

**Valley County Planning & Zoning
Cynda Herrick, Director**

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Cascade, ID 83611-1350



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STAFF REPORT

Vacation Application 21-04
Vacation of a Road Right-of-Way in
Big Smoky No. 2 Sub.

MEETING DATE: September 20, 2021
TO: Board of County Commissioners
STAFF: Cynda Herrick, AICP, CFM
APPLICANT: Robert Andrew
8844 W Midland ST
Boise, ID 83704
LOCATION: Public Road Right-of-Way in Big Smoky No. 2
SW Section 21, T.16N, R.3E, Boise Meridian,
Valley County, Idaho.
REQUEST: Vacate Platted Road Right-of-Way
EXISTING LAND USE: Bare Land

BACKGROUND:

Robert Andrew is requesting a vacation of a public road right-of-way that was platted but has not been constructed.

The road right-of-way is located adjacent to Lots 1 and 2 in Big Smoky No. 2 Sub., and U.S. Bureau of Reclamation property, between DeeDee Lane and Dawn Drive. It was designated Perc Lane on the subdivision plat. The right-of-way width on the plat is 20'.

If the road right-of-way is vacated, the land would become the property of the adjoining owners: the applicant. The applicant is requesting the vacation to ease setback restrictions for building purposes.

Big Smoky No. 2 Subdivision was recorded at Book 2, Page 25, on September 14, 1959.

FINDINGS:

1. At a properly noticed public hearing on August 12, 2021, the Valley County Planning and Zoning Commission unanimously recommended approval of the proposed vacation. (Facts and Conclusions attached.)

2. Legal notice was posted in the Star News on August 26, 2021, and September 2, 2021. Potentially affected agencies were notified on August 19. Neighbors within 300 feet of the property line were notified by fact sheet sent August 19, 2021. The site was posted on May 31, 2021. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on August 18, 2021.

3. Agency comment received:

Donnelly Rural Fire Protection District has no concerns. (July 16, 2021)

Central District Health has no objections. (August 20, 2021)

4. Neighbor comment received:

Louis and Beverly Schumacher, owners in subdivision, are concerned and have questions regarding the following:

- Emergency Access: DeeDee LN is not a good lane and is not plowed. Either this road needs to be constructed or DeeDee Ln improved.
- The approach to Dawn DR from DeeDee Ln is a dangerous corner due to angle of approach and speed limit.
- If vacated is should be sold and used to improve DeeDee LN.
- Lot 2 will be landlocked.
- General questions about future use of lots 1 and 2. (July 17, 2021)

5. Valley County Code:

10-6-2: VACATIONS OF PLATS, PUBLIC RIGHTS OF WAY OR EASEMENTS:

- A. Filing Of Application Required: An applicant wishing to vacate an existing subdivision, portion thereof, public right of way, or easement shall complete and file with the administrator an "application for total or partial vacation of an existing subdivision or other public right of way". This action shall be supplemental to, and in no way in conflict with, the applicant's obligation to comply with the provisions contained in Idaho Code sections 50-1317 through 50-1325.
- B. Placement On Commission Agenda: Upon receipt of the completed application, the administrator shall place said application on the agenda of the commission to be considered at its next regular meeting, subject to the same time limits prescribed for preliminary plat applications.
- C. Commission Review: The commission shall review the proposed vacation with regard to future development of the neighborhood. The commission shall also take into consideration the interests of adjacent property owners, of utilities, and of various public agencies where pertinent to the application.
- D. Commission Recommendation: Within ten (10) days, the commission shall make its recommendation concerning the application to the board who shall hold a public hearing and give such public notice as required by law.

- E. Board Action: The board may approve, deny or modify the application and shall record its action in the official minute book of the meetings of the board. Whenever public rights of way or lands are vacated, the board shall provide adjacent property owners with a quitclaim deed, as prepared by the applicant, for said vacated rights of way in such proportions as are prescribed by law. (Ord. 10-07, 8-26-2010)

SUMMARY:

- The Planning and Zoning Commission recommended approval.
- The Board needs to determine if the future development of the neighborhood would be inhibited by the vacation.
- The frontage along Dawn DR for Lot 2 would be approximately 20'. Current standards require 30'. "Frontage On Public Or Private Road: Frontage on a public or private road shall not be less than thirty feet (30') for each lot or parcel."
- Written approval is required from Idaho Power.
- Deeds will need to be prepared by the applicant to convey the property along Perc LN to the adjacent property owners.

Staff's Recommended Motion:

I move to approve Vacation Application No. 21-04 Vacation of Perc LN, a Public Road Right-of-Way, in Big Smoky No. 2 Sub.; accept the Planning and Zoning Commission Facts and Conclusions; and authorize the chairman to sign Resolution No. 2021-22 Declaration of Vacation with the condition that the frontage be angled to allow for a 30' frontage.

ATTACHMENTS:

- Proposed Resolution
- Planning and Zoning Facts and Conclusions
- Planning and Zoning Meeting Minutes – August 12, 2021
- Vicinity Map
- Aerial Map
- Assessor's Plat – Big Smoky No. 2
- Assessor's Plat – T.16N R.3E Section 21
- Pictures taken July 14, 2021, and August 31, 2021
- Responses

END STAFF REPORT

**RESOLUTION NO. 21-22
DECLARATION OF VACATION
OF A PLATTED PUBLIC RIGHT-OF-WAY
IN THE BIG SMOKY NO. 2 SUB.**

VAC-21-04 Vacation of Perc LN, a Public ROW

Location: Public Road Right-of-Way in Big Smoky No. 2, SW Section 21, T.16N,
R.3E, Boise Meridian, Valley County, Idaho.

Whereas, the current action is to vacate Perc LN, a public road right-of-way, in Big Smoky No. 2 Sub.

Whereas, Big Smoky No. Sub. was platted at Book 2, Page 25 on September 14, 1959;

Whereas, it has been determined that vacation of the public road right-of-way shall not inhibit future development of the neighborhood;

Therefore, the Board of County Commissioners hereby vacate Perc LN, as shown on the attached plat with the retention of a 30' frontage; and, authorize the Chairman to sign this resolution.

Approved by the Board of County Commissioners of the County of Valley, State of Idaho, on this 20th day of September, 2021.

Board of Valley County Commissioners

Dave Bingman, Chairman (Acting)

State of Idaho)
)SS
County of Valley)

On this ____ day of _____, 2021, before me, _____, the undersigned, a Notary Public in and for said State, personally appeared Dave Bingaman known to be the person whose name subscribed to the within Instrument, and acknowledged to me that he, she, they executed the same.

Notary Public, Residing at Cascade, Idaho
My Commission Expires: _____

FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE THE VALLEY COUNTY PLANNING AND ZONING COMMISSION

SUBJECT: Vacation Application No. VAC 21-04
Vacation of Perc LN
A Public ROW in Big Smoky No. 2 Subdivision

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on August 12, 2021. The Commission reached a quorum. Commission members in attendance were Neal Thompson, Brian Benton, Scott Freeman, and Chairman Johanna Defoort.

The applicant, Robert Andrew, was present and requested a vacation of Perc LN, a public road right-of-way in SW Section 21, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

FINDINGS OF FACT

Having given due consideration to the application and evidence presented and marked as exhibits on August 12, 2021, the Valley County Planning and Zoning Commission hereby makes the following findings of fact:

1. That the existing use of the property described in the Petition will not affect the future development of the adjacent neighbors or neighborhood.
2. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance and by the Laws of the State of Idaho.

Legal notice was posted in the *Star News* on July 22 and July 29, 2021. Potentially affected agencies were notified on July 13, 2021. Neighbors within 300 feet of the property line were notified by fact sheet sent July 13, 2021. The site was posted on July 14, 2021. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on July 13, 2021.

3. Other persons in attendance expressed neither approval nor disapproval of the proposed vacation.

CONCLUSIONS

Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes, as follows:

1. That the proposed use is in harmony with the general purpose of Valley County ordinances and policies and would not be otherwise detrimental to the public health, safety and welfare.
2. Future development of the subdivision will not be inhibited by the vacation.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, recommends to the Board of County Commissioners that the application of Robert Andrew for Vacation No. 21-04 Vacation of Perc LN, a Public Right-of-Way, in the Big Smoky No. 2 Subdivision, as described in the application, staff report, and minutes of the meeting be approved.

Recommended Condition: That a 20' frontage remain on Dawn DR.

END FACTS AND CONCLUSIONS



Chairman, Valley County Planning and Zoning

9/9/21

Date

3. **VAC 21-04 Vacation of Perc Lane:** Robert Andrew is requesting a vacation of a public road right-of-way that was platted but has not been constructed. If vacated the land would become the property of the adjoining owners. The road right-of-way is located between Big Smoky No. 2, Lots 1 and 2 and U.S. Bureau of Reclamation, and between DeeDee Lane and Dawn Drive. It is in the SW ¼ Section 21, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Defoort introduced the item and opened the public hearing. Chairman Defoort asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Defoort asked for the Staff Report. Staff presented the report. Staff showed the property owned by the U.S. Bureau of Reclamation and the platted road. Lots 1 and 2 have been combined. However, if the vacation is approved and lots split in the future, there would not be enough road frontage for Lot 2. Valley County Code states any platted lot must have a 30-foot frontage. This plat, recorded in 1959, shows a 40-foot roadway; however, only 20 feet was recorded as a road right-of-way. The 20 feet belonging to Bureau of Reclamation is not part of the plat and not a right-of-way. The owner would need to have access from Lot 2 to Dawn Drive. Future access would be cleaner if Lot 2 had actual road frontage and was not accessed only by an easement to a road. This would be accomplished by not vacating a portion of the southern part of the right-of-way. If the portion adjacent to Dawn Drive is vacated, Lot 3 would also receive a small portion of the road right-away. The original landowner owned the full 20 feet; therefore, the U.S. Bureau of Reclamation would not receive any of the 20-foot road right of way if vacation is approved.

Chairman Defoort asked for the applicant's presentation.

Robert Andrew has owned Lots 1 and 2 since 1967. He wants legal access to Dawn Drive.

The Commissioners and applicant discussed how the road right-of-way could be split. Chairman Defoort confirmed that the 20-ft on the U.S. Bureau of Reclamation property is not part of the road right-of-way; it is outside of the subdivision. The person who platted the lot did not have the authority to put 20 feet of the Reclamation land in the road right-of-way even though it shows as a road on the recorded plat for Big Smoky No. 2.

Chairman Defoort asked for proponents.

Jim Flemming, Chairman of Big Smoky No. 2 subdivision, said his only concern is the possibility of landlocking Lot 2.

Chairman Defoort asked for undecided. There were none.

Chairman Defoort asked for opponents. There were none.

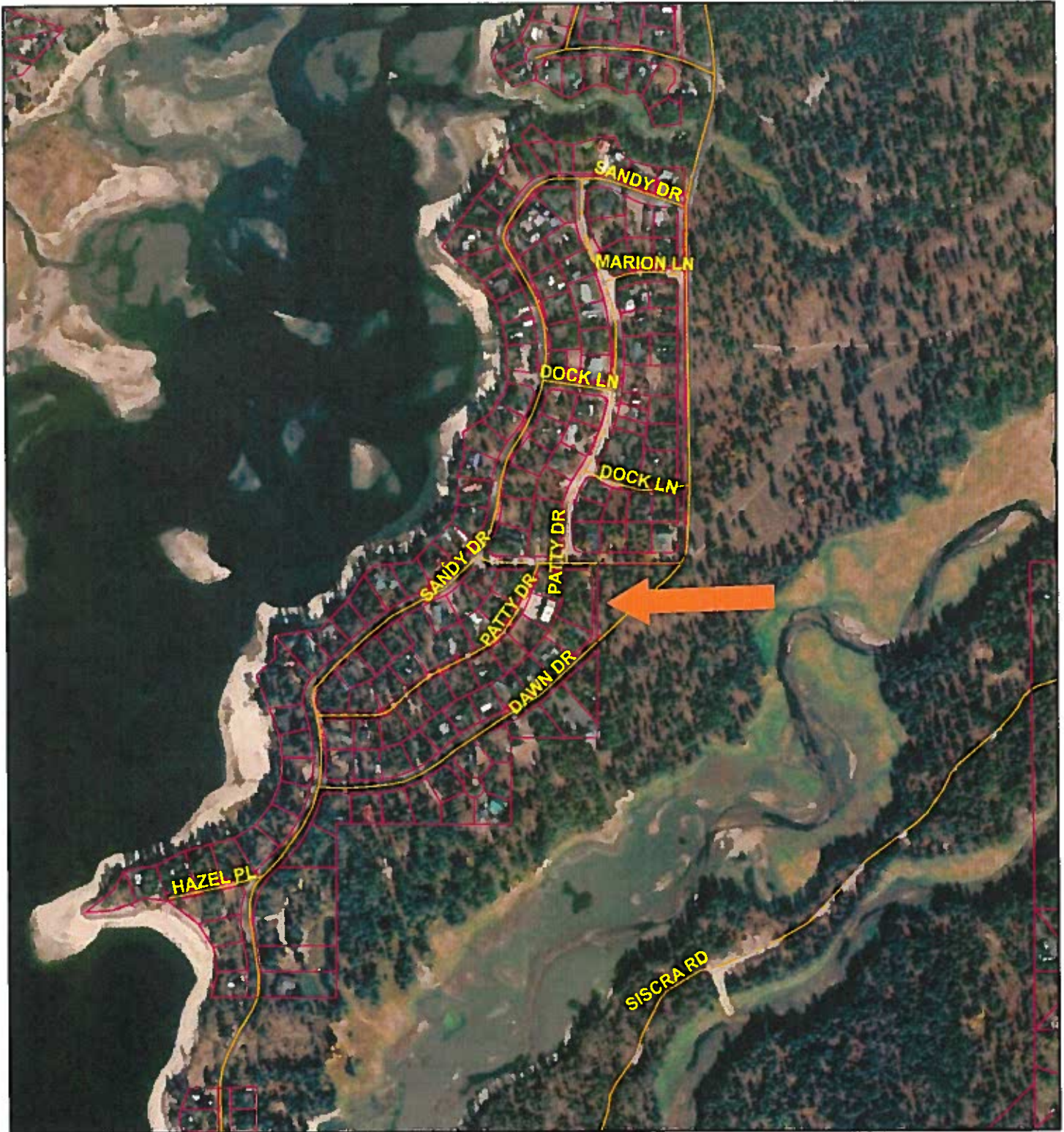
Chairman Defoort asked for rebuttal from the applicant; he had nothing further to add.

Chairman Defoort closed the public hearing.

The Commission deliberated and had no concerns.

Commissioner Freeman moved to recommend approval of VAC 21-04 to the Board of County Commissioners. Commissioner Benton seconded the motion. Motion carried unanimously.

VAC 21-04 Vacation of Perc Lane



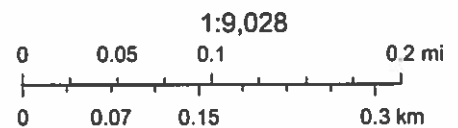
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 Parcel Boundaries

All Road Labels

Roads

 URBAN/RURAL



Maxar

VAC 21-04 Vacation of Perc Lane



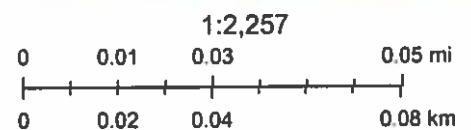
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 Parcel Boundaries

All Road Labels

Roads

 URBAN/RURAL



Maxar, Microsoft

Plat of

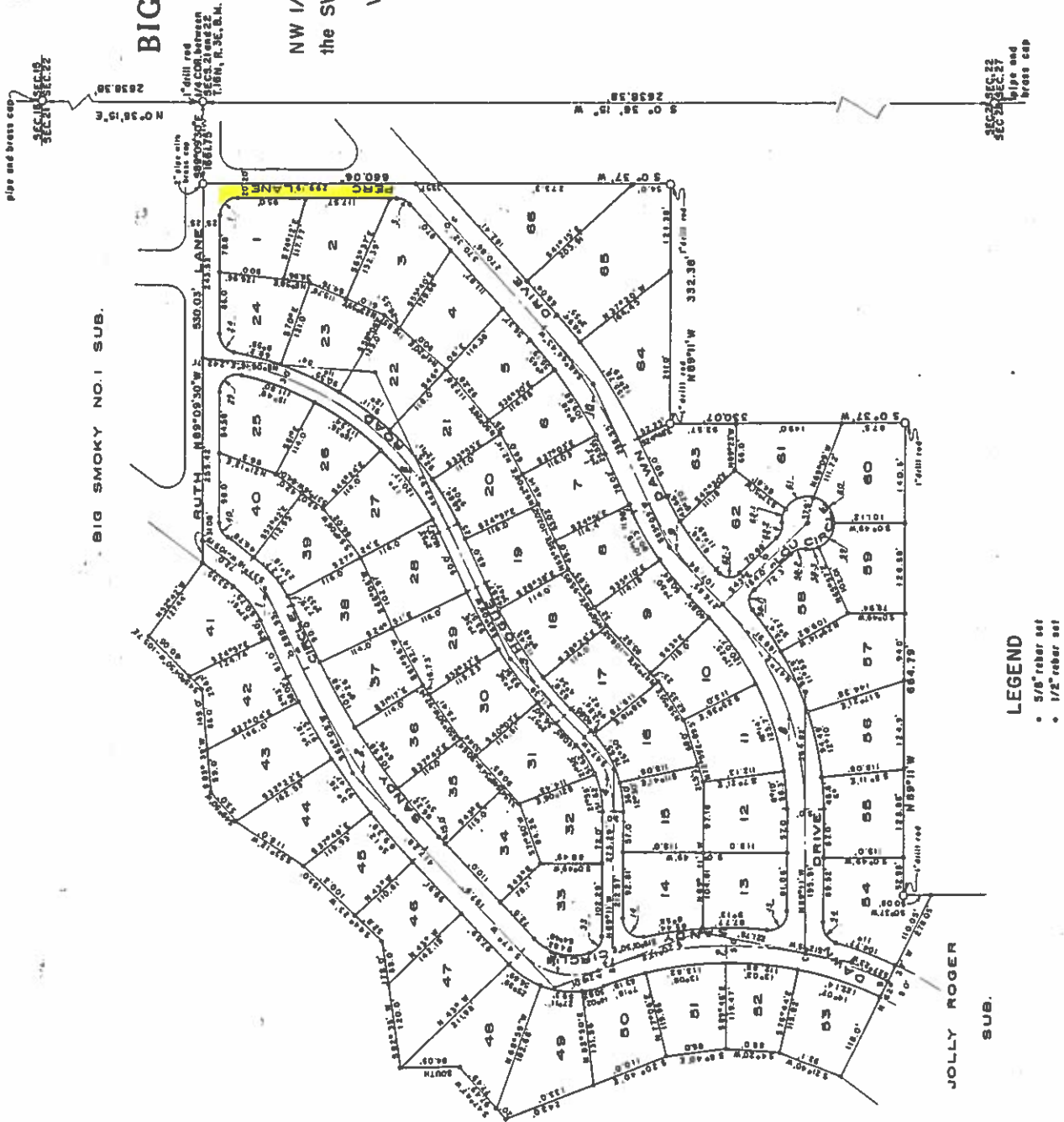
BIG SMOKY NO. 2 SUB.

a part of

NW 1/4 of the SE 1/4 and the NE 1/4 of
the SW 1/4 of SEC. 21, T.16N, R.3E, B. M.

VALLEY COUNTY, IDAHO

Scale 1"=100'



CURVE DATA CENTER LINE OF STREETS

No.	Δ	Radius	Tangent	Length Curve
1	27°31'	150.0'	37.19'	75.91'
2	10°03'	960.0'	153.34'	304.11'
3	4°12'	100.0'	86.44'	117.29'
4	4°29'	150.0'	60.33'	114.71'
5	18°09'	630.0'	119.21'	218.58'
6	6°02'44"	420.0'	242.71'	440.16'
7	3°27'	520.87'	131.37'	295.00'
8	1°59'08"	520.87'	10.68'	21.35'
9	4°49'	420.0'	168.91'	321.19'
10	1°59'08"	420.0'	67.09'	133.05'
11	16°24'17"	630.0'	99.45'	197.56'

SHORT RADIUS CURVE DATA

No.	Δ	Radius	Tangent	Length Curve
1	89°45'30"	25.0'	24.90'	39.17'
2	48°07'42"	25.0'	11.16'	21.00'
3	89°21'22"	25.0'	27.45'	41.61'
4	10°24'09"28"	25.0'	31.35'	44.87'
5	78°08'06"	25.0'	20.21'	33.83'
6	102°20'30"	25.0'	31.00'	45.66'
7	71°23'12"	25.0'	17.26'	31.15'
8	52°32'30"	25.0'	12.61'	23.36'
9	74°25'28"	25.0'	18.38'	32.47'
10	58°41'	20.0'	18.55'	29.91'
11	58°12'	25.0'	11.71'	21.90'
12	31°15'	37.5'	10.49'	20.45'
13	68°08'	37.5'	23.95'	42.63'
14	68°38'	37.5'	26.24'	45.79'
15	73°5'	37.5'	27.75'	47.78'
16	41°03'	37.5'	14.04'	26.86'
17	50°12'	25.0'	11.71'	21.90'
18	62°31'30"	20.0'	20.00'	31.42'

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: That The Spring Valley Livestock Co. Inc. and Charles W. Edwards and Ora M. Edwards, husband and wife, are the owners of the fee simple title to the following described tract of land, subject to a perpetual easement and flowage right of the U.S. Bureau of Reclamation to flood the same with water—in seep, erode, or otherwise damage the land by action of the existing or enlarged Cascade Reservoir, and lands being located in the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Sec. 21, T.16N., R.3E., B.M., and described as follows:

Beginning of the 1/4 cor. between Secs. 21 and 22, T.16N., R.3E., B.M., thence N.89°09'30"W., 1661.75 ft. distant, to a 2 in. pipe, the real point of beginning, thence N.89°09'30"W., 530.03 ft.; thence N.52°42'W., 127.44 ft.; thence, following a line 300 ft. distant from and parallel to the 4828 contour U.S. Bureau of Reclamation datum, by meanders; S.45°04'50"W., 145.0 ft.; S.49°50'W., 153.0 ft.; S.44°23'W., 153.0 ft.; S.82°35'W., 178.0 ft.; South, 84.05 ft.; S.47°47'W., 97.49 ft.; S.20°40'E., 243.0 ft.; S.4°20'W., 86.0 ft.; S.21°40'W., 93.10 ft.; thence S.62°37'E., 278.05 ft.; thence S.89°11'E., 332.38 ft.; thence S.89°11'E., 330.07 ft.; thence N.0°37'E., 660.06 ft. to the point of beginning.

The owners do hereby dedicate to the use of the public, forest, off streets and rights of way easements not heretofore dedicated as shown on this plat. The dedications hereby grant an easement over and across Lot 53 of the Big Smoky No. 2 Subdivision to the extent of owners of all other lots within the Big Smoky No. 2 Subdivision to use said Lot 53 as a means of ingress and egress to the Cascade Reservoir, as a beach, park, and recreation area. This easement shall be appurtenant to all other lots in the Big Smoky No. 2 Subdivision.

Building and Occupancy Restrictions—See Book No. _____ of Miscellaneous Records at Page No. _____ Valley County, Idaho, for Building and Occupancy Restrictions filed on the _____ day of _____, 1959, in the office of the Valley County Recorder, Cascade, Idaho.

IN WITNESS WHEREOF, We have hereunto set our hands this 24 day of August, 1959.



Colin McLeod, Sr.
Colin McLeod, Sr., Pres.
Charles W. Edwards
Charles W. Edwards

The Spring Valley Livestock Co. Inc.

Colin McLeod, Jr.
Colin McLeod, Jr., Sec.
Ora M. Edwards
Ora M. Edwards

STATE OF IDAHO)
COUNTY OF VALLEY)

On this 24 day of August, 1959, before me, the undersigned, a notary public in and for said State, personally appeared Colin McLeod, Sr., Colin McLeod, Jr., Charles W. Edwards and Ora M. Edwards, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



My commission expires May 1st 1962
Paul Miller
Notary Public for Idaho
Residing in Donnelly, Idaho

→ Return to me to be the President and Secretary respectively of the corporation that executed the within instrument, and acknowledged to me that said corporation executed the same, Paul Miller

CERTIFICATE OF ENGINEER

I, Bill Harris, do certify that I am a professional engineer, licensed by the State of Idaho, and that this plat of the "Big Smoky No. 2" Subdivision described as follows: Beginning at the 1/4 cor. between Secs. 21 and 22, T.16N., R.3E., B.M., thence N.89°09'30"W., 1661.75 ft. distant, to a 2 inch pipe, the real point of beginning, thence N.89°09'30"W., 530.03 ft.; thence N.52°42'W., 127.44 ft.; thence, following a line 300 ft. distant from and parallel to the 4828 contour U.S. Bureau of Reclamation datum, by meanders; S.45°04'50"W., 145.0 ft.; S.49°50'W., 153.0 ft.; S.44°23'W., 153.0 ft.; S.82°35'W., 178.0 ft.; South, 84.05 ft.; S.47°47'W., 97.49 ft.; S.20°40'E., 243.0 ft.; S.4°20'W., 86.0 ft.; S.21°40'W., 93.1 ft.; thence S.62°37'E., 278.05 ft.; thence N.0°37'E., 600.05 ft.; thence S.89°11'E., 332.38 ft.; thence S.89°11'E., 330.07 ft.; thence N.0°37'E., 660.06 ft. to the point of beginning, and the attached plat was drawn from an actual survey made on the ground and accurately represents the points plotted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.



Bill Harris
Bill Harris
Idaho 753

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

Accepted and approved this 24 day of Sept., 1959, by the Board of County Commissioners of Valley County, Idaho.

Harvey Patterson
Chairman

COUNTY RECORDER'S CERTIFICATE

Instrument No. 54204

STATE OF IDAHO)
COUNTY OF VALLEY)

I hereby certify that this instrument was filed at the request of Charles W. Edwards and Ora M. Edwards at 2.4 minutes past 3 o'clock P.M. this 24 day of Sept., 1959, in my office and was duly recorded in Book 10-27 of plats at Page 466.

Sp. B. C. Patterson
Deputy
Idaho 753

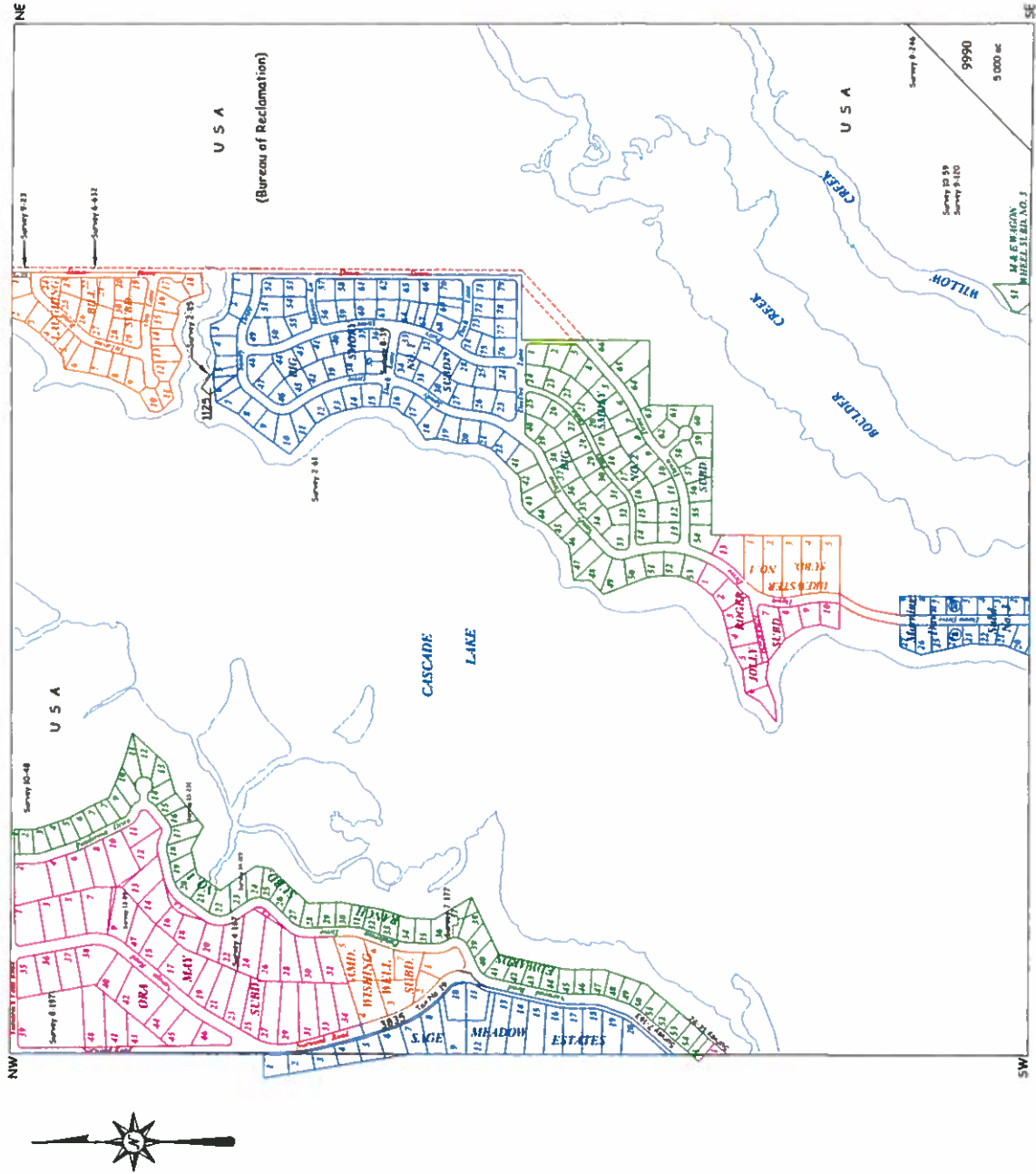
Paul Miller
Ex-Officio Recorder



TWP. 16N R03E SEC. 21

VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

Filename:	Valley County Base Map
Scale:	1" = 400 ft.
Date:	5/17/2021
Drawn by:	L Frederick



This Document is to be Used for Reference Purposes ONLY! The County is NOT Responsible for, nor does it warrant or



North end — intersection with DeeDee LN

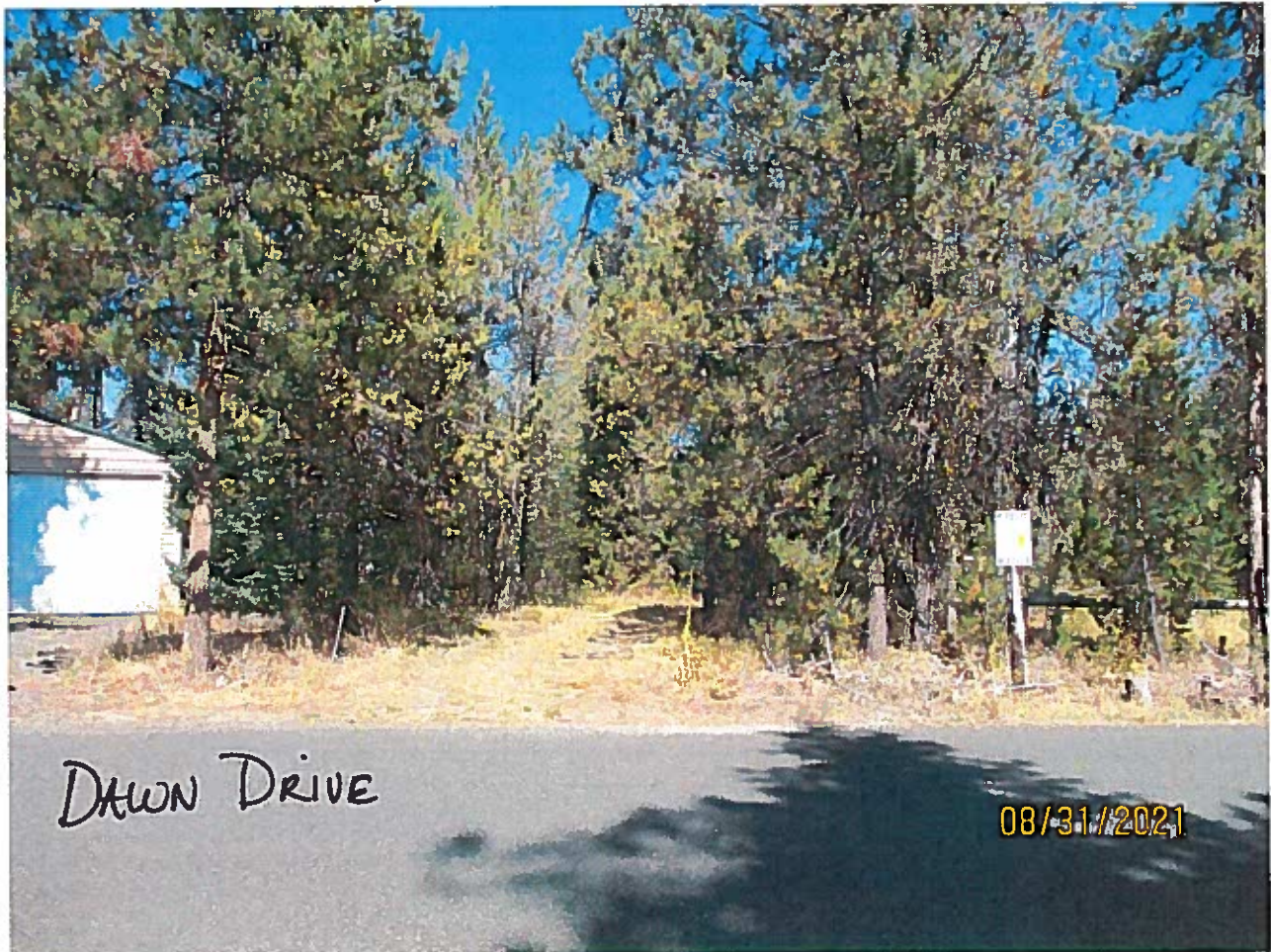


South end - intersection with Dawn Drive



08/31/2021

Looking north from Dawn Drive



DAWN DRIVE

08/31/2021



Looking south from DEEDEE LANE



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

July 16, 2021

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: Vac 21-04

After review, the Donnelly Rural Fire Protection District has no comments or concerns on this matter.

Please call 208-325-8619 with any questions.

Amy Newcomb

A handwritten signature in blue ink that reads "Amy Newcomb".

Deputy Fire Marshal

Donnelly Fire Department



Valley County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ Cascade
☐ Donnelly
☐ McCall
☐ McCall Impact
☒ Valley County

Rezone # VAC 21-04

Conditional Use # _____

Preliminary / Final / Short Plat _____

LOTS 1 & 2 Beg. Sankey #2

- ☒ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☐ central water
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☐ 14. _____

Reviewed By: [Signature]

Date: 8/20/21

From: Louis & Bev Schumacher <lbschumach@q.com>
Sent: Saturday, July 17, 2021 10:17 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: VAC 21-04 Vacation of Perc Lane Comment

To P & Z Commission,

As neighbors and landowners just houses to the south on Dawn Drive of the proposed vacation of Perc Lane we(husband and wife) have a few concerns and would appreciate the reading of this at the meeting:

* Have the property owners in Smokey #1 been notified of this proposal as we were as part of Smokey #2?

*Concerns about abandoning the road:

1. DeeDee Lane from Patty Dr. to Dawn Dr. has never been completed as a viable roadway. It is extremely narrow, with big ruts and holes and virtually unpassable as a through fare in wet seasons and does not get plowed in the winter! In case of an emergency, vehicles have to search for alternate ways to get in which slows down response time and puts surrounding homes at more risk. The County should really complete one road or the other!!!
2. The approach to Dawn Dr. from DeeDee Ln. is an extremely dangerous corner. With curves on both sides of Dawn and the speed limit at 35 (which vehicles hardly abide) a vehicle pulling out slowly as with an RV or boat is in danger of being hit. Alternatives need to be in place as many of the intersections in the interior area are narrow and do not allow for longer loads. The construction of Perc Ln. would have allowed safer access to Dawn Dr. We know of people who live on Patty Ln. who take their boat to the Donnelly Docks via Sandy to the intersection of Dawn and then down to the docks. This is a long way around but no choice due to the narrow roads. This significantly increases traffic on the stretch from the intersection of Dawn and Sandy North.
3. Would the county just "give" the landowners this land? The BOR owns the land on the other side from the applicants. Would the vacated road land be split between the BOR and the current landowners, or is this proposal asking for the entire easement to be handed over? What does the BOR think about this? Is anyone else allowed to request to be deeded state land as their own for free? Consider this: The sale of this land could pay for improvements to DeeDee lane and moving of the BOR fence! BOR land belongs to all Idaho citizens.

* Concerns of the use of lots 1 & 2:

1. We realize this is not a part of this application, but is this application the first of several baby steps to something that would not be in the character of the area or accessible by fire equipment? Since lot 2 will be land locked, will the merging of lots 1 & 2 and fire lane easement be required as part of the approval of this proposal? Lot 2 is very visible from Dawn Dr. and close to many homes!
2. If lots 1 & 2 are not required to be legally merged into one will they be held to abide by the RV ordinances for one lot or two? Lot 2 is very visible from Dawn Dr. which is mostly single dwelling homes on that stretch!

3. If lots 1 & 2 are merged into one we have concerns of the size of structure if not a home, such as an oversized storage building, that could go in such a sizable piece of property. The "building purposes" stated in the application are very vague.
4. What if the current owners "building" plan is abandoned and/or they sell the property? Would there be restrictions set in place to control the size of structure, such as a oversized storage building, that could be put on this large lot if it is not a home? Again, lot 2 is very visible from Dawn Dr. which is overwhelmingly single dwelling homes!

Thank you!

Louis and Beverly Schumacher