

## Valley County Planning and Zoning

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Cascade, ID 83611-1350



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**STAFF REPORT:** VAC 22-01 Thomson Vacation of Utility Easement  
**HEARING DATE:** April 14, 2022  
**TO:** Planning and Zoning Commission  
**STAFF:** Cynda Herrick, AICP, CFM  
Planning and Zoning Director  
**APPLICANT / OWNER:** Kenneth & Debra Thomson  
8051 Island View Drive  
Marsing, ID 83639  
**LOCATION:** 12867 Syringa Road and 12869 Syringa Road  
Lot Line between Lots 24 and 25, Block F, of Wagon Wheel Ranch #4  
Subdivision in the SW ¼ Section 27, T.16N, R.3E,  
Boise Meridian, Valley County, Idaho  
**SIZE:** 1 Acre  
**REQUEST:** Vacate platted utility easement  
**EXISTING LAND USE:** Residential Subdivision Lots with Sheds and RV use.

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Kenneth and Debra Thomson are requesting a vacation 10-foot-wide utility easement centered on the interior sides of the lot line between Lots 24 and 25, Block F, Wagon Wheel Ranch #4 Subdivision.

The applicants own both lots. Removal of the utility easement would allow them to build over the lot line and setback area and give them more flexibility in the location of future structures. Three sheds exist on the property. The site plan shows a future residence and new pole barn on Lot 25.

The applicants currently have an approved Recreational Vehicle Camp on the properties (RVC 2020-05). (Attached)

The 1-acre site is addressed at 12867 Syringa Road and 12869 Syringa Road. Access is from Syringa Road, a public road.

Wagon Wheel Ranch No. 4 Subdivision was recorded on May 13, 1994, at Book 5, Page 9. Per the plat, there is a 10-foot utility easement centered on all interior lot lines

### FINDINGS:

1. The application was submitted on March 1, 2022.

2. Legal notice was posted in the *Star News* on March 24, 2022, and March 31, 2022. Potentially affected agencies were notified on March 15, 2022. Property owners within 300 feet of the property line were notified by fact sheet sent March 15, 2022. The site was posted on March 18, 2022. The notice was posted online at [www.co.valley.id.us](http://www.co.valley.id.us) on March 15, 2022.

3. Agency comment received:

Laura Lacy, Associate Real Estate Specialist, states that Idaho Power's review indicates that they do not have facilities located within the request area. Idaho Power agrees to relinquish interest in the public utility easement located between Lots 24 and 25, Block F, Wagon Wheel Ranch #4. (Mar. 17, 2022)

Jeff McFadden, Valley County Road Department Superintendent, has no comments. (Mar. 17, 2022).

Central District Health has no objections. (Mar. 16, 2022)

Jess Ellis, Donnelly Fire Marshall, has no comments. (Mar. 19, 2022).

4. Public comment received:

None

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)

**STAFF QUESTIONS AND COMMENTS:**

- The Planning and Zoning Commission needs to determine if the future development of the neighborhood would be inhibited by the vacation.
- The Planning and Zoning Commission decision would be a recommendation to the Board of County Commissioners.
- The lots are within the Donnelly Fire District.

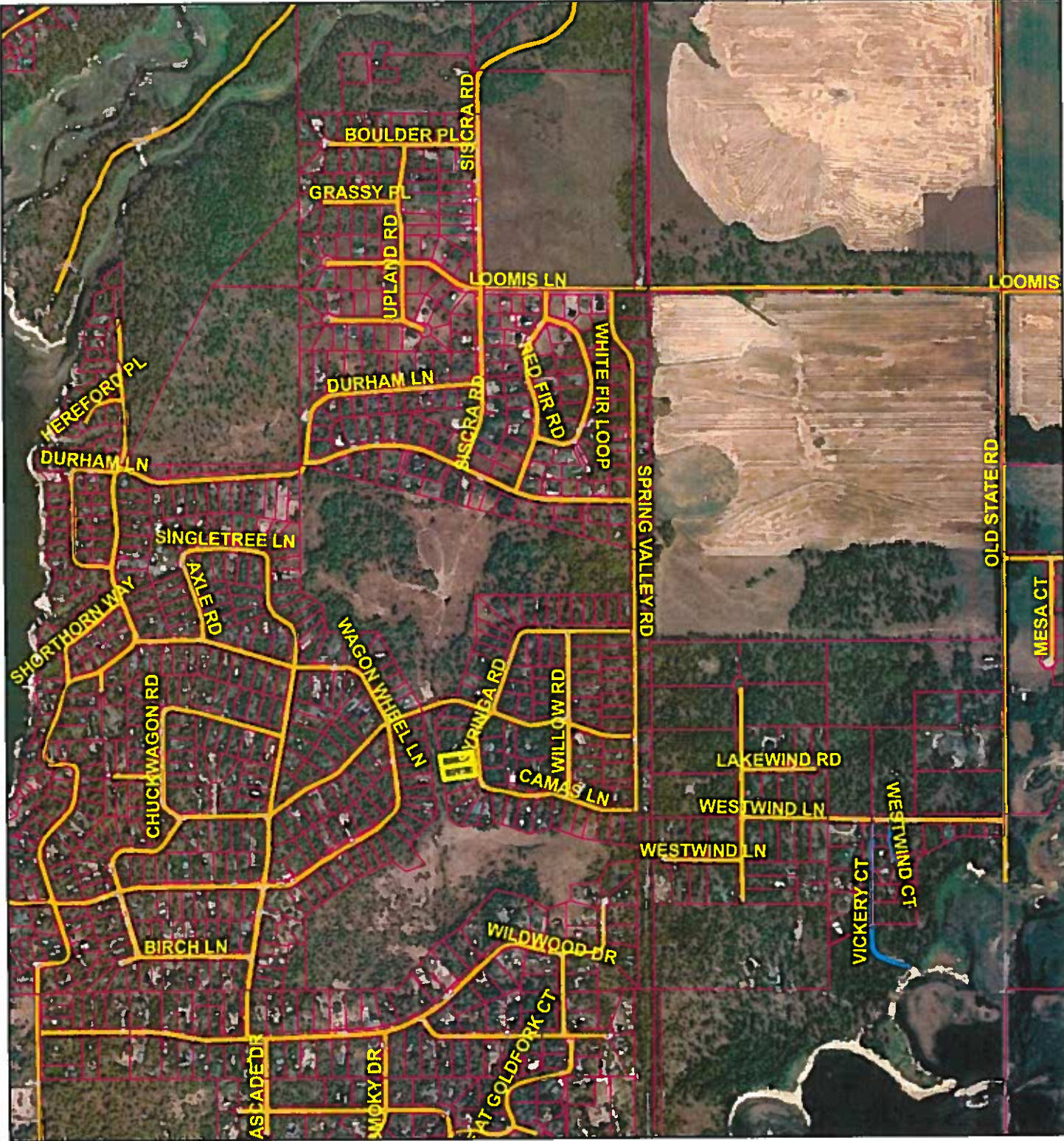
**ATTACHMENTS:**

- Vicinity Map
- Aerial Map
- Wagon Wheel Ranch #4 – Assessor's Plat
- Assessor's Plat T.16N R.3E Section 27
- Site Plan
- Pictures Taken March 18, 2022
- Responses
- RVC Permit

**END OF STAFF REPORT**

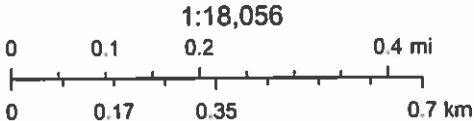


# VAC 22-01 Vicinity Map



3/4/2022, 11:46:16 AM

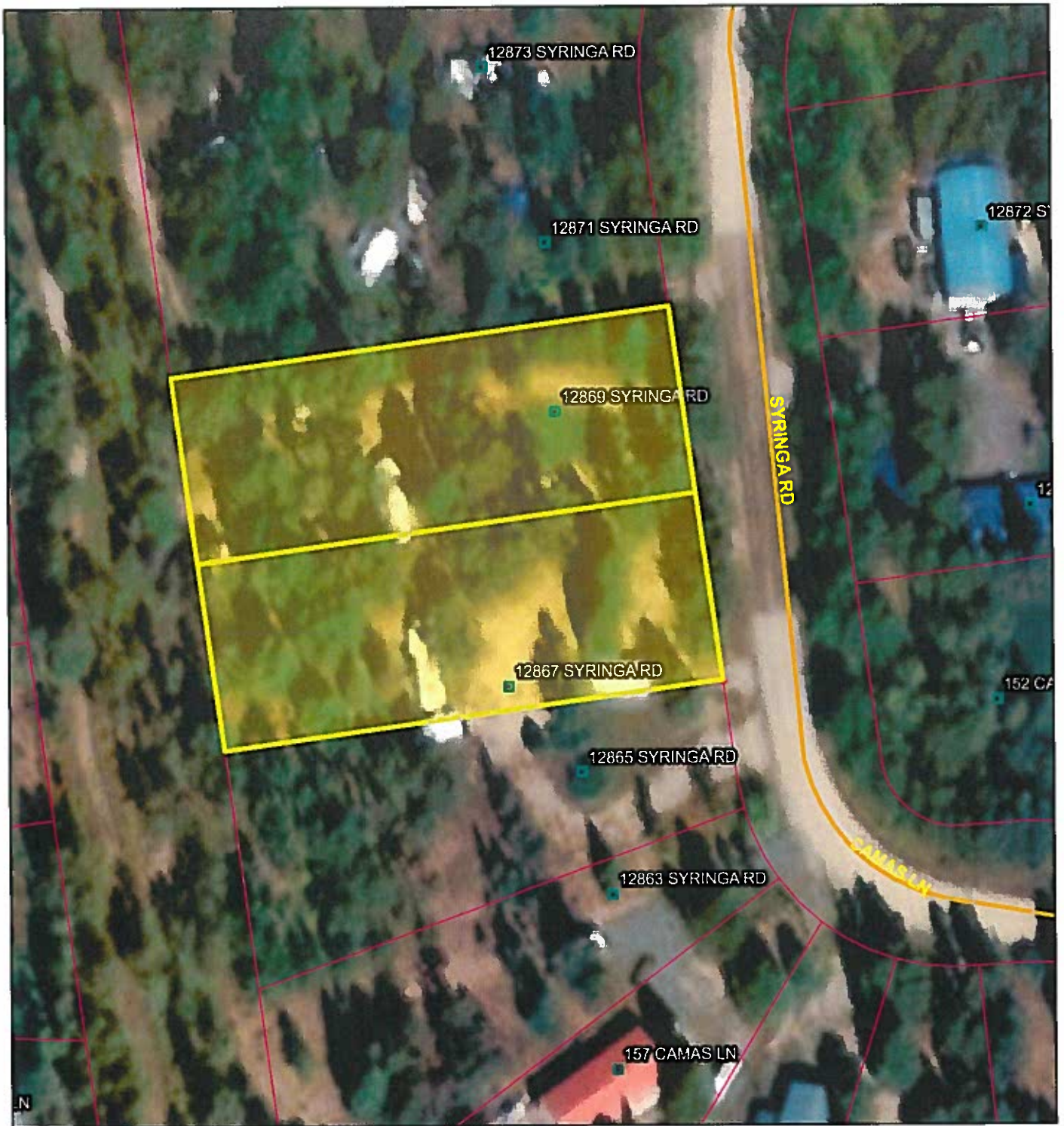
- Parcel Boundaries
- All Road Labels
- Roads
- MINOR COLLECTOR
- URBAN/RURAL
- PRIVATE
- County Boundaries
- VALLEY COUNTY



Maxar



# VAC 22-01



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Parcel Boundaries Roads

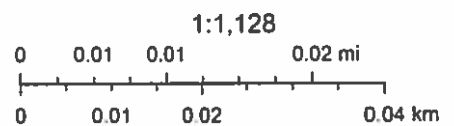
Addresses

All Road Labels

URBAN/RURAL

County Boundaries

VALLEY COUNTY



Maxar, Microsoft



RP 00293

# WAGON WHEEL RANCH #4 SUBDIVISION

## A PORTION OF THE W 1/2 OF SECTION 27 T16N, R3E, B.M.

### VALLEY COUNTY, IDAHO

#### SMITH & MOURSE ENGINEERS INC.

1/2" = 20' scale of map  
 1/4" = 40' scale of map  
 1/8" = 80' scale of map  
 1/16" = 160' scale of map  
 1/32" = 320' scale of map  
 1/64" = 640' scale of map  
 1/128" = 1280' scale of map  
 1/256" = 2560' scale of map  
 1/512" = 5120' scale of map  
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TWP P. 16N R03E SEC. 27

Filename:	Valley County Base Map
Scale:	1" = 400 ft.
Date:	12/7/2020
Drawn by:	L. Frederick















March 17, 2022

Sent via email to CHerrick@co.valley.id.us

Cynda Herrick  
PO Box 1350  
Cascade, Idaho 83611

Re: Relinquishment of Public Utility Easement between Lots 24 & 25 of Block F in the  
Wagon Wheel Ranch #4 Subdivision, VAC 22-01

Dear Cynda,

This is in response to the PUE relinquishment request submitted to Idaho Power Company and received in our office March 17, 2022, regarding the possible relinquishment of a public utility easement (PUE) located as noted above. The attached Exhibit A & Exhibit B more specifically identifies the requested area for relinquishment.

Idaho Power's review of your request indicated that we do not have facilities located within the requested area. As such, Idaho Power agrees to relinquish our interest in the PUE that is located between Lots 24 & 25 of Block F in the Wagon Wheel Ranch #4 Subdivision.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

Sincerely,

Laura Lacy  
Associate Real Estate Specialist  
Idaho Power Company/ Corporate Real Estate  
Land Management and Permitting Department  
208-388-5070  
llacy@idahopower.com



**WAGON WHEEL RANCH #4 SUBDIVISION**  
A PORTION OF THE W<sup>1</sup>/<sub>2</sub> OF SECTION 27 T.16N., R.3E., B.M.  
VALLEY COUNTY, IDAHO  
SMITH & MONROE ENGINEERS, INC.

- 253, 254, 255 - Queen Is. Water Cuts
- 1/2 to 2 1/2" High pin at top of normal points of curvature.
- 5/16 to 3/8" High pin at angle points and points of curvature on boundary.

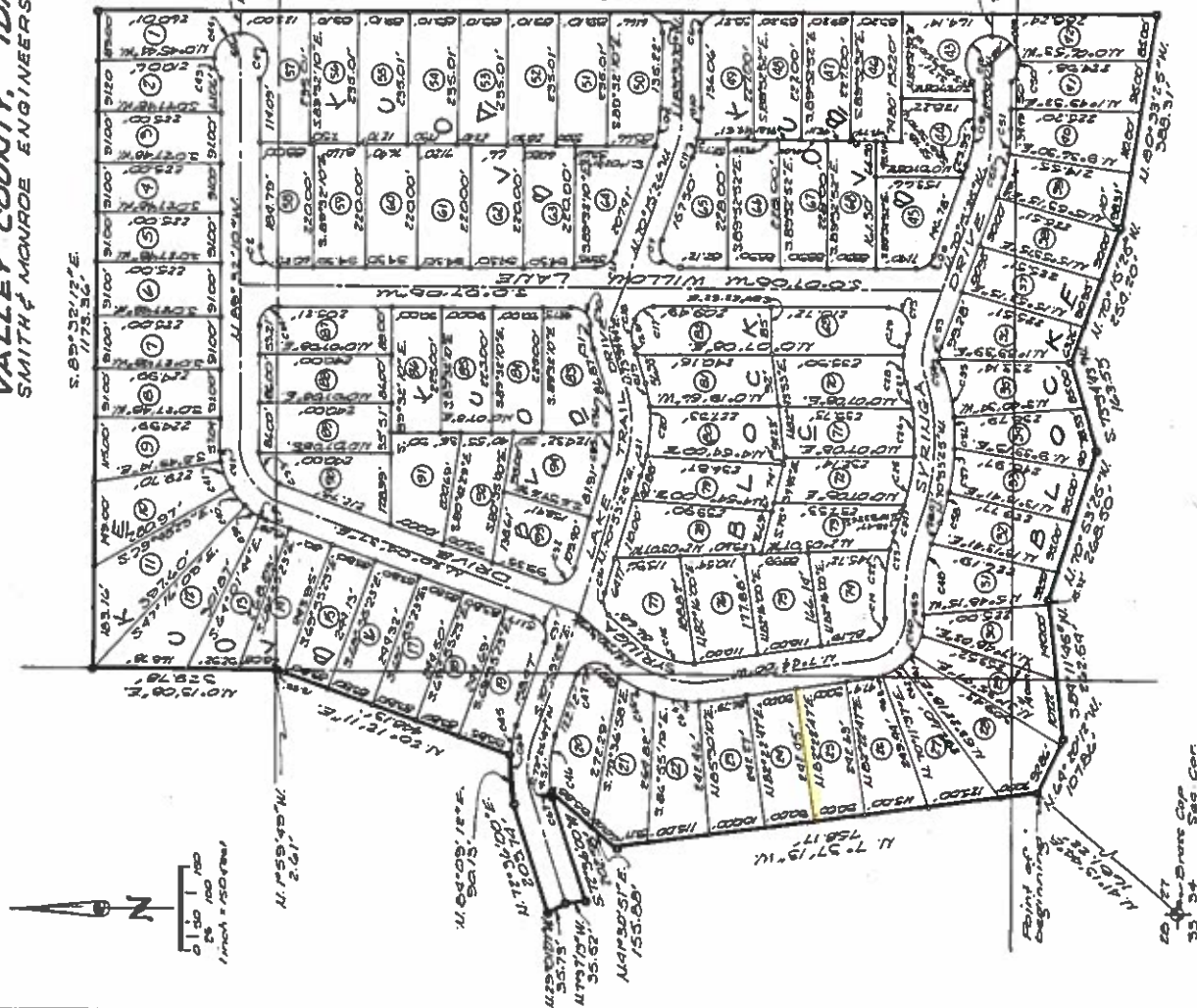
⑦ Lot numbers.

== 10' utility easement  
 10' line of street near  
 10' line.  
 Not shown on all interior  
 lot lines.

## Restrictive Covenants

Filed at Chicago Ill. June 1973

Instrument No. 74813





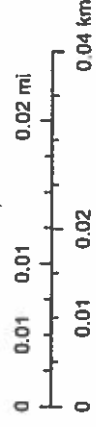
# Assessor's Map & Parcel Viewer



1/30/2022, 8:43:27 AM

Parcel Summary & Improvement Report

1:1,128



Maxar, Microsoft



Jeff Mcfadden  
Thu 3/17/2022 12:41 PM  
To: Cynda Herrick; Lori Hunter  
Cc: **Valley County Commissioners**

- CUP 22-05 I have already commented
- CUP 22-06 No comment
- VAC 22-01 No comment
- CUP 22-07 No comment
- CUP 22-08 Nissula Road is a rural county road that gets maintenance when needed. It has low traffic volume. It is a year-round maintained road. It is not a bus route or major road. It get's plowed once a day in the winter when needed. Since it is not a main road, it does not get extra plowing on it during drifting events. During big snow events, this section of road might not get plowed until all other main roads are plowed, sometimes it might be the next day. The road tends to get "washboards and potholes" in the surface quite frequently. Residents need to know that the county does not do dust suppression.
- CUP 22-09 Road is wide with good visibility in both directions. Need to apply for a approach permit through the road dept.

Thank you

Jeff McFadden, Superintendent  
Valley County Road Department



Valley County Transmittal  
Division of Community and Environmental Health

Return to:

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

Rezone # VAC 22-01

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat \_\_\_\_\_

Lot 24 & 25 Blk F Wagon Wheel Ranch #4  
12867 & 12869 S. R. M. Rd

- ☒ 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: 

Date: 3, 16, 22





## **Donnelly Rural Fire Protection District**

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

March 19, 2022

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: VAC 22-01 Thompson Vacation of Utility Easement

The Donnelly Rural Fire Protection District has no comments or concerns on this matter.

Please call 208-325-8619 with any questions.

Jess Ellis

Fire Marshal  
Donnelly Fire Department