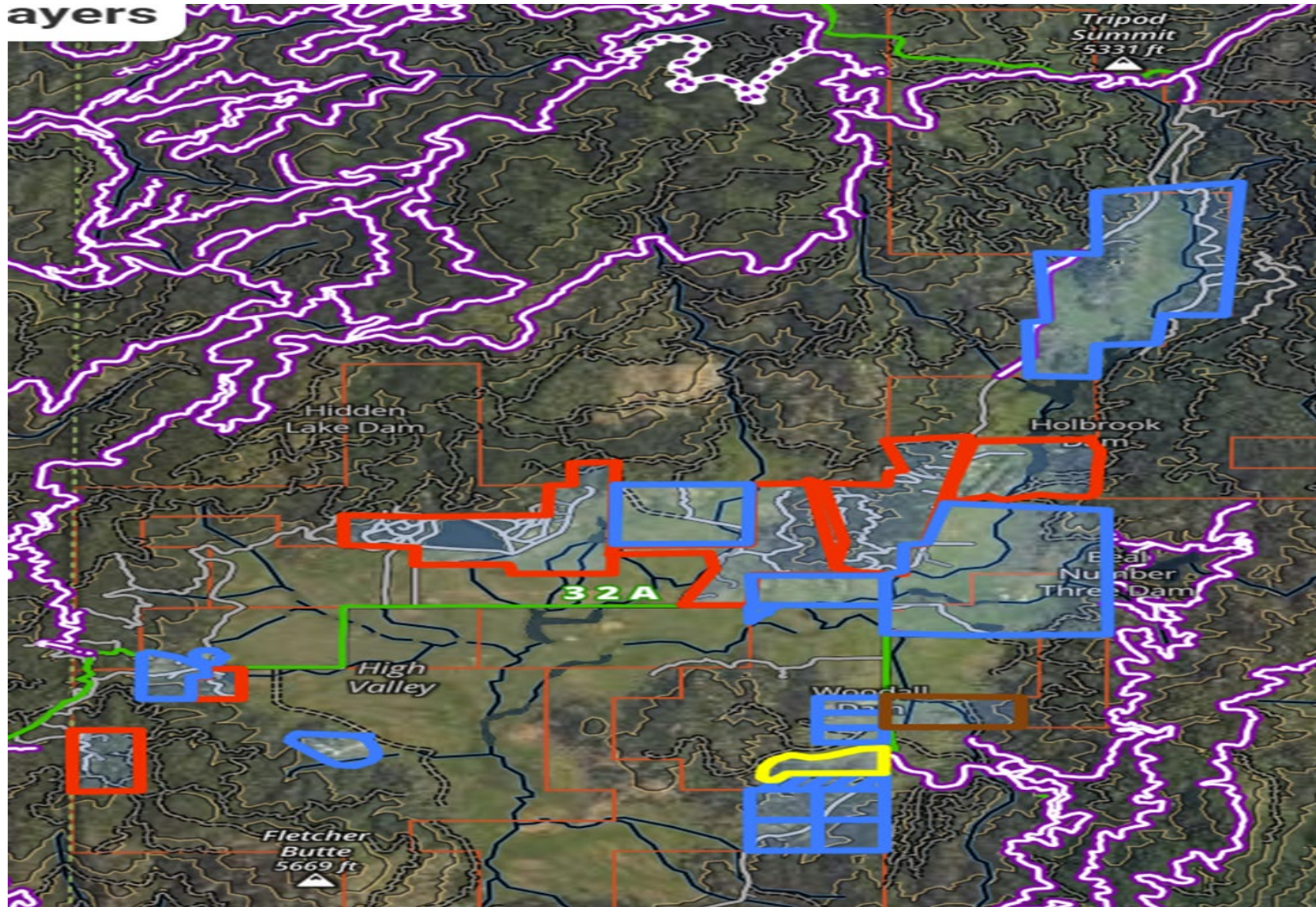


LOGGING TRUCKS ARE THE
CAUSE OF POOR ROAD
CONDITIONS



GEM COUNTY

Population Currently Exists in High Valley

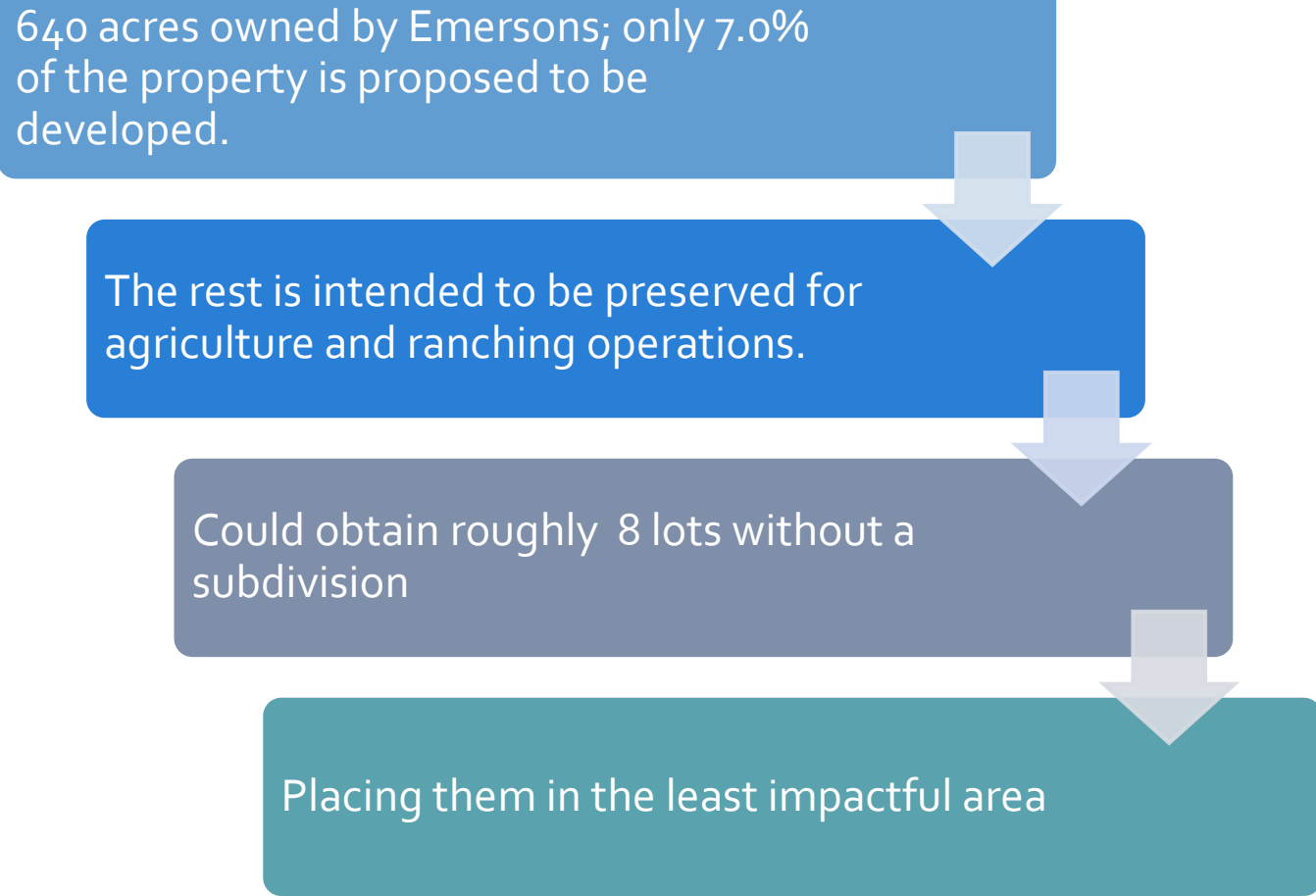


Low density far below what is allowed

- Density of Project is .26 units per acre
- Lots sizes range from 1.8 acres to 6.2 acres
- Maximum density allowed is 2.5 units per acre
- Could propose 115 units on this 46 acres
- Discussed with staff the most suitable approach for the property.
- Wants to preserve rural nature and conscientious of impacts

Private Property Rights

640 acres owned by Emersons; only 7.0% of the property is proposed to be developed.



```
graph TD; A[640 acres owned by Emersons; only 7.0% of the property is proposed to be developed.] --> B[The rest is intended to be preserved for agriculture and ranching operations.]; B --> C[Could obtain roughly 8 lots without a subdivision]; C --> D[Placing them in the least impactful area];
```

The rest is intended to be preserved for agriculture and ranching operations.

Could obtain roughly 8 lots without a subdivision

Placing them in the least impactful area

The background of the slide is a solid blue color with a pattern of 3D question marks. The question marks are rendered in a lighter shade of blue, giving them a three-dimensional appearance as if they are floating or scattered across the surface. They vary in size and orientation, creating a dynamic and textured background.

QUESTIONS
